

BY-LAWS AND GUIDELINES
OF
HIGHLAND CEMETERY

DOVER, MASSACHUSETTS



H.A.B

HIGHLAND CEMETERY

The Commissioners wish to preserve the quiet and dignity of these hallowed grounds while allowing the residents of Dover the use of Highland Cemetery. It is with this in mind that the Commissioners have established the following rules. It is the Commissioners' desire to leave as much personal freedom to individuals in how they determine to use the Cemetery, provided that dignity to these hallowed grounds and justice to all be preserved.

Robert S. Davis, Chairman
Jane L. Miller, Secretary
John L. Thorndike

1997

The drawing on the front cover was done in 1980 by one of the Commissioners, the late Harry A. Bertschy, who prepared a brief History which is available at the Highland Cemetery office.

DISCLAIMER OF LIABILITY

Highland Cemetery disclaims all responsibility for loss or damage to any lot, monument, memorial or planting from causes beyond its reasonable control, including but not limited to loss or damage caused by an act of God, the elements, earthquake, vandals, thieves, malicious mischief makers, order of any military or civil authority, civil disturbance, unavoidable accidents or any cause, similar or dissimilar, beyond the control of the Cemetery whether the loss or damage be direct or related.

For current fees for services, memorial permit, and purchase of a lot, please see the Commissioners or call the Superintendent at the cemetery office (508) 785-1028.

**BY-LAWS RELATING TO THE CEMETERY,
ADOPTED BY THE TOWN MAY 5, 1985. AND AS
AMENDED TO DATE BY THE TOWN**

ART. 1. All unsold lots in the cemetery to be sold and deeds given, subject to the following regulations.

ART. 2. The Commissioners may divide unsold lots into portions, each such portion to be designated as a grave. All lots shall be sold under perpetual care. The Commissioners shall determine from time to time the price to be paid for lots and graves and the amount to be deposited for perpetual care thereof.

ART. 3. All interments in lots for which deeds have been issued, shall be restricted to members of the family and relatives of the proprietors thereof, except special permission to the contrary may be obtained from the Commissioners in writing.

ART. 4. No sale, transfer or assignment of the deed of any lot shall be valid without the consent of the Commissioners, and their approval endorsed on the conveyance.

ART. 5. The land marks or corner stones indicating the boundaries of the lots shall be set level with the surface of the ground. They will be furnished and set by the Commissioners on all lots hereafter sold and the same shall not be altered or removed.

ART. 6. The Commissioners will make no charge for the general care of lots or graves under perpetual care, but extra care or work, such as planting trees or cultivating flowers, will only be done at the owner's expense, unless special provisions be made and extra amount paid in the perpetual care agreement.

ART. 7. The Commissioners shall establish the grade of all lots and avenues, and shall direct generally all improvements within the grounds, upon all lots, before as well as after the interments have been made therein, and no lot shall be filled or raised above the established grade. They will have charge of the planting, sodding, surveying and improvements generally at the cemetery.

ART. 8. The Commissioners desire to leave the improvement of lots, as far as possible, to the taste of the owners, but, in justice to all, they reserve the right given them by law, to exclude or remove from any lot any headstone, monument or other structure, tree, plant, or other object whatever which they consider injurious to the general appearance of the grounds, and no trees growing within any lot shall be removed or trimmed without the consent of the Commissioners.

ART. 9. When burial is required, notice must be given to the Commissioners in season for opening the grave, accompanied with a permit from the

Town Clerk or Board of Health, as required by law.

ART. 10. All graves must be dug by employees of the cemetery. Interments will be subject to the necessary charges.

ART. 11. All lots are to be numbered and supplied with markers by the Commissioners. Only one body shall be buried in a grave, or up to three cremated remains may be interred in the space of one grave. Whenever a lot or a grave is vacant, the owner thereof may sell the same to the Town at the original price thereof, but there shall be no imbursement for any amount paid for perpetual care. An individual grave may not be transferred except as provided herein or by will or interstate succession.

