GENERAL INFORMATION
RULES & REGULATIONS

FOR THE

ARCHDIOCESE OF NEWARK
CATHOLIC CEMETERIES



171 CLIFTON AVENUE
NEWARK, NEW JERSEY 07104-0500

JUNE 2018

Table of Contents

OFFICIAL ADOPTION & PROMULGATION ***5***
GENERAL INFORMATION ***6***
OWNERSHIP 6
ORDER OF CHRISTIAN FUNERALS 7
MISSION STATEMENT 7
NEED FOR RULES & REGULATIONS 8
CEMETERY EMPLOYEES 9
CEMETERY LAWS OF THE STATE OF NEW JERSEY 9
INTENDED CEMETERY USE 9
CARE FOR THE POOR 10
CEREMONIES 11
DISINTERMENTS & REMOVALS 11
PRODUCTS & SERVICES OFFERED 11
OTHER FACILITIES 13
GENERAL RECOMMENDATIONS ***14***
RESPONSIBILITY FOR CEMETERY RECORDS AND INSTRUCTIONS 14
GENEALOGICAL RESEARCH 15
DISPOSITION OF INTERMENT SPACES 16
ENDOWMENT CARE 16
ANNUAL ORDERS 16
ORDERS & REQUESTS 16
RULES & REGULATIONS ARCHDIOCESE OF NEWARK CATHOLIC CEMETERIES ***17***
PREAMBLE 17
PART I ***18***
DEFINITIONS 18
PART II ***26***
GENERAL RULES & REGULATIONS 26
PART III ***36***
RIGHTS OF CERTIFICATE HOLDERS 36
PART IV ***42***
INTERMENTS – ENTOMBMENTS – INURNMENTS 42
ESTABLISHING OWNERSHIP OF INTERMENT RIGHTS ***43***
ARRANGING FOR THE INTERMENT ***44***
GREEN/NATURAL INTERMENT ***46***
GAZEBO SECTIONS ***48***
ARRANGING FOR THE GROUND INURNMENT OF CREMATED HUMAN REMAINS ***50***
ARRANGING FOR THE ABOVE-GROUND INURNMENT OF CREMATED HUMAN REMAINS ***51***
THE COMMITTAL SERVICE AT THE CEMETERY ***53***

OUTER BURIAL CONTAINERS ***54***
SPACE UTILIZATION RESTRICTIONS ***55***
CEMETERY DESIGN INTEGRITY ***56***
PERFORMING THE OPENING/CLOSING ***56***
DAMAGES AT THE CEMETERY ***57***
PART V ***58***
MAINTENANCE 58
PART VI ***59***
BEAUTIFICATION AND DECORATION REGULATIONS 59
PART VII ***65***
OUTSIDE CONTRACTORS 65
PART VIII ***69***
MEMORIALIZATION 69
PART IX ***78***
MAUSOLEUM 78
PART X ***84***
DISINTERMENT 84
PART XI ***87***
CARE OF THE POOR 87
INTERMENTS TOTALLY SUBSIDIZED BY THE ARCHDIOCESAN CEMETERIES 88
PART XII ***91***
TEMPORARY ENTOMBMENT 91
PART XIII ***92***
MODIFICATIONS AND AMENDMENTS 92
APPENDIX I ***94***
MISSION STATEMENT 94
ARCHDIOCESE OF NEWARK 94
CATHOLIC CEMETERIES 94
VISION ***94***
HISTORY OF CATHOLIC CEMETERIES ***94***
SIGNIFICANCE OF CATHOLIC CEMETERIES ***95***
SERVICE COMMITMENT ***95***
OUR CLIENTELE ***96***
THE FUTURE ***96***
APPENDIX II ***97***
AMPLIFICATION OF MEMORIALIZATION AND FOUNDATION REQUIREMENTS 97

OFFICIAL ADOPTION & PROMULGATION

The following rules and regulations are hereby adopted as the ***Rules & Regulations*** for the ***Archdiocese of Newark Catholic Cemeteries (sometimes referred to as "Catholic Cemeteries")*** as herein named, and all holders of interment rights, employees, visitors, contractors and their employees performing work within the cemeteries shall be subject to these ***Rules & Regulations*** as well as such amendments and alterations thereto as may be adopted by ***Catholic Cemeteries*** from time to time.

5-23-2018
Date

Cardinal Joseph W. Tobin
Cardinal Joseph W. Tobin, C.Ss.R.
Sixth Archbishop of the Archdiocese of Newark

GENERAL INFORMATION

OWNERSHIP

THE ROMAN CATHOLIC **ARCHDIOCESE OF NEWARK** owns and centrally operates eleven cemeteries [***Archdiocese of Newark Catholic Cemeteries***].

The cemeteries listed below shall be referred to in these ***Rules & Regulations*** as "a cemetery" and collectively as "cemeteries". Presented in chronological order of establishment, they are as follows:

YEAR OPENED	CEMETERY NAME	CEMETERY CITY	TELEPHONE CONTACT
1849	**Saint Peter**	Jersey City	[201] 433-0342
1859	**Holy Sepulchre**	East Orange	[973] 678-3757
1866	**Holy Name**	Jersey City	[201] 433-0342
1886	**Mount Carmel**	Tenafly	[201] 569-8727
1887	**Saint Mary**	East Orange	[973] 678-3757
1900	**Saint Andrew**	River Vale	[201] 327-7011
1915	**Holy Cross**	North Arlington	[201] 997-1900
1933	**Saint Gertrude**	Colonia	[732] 388-0311
1935	**Maryrest**	Mahwah	[201] 327-7011
1937	**Gate of Heaven**	East Hanover	[973] 887-0286
1968	**Christ the King**	Franklin Lakes	[201] 891-9191

ORDER OF CHRISTIAN FUNERALS

AT THE DEATH OF A CHRISTIAN, whose life of faith was begun in the waters of baptism and strengthened at the Eucharistic Table, the Church intercedes on behalf of the deceased because of its belief that death is not the end nor does it break the bonds forged in life. The Church also ministers to the sorrowing and consoles them in the funeral rites with the comforting word of God and the Sacrament of the Eucharist.

The ***Order of Christian Funerals*** makes provision for the minister, in consultation with the family, to choose those rites and texts that are most suitable to the situation: those that most closely apply to the needs of the mourners, the circumstances of the death, and the customs of the local Christian community.

The ***Order of Christian Funerals*** provides those rites that may be used in the funerals of Christians and is divided into three groups of rites that correspond in general to the three principal ritual moments in Christian funerals: ***Vigil*** *and Related Rites and Prayers*, ***Funeral Liturgy***, and ***Rite of Committal.*** [*OCF General Introduction #4, 43, 44*]

Continuing the Journey, Preparing a Catholic Funeral, was published by Catholic Cemeteries of the **Archdiocese of Newark** in 2007 and is available to Catholics and members of their families upon request. ***Many Travelers, One Journey***, an informative video, has also been prepared to accompany and support this written document. It is posted on www.rcancem.org/ocf.; it is intended for parish and family use.

