TOWN OF WESTON
CEMETERY REGULATIONS
(Applicable to each cemetery of the Town)

ARTICLE 1
GENERAL REGULATIONS

Section 1. The Superintendent or his representative, acting under the direction and pursuant to the authority of the Board of Selectmen (in these Regulations called the Board), shall have charge of the grounds and buildings of the Cemetery and the use thereof, and shall have authority to enforce all regulations.

Section 2. Visitors are welcome from 7:00 AM to Sunset. No horseback riding is allowed. Dogs are not allowed except under specified circumstances. Dogs are not allowed in any Town-owned cemetery, except that a dog may attend the funeral of a member of its keeper’s family and may accompany family members to visit the grave site of a deceased family member. Under these circumstances, the dog must be kept on a 6-foot or shorter leash. The dog may not urinate or defecate on grave sites or gravestones. No firearms are allowed except at military funerals or at Town organized celebrations on Memorial Day, Veterans Day, and/or similar Town organized events.

Section 3. Any persons disturbing the peace by unreasonable noise, driving over 15 miles per hour or any improper conduct, or who shall violate any of the Regulations will be compelled to leave the grounds and will be reported to the police for appropriate action.

Section 4. Charges for lots and services shall be fixed by the Board from time to time. All charges shall be payable in advance. All payments shall be made to the Town.

ARTICLE 2
BURIAL LOT REGULATIONS

Section 1. Lots shall held subject to applicable laws, and to these Regulations in their present form and as they may be amended or revised from time to time.

Section 2. Lots shall be numbered on the plan of the Cemetery which shall be on file at the Superintendent’s office and which may be inspected by any lot grantee and his or her heirs at any reasonable time. Each lot shall be marked with suitable markers.

Section 3. (a) A lot for the purpose of these Regulations shall be: for full interments - a two grave lot of 75 square feet, more or less or multiples thereof; for cremations only - a four urn lot of 50 square feet
more or less, plus 25 square foot increments for each additional four urns.

(b) Lots shall be sold to individuals aged 65 years or older and may not be sold to anyone not a current resident of the Town of Weston at time of such sale. Lots may be sold to a current resident of the Town of Weston who is under the age of 65 in order to accommodate the interment of the owner’s wife, husband, child, stepchild, parent, or parent in law. A maximum of a two-grave casket lot will be sold to an eligible resident. Lots of greater capacity or the sale of lots outside of the aforementioned conditions may be sold on a case by case basis as circumstances may warrant in the sole discretion of the Board of Selectmen, with a recommendation from the cemetery superintendent. In no case will a casket lot in excess of four graves be sold. Present or retired employees of the Town who are not residents may purchase a lot as described above.

(c) No body shall be interred in such lot unless the deceased was at the time of his or her death an owner of such lot or was by blood, marriage, or adoption the wife or husband, the child or stepchild or spouse thereof, or the parents or parents-in-law of the owner, or a lot is newly purchased by a qualified purchaser for the interment of eligible deceased. If the owner of the lot in question shall have deceased, the successor owner(s) shall be similarly limited except that persons who met the requirement of relationship to the previous owners shall remain eligible as of right to be interred in such lot. Deceased persons other than those above specified as of right may be buried in any lot if a written request is made to and approved by the Board, the owner(s) of the lot agree (if not a new lot) and the lot contains sufficient space for such interment. Any eligible person may waive and transfer his or her grave to another eligible person in the same family with the Board’s approval.

Section 4. No interment shall be made in any lot, nor any work done on it until it is fully paid for. Lots shall not be used for any other purpose than as a place of burial of the human dead. No tree within the lot or border shall be cut down or destroyed without the consent of the Board. No change shall be made in the grade of a lot except with the Board’s approval and under its direction. A change in grade shall be made when in the opinion of the Board such action is necessary for the improvement of the Cemetery.

Section 5. No fence or wall of any description may be installed around a lot or lots
Section 6. No trees or plants shall be planted on a lot without the approval of the Board. For other than annual plants such approval must be requested in writing.

Section 7. The Board reserves the entire control of every tree, shrub, plant or vine growing within the Cemetery, whether or not planted by the owner, including the right of removal or substitution of the same when it considers such removal or substitution advisable.

Section 8. Floral designs, flowers, and movable ornamentation may be removed by the Cemetery employees under the direction of the Superintendent as soon as they become unsightly.

