

RULES AND REGULATIONS OF LINDENWOOD CEMETERY

Effective January 1, 2000

Department of Public Works

16 Pine Street

Stoneham, MA 02180

(781) 438-0760

All persons are reminded that the Cemetery is sacredly devoted to the interment of the dead, and that a strict observance of all that is proper in such a place will be required of them.

The objective of the Rules and Regulations is to protect and enhance the overall appearance and beauty of the Cemetery. The Rules and Regulations for the Town Cemeteries are subject to change, modification or cancellation as conditions may require.

LINDENWOOD CEMETERY HOURS OF OPERATION

The Cemetery is open to the public from sunrise to sunset.

PERPETUAL CARE

Income from deposits in the Cemetery Perpetual Care Fund shall be used forever for preservation and care of said lot and the general preservation and care of the Cemetery, it being provided, however, that the whole of said income need not be expended annually and exclusively upon the said lot, but that the said lot shall be maintained perpetually in good condition.

The term perpetual care means mowing and trimming of grass at proper intervals and the raking, reseeding and other work as may be required to properly maintain the lot. In no case shall this mean the maintenance, repair or replacement of any gravestones, monumental structures or memorials of any kind or the reconstruction of any damaged gravestones, monuments or memorials. It does not include the planting and maintenance of plants, flowers, shrubs, or trees of any kind. The Town accepts no responsibility for the growth or survival of any flower, shrub, or tree planted by the lot owner.

GENERAL RULES

No person shall remove, cut, break or mark any tree, shrub, plant or flowers, either wild or cultivated; or mark, deface or injure any monument or other structure within the premises under penalty of prosecution.

No smoking, alcohol or illegal narcotics are allowed in the Cemetery.

No skateboards or inline skates are allowed in the Cemetery. Bicycle riding in the Cemetery is prohibited.

No person shall rest upon a grave that does not belong to them or walk upon a lot or grave except in a location where it is necessary in order to reach another lot or grave.

Dogs shall not be allowed in the Cemetery.

Children are not allowed in the Cemetery unless accompanied by an adult or visiting a grave.

No person shall bring firearms into the Cemetery except at military funerals, and under the supervision of the Foreperson.

All persons are requested to not leave refuse on lots or graves but to deposit it in containers provided throughout the Cemetery. All containers are for Cemetery use only.

AUTOMOBILES AND TRUCKS

Automobiles and trucks shall not drive on the lawn, make a U turn on the avenues, park within 10 feet of a corner or be driven faster than 10 miles per hour.

All cars shall stop until a funeral procession has passed.

No vehicle over five tons shall be allowed in the Cemetery without permission of the Foreperson.

Owners/drivers will be held responsible for any damage caused by their vehicles.

OWNERSHIP OF LOTS AND RIGHTS OF BURIAL

The Town reserves the right to limit the sale of lots to any individual(s) or family.

Owners or proprietors of rights of burial, or their heirs, shall not sell or convey same to any person or persons without written approval of the Town of Stoneham, and it shall be optional with the Town to grant or withhold approval. The Town will buy back any lot(s), which are no longer wanted for the price they were originally purchased. Lot(s) from one area cannot be swapped for lot(s) in a different area.

No rights of burial shall be sold to non-residents of the Town of Stoneham unless such person has previously been a resident or is related to a resident; and is considered by the Town of Stoneham to be entitled to right of purchase or burial in Lindenwood Cemetery.

Right of burial and use of a lot shall at all times be subject to provisions of the General Laws of Massachusetts; and to all By-Laws, Rules and Regulations of the Town of Stoneham, now in effect or hereafter enacted or provided.

Possession of a Deed shall not be deemed necessary, but sufficient proof of right of burial is essential and must be furnished to the Cemetery Department before interment will be permitted in a lot or grave in accordance with the laws of the Commonwealth of Massachusetts.

In all cases where a number of heirs have equal rights of burial the names and addresses should be furnished to the Cemetery Department to complete its records.

No interments shall be made until the Foreperson is furnished with a permit as required by the laws of the Commonwealth, together with an order from the owner or person considered a legal representative, if a named representative is not on file in the Cemetery records.

No interment shall be made until the fees established by the Town Administrator have been paid. **(SCHEDULE OF FEES ARE AVAILABLE AT THE DEPARTMENT OF PUBLIC WORKS, 16 PINE STREET, STONEHAM.)**

Re-interments within a Cemetery will be made for the fee of two interments and in accordance with applicable law.