MISSION STATEMENT

THE THEOLOGY WHICH UNDERPINS THE CATHOLIC CHURCH'S INVOLVEMENT in and operation of its own cemetery system may be found within the ***Mission Statement*** for the Archdiocese of Newark Catholic Cemeteries, which is located at the end of this document and identified as **APPENDIX I**. The ***Mission Statement*** also contains the philosophy, which has guided the writing of these ***Rules & Regulations***.

NEED FOR RULES & REGULATIONS

THERE ARE THREE DISTINCT GROUPS WHICH MUST BE CONSIDERED in the exercise of the *Corporal Work of Mercy* known as the burial of the dead. **Those who are interred in our cemeteries are the first group.** The ***Rules &Regulations*** are written for their protection. These individuals are entitled, after they have died, to a respectful burial, to the care and maintenance of their interment spaces, and to the holy and beautiful environment of the Catholic cemetery.

The second group are the survivors and visitors to the Catholic cemeteries of the **Archdiocese of Newark**. Among this group would be those who have purchased interment rights for future use, those who have loved ones or friends buried in one or more of our cemeteries, those who utilize our cemeteries as places for prayer and meditation, those who come to our cemeteries to render services either to families or cemetery management and operations.

The third group which must be considered includes the Catholic church itself, its rituals, disciplines and procedures, cemetery management and all cemetery support staff who are charged not only with the application of the church's directives, but who also must interact with families requiring our services, visitors and others who come to the cemeteries to render services either on behalf of families or cemetery management.

The ***Certificate of Right of Interment***, oftentimes known as a 'deed', will typically contain language that defines terms and conditions associated with the purchase and use of interment spaces. This language is extracted from the ***Rules & Regulations*** in force at the time. Therefore, if there is any inconsistency between the ***Rules & Regulations*** in force at the time and the language in the ***Certificate of Right of Interment***, the ***Rules & Regulations*** control.

These ***Rules & Regulations*** are dynamic, i.e., they are a living and breathing document that must continually be updated to respond to new realities as they arise and are identified. The document in force at the time of any question or issue will be used to address it. The document is designed to chart a course of mutual protection for all of these groups and the individuals within them. They are intended to help sanctify the memories of those buried within the cemeteries and to create an environment within the cemeteries which awakens faith and brings consolation. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The ***Catholic Cemetery*** administrators reserve the right in such cases to make exceptions, suspensions or modifications. Any such temporary exception, suspension or modification shall in no way be construed as affecting the general application of these ***Rules & Regulations*** or serve as a waiver to their enforcement. Furthermore, the failure to enforce a rule or regulation does not serve as a permanent waiver to enforce the applicable rule or regulation

It is also important to note that any unidentified infraction of any part of these rules does not constitute approval for a like action by another party. The enforcement of the rules will assist in protecting the cemeteries, creating and preserving their beauty, and ensuring that the interests of all concerned parties are equally addressed.

CEMETERY EMPLOYEES

Catholic Cemeteries relies on the commitment, efforts and good will of more than 150 employees. Cemetery employees are constantly trained and supervised to understand more fully their specific roles and responsibilities in performing the *Corporal Work of Mercy* identified as the *Burial of the Dead*. For many, if not most of the program's employees, this work is undertaken as a vocation, a specific call to perform a service for the greater good of God's people.

Because the cemeteries are engaged in the sale of products and services, special attention is given to conflicts of interest. No cemetery employee may engage in any business or activity during or after working hours that either conflicts with ***Catholic Cemeteries*** or may give the appearance of such a conflict. Included under this restriction, without limitation, are compensation by vendors or suppliers, use of employment status to recommend one outside vendor over another, or situations where personal matters/involvements cause the employee to act in his/her interests before the good of ***Catholic Cemeteries***.

CEMETERY LAWS OF THE STATE OF NEW JERSEY

THE NEW JERSEY CEMETERY ACT 2003 [the Cemetery Act] does not generally apply to the Archdiocese of Newark Catholic Cemeteries, which is not a cemetery company under the Cemetery Act, because religious cemeteries are generally exempt from the provisions of the Cemetery Act. Certain provisions of the Cemetery Act do/may apply, as these provisions are applicable to all cemeteries in the State of New Jersey. When the Cemetery Act does apply, the applicable provisions of the Cemetery Act may be referred to in these ***Rules & Regulations.***

INTENDED CEMETERY USE

INTERMENT IN THE BLESSED GROUND of a consecrated Catholic cemetery is a right and, for those who do not possess the right, a privilege. The Catholic cemetery images the Communion of Saints. By peaceful rest among other believers in Jesus Christ, in silence our beloved deceased still proclaim their belief in the resurrection and Christ's promise of eternal life to those who follow Him.

Those who request burial within a Catholic cemetery are making this profession of faith. The

Mission Statement for the ***Archdiocese of Newark Catholic Cemeteries*** should be consulted for a fuller amplification of the role of Catholic cemeteries within the life of the church.

The Catholic cemeteries are intended for the interment of Catholics and members of their families who have the right to Christian burial according to the rules of discipline of the Roman Catholic Church. The church is also called upon to extend charity, compassion, and understanding to the extended families of its membership.

General Burial Guidelines issued by the **National Catholic Cemetery Conference** have been included in Helpful Information for Pastoral Leaders under the heading "Burial Guidelines".

Extraordinary questions concerning the burial of an individual not of the Catholic faith and a member of a certificate holder's family may be referred first to the pastor of the certificate holder's family.

Questions regarding any person not entitled to Christian burial according to the rules and discipline of the Roman Catholic Church within the confines of these cemeteries shall be referred to the executive director of cemeteries.

The executive director may involve the Office of the Chancellor of the **Archdiocese of Newark;** the Chancellor may consult with the Archbishop. Decisions made by the Archbishop of the **Archdiocese of Newark** shall be final.

CARE FOR THE POOR

BAPTIZED CATHOLICS, AND MEMBERS OF THEIR FAMILIES, at the discretion of the executive director of cemeteries, who find themselves in financial distress due to catastrophic events or circumstances, are to be afforded the same dignity and care as those who are able to pay fully for the goods and services offered by the Catholic cemeteries.

The ***Mission Statement*** for the ***Archdiocese of Newark Catholic Cemeteries*** amplifies this commitment. Structures are in place within the ***Rules & Regulations*** to enable pastors and pastoral administrators to work closely with cemetery administrators to assure that the requirements of these individuals and families are met.

CEREMONIES

ONLY THOSE CEREMONIES IN KEEPING WITH THE ROMAN CATHOLIC CHURCH and the ***Ecumenical Guidelines*** of the **Archdiocese of Newark**, and therefore accepted by the ***Archdiocese of Newark Catholic Cemeteries***, may be conducted or celebrated within or at one or more of its member cemeteries.

All ceremonies are conducted under the auspices of the ***Archdiocese of Newark Catholic Cemeteries***, and the ***Archdiocese of Newark Catholic Cemeteries*** asserts its right to be in control of any and all such ceremonies, regardless of the individual(s) exercising leadership positions. Arrangements for all ceremonies, including but not limited to committal services [both Catholic and those of other denominations], veteran observances, and celebrations of the Eucharist must be made at the appropriate cemetery office. Drone photography is neither appropriate nor permitted.