Section 9. Flags will not be permitted upon lots or graves except for Memorial Day unless special written permission shall have been received from the Board. They must be placed by authorized representative of lodges, veterans’ organizations, and the like, not more than one week before May 30th, and if not thereafter promptly removed, may be removed by the Cemetery employees. Any flag may be removed without notice if it becomes soiled, faded, torn or unsightly in any way.

Section 10. No lot shall be sold, or reconveyed to the Town, except with the approval of the Board and at the original sales price, and only if there have been no burials in it. This section shall not apply to conveyances to the Town in trust under General Laws, Chapter 11, Section 28.

ARTICLE 3
BURIAL REGULATIONS

Section 1. No burial shall be made in any lot for hire.

Section 2. No burial shall be made until all necessary deeds and documents relative to the purchase of the grave have been approved or ratified by a majority of the Board. The full Board shall sign and execute all required documents.

Section 3. No burial shall be made until all charges shall have been paid and all necessary documents relative to the death and burial shall have been delivered to the Board or its representative.

Section 4. Interment orders shall be furnished the Superintendent, unless waived, at least forty-eight hours, exclusive of Sundays and holidays, before the time of interment, and shall be accompanied by instructions as to the location of the grave. If such instructions are not received by the Superintendent, if they are indefinite, or if for any reason the interment cannot be made where specified, the Superintendent may determine the location in the lot for such interment.

Section 5. Openings for interment shall be made Monday to Friday, only. Interments are not made on Sunday, nor the following
holidays: New Year’s Day, President’s Day, Memorial Day, July Fourth, Labor Day, Columbus Day, Thanksgiving Day, Christmas Day, Veteran’s Day, Patriot’s day, Martin Luther King Day, December 24 after 11:00 A.M., and December 31 after 11:00 A.M. An opening for interment on Saturday is permitted if: 1) Frost in the ground does not prevent such opening. 2) The Superintendent has been able previously to determine that geological conditions will permit proper preparation without blasting. Such determination shall be done by the Cemetery Division only at the lot owner’s written request and expense. 3) Properly qualified employees of the Town of Weston are available for the opening and closing of the grave and for supervision of the burial. 4) Additional charges for openings and closings on Saturday may be made at the direction of the Board and shall be paid prior to opening. No grave shall be opened for interment by any person not in employ of the Town. Arrangements for Monday interments must be made with the Superintendent or his/her designee by noon the previous Friday. Arrangements for Interments the day after a recognized holiday must be made with the Superintendent or his/her designee by noon the previous business day. The superintendent reserves the right to postpone an interment to a more convenient time if more than one interment is scheduled within the same time frame.

Section 6. No interment shall be made without the use of a suitable permanent container.

Section 7. Interment shall not be more than one deep.

Section 8. In addition to one full adult interment each grave may receive one cremated remains. The additional interment of small children whether or not cremated may be made in the same grave where feasible, as determined by the Superintendent.

Section 9. No disinterment or removal shall be made without (a) a signed order from the owner or representative of the lot or appropriate legal authority; (b) the consent of the Board; (c) such other permits as are legally required, unless such disinterment or removal is ordered by the Courts of the Commonwealth or the Attorney General.

Section 10. No disinterment or removal shall be made on Saturday, Sundays, or holidays unless otherwise ordered by the Courts of the Commonwealth or the Attorney General.

Section 11. While a funeral or interment is being conducted nearby, all work of any description shall be suspended until the departure of the funeral party.

Section 12. The board may designate certain areas as suitable for cremations only. Deeds to lots in such areas will carry this restriction which may not be waived.
Section 13. All burials shall take place between 8 A.M. and 2 P.M. of the day scheduled.

ARTICLE 3A
BURIAL REGULATIONS
SCATTERING GARDEN

Section 1. Scattering of cremated remains will be subject to all regulations in Article 3, Sections 1-5.

Section 2. Burial Rights shall be sold to individuals aged 65 years or older and may not be sold to anyone not a current resident of the Town of Weston at time of such sale. Burial Rights may be sold to a current resident of the Town of Weston who is under the age of 65 in order to accommodate the interment of the owner’s wife, husband, child, stepchild, parent, or parent in law. Present or retired employees of the Town who are not residents may purchase Burial Rights as described above. Burial Rights are not transferable.

Section 3. All interments shall be made under the direct supervision of a Cemetery Employee. No containers are allowed and the remains cannot be recovered. The sod may be lifted by shovel and the remains placed in the earth. Over time remains may be commingled with others.

Section 4. No individual memorials, plantings, containers, mementos, or other items will be allowed.