ART. 12. No charge will be made for opening or closing receiving tomb. All bodies must be removed by May 1st unless by special permit of the Commissioners.

ART. 13. Drivers of carriages employed at funerals will be required to care for their teams during the ceremonies, and their employers will be held responsible for any damage which may result from their carelessness or neglect of duty.

ART. 14. There shall be only one headstone per lot of four graves or more, and the positioning of the headstone shall be directed by the Commissioners. All new headstones must rest on concrete foundations laid below the frost, and

satisfactory to the Commissioners. No work will be allowed to be set in the spring until the ground has fully settled and is in proper condition.

ART. 15. No tomb shall be constructed except in such parts of the grounds as shall be designated by the Commissioners for that purpose, and no proprietor shall suffer the remains of any person to be deposited in a tomb so authorized, for hire.

ART. 16. All persons are forbidden from gathering any flowers, either wild or cultivated, breaking any tree, shrub or plant, writing upon, defacing or injuring any monument, fence or structure.

ART. 17. All persons are prohibited from discharging firearms, walking on the borders, or crossing lots.

ART. 18. Citizens of Dover who are heads of families and have been residents of the Town for not less than five years shall be entitled to lots in the cemetery, allowing one lot to a family, subject to the regulations adopted by the Town, upon payment for same, but by consent of the Commissioners the five years' residence requirement may be waived.

The following guidelines are a compilation of rules and regulations both verbal and written passed down through the years. The Commissioners have endorsed these rules and amended them as the times and situations have warranted.

CONDUCT

All those visiting the cemetery shall conduct themselves as befitting the respect due these hallowed grounds.

There is to be no consumption of alcoholic beverages on cemetery grounds.

All those visiting in the cemetery shall stay on the roads and paths provided unless visiting a specific grave.

There is a 5 mile per hour speed limit throughout the cemetery. No washing of vehicles is permitted.

The Commissioners do not want to dictate the means of transportation for those visiting a grave site; however bikes, skateboards, roller blades, and cross country skis are not allowed for recreation.

Playing games such as golf, frisbee, or baseball is not allowed.

All pet owners are required to clean up after their pets.

All citizens who wish to gather in the cemetery are welcome. However, those groups wishing to gather in the cemetery for funerals, memorial services, or educational purposes shall notify the Commissioners so that the rights of others may be preserved.

MONUMENTS

The Commissioners respectfully wish to bring to the attention of all lot owners that approval of the Commission is required prior to the installation of any headstone, marker, or monument.

Those intending to arrange for the installation of a headstone, marker, or monument will provide the Commissioners with the necessary information. A permit is available at the cemetery for this purpose.

Temporary grave markers shall be removed within six months following interment, or at the time of installation of a permanent memorial.

All those wishing to erect a monument, flat marker, or ledger on their lot must apply for and submit a memorial permit listing all pertinent information and pay the appropriate fees.

All contractors must call 24 hours in advance of working on cemetery property, check in with the Superintendent on arriving and have a written work order approved and signed by the lot owner before

starting any work on cemetery property. They also must abide by all cemetery rules or they will not be allowed to continue to work on the grounds or return later.

All contractors shall work only while the Cemetery staff is on duty.

The Commissioners believe that headstone size should be proportional to the size of the lot and therefore the maximum dimensions (excluding base) by lot size should be no larger than:

SINGLE GRAVE Shall have only one (1) flush marker; for graves with multiple cremations, a single flush ledger not exceeding 24 in. wide, 36 in. deep, 4 in. high is allowed.

TWO GRAVE LOT Flush marker only.

FOUR GRAVE LOT 30 in. wide, 8 in. deep, 28 in. high.

EIGHT GRAVE LOT 48 in. wide, 10 in. deep, 30 in. high.