DISINTERMENTS & REMOVALS

ACCORDING TO THE RITUALS AND COMMON PRACTICE of the Roman Catholic Church, interment is considered a final act, which allows the body of the deceased to "rest in peace" while awaiting resurrection

Disinterment or removal of the dead from their graves, crypts or niches is generally not permitted. Removal of infants, fetuses, and stillborn infants and human cremated remains is not possible. Disinterment from designated ***green burial locations***, according to these ***Rules & Regulations*** and the provisions of documents signed at the time of purchase, are also not possible nor permitted. A full treatment of the restrictions and required protocols is contained within these ***Rules & Regulations*** for the ***Archdiocese of Newark Catholic Cemeteries***, ***Part IV: INTERMENTS (Green/ Natural); Part X: DISINTERMENT***.

PRODUCTS & SERVICES OFFERED

THE ARCHDIOCESE OF NEWARK CATHOLIC CEMETERIES has continued to modernize the cemeteries since its inception. As changes in burial customs took place so did cemetery development. The fruits of careful planning and wise building are evident in the cemeteries of the **Archdiocese of Newark**.

These facilities are integral to the life and mission of the Catholic Church and significantly contribute to the ministries of comfort, catechesis, and evangelization as delineated in the ***Mission Statement*** for the Catholic cemeteries.

The ***Archdiocese of Newark Catholic Cemeteries*** recognizes three entities involved in the area of

funeral service: the parish, the cemetery and the funeral home. Archdiocesan cemeteries are committed to offering only those products and services that are indigenous to the cemetery itself. The Archdiocesan Catholic Cemeteries typically offers a full range of services and products, including but not limited to:

Single, double and multiple graves allowing flush memorialization or upright monuments

Gazebo Section:
Single, double, and family in-ground estate grave spaces allowing 2-piece monuments

Green Burial Sections:
Single or double in-ground grave spaces differentiated by levels of fidelity to ecological principles

Chapel and garden mausoleums
Private Family Estate Lots (for family own private mausoleums)

Inurnment graves for cremated human remains allowing flush memorialization or

Upright memorialization

Columbarium niches for the inurnment of cremated human remains

Opening/closing of graves, crypts, niches

Foundations for monuments and memorials

Religious, military and cameo crypt/niche front emblems

Memorial candles & seasonal floral placements

Veteran emblem placement on crypt/niche fronts

NO PROPERTY RIGHTS ARE SOLD OR CONVEYED
BY CATHOLIC CEMETERIES.
THE PURCHASER OBTAINS ONLY A RIGHT TO INTERMENT.

History, restrictions and circumstance do not enable all products and all services to be available in all ***Archdiocese of Newark Catholic Cemeteries***.

The purchase of these products/services through the ***Archdiocese of Newark Catholic Cemeteries*** supports the ministry/mission of the Catholic cemeteries of the **Archdiocese of Newark** and enables the best possible care for the cemeteries.

Because of the variety and complexities involved in the selection of appropriate goods and services, the ***Archdiocese of Newark Catholic Cemeteries*** retains the services of carefully trained and competent personnel to explain the implications of the various alternatives.

In the Archdiocesan Cemeteries, memorial planning advisors are the individuals who assist in the immediate need environment. Pre-need memorial planning advisors are available for consultation about future cemetery arrangements by appointment in the privacy of one's home or at one of the cemetery offices.

A staff of operations/maintenance personnel are either employed or contracted by the ***Archdiocese of Newark Catholic Cemeteries*** to prepare graves, crypts and niches for burial services, to maintain the grounds and buildings, to install certain memorialization and various plants, and to offer other services that care for the interment spaces in the cemeteries and those who either have interment rights or come to pray at the cemeteries.

OTHER FACILITIES

COMMITTAL CHAPELS

The ***Order of Christian Funerals*** of the Roman Catholic Church earnestly recommends the celebration of the ***Committal Service*** at the site of interment. Every effort is made to encourage families to exercise this option. The ***Archdiocese of Newark Catholic Cemeteries*** recognizes, however, that various mitigating circumstances exist which make the exercise of this option impossible or impractical.

For this reason, some Catholic cemeteries maintain committal chapels and outdoor gazebos for the convenience of owners with interment rights. Arrangements for the use of these facilities for both committal services and anniversary memorial celebrations are made at a cemetery's office.

RECEIVING VAULT

Certain Archdiocesan Cemeteries maintain receiving vaults for the temporary placement of remains when permanent arrangements are delayed. Arrangements are generally made with both the cemetery and the funeral home of the family's choice for this purpose.

GENERAL RECOMMENDATIONS

RESPONSIBILITY FOR CEMETERY RECORDS AND INSTRUCTIONS

FOR THE ORDERLY CONDUCT OF THE MISSION AND MINISTRY of Catholic Cemeteries, it is imperative that an accurate and up to date record keeping system be utilized. These records are all being transferred gradually, to the extent possible, from various forms of hard copy books, ledgers, and cards to customized cemetery software databases to be used within automated and computerized systems.

Records maintained at the ***Archdiocese of Newark Catholic Cemeteries*** may include:

Roster of certificate holders for graves, crypts and niches
Record of interments, entombments, inurnments
Overall cemetery mapping system
Section and community mausoleum maps and diagrams
Reserve assignments of graves, crypts and niches
Record of pre-paid cemetery products/services

Older records are updated typically at the time of the utilization of cemetery goods or services. ***In order to ensure that cemetery records are accurate and up to date, an on-site, in person conference, where available, is encouraged.*** When such conferences do not take place prior to a burial, a follow-up appointment is encouraged.

The certificate holder is the legally responsible party to provide instructions or directions to the cemetery concerning the interment rights. The certificate holder may authorize another to provide instructions or directions on his/her behalf, but the certificate holder shall remain legally responsible for any instructions or directions made on his/her behalf.

The certificate holder's designated funeral director, or other legally authorized agent, must be provided with the Certificate Right of Interment and other appropriate information. The certificate holder's designated funeral director or authorized agent must be legally empowered to make decisions with the cemetery. The certificate holder's designated funeral director or other legally authorized agent is required to contact the appropriate cemetery office to order the opening of graves, crypts or niches.

In the case of inurnment of cremated human remains, the certificate holder may schedule the ***Committal Service*** and provide the required documentation without the involvement of a funeral

director.

The ***Archdiocese of Newark Catholic Cemeteries*** utilizes, where possible and practical, the latest technology to accommodate the needs of certificate holders or responsible family members living out of the area when the occasion for at-need arrangements arises.

When changes in family circumstances occur that in any way involve the records that are maintained at the cemetery, certificate holders must notify the cemetery office to enable all records to be updated accordingly.

Insofar as cemetery records sometimes contain sensitive data and information, they are not released to the general public. Requests for information contained in cemetery records are considered on an individual basis and final determination is reserved to the executive director.

