



CATHOLIC  
CEMETERIES  
DIOCESE OF SYRACUSE

CATHOLIC CEMETERIES OF THE  
ROMAN CATHOLIC DIOCESE  
OF SYRACUSE, INC.

GENERAL RULES  
& REGULATIONS





## MISSION STATEMENT

*With faith-inspired guidance, respect and love, we provide personalized interment services for burials or cremations in an inspiring, beautiful environment to commemorate the lives of people in the Catholic Community.*

## VISION

*A welcoming, enduring place of inspiration, comfort, respect, and love where people join together to honor and remember.*

## VALUES

- *We are guided by the principles and beliefs of the Catholic **faith**.*
- *We treat everyone with **empathy** and **respect**.*
- *We **honor** the people we serve and one another.*
- *We adhere to the highest standards of **integrity**.*
- *We are an organization of **caring, loving** individuals.*



March, 2021

## DEFINITIONS

1. LOCAL ORDINARY – shall mean the Roman Catholic Bishop of the Diocese of Syracuse.
2. DIOCESAN CEMETERY OFFICE – as used herein, means the Director for the purpose of conducting and administrating the cemeteries owned and operated by the Diocese of Syracuse.
3. CEMETERY SUPERINTENDENT – Those persons to whom the Diocesan Cemetery Office has delegated the operation of a particular cemetery.
4. CEMETERY – all property for earth burials and mausoleums for crypt/niche entombments.
5. LOT – shall include and apply to one grave or to more than one adjoining grave.
6. GRAVE – shall mean a space of ground in the cemetery used or intended to be used for the burial of human remains.
7. CRYPT – shall mean a space of sufficient size in a mausoleum or underground vault used, or intended to be used, to entomb human remains.
8. NICHE – shall mean a space of sufficient size in a mausoleum or a designated memorial wall used, or intended to be used, to entomb cremated human remains.
9. INTERMENT – shall mean earth burial.
10. ENTOMBMENT – shall mean burial in a mausoleum crypt or underground vault or memorial wall.

11. LOT HOLDER/CRYPT HOLDER – shall mean a person who has been granted interment or entombment rights or who holds same by right of inheritance or transfer.
12. RIGHT OF BURIAL – shall mean only the privilege of interment or entombment in the cemetery. IT DOES NOT convey an ownership of land or other interest in the grave, lot, crypt, or niche to which it refers.
13. CERTIFICATE OF RIGHT OF BURIAL – grants only the privilege of interment/entombment as defined above and is not to be construed as a deed to the land/mausoleum itself.
14. MEMORIAL – shall include monument, grave marker, mausoleum, sarcophagus and/or the inscription on them pertaining to one or more deceased persons.

# **RULES AND REGULATIONS**

## **I**

### **ADMISSION TO THE CEMETERY**

The Diocesan Cemetery Office reserves the right to admit or refuse physical admission to the cemetery and shall permit or refuse the use of any of the cemetery's equipment or facilities at any time to anyone who is not there for the purpose of burying the dead, visiting a grave, or paying respects to the memory of the dead or anyone who is not acting in the best interests of the cemetery as these rules or judgment or tradition may dictate.

The Diocesan Cemetery Office has the right to establish the opening and closing hours of the cemetery and the cemetery office and buildings.

## **II**

### **CERTIFICATE OF RIGHT OF BURIAL**

The Certificate of Right of Burial grants only the right or privilege of interment/entombment to the lot/crypt holder and not title or any other interest to the land/mausoleum itself.

## **III**

### **INTERMENTS/ENTOMBMENTS**

- A. The Diocesan Cemetery Office shall in no way be liable for any delay in the interment/entombment of a body where a protest to the interment/entombment has been made, or where the rules and regulations have not been complied with, or where said rules and regulations shall forbid such interment/entombment; and further, said Diocesan Cemetery Office reserves the right under such

circumstances to place the body in a receiving vault until full rights have been determined. Any protest must be in writing and filed with the Diocesan Cemetery Office.

- B. The Cemetery Superintendent reserves the right to refuse a request for an interment/entombment or opening of a grave, lot, crypt or niche for any purpose, except on proper written authorization from any lot holder of record, or if deceased, his/her heirs, when there are written instructions to the contrary on file with the Cemetery Superintendent. To avoid serious inconvenience, the Cemetery Superintendent may accept from the lot holder a notarized interment/entombment authorization.
- C. The Cemetery Superintendent shall not be responsible for any order given by telephone or any mistake occurring from the want of proper instructions as to the size of the vault, or as to the particular grave or crypt or niche location where interment/entombment is to be made. An equitable charge will be made whenever additional labor costs result from such mistake.
- D. All arrangements for interments/entombments, purchase of burial rights or removals made by a lot/crypt holder through a funeral director or other agent shall be binding on said lot holder.