Section 5. (a) Ownership and maintenance of memorial stones shall remain with the Cemetery. Engraving of said markers shall be done under the control and direction of the Cemetery and shall be limited to full name, date of birth and date of death as space permits.

(b) Engravings will be done in a timely manner so long as weather and conditions beyond the control of the Cemetery allow. Engravings will take place only after interment with the exception of a spouse. Upon the interment of a spouse, the engraving of the date of birth and name of the surviving spouse will be allowed on the next line in succession on the memorial stone in so long as burial rights have been purchased for both. There will be an additional fee at the time of engraving to cover the cost of a second engraving for the date of death of the surviving spouse.

(c) Text for engravings shall be approved by a member of the decedent’s family or a duly appointed representative. If no such
person is available the Cemetery will use the information supplied by the burial documents. The Cemetery shall not be held responsible for errors in text.

Section 6. One(1) American flag shall be placed at each memorial stone for the purpose of honoring the presence of United States Veterans within the Scattering Garden. Individual flags and markers will not be permitted.

ARTICLE 4
MEMORIAL REGULATIONS

Section 1. Only one monument is allowed on a lot. However, the Board on written application from the owner or representative of the lot may permit additional monuments but never in excess of one monument per twelve grave.

Section 2. Headstones are not permitted except on lots where there are already similar stones. Grave markers, flush with the grave, may be used.

Section 3. Designs, dimensions, materials, and locations for all monuments and markers must be submitted to the Board for approval. If any monument or other structure, or any inscription used thereon, shall be determined offensive or improper by the Board, it may be removed by the Board.

Section 4. Monuments shall not be more than three feet six inches above grade and shall be centrally located on the lot at a position designated by the Superintendent. Monuments shall not be more than twelve inches in thickness front to back at any location. Monument base dimensions shall conform to the following specifications: Single grave lot in which the side to side dimension is 6 feet or less - 2 feet by 1 foot; Two grave lot in which the side to side dimension is between seven and ten feet - 3 feet by 1 foot; four grave lot in which the side to side dimension is between seven and ten feet - 3 feet by 1 foot; four grave lot in which the side to side dimension is greater than 12 feet - 4 feet by 1 foot. Lots of any size not mentioned above shall be subject to size restrictions set forth by the Superintendent. Above ground monuments will not be allowed on lots that have been restricted to flush markers only.

Section 5. No mausoleum or tomb shall be constructed within the bounds of the Cemetery except by the Board for its exclusive operating use.
Section 6. The monuments and grave markers shall be set on solid concrete foundations. The building of all such foundations shall be done by the Cemetery employees. Orders for foundations must be signed by the owner or representative of the lot, and must be received by the Superintendent at least ten days before the foundations are wanted. If the ground is frozen or unduly soft the Superintendent shall have authority to postpone the building of a foundation or the erection of a monument. The Superintendent shall supervise the erection of a monument and see that the work is properly done, that the grounds are not damaged, and that all refuse material is removed and the grounds left in good order.

Section 7. No memorial work, including but not limited to installation and removal, inscription, engraving, and cleaning shall be done until such time as a proper permit issued by the Cemetery Division is signed by the authorized owner or representative of the lot and approved by authorized Cemetery personnel. All memorial work shall be done during business hours of the cemetery, and not before the cemetery office has been made aware of the date and time the work is to be done. The Superintendent may cease any memorial work if an interment or other such service is being conducted in the area. Memorial work will be allowed from 7:00 A.M. - 3:00 P.M. The Superintendent may give special permission for additional hours of work if it is deemed necessary. The placing of name plates or other means of advertisement of memorial work is prohibited.

ARTICLE 5
PERPETUAL CARE REGULATIONS

Section 1. No lot shall be sold without perpetual care.

Section 2. Perpetual Care provides for cutting grass, fertilizing, reseeding, and regrading when necessary. It does not include care or replacement of monuments or markers, or replacements or any planting

Section 3. Where the Board deems it to be in the best interests of the Cemetery, paved roads may be converted to grass. Such roads shall retain their designation as roads and may not be sold as lots.

Section 4. The Town shall not accept funds from individuals, estates, or corporations for the purpose of establishing memorial trust funds for individual grave sites.

ARTICLE 6
Unless the Board has been permitted or prohibited by previous provisions in these Regulations, the Board may waive any requirement of these Regulations but only in a medical, health or disaster emergency, which waiving would not violate law but would aid in the solution of the emergency.

ARTICLE 7

These Regulations shall supersede all previous regulations.