GENEALOGICAL RESEARCH

BECAUSE CEMETERY RECORDS CONTAIN a wealth of genealogical information, cemetery offices are contacted frequently for data. Researching this type of information can be very time consuming and can potentially hinder the ability of cemetery personnel to keep abreast of each day's new record-keeping requirements.

Genealogical research/sharing/recording is the right and responsibility of the ***Archdiocese of Newark Catholic Cemeteries***; no other organization has been or will be permitted access to the ***Archdiocese of Newark Catholic Cemeteries*** to create genealogical or web-based information sites. The program's website contains information on how genealogical searches are conducted and what information is available. The majority of burials and burial location information is now available online through the program's website.

Requests for information contained in cemetery records must be viewed as private and confidential. Research at the Archdiocesan Cemeteries must be conducted by appointment and only by adults. Cemetery records and files may only be accessed and handled by cemetery employees. Genealogical research is also subject to the privacy laws of the United States and the State of New Jersey. Accordingly, access to records may be restricted if those laws apply.

Effort will be made to accommodate the requests for assistance within the personnel, space and time constraints of the cemetery office space. Research fees are charged for this service.

Insofar as cemetery records sometimes contain sensitive data and information, they are not released to the general public. Requests for information contained in cemetery records are considered on an individual basis and final determination is reserved to the executive director.

DISPOSITION OF INTERMENT SPACES

IT IS HIGHLY RECOMMENDED THAT all certificate holders make definite assignments of their unused interment spaces with a *designation of interment* form while living; this form may be obtained at a cemetery office. In the absence of a designation, certificate holders may also transfer interment rights to undesignated spaces by making a specific bequest in a will. Eligibility for use of interment spaces, however, is governed by the ***Canon Law of the Roman Catholic Church***. Certificate holders may also re-convey their interment spaces to a cemetery. The use of interment spaces is also subject to the laws of the State of New Jersey. These laws will be referred to in these ***Rules & Regulations*** when appropriate.

ENDOWMENT CARE

AN ENDOWMENT IS A SUM OF MONEY PLACED IN TRUST by the **Archdiocese of Newark** for regular care and maintenance of the Archdiocesan Cemeteries. A percentage of the cost of burial rights in graves, crypts, niches and foundations is reserved from each sale. A fee will be charged for every interment and is designated for endowment care, collected, and invested in the Cemetery Trust of the Archdiocese of Newark.

This trust fund is held and invested by the **Archdiocese of Newark** on behalf of the Archdiocesan Catholic Cemeteries and a portion of the income from the investments of this trust fund is used to provide for the regular general care and maintenance of the cemeteries.

ANNUAL ORDERS

FAMILIES CAN PLACE ANNUAL ORDERS with the appropriate cemetery office for floral tributes for a specific date. Candle and seasonal floral placements are also available. Annual orders can either be placed at one time or can be structured to serve as a standing order whereby placements will be made in the future and the family will be billed after each placement.

ORDERS & REQUESTS

FOR THE PROTECTION OF ALL CERTIFICATE HOLDERS and the ***Archdiocese of Newark Catholic Cemeteries***, all orders and requests must be filed in writing at the appropriate cemetery office.

RULES & REGULATIONS ARCHDIOCESE OF NEWARK CATHOLIC CEMETERIES

PREAMBLE

IN CASE OF ANY DISPUTE AS TO THE RIGHT TO BURIAL, ANY RIGHTS RELATED THERETO (INCLUDING MEMORIALS, EMBELLISHMENTS AND CARE FOR THE INTERMENT SPACE), AND ANY OTHER DISPUTES THAT ARISE UNDER THESE RULES & REGULATIONS, THE MATTER SHALL BE SUBMITTED TO THE ARCHBISHOP OF NEWARK OR HIS DESIGNEE, WHOSE DECISION SHALL BE FINAL AND BINDING UPON ALL PERSONS WHO HAVE ANY INTEREST THEREIN.

THE ***Rules & Regulations*** OF THE ARCHDIOCESE OF NEWARK CATHOLIC CEMETERIES play an important part in the beautification and preservation of the sacred resting place of the faithful departed. They are not intended as restraining, but rather as defining an orderly plan of operation, care and permanent maintenance.

Every purchase contract and ***Certificate of Right of Interment*** issued for an interment space purchased from the ***Archdiocese of Newark Catholic Cemeteries*** contains a provision that the grantee takes title subject to the ***Rules & Regulations*** then in force and as may be modified or amended from time to time. These ***Rules & Regulations*** are as binding upon the purchaser as though they were incorporated in the ***Certificate of Right of Interment***.

These ***Rules & Regulations*** are designed to be of benefit to the certificate holders collectively. Experience has shown that the adoption and enforcement of the ***Rules & Regulations*** are necessary to secure uniformity, protect the common interests of all the holders of ***Certificates of Right of Interment***, and preserve the beauty of the Catholic cemeteries owned by the **Archdiocese of Newark**.

All persons are required to obey the ***Rules & Regulations*** and are requested to report any infractions of them on the part of others. Certificate holders are given all the privileges consistent with these ***Rules & Regulations***.

The Archdiocese of Newark Catholic Cemeteries provides for the general maintenance of the cemetery grounds, including the lots, graves, community mausoleums, and memorials therein to the extent of the income that is derived from the investment of the cemetery maintenance trust funds maintained by the ***Archdiocese of Newark Catholic Cemeteries***.

The ***Archdiocese of Newark Catholic Cemeteries*** is able to fulfill this obligation, in part, from income realized from the sale of interment rights, as well as other cemetery merchandise and services.

When you purchase cemetery interment rights, merchandise, and other services from the ***Archdiocese of Newark Catholic Cemeteries***, you are contributing to the continued beautification of the cemeteries and the Church's ministry.

PART I
DEFINITIONS

THE FOLLOWING DEFINITIONS COVER TERMS used in these ***Rules & Regulations*** as well as terms used by cemetery personnel. As used herein, the following terms shall have the meaning hereinafter defined, unless a contrary intention appears from the context of any particular rule or regulation.

1. **Alkaline Hydrolysis** (Resomation) means a process for the reduction of human remains using a combination of lye, water, heat and controlled pressure over a period of time.

2. **Burial** means the disposition of full (as opposed to cremated) human remains under the ground. It does not include their temporary storage.

3. **Cameo** means a medallion in an oval or circular shape containing the picture of one or two individuals fabricated to standard cemetery specifications for application to crypt fronts, niche fronts, monuments and granite flush memorials. For monuments and flush granite memorials, cameos must be recessed below the face (surface) of the monument or memorial to be protected from the elements and maintenance equipment. (See ***PART VIII: MEMORIALIZATION***)

4. **Care** means the general maintenance of a cemetery and of the lots, graves, crypts, niches, community mausoleums therein within the sole discretion of the ***Archdiocese of Newark Catholic Cemeteries***; including cutting and trimming of lawn and trees at reasonable intervals; keeping in repair the drains, water lines, roads, buildings, fences and other structures, in keeping with a well maintained cemetery.