#### **IV**

#### **INTERMENT/ENTOMBMENT PROCEDURE**

- A. All funerals, on entering the cemetery, shall be under the supervision and sole discretion of the Cemetery Superintendent.
- B. All applications for an interment/entombment must be made at the local cemetery office, and, parties are expected to apply not later than noon on the previous

working day on which the interment/entombment is to be made. Sufficient time as determined by the Cemetery Superintendent must intervene between the application and the burial.

- C. A burial permit for each funeral, as required by the New York State Department of Health having jurisdiction of the matter, must be presented to the Cemetery Superintendent before the interment/entombment is commenced.
- D. The Cemetery Superintendent shall not be liable for the burial permit or responsible for the accuracy of the data contained in said permit or for the identity of the person to be interred or entombed.
- E. A casket may not be opened at any time within the cemetery without the express permission of the Diocesan Cemetery Office and in the presence of the Cemetery Superintendent. All requirements of the New York State Department of Health must be fulfilled. The Diocesan Cemetery Office reserves the right to refuse permission to anyone to open the casket or to touch the body without the presentation of a court order. A body receipt is required to be signed upon completion of the committal service.
- F. Disinterments or disentombments shall be allowed according to proper legal procedure. The disinterment or disentombment shall be performed privately by the Cemetery Superintendent and other necessary professional personnel. Family members will not be allowed to attend.
- G. Cemetery Superintendent shall exercise due care in making a disinterment or disentombment, but shall assume no liability for the damage to any casket or outer container incurred in making the disinterment or disentombment

- H. The hour and manner in which interments/entombments and/or disinterments/ disentombments will be permitted shall be designated at the sole discretion of the Cemetery Superintendent.
- I. Besides being subject to these rules and regulations, all interments/entombments and disinterments/ disentombments shall be subject to the orders and laws as required by the proper and competent authorities having jurisdiction in such matters.
- J. In the event any error shall occur in the Certificate of Right of Burial, the Diocesan Cemetery Office shall have the right to correct the same by canceling such certificate and substituting a Certificate of Right of Burial in such other grave, lot, crypt or niche of as nearly equal value and similar location as may be possible, to be selected by the Diocesan Cemetery Office, or in the sole discretion of said Diocesan Cemetery Office, by refunding the sum paid on account of said purchase. In the event any such error shall involve an interment/ entombment and/or disinterment/disentombment of the remains of any person in any grave, lot, crypt, or niche the Diocesan Cemetery Office reserves, and shall have the right to remove and re-inter the remains in such other grave, lot, crypt or niche of equal value and similar locations as may be substituted therefor.
- K. All adult caskets must be enclosed in a concrete, steel or other permanent container for earth interment. Use of wood or fiberglass containers is prohibited. All infant caskets must likewise be enclosed in a concrete, steel or other permanent container unless the casket itself is non-corrosive, non-crushable and non-biodegradable. Approval for all containers shall rest with the Cemetery Superintendent.

- L. All cremated human remains must be enclosed in an approved urn vault for earth interment unless the urn itself is non-corrosive, non-crushable, non-biodegradable and not subject to possible damage during a disinterment procedure. Approval for all such urn vaults and/or urns shall rest with the Diocesan Cemetery Office.
- M. No interments, disinterments, entombments, or disentombments will be made on Sunday or certain holidays. Additional fees may be required on Saturdays or holidays when interments are permitted.
- N. Funeral directors must observe the interment procedure until the vault cover is secured.

## V

### **INSTRUCTIONS TO LOT/CRYPT/NICHE HOLDERS AND LOT/CRYPT/NICHE HOLDERS' RIGHTS**

- A. The Diocesan Cemetery Office reserves the right to specify the terms of purchase of all interment/entombment rights in graves, lots, crypts, or niches and to fix the number of interments/entombments allocated to a grave, lot, crypt or niche.
- B. If the purchaser fails to carry out the terms of the purchase agreement, the Diocesan Cemetery Office may declare said agreement cancelled and all rights of the purchaser in and to the grave, lot, crypt or niche are forfeited. Notice of such forfeiture mailed to the last address of such purchaser appearing on the cemetery records shall be deemed sufficient.
- C. The use of a grave, lot, crypt or niche is for the lot/crypt/niche holder, the lot/crypt/niche holder's relatives, or the lot/crypt/niche holder's designee, for interment/entombment purposes only and the Certificate of Right

of Burial granted is not transferable without the written consent of the Diocesan Cemetery Office. The owner of the Certificate of Right of Burial shall not have any right to sell, transfer, exchange or in any manner dispose of said grave, lot, crypt, niche, or any part thereof, or any right of interest therein without the written consent of the Diocesan Cemetery Office.