The Cemetery Department may insist upon a 24-hour notice prior to any interment or removal.

Lot owners are encouraged to keep the Town informed of the name, address and phone number of the person to contact regarding their lot(s).

All interments shall be in accordance with applicable law. Every earth interment shall be made in an outside concrete container of sufficient strength and durability to constitute a reasonable permanent support for the weight above it.

Only one interment shall be permitted in a grave except in cases where a pine wood box has been previously used and at least ten years have elapsed since such interment; except in sections of the Cemetery where, in the opinion of the Foreperson, the terrain and other conditions are adaptable for more than one interment in a grave. In such cases an additional charge shall be made for opening of grave.

The Cemetery Department reserves the right to correct any errors that may be made by it either in making interments, disinterments or removals.

The Cemetery Department shall not be held responsible for any order given by telephone, or for any mistakes occurring from the want of precise and proper information or instructions as to the particular space, size and location in a lot where an interment or disinterment is desired.

No burials will be permitted or made in the Cemetery on these Holidays: Memorial Day, July 4th, Thanksgiving Day or Christmas Day.

Four cremations may be allowed to a single grave where the right of burial has never been used. Up to three cremations may be allowed to a single grave where a regular burial has taken place, depending on the site and soil conditions.

Cremations must be placed in permanent containers when delivered to the cemetery via parcel post.

LOTS AND GRAVES

Lots and graves shall not be used for any purpose other than burial of the human dead or for the erection of permanent memorials, which meet with the approval of the Town of Stoneham.

Under no condition shall the sod/grass be broken or removed or the grade of a lot changed unless approved by the Foreperson.

Wooden crosses not to exceed 36" in height are allowed for up to six months after interment. Requests for extension of time beyond the six months must be made in writing to the Director of Public Works.

No glass containers, or eternal flames are allowed.

All decorations shall be confined within the 12 inch planting area and not exceed a height greater than 12 inches above the monument. Decorations that are not properly maintained or impede the proper and/or safe maintenance of the cemetery will be removed.

American flags, not properly maintained, may be removed thirty days after interment, Memorial Day and Veterans Day.

PLANTING POLICY

No shrubs or memorial of a permanent nature shall be placed upon or removed from a grave or lot without the approval of the Foreperson. (SEE Page 13.)

All shrubbery or flowers planted on any lot shall be removed by the Foreperson if in his opinion they are in any way detrimental to other lots, violate any rule or are considered objectionable to the general appearance of the Cemetery.

Baskets or other containers, if not of a permanent nature, should be removed by the owners if they wish to preserve them, as they shall be removed by the Foreperson when in his judgment the plants or flowers have decayed.

Flowers must not be brought into the Cemetery except for decoration, and must not be picked or carried out under any circumstance except by permission of the Foreperson.

The Cemetery Department is not responsible for any flowers or containers placed on lots or graves.

All Memorial Day decorations, except artificial flowers, will be removed within thirty days or as soon thereafter as the Foreperson deems advisable.

Artificial flowers are allowed in baskets.

All Christmas/holiday greens are allowed between November 15 - February 1.

Flowerbeds will be allowed on all grave lots under the following conditions:

For one and two grave lots:

- Flowerbeds must not extend more than twelve (12) inches from the front of the base of approved monuments and run no further than the width of the monument base.
- Flowers or plants planted within the twelve-inch flowerbed must be low growing plants.
- Flowers or plants planted within the twelve-inch flowerbed must be annuals or bulbs. No perennial plants or rose bushes are allowed on these graves.
- Flowers or plants installed within the twelve-inch flowerbed are the responsibility of the individual making the installation. Flowerbeds must be kept neat and well maintained. The Cemetery Department is not responsible for any damage or loss of plants installed by individuals.
- Borders shall not be allowed that are greater than 3" in height and/or more than 12" from the monument. Borders that are not properly maintained and/or impede the proper and safe maintenance of the Cemetery will be removed. All borders installed after January 1, 2000 shall consist of black or green plastic lawn edging.
- No planting of any kind will be allowed in the back or side of monuments. Cemetery Department personnel will remove any planting on the back or side of monuments.
- No shrubs of any kind are allowed to be planted, including rose bushes.