   It also includes overhead expense necessary for such purposes, including maintenance of machinery, tools and equipment for such care; compensation of employees, payment of insurance premiums, reasonable payments for employee benefit plans, and maintaining necessary interment right purchase records, transfers and burials. It does not include providing specific care to individual graves or plots.

5. **Casket** includes a coffin and means a rigid container designed for the encasement of human remains and customarily constructed of wood or metal, ornamented and lined with fabric. Casket size and type are restricted for community mausoleum entombment crypts. There also may be restrictions for oversized caskets that may be required for burial.

6. **Casket wrap** is a vented pliable material with a non-pliable base tray, able to be sealed at all openings, with specifications determined by the executive director of cemeteries, intended to contain fluids and airborne insects, to protect interior entombment chambers and all public areas of the community mausoleum from associated damages, hazards or inconveniences.

7. **Cemetery trust** [Endowment care fund] means a fund in which a portion of the money collected from the sale of right of interment is deposited and the investment earnings are used to defray expenses of maintenance and upkeep of the cemetery.

8. **Certificate holder** refers to the person whose name appears on the ***Certificate of Right of Interment*** at the time of purchase. A ***Certificate of Right of Interment*** is a legal document, which evidences a right to burial in one or more spaces. The right to burial includes interment, entombment and inurnment.

9. **Columbarium** means an arrangement of cremation niches that may include an entire building, a room, and a series of special indoor alcoves, a bank along a corridor or part of an outdoor garden setting.

10. **Community mausoleum** means a structure, above ground, or partially above and partially below ground, containing crypts and niches used or intended for entombment and inurnment use by those who have the right to interment in a Catholic cemetery.

11. **Companion lawn crypt** [double or multiple] means an interment space in a cemetery which contains a pre-constructed, pre-buried vault capable of holding two or more caskets.

12. **Companion lawn niche** means a space in an urn garden, designed to accommodate two cremated human remains.

13. **Cremorial** means a receptacle made of bronze, bronze plate, durable plastic, or a combination thereof, into which cremated human remains may be placed.

14. **Companion mausoleum crypt** means a space in a mausoleum capable of holding two caskets.

15. **Companion memorial** means a type or unit of identification for two or more individuals.

16. **Companion niche** means a space in a columbarium, designed to accommodate two cremated human remains.

17. **Contractor** means any person, firm or corporation, or anyone engaged in placing, erecting, or repairing any memorial, or performing any work in a cemetery's grounds,

other than an employee of a cemetery. Contractors are subject to restrictions as provided hereafter in these ***Rules & Regulations***.

18. **Cremated human remains** [ashes] means the product/residue after the cremation process is completed. It means the recoverable bone fragments and container residue resulting from the process of cremation. Cremated human remains sometimes are erroneously referred to as cremains.

19. **Cremation certificate** means the document accompanying the cremated remains provided by the crematory, which identifies the remains and is required by the cemetery for final disposition.

20. **Cremation grave** means a ground inurnment space in a section in a cemetery used, or designated to be used, for the burial of cremated human remains.

21. **Cremation memorialization** means the placement of cremated human re- mains in a ground inurnment space or above-ground niche inurnment space within a cemetery with an individual marker or group identification [cenotaph] for name, inscription, or placement.

22. **Cremation vault** means a container or outer receptacle made of concrete, metal, fiberglass, or durable plastic used for the outer protection of an urn.

23. **Cross**, for prominent size and placement on memorialization, includes any typical representation of the traditional Roman, Latin, Byzantine, Jerusalem or Celtic reflection of the crucifixion of Jesus Christ as portrayed by any Rite affiliated with and recognized by the Roman Catholic Church and approved by the *Office of Divine Worship* of the **Archdiocese of Newark**.

24. **Crypt liner** means a device utilized to wrap or contain casketed human remains. Management determines acceptable crypt liners.

25. **Crypt [mausoleum]** means a space above-ground in a mausoleum generally used or usually intended to be used for the entombment of full [not cremated] human remains. Crypts shall accommodate total exterior dimensions not exceeding 2' 0" high by 2' 6" wide by 7' 3" long.

The executive director of cemeteries may at times allow cremated human remains if there is inscription potential on the mausoleum shutter.

26. **Drone** means a remote-controlled flying device typically used for photography or reconnaissance.

27. **Endowment care fund** [Cemetery Trust] means a fund in which a portion of the money

collected from the sale of right of interment is deposited and the investment earnings are used to defray expenses of maintenance and upkeep of the cemetery.

28. **Entombment** means the placement of full [not cremated] human remains in an above-ground mausoleum crypt.

29. **Family [private] mausoleum** means a structure above, or partially above and partially below ground, containing crypts, the use of which is restricted to a group of persons related to each other by blood, marriage, or adoption.

30. **Foundation** means the in-ground base, usually concrete, upon which a memorial is installed.

31. **Garden** means a section of a cemetery containing interment spaces, which may be identified by a particular area or section by name, and by the type, size, design and material of an authorized memorial.

32. **Gazebo Section** means a section of a cemetery enhanced with a freestanding, covered, and unheated central feature/structure that may be used for committal and other prayer services.

33. **Given name** is the first name of an individual.

34. **Grave** [grave space] means an individually defined lawn area in a cemetery used or intended for the burial of the human remains of one or more persons.

35. **Individual memorial** means a memorial for one interment space.

36. **Installation and maintenance** means the preparation of the earth to place a memorial and the future care of the foundation.

37. **Interment** may mean either the

A. burial of human remains, or
B. entombment of human remains, or
C. the inurnment of cremated human remains.

38. **Green burial** or **natural burial** is permanent and restricts or prohibits use of embalming, caskets, vaults, and memorialization and is permitted only in designated areas of a cemetery or cemeteries. [See **Interments Part VI**]

39. **Interment space** means a grave, crypt, niche or plot. When an interment space is used for a combination of interments/inurnments of full human and cremated remains, the number of available interment rights in the particular space is determined by space availability, memorialization capability, certificate rights, and the discretion of the

executive director of cemeteries.

40. **Inurnment** means the placement of cremated human remains in an urn and a placement of such urn in a niche, crypt, grave or other suitable location in a cemetery.

41. **Kryprotek®** is a brand name for a crypt liner/casket wrap used for the entombment of human remains in a mausoleum crypt. It is differentiated from a crypt liner/casket wrap because of its construction material, i.e. ABS firm plastic sheeting and hermetic seal. In the following situations either a ***Kryprotek® or a crypt liner/casket wrap with a firm base/tray***, at the discretion of the proper cemetery authority, will be required:

A. When a casket has been interred in the ground and is being removed to an above-ground mausoleum crypt; or

B. When a casket is being transferred from another cemetery to an above- ground mausoleum crypt; or

C. When a casket is being received from overseas or out of area to an above-ground mausoleum crypt; or

D. When a casket is being placed into a temporary entombment site; or

E. Other instances at the discretion of the executive director of cemeteries.

42. **Lawn crypt** means interment space below ground in a specifically designed section including pre-constructed and pre-installed outer burial protection and drainage fields intended to be used for the ground burial of full [not cremated] and casketed human remains. Typically, lawn crypts can be either single or double-depth, accommodating one or two burials respectively.