- D. In the event the owner of the Certificate of Right of Burial wishes to return a grave, lot, crypt or niche to the cemetery and it is acceptable to the Diocesan Cemetery Office, only the original purchase price shall be reimbursed less any applicable administrative fee and/or any other required service charges.
- E. Accommodation/Second Usage. The additional use (second usage) of a grave or crypt requires that a fee equal to one half the current price of a grave/crypt be paid prior to the usage. Interment fees are also required.

## **VI SEQUENCE OF INHERITANCE**

- A. In the event of the death of the owner of the Right of Burial, any and all privileges shall pass to the heirs in the manner provided under the Estate Powers and Trust Law of the State of New York.

## **VII RIGHT OF ALTERATION**

- A. The Diocesan Cemetery Office reserves the right at anytime to erect buildings for any purpose or use connected with the operations of the cemetery.
- B. The cemetery may, without notice, modify or alter any portion of the cemetery.

## VIII USE OF THE CEMETERY

- A. The Diocesan Cemetery Office, their agents and employees, other lot holders and those reasonably entitled thereto, shall have a perpetual right over graves and lots to pass to and from other graves and lots.
- B. Visitors are not permitted to bring animals into the cemetery or into any buildings in the cemetery.
- C. Turf shall not be disturbed for any purpose except under written authorization or supervision of the Cemetery Superintendent.
- D. The Diocesan Cemetery Office reserves the right to regulate the method of decorating graves or lots, so that uniform beauty may be maintained. The following guidelines are to be observed:
  - 1. The planting of live flowers and the placing of pots of live flowers are permitted any time in the spring.
  - 2. Flowerbeds may be planted in front of one's monument and also in the back when one possesses those graves. Flowerbeds may extend to a maximum of twelve inches in width from the base of the monument and may extend the length of the base.
  - 3. Flush marker graves do not allow for in ground planting because of cemetery maintenance. However, an above ground pot may be placed on the flush marker.
  - 4. Above ground pots placed on a monumented grave or on a flush marker grave may range in size up to ten inches in diameter and up to six inches high to

allow movement of them by cemetery maintenance personnel.

5. One above ground pot may be placed per occupied grave. Due to safety and lifting concerns, such pots must be constructed of durable materials such as fiberglass, heavy-duty plastic, and clay, not however, wood, metal, concrete, or ceramic.
6. Other ornamental containers must meet these size and material requirements. Glass articles such as containers and votive lights having glass components (lightbulbs excluded) and/or an open flame and also cardboard containers are not permitted at any time.
7. Solar or battery powered votive lights not having glass components (lightbulbs excluded) may be placed on a grave between November 15<sup>th</sup> and one week after Easter. They must be of durable quality and properly secured. They must be placed within the confines of a flowerbed on monument lots only. Placement is at the owner's risk.
8. The driving of metal or wooden stakes, including shepherd's hooks, into the ground to secure decorations is not permitted.
9. All miscellaneous decorations and bric-a-brac should be in keeping with the Catholic tradition and religious nature of the cemetery and the respect and reverence due to the deceased.
10. Cemetery plantings are for the benefit of all lot holders and visitors, and are not to be used by individuals for their own personal decoration.

11. All flowerpots may remain in place until November 15<sup>th</sup>.
  12. Live wreaths, evergreen blankets and artificial decorations which are in conformity with cemetery regulations may be placed on a grave between November 15<sup>th</sup> and one week after Easter. Families are responsible for removing all artificial decorations by the Sunday after Easter.
  13. Families are responsible for removing all decorations when they become withered, weathered, or unsightly. The cemetery will discard any that are left unattended.
- E. The Cemetery Superintendent shall not be liable for vases, floral pieces, baskets of flowers, beyond acceptance of such floral pieces for funeral services in the cemeteries.
- F. The Cemetery Superintendent will remove all floral pieces the day following the interment/entombment service. Persons desiring to retain some should remove them immediately following the service.
- G. A lot holder has the choice of placing one flag and holder pertaining to the service to one's country, or one's community service or organization, or one's country of origin per occupied grave. For maintenance reasons, such flags and holders should be placed as close to the monument as possible. Flags without approved holders will be removed within three days to avoid desecration of such flags. Flags which are tattered, torn or faded will likewise be removed.