For three grave lots or more:

- Flowerbeds shall not extend more than twelve (12) inches from the front of the base and beyond the width of approved monuments. No planting of any kind will be allowed in the back of the monuments unless the lot to the rear is the same owner.
- Up to a total of two small bushes will be allowed to be installed on only three grave lots or larger. All bushes must be installed within twenty-four (24) inches of either side of the monument base. A list of bushes acceptable for planting is on file with the Department of Public Works. Absolutely no rose bushes will be allowed.
- Flowers or plants within the twelve-inch flowerbed must be low growing plants.
- Flowers or plants installed within the twelve-inch flowerbeds must be annuals or bulbs. No perennials are allowed.
- Flowers or plants installed within the twelve-inch flowerbeds are the responsibility of the individual making the installation. Flowerbeds must be kept neat and well maintained. The Cemetery Department is not responsible for any damage or loss of plants installed by individuals.
- Borders shall not be allowed that are greater than 3" in height and/or more than 12" from the monument. Borders that are not properly maintained and/or impede the proper and safe maintenance of the Cemetery will be removed. All borders installed after January 1, 2000 shall consist of black or green plastic lawn edging.

WORK ON LOTS

Except for employees of the Town, work on lots shall be restricted to the proprietor, a family member of the proprietor or with permission of the proprietor. All such persons shall be under the control and supervision of the Foreperson.

Workers employed in the installation of vaults, erection of monuments, etc., shall be subject to the control and direction of the Foreperson, and any worker failing to conform with these regulations may be refused permission to work in the Cemetery in the future.

All work must be done during the working hours of the Cemetery and cease at the close of the working day.

The Director of Public Works or his designee has the care of the Town-owned Cemeteries and he/she is authorized to remove all persons who violate these regulations, and is directed to cause violators of the law to be prosecuted.

TOMBS

When bodies are deposited in the Tomb they are considered virtually interred and the Foreperson is forbidden to open any casket without a written order from the

immediate family of the deceased. In no case shall it be done when in the opinion of the Foreperson the condition of the body would render it improper.

Notice will be given, when possible, to the person signing order for interment in the Tomb, of the date set for removal of the body for earth interment; or in any event notice will be given to the funeral director or a member of the immediate family of the deceased.

The Town of Stoneham reserves the right to require that a body be deposited in the Tomb should a severe storm or other conditions make it impossible or inadvisable to open a grave for immediate interment.

MONUMENTS

Applications to set monuments and markers on lots or graves must be submitted to the Cemetery Office, together with a sketch or drawing, which shall specify dimensions, lettering or markings, kind of stone to be used, and signed authorization by proprietor of lot or grave. All foundations for memorials must be installed under the direction of the Foreperson. No work shall be permitted on monuments or markers without signed authorization by proprietor of lot or grave and permission by the Foreperson of Cemetery after approval by the Town of Stoneham. Monuments shall not exceed 48" in height.

If any monument or marker shall be determined by the Town of Stoneham to be offensive or improper, said Town shall have the right to remove such object or to refuse to permit its installation in the Cemetery. All monuments or markers shall be subject to restrictions or requirements of the Town of Stoneham.

All foundation orders are to be accompanied by fee charged at rate established by the Town of Stoneham.

Orders for foundations for Memorial Day will not be accepted after May 15th, and none after November 15th or until the frost is out of the ground in the spring.

VETERANS SECTION

In the areas reserved for veterans, no planting of any kind will be allowed.

All floral decorations must be in pots or baskets and will be removed when they become unsightly.

WELFARE SECTION

The Town will supply a grave at a location of its choice, at no charge for burial of a Stoneham resident who has satisfactorily proved that they are unable to pay for the lot and burial. Only flat markers will be allowed at these locations.

APPROVED SHRUBS

The following list of shrubs are approved for planting where allowed, (see planting policy section of the Rules and Regulations booklet for details).

- Alberta Spruce
- Recommended:
 - Ed Hirle Variety
 - Jean Dilley Variety
- Boxwood
- Yews
- Holly

Only the upright or pyramidal varieties of these shrubs are to be planted. The spreading varieties are not allowed. Any requests to plant shrubs other than on this list must be approved in writing by the Department of Public Works Director or his/her designee.

It is the responsibility of the person planting the shrub(s) to keep them trimmed. They must not be allowed to grow any taller than the monument they are next to.

A copy of the Rules and Regulations booklet may be obtained from the Department of Public Works, 16 Pine Street, Stoneham, MA 02180.