43. **Lawn urn** means a receptacle, which is usually made of bronze, bronze plate, durable plastics, or a combination thereof, designated for burial into which the cremated human remains of one person are placed.

44. **Lawn vase** means a receptacle built into a memorial or a self-draining pin-type unit for the temporary display of flowers on a grave, lawn crypt or lawn niche.

45. **Liner** means an outer container made of concrete, fiberglass, or steel to be used for encasement and burial of a casket.

46. **Lot** means an individual burial space that includes a grave, crypt, or niche.

47. **Maintenance** means the physical upkeep of a cemetery's grounds and buildings as defined under care.

48. **Management** means the Roman Catholic Archdiocese of Newark a religious corporation of the State of New Jersey, or the ***Archdiocese of Newark Catholic Cemeteries***.

It also means the person or persons duly appointed by the said religious corporation for the purpose of conducting and administering the Archdiocesan Cemeteries, all owned and operated by the said religious corporation.

49. **Mausoleum** (to include community, private family estate and sarcophagus) means a structure, above ground, or partially above and partially below ground for entombment of human remains; it may also contain a combination of niches or columbaria for the inurnment of cremated human remains.

50. **Mausoleum niche** means a space in a mausoleum or columbarium used, or designated to be used for inurnment of cremated human remains in an urn.

51. **Mausoleum vase** means a receptacle for the placement of flowers on a crypt or niche.

52. **Memorial/memorialization** are generic terms that can mean:

A. monument, tombstone, grave marker, headstone identifying a grave or graves, or

B. affixed individual lettering, nameplate, name bar, or inscription identifying a crypt or niche, which may be accompanied by a cameo or other religious/military emblems.

C. cameo (picture), secular medallion (membership or affiliation), religious medallion [devotion] of the deceased. Any memorial or monument embellishment of this type must be recessed; this type of embellishment may be applied by a monument company/memorial dealer.

D. medallion (veteran, fraternal, religious emblem) affixed to a crypt, niche, monument or memorial with appropriate cemetery approval.

53. **Memorial section** means a garden or area in the cemetery in which the marking of each interment space [full grave, lawn crypt, cremation grave] is restricted to a flat memorial set flush with the turf and of such dimension, materials, design, finish and construction as designated by the ***Archdiocese of Newark Catholic Cemeteries***.

54. **Monument** means a memorial made principally of stone, which extends above the surface of the earth, in upright form. Monuments are restricted to designated lots in designated sections of the cemeteries.

55. **Natural burial** or **green burial** is considered permanent and restricts or prohibits use of embalming, caskets, vaults, and memorialization and is permitted only in designated areas of a cemetery or cemeteries. [See ***Interments Part VI***]

56. **Niche** means a space in a mausoleum or columbarium used or intended to be used for the inurnment of cremated human remains. (Niche and urn selection must accommodate niche capacity and urn size/design.)

57. **Outer burial container** means a **liner** made of concrete, fiberglass, steel or any other suitable device to be used for the encasement and burial of a casket as approved by the executive director of the ***Archdiocesan Cemetery Program***.

58. **Plot** means two or more adjoining graves, crypts, or niches.

59. **Pre-Need** means purchasing interment rights in advance of the time of actual need. A cemetery Certificate Right of Interment purchased in the pre-need environment can be for interment rights in an existing burial space or for interment rights in a burial space that is currently under development/construction.

60. **Private Family In-Ground Estate** means special ground burial spaces for 4 or 6 interments, which have been enhanced by defining landscape and are suitably memorialized.

61. **Private Family Mausoleum Estate** means a freestanding structure erected above ground or partially above and partially below ground for the exclusive designated entombment of individuals designated by the purchaser. Typically, this structure is fitted with one or more locked doors to limit access to owners and their designees.

62. **Resomation** (Alkaline Hydrolysis) means a process for the reduction of human remains using a combination of lye, water, heat and controlled pressure over a period of time.

63. **Right of Inscription** means a purchase of the right only to inscribe a granite memorial owned and maintained by ***The Archdiocese of Newark Catholic Cemeteries.***

64. **Sarcophagus** (a stone coffin) means a freestanding structure erected above ground or within a building for the entombment of one or more individuals as designated by the purchaser. This structure is distinguished as having no door or interior space in which to place decorations/enhancements.

65. **Special care** means the care of a lot in accordance with specific instructions based on an annual charge or to the extent of income derived from a special trust fund created by holders of a Certificate of Right of Interment in accordance with church canon law and New Jersey civil law.

66. **Surname** means the family name [last name].

67. **Temporary marker** [not permitted in Archdiocesan Cemeteries] means a plastic, wood

or metal non-permanent manner of identifying an interment space until a permanent memorial is installed.

68. **The *Archdiocese of Newark Catholic Cemeteries*** shall mean the eleven Catholic Archdiocesan Cemeteries identified here as:

Christ the King	980 Huron Road	Franklin Lakes
Gate of Heaven	225 Ridgedale Avenue	East Hanover
Holy Cross	340 Ridge Road	North Arlington
Holy Name	823 Westside Avenue	Jersey City
Holy Sepulchre	125 Central Avenue	East Orange
Maryrest	770 Darlington Avenue	Mahwah
Mount Carmel	10 Serpentine Road	Tenafly
Saint Andrew	Cedar Lane	River Vale
Saint Gertrude	53 Inman Avenue	Colonia
Saint Mary	140 Rutledge Avenue	East Orange
Saint Peter	Tonnele Avenue	Jersey City

either administered collectively under this title or individually as delegated by the archbishop of the **Archdiocese of Newark** to the executive director of cemeteries.

69. **Urn** means a suitable vessel or container for cremated human remains, which must always be accompanied by crematory-provided identification.

70. **Urn garden** means an outdoor area in a cemetery used or designated for the inurnment of cremated human remains in an urn.

71. **Urn niche** means any device constructed above ground within the cemetery to contain a suitably approved vessel for holding and memorializing cremated remains.

72. **Urn vault** means any basic or reinforced container or enclosure made of concrete, fiberglass, steel, cultured marble or high-impact polystyrene, which is placed in a grave to protect the burial of cremated human remains. The urn vault is mandated regardless of the material/construction of the urn.

Urn vaults are restricted to a **minimum size** of 14" long by 9" wide by 13" high and to a **maximum size** of 16" long by 16" wide by 19" high and may be procured through the family's funeral director. Urn vaults exceeding size restrictions may be difficult to place, depending upon space availability within the grave.

73. **Vault** means any container or enclosure made of concrete, fiberglass or steel, which is placed in a grave around a casket to prevent the collapse of the grave and/or to protect the casket.

74. **Zinc Liner** means a container made of minimum #40-gauge metal in which a casket is placed and then soldered to assure the integrity of the casket.

PART II
GENERAL RULES & REGULATIONS

THE RIGHT TO BURIAL IN A CATHOLIC CEMETERY SHALL BE HELD subject to the Canon Law of the Roman Catholic Church and laws of the State of New Jersey to the extent applicable, and the ***Rules & Regulations*** of the ***Archdiocese of Newark Catholic Cemeteries*** now in force or hereafter adopted, whether or not the same appear in the ***Rules & Regulations*** annexed to the Certificate of Right to Interment.