## **IX CONDUCT IN THE CEMETERIES**

- A. The cemetery is private property, therefore:
1. Littering, loitering or any boisterous demonstration within the cemeteries or any of the buildings are prohibited.
  2. Please refrain from picking any flowers, and from breaking, removing, injuring or cutting any trees, plants, or shrubbery, other than your own.
  3. Selling or solicitation of any commodity whatsoever within the cemetery is restricted to authorized cemetery personnel.
  4. Placing signs, notices or advertising of any kind within the cemetery is restricted to authorized cemetery personnel.
  5. Assemblages shall be conducted in the cemetery only with the authorization of the Diocesan Cemetery Office.
  6. Firearms are permitted only with the authorization of the Diocesan Cemetery Office.
  7. All vehicles must be kept under control at all times and observe a 15 mile per hour speed limit. All motorists should refrain from parking on the lawns.

## **X GRADING, LANDSCAPING AND IMPROVEMENTS**

- A. All grading and improvements of any kind and all care and maintenance of graves and lots, including the

spreading of fertilizer and growth stimulants, shall be done solely by the local cemetery personnel, unless permission is granted by the Cemetery Superintendent.

- B. The landscape plans of the Diocesan Cemetery Office in respect to the location and varieties of trees and shrubs planted or to be planted shall be adhered to.
- C. Only trees and shrubs approved by the Cemetery Superintendent, in conjunction with the Diocesan Cemetery Office, may be used, and then only in approved planting spaces and under the supervision of the Cemetery Superintendent. Any trees, shrubs or plants, which in the opinion of the Cemetery Superintendent, violate any such plans, obstruct any adjacent grave, lot, walk or road, or are injurious to the general appearance of the cemetery shall be removed without notice by said Cemetery Superintendent.
- D. All approved plantings will be done at the owners' risk. Owners are advised to consider weather conditions and wildlife foraging in making plant selections.
- E. Due to maintenance and safety concerns, the following considerations are necessary:
  - 1. Certain flowers and shrubs are not appropriate, such as plants with thorns, and also ground cover and shrubs that normally mature beyond the parameters of your lot and monument.
  - 2. Potted plants dug into the soil beyond the approved planting area create safety and maintenance hazards.
  - 3. The placing of crushed stone, wood chips/nuggets, landscape shells, create safety and maintenance hazards.

4. Fencing, edging, borders of any material can damage maintenance equipment.

Violations of any of the above considerations will necessitate immediate removal of the inappropriate items by the Cemetery Superintendent.

## **XI OUTSIDE CONTRACTORS**

- A. No workmen other than cemetery employees will be permitted to work in the cemetery unless specifically authorized by the Diocesan Cemetery Office.
- B. Lot holders may have certain work done in accordance with the cemetery rules and regulations at their own expense upon application and approval by the Diocesan Cemetery Office.

## **XII LOSS OR DAMAGE**

The Diocesan Cemetery Office disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage by an Act of God, the elements, insurrections, riots, order of any military or civil authority, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents or any similar causes beyond the control of said cemetery authorities.

Lot holders are advised that memorials are not cemetery property but remain the personal property of the lot holder. Therefore, the memorial should be insured under the lot holder's homeowner's insurance policy.

### **XIII CHANGE OF ADDRESS**

It shall be the obligation of the lot/crypt/niche holder to notify the Cemetery Superintendent of any change in his/her post office address.

### **XIV CARE**

- A. Permanent Maintenance Fund refers to the care and maintenance of graves and lots necessitated by natural growth and ordinary wear which can be provided by income from the Permanent Maintenance Funds. It includes cutting and care of lawns, trees and shrubs planted by the Diocesan Cemetery Office. It shall not include the care and maintenance of lot holder's private plantings.
  
- B. The term "Maintenance" shall in no case mean the maintenance, repair, or replacement of any memorial placed or erected upon any grave or lot, nor the planting of flowers or ornamental plants; nor the doing of any special or unusual work in the cemeteries, including work caused by impoverishment of the soil or disruption of water supply or facilities, nor does it mean the reconstruction of any memorial, granite, bronze or concrete work on any section of a grave or lot, or any portion or portions thereof in the cemetery, injured or damaged by any cause, direct or indirect, beyond reasonable control of the Diocesan Cemetery Office.

### **XV MEMORIALS AND RULES FOR MEMORIAL WORK**

- A. The Diocesan Cemetery Office reserves the right to

issue under separate cover detailed regulations and instructions pertaining to the kind, size, design, symbolism, craftsmanship, quality and material of memorials, inscriptions and crypts to be placed in the cemeteries. Said detailed regulations and instructions and all amendments thereto are hereby made a part of these rules and regulations.