Bases shall not exceed the above dimensions by more than six (6) inches on any side of the headstone or monument. All bases shall have the lot number on the left side as you are facing the monument.

Benches and other monuments not meeting the size and shape rules are subject to Superintendent

and Commission review.

All benches shall be of a pedestal style or have a base equal in size and shape to the top.

All natural stone monuments are subject to Superintendent and Commission inspection and approval before the memorial permit is filed.

All foundations for headstones and monuments, flat markers, and ledgers shall be installed by cemetery personnel.

All flat markers and ledgers shall be installed so that they are legible from the foot of the grave.

All bronze flat markers will have a cement foundation and be subject to the same charges as other flat markers.

PLANTINGS

Plantings must be approved by the Superintendent. Planting should be adjacent to and no further than twelve (12) inches from a monument and in keeping with the surrounding grounds.

To make possible the mowing and care of the lot, a grass buffer zone of at least 48 inches will be maintained between all monuments and/or plantings.

Highland Cemetery cannot be held responsible

for bushes or plants which might be damaged by routine maintenance or the preparations for a grave.

All planting done without prior approval of the Superintendent is subject to removal by cemetery staff without notification.

All lawn care is to be done by cemetery personnel only.

All trees are to be planted by the Commissioners. There are to be no trees planted on lots without special permission of the Commissioners.

Trees given in memory of loved ones are encouraged.

All flowers are to be planted by and cared for by the lot owner. Any flowers or gardens not maintained will be removed.

There are to be no stone, brick, or masonry borders around plantings nor are these materials allowed as ground covers.

There is no planting or placing of flowers allowed around a flat marker or ledger.

Artificial flowers, statuary, candles, and permanent vases are not permitted. No glass, crockery, or other breakable containers for cut flowers are allowed.

All seasonal decorations will be removed by cemetery personnel after January 15.

All veteran, service, organization markers, and flags shall be placed next to the family monument. All flags will be removed and disposed of in a respectful manner during fall clean-up.

Memorials

Cemetery personnel must be notified in person one full work day in advance of a burial, and authorization must be given by the Superintendent or cemetery staff before a burial can be scheduled.

All burials, either full body or cremation, are to be accompanied by the permits required by law as stated in Chapter 114 Massachusetts General Law and all other applicable laws.

All full burials are to be in an approved vault.

All bodies presented for burial shall be in a casket, coffin, or similar container.

All cremations are to be in a vault or an urn of permanence designed for burial.

All burials and cremations occurring after normal work hours and any interments requiring preparation or closing before or after normal work hours are subject to overtime charges.

All winter burials and cremations are subject

to a Frost/Snow Charge.

During all memorial services or funerals, the Commissioners or their representative are in charge of the cemetery grounds and proceedings.

All vault covers will remain on the delivery vehicle unless otherwise requested by the family.

Tents are allowed only during inclement weather and only if there are no safety concerns due to wind. The Superintendent or other staff representative of the Commission shall make the final determination as to the use of a tent on the day of the memorial or funeral service.

Disinterments

All applicable fees, costs and permits must be paid for and obtained by the parties or agency requesting the disinterment.

Signatures of parents, spouse and all siblings of the deceased, as applicable, must accompany a disinterment request.

Signatures of the lot owners or their heirs must accompany a disinterment request.

Cemetery personnel will not be responsible for handling the remains or removing the vault during a disinterment.

-NOTES-

REGISTERED FAMILY NAME _____

FAMILY LOT NUMBER _____

DATE PURCHASED ____ / ____ / ____

CURRENT OWNER _____

LOCATION _____

GRAVE #1 _____

DATE _____

GRAVE #2 _____

DATE _____

GRAVE #3 _____

DATE _____

GRAVE #4 _____

DATE _____

GRAVE #5 _____

DATE _____

GRAVE #6 _____

DATE _____

GRAVE #7 _____

DATE _____

GRAVE #8 _____

DATE _____