1. Burial spaces shall only be used for human remains. No animals [cremated or otherwise] shall be permitted. Any person violating any of these rules or regulations may be expelled from cemetery grounds and thereafter excluded from the cemeteries.

The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to compel all persons coming into the ***Archdiocese of Newark Catholic Cemeteries*** to obey all ***Rules & Regulations*** adopted by the ***Archdiocese of Newark Catholic Cemeteries***. The ***Rules & Regulations*** are subject to change by the ***Archdiocese of Newark Catholic Cemeteries*** at any time and without notice to any certificate holder.

2. Generally, the ***Archdiocese of Newark Catholic Cemeteries is*** open and may be visited every day of the year. Special after hours and Sunday access to chapel mausoleums may be arranged at appropriate cemetery offices. Certain closed cemeteries are restricted in access and arrangements can be made in advance at appropriate cemetery offices for access. The cemeteries are usually open from 7:30 AM to 5:00 PM, but inclement weather may affect opening or closing; information is always available at any of the cemetery offices website and via email (if email is provided).

Cemetery offices are located within major Archdiocesan Cemeteries for cemeteries administered through the Archdiocesan system. Cemetery office hours are typically 8:00 AM until 4:00 PM, Monday through Friday, and 8:00 AM until 2:00 PM on Saturday. Office hours are available by calling the appropriate cemetery. Hours may be changed without notice.

Cemetery gates will be open until 7:00 PM on Wednesdays between April 15 and September 15. **Mausoleums** will be open until 6:30 PM on Wednesdays between April 15 and September 15.

3. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to require persons visiting or leaving a cemetery to stop their vehicles at the entrance and to exclude any or all vehicles from the grounds during any liturgical celebration on Memorial Day or any other holiday or when any special event is taking place when it is deemed necessary for the safety of the public or private protection.

The ***Archdiocese of Newark Catholic Cemeteries*** also reserves the right to exclude or deny admission to any person who does not have a valid reason for entering or being in a cemetery or whom the management of a cemetery finds objectionable to the best interest of the ***Archdiocese of Newark Catholic Cemeteries***. The ***Archdiocese of Newark Catholic Cemeteries*** also reserves the right to exclude or deny admission to any vehicle that may damage the roads within a cemetery's grounds.

4. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to exclude or deny admission of motorcycles, buses or vehicles of cumbersome description to any of its member cemeteries.

5. The *Archdiocese of Newark Catholic Cemeteries* is not responsible for theft or damage to anything placed on interment spaces.

6. All persons entering a cemetery for whatever reason must display proper respect for the deceased and for the sacred spaces in which they are interred. **Touch nothing in a cemetery that does not belong to you**. This is the only safe rule to adopt in visiting the cemeteries.

The ***Archdiocese of Newark Catholic Cemeteries*** and the employees of the ***Archdiocese of Newark Catholic Cemeteries*** may take such measures as the circumstances warrant in order to assure strict observance of these basic principles.

In addition, the following rules must be adhered to:

A. Persons with liquor or any other form of intoxicating refreshments will not be permitted on a cemetery's grounds. Expectorating is prohibited. Smoking is permitted only in designated areas.

B. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to require all persons entering a cemetery to properly identify themselves and state their purpose for visiting the cemetery. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to exclude anyone who is not a holder of a ***Certificate of Right of Interment*** or a relative of a holder of a C***ertificate of Right of Interment***.

The ***Certificate of Right of Interment*** grants no rights to the certificate holder in any road, drive, alley or walk within a cemetery and all such roads, drives, alleys or walks may be used as a means of access to a cemetery or any building therein as long as the ***Archdiocese of Newark Catholic Cemeteries*** desires.

C. No automobile shall be driven in a cemetery at a speed greater than 15 MPH. All vehicles shall be restricted to cemetery roads and operators shall drive and park on the right side and off the grass. Automobiles are not allowed to turn around on the driveways or roadway, and are not allowed to park or to come to a full stop in front of an open grave unless such automobiles are in attendance at a funeral.

D. Snowmobiles, all-terrain vehicles, other types of recreational vehicles and personal recreational equipment [roller blades or roller skates] are not permitted to be operated or used on either the developed or undeveloped grounds of any cemetery. No undue noise shall be permitted in operating vehicles through a cemetery and only licensed drivers may operate vehicles within a cemetery's grounds.

E. Soliciting work in the cemeteries by monument firms, outside contractors, peddlers or any other person is prohibited. No signs, notices or advertisements of any kind shall be placed within a cemetery, unless the same are placed by the ***Archdiocese of Newark Catholic Cemeteries*** or with its permission. The ***Archdiocese of Newark Catholic Cemeteries*** may remove and destroy any advertising without notice and without liability.

All work and other activity must cease during the conducting of funeral services in the immediate vicinity [within sight or hearing distance when power equipment is being operated] of the grave, crypt, niche or chapel where the services are being held.

F. The taking of photographs or the making of films on a cemetery's property or buildings will be permitted only to holders of a ***Certificate of Right of Interment***, confined to their own spaces, for their own private use, and under no circumstances for duplication or distribution. Others wishing to take photographs or make films may do so only with the written permission of the executive director of the ***Archdiocese of Newark Catholic Cemeteries***. Drones may not be used for any cemetery photography.

G. The ***Archdiocese of Newark Catholic Cemeteries*** is not responsible for any decorations or other items/property placed on graves, crypts or niches. Items deemed by management to pose a safety hazard to either employees or visitors are not permitted and will be removed by cemetery employees as soon as identified and without notice.

1) Management has established a "carry-in/carry-out" policy whereby any decorations must be removed from the cemetery when deteriorated or must be replaced with another permitted decoration.

2) Seasonal decorations placed with the intention of retrieval must be removed prior to posted clean-up dates.

3) Prohibited decorations are too numerous to list. The most com- mon include,

but are not limited to, border enclosures, fencing, decorative stones and shells, glass and glassware, wax and votive candles, landscape lights, toys, pinwheels, balloons, porcelain, bric-a-brac, shepherd's hooks or other hanging devices, sprinkling cans, fraternal flag holders, sporting items, hats or similar articles. These are not permitted on any grave, lots, landscape trees, or within the cemetery.

4) During the growing season, fresh/live flowers are encouraged. Seasonal artificial flowers are permitted when placed in self- draining pin-type vases. Because of the threats of West Nile Virus and the Zika Virus, in compliance with Title 26 of New Jersey Statutes and Zika Virus, containers not self-draining are not permitted in the cemeteries; no standing water is permitted. Decorations that are permitted must not exceed the bed's twelve (12") inch depth, fifteen (15") height, and the length of the marker/memorial or monument.

5) Planting in monument areas may take place in the 12 inch planting bed with the exception of the area utilized for an additional flush marker; urns or holes integral to the monument may also be used for planting provided that these are self-draining. Plants are limited to fifteen inches (15") in height.