## **XVI**

### **PRIVATE/FAMILY MAUSOLEUMS**

- A. Private mausoleums shall be constructed only on lots designated by the Diocesan Cemetery Office. Plans, specifications, material and location in the lot of such mausoleums shall be subject to the approval of the Diocesan Cemetery Office.
- B. All private mausoleums erected in the cemetery shall be at the risk of the lot owner or the legal heir/agents. Cemetery maintenance shall include only the outside grounds.
- C. The Cemetery Superintendent shall have the right to enter a private mausoleum in the course of their duties and responsibilities. A key to the mausoleum door shall be kept in a safe place in the cemetery office.

## **XVII**

### **TEMPORARY STORAGE**

- A. A temporary vault may be used for temporary entombments subject to the rules and regulations and to the other terms and provisions of the temporary storage agreement.
- B. The temporary vaults are for temporary use only and are subject to a storage fee, and under no circumstances, shall a body be considered as interred by reason of being placed therein.

- C. The remains of any person who has died of an infectious or contagious disease shall not be allowed to be placed in a temporary vault.
- D. The body shall be removed from the storage vault within a reasonable time, which in no case shall exceed six months unless the Diocesan Cemetery Office shall consent to a longer period.
- E. The Diocesan Cemetery Office reserves the right, without notice, to remove from the temporary vault at once and inter any remains not in a good state of preservation, or when the condition of the body renders its interment necessary.
- F. The amount of the storage fee and any other charges shall be determined by the Diocesan Cemetery Office.
- G. Upon failure to pay rental or to make suitable arrangements for the final interment of the remains within a reasonable time, the Diocesan Cemetery Office may remove the remains from the receiving vault and cause same to be interred in any grave it may select after having given seven (7) days written notice by deposit of a letter in the United State Post Office with postage thereon duly prepaid to the person making the placement at the address stated on the cemetery records. In the event of failure or default the Diocesan Cemetery Office is empowered to act as duly appointed agent in obtaining any and all necessary interment or health permits for said removal and interment. Any deposit made shall be applied by the Diocesan Cemetery Office against any expenses incurred by them.

## IN GENERAL

- A. The statements or representations of any employee of the Catholic Cemeteries shall not be binding on said cemeteries except as such statements or representations coincide with the instrument granting the Right of Burial and with these Rules and Regulations.
- B. These rules and regulations shall apply to any grave, lot, memorial, crypt, niche or mausoleum now in existence or which may hereafter be erected.
- C. The Diocesan Cemetery Office reserves the right, without notice, to make temporary exceptions, suspensions or modifications in any of these rules and regulations, when in their judgment, the same appear advisable, and such temporary exceptions, suspensions or modifications shall in no way be considered as affecting the general application of such rule, and shall not be deemed a waiver of any provision of these rules and regulations.
- D. In all matters not specifically covered by these rules and regulations the Diocesan Cemetery Office reserves the right to do anything which, in their judgment, is deemed reasonable under the circumstances and such decision shall be binding upon the lot/crypt/or niche holder and all parties concerned.
- E. The Diocesan Cemetery Office reserves the right, at any time, and from time to time, to change, amend, repeal, or rescind these rules and regulations or any part thereof, or to adopt any new rule or regulation with respect to said cemetery or anything pertaining thereto.

## COMMUNITY MAUSOLEUMS

- A. Only authorized flowers, vases, emblems, artificial decorations or any other ornamentation will be permitted inside or outside the mausoleums. Violations will be removed without notice.
- B. Exception to the above will be funeral flowers which may not be brought into the mausoleum but may be placed near the front entry.
- C. The Cemetery Superintendent will remove all floral pieces following the entombment. Persons desiring to retain some should remove them immediately following the service.
- D. Entombments and inurnments will be made only after all funeral attendants have left. Funeral directors must stay and observe.
- E. Lettering of mausoleum shutter fronts shall be raised bronze in conformity with the standardization within the Diocese. All lettering shall be done by cemetery employees.
- F. Lettering shall be limited, on crypts only, to first name, middle initial, last name and appropriate abbreviated professional title, i.e. Rev., Msgr., Dc., M.D., D.D.S., Sgt., Gen. Titles other than those legally and professionally carried through life will not be permitted.
- G. Dates of birth and death shall be limited to years only, i.e., 1920 – 2001.
- H. Approved religious and military emblems are allowed.
- I. Only ceramic photographs provided by the cemetery will be allowed.