6) During all but the freezing months, water outlets where existing in the cemeteries, enable families to tend to flowers and plants placed at graves. Outlets are not intended for lawn sprinkling devices. When these are found, they will be removed.

7) Nothing temporary may be attached or affixed to monuments. Non-Catholic pictures, effigies and/or symbols are not permitted (without the expressed consent of Catholic Cemeteries).

8) One votive light, made of a durable material and battery or solar powered, may be placed within the 12-inch flowerbed area of existing monuments or memorials. Lights of any other type will be removed as identified by staff. Votive candles and landscape lights are not permitted. Votive lights placed within the planting areas of upright monuments may remain throughout the year as long as they remain in good condition. Insofar as there is no ability to use the upright monument as protection during the winter months, a votive light as described above may be placed in front of flush memorials only from April 15 through November 15.

9) Only one statue, of a religious nature, may be placed (not permanent affixed) on the monument base or in the planting area of an upright monument; statue height shall not exceed ½ the height of the monument die. Statuary is not permitted in flat marker sections. All statues must be made of a durable material; glass, porcelain or other similar materials are not permitted. Broken or unsafe statuary will be removed by cemetery staff without notice.

10) Small flags may be placed on individual graves from Memorial Day through Flag Day and on Veterans' Day. Veterans' Day flags may be placed three days

prior to the holiday and remain one week following the holiday. All flags must be presentable and will be removed and disposed of according to the norms of the Quartermaster General of the United States Army. Shaft-type veteran and fraternal organization flag holders are not permitted.

11) Christmas greens (two feet in width only/pillow size/no full blankets) may be placed after November 23. Greens and all Christmas decorations not removed by owners will be disposed of beginning January 15.

12) No unauthorized shrubbery, including rose plants, is permitted in any Archdiocesan Cemetery. Cemetery management reserves the right to remove overgrown shrubbery; other shrubbery will be removed by management at the request of holders of certificates of interment rights free of charge.

13) At the time of a new interment, cemetery management reserves the right to limit the number of floral tributes to two [2] pieces. Tributes placed on a new grave at the time of burial may remain in place up to seventy-two [72] hours from the time of placement. Wind, inclement weather, or additional burials in the immediate area may necessitate a shorter time period.

14) Shrine areas outside each mausoleum are designated for the placement of floral tributes. All tributes placed in these areas must comply with seasonal regulations. Floral tributes or other decorations that are not part of the established Catholic Cemeteries Crypt & Niche Memorialization Program or Annual Floral Tribute Program may not be placed on crypt or niche fronts or within mausoleum buildings.

H. Visitors may not throw or scatter papers or other material on a cemetery grounds and are required to remove their own trash, debris, and seasonal decorations, including grave blankets, from the cemetery.

I. Cemetery assumes no liability for any items placed at graves, crypts or niches within program cemeteries. When items are removed from interment sites by cemetery authority, no obligation is presumed or incurred to store or preserve these items.

J. An adult must accompany children under the age of sixteen years on cemetery grounds.

K. No person or persons shall be permitted to bring or carry firearms with- in a cemetery except police or security personnel, military guard of honor and then only when under the command of an officer, during a military service and with the approval of the ***Archdiocese of Newark Catholic Cemeteries***.

L. All persons are forbidden to break or injure any tree, shrub, or mark any landmark, marker, or memorial or in any way deface the grounds of a cemetery.

M. Horseback riding is not permitted and animals may not be brought into a cemetery with the exception of service animals for the handicapped as authorized by applicable

law and only after first visiting the cemetery office for registration.

N. All persons are forbidden to gather wild or cultivated flowers, damage or destroy trees, shrubbery or plants, or feed or disturb the birds, fish or other animal life. Swimming or wading in ponds, lakes or fountains is prohibited.

O. No wooden or cast iron bench or chair, or any wooden or wire hanging device or trellis shall be permitted to be brought into or remain in a cemetery.

P. No person shall enter or leave a cemetery, except by use of the private entrances furnished by the cemetery for the use of the public.

Q. No persons shall loiter in the cemeteries or any of the buildings. Any person found on the grounds after closing hours as posted will be considered a trespasser.

R. Boisterous, lewd talking or unseemly conduct shall not be permitted in the cemeteries or any of the buildings.

S. Lawn games (football, soccer, etc.) and any variety of virtual games is prohibited within the cemeteries.

7. In the event that trees or shrubs planted prior to these ***Rules & Regulations*** by family members or friends of the certificate holder and situated on any grave shall, by reason of their roots, branches or otherwise, become detrimental to adjacent graves or paths, obstruct the clear view of monuments or other forms of memorialization, or become unsightly or inconvenient and hazardous to visitors or employees of the cemeteries, the ***Archdiocese of Newark Catholic Cemeteries*** shall, upon notice as hereinafter provided, have the right to enter upon said grave or lot and to remove, repair or otherwise remedy the condition at the expense of the certificate holder.

If any memorial, mausoleum, or any other construction situated on a grave has fallen, is in a damaged condition, unsightly or in such need of repair as to cause a hazard or possible injury or danger to visitors, pedestrians or employees of the cemeteries, the ***Archdiocese of Newark Catholic Cemeteries*** shall, upon notice as hereinafter provided, have the right to enter upon said grave or lot and to remove the offending element or otherwise remedy the condition at the expense of the certificate holder.

8. In the event that a grave which the ***Archdiocese of Newark Catholic Cemeteries*** has not contracted to specifically maintain, through cemetery or special endowment care, shall become overgrown, unsightly or detrimental and hazardous to adjacent graves, avenues or paths, the ***Archdiocese of Newark Catholic Cemeteries***, may at any time, upon notice as hereinafter provided, and at the expense of the holder of the ***Certificate of Right of Interment heirs or the holder heirs***, clear off the grass, weeds, overgrown ivy, shrubs or other plants and thereafter dispose of the same.

9. Prior to invoking the rules set forth above, unless there is encroachment on adjoining lots, or where an interment has to be immediately made, the ***Arch- diocese of Newark***

Catholic Cemeteries shall give ten [10] days' notice, by regular or certified mail, to the last known holder of a ***Certificate of Right of Interment*** at his/her last known address to rectify any of the conditions referred to therein. In the event the said certificate holder does not comply with such notice, the ***Archdiocese of Newark Catholic Cemeteries*** may proceed without further notice as provided in these rules.

10. The ***Archdiocese of Newark Catholic Cemeteries*** reserves, and shall have, the right to correct any errors that may be made either in making interments, disinterments or removals.

Methods of correction include, but are not limited to:

A. transfer, or conveyance and substituting and conveying in lieu thereof other interment spaces of equal value and similar location as far as possible, or as may be selected by the ***Archdiocese of Newark Catholic Cemeteries***, or

B. at the sole discretion of the ***Archdiocese of Newark Catholic Cemeteries***, by refunding the amount of money paid on account of said purchase.

In the event such error shall involve the interment of the remains of any person in such interment space, the ***Archdiocese of Newark Catholic Cemeteries*** reserves and shall have the right to remove and transfer such remains so interred to such other interment space of equal value and similar location as may be substituted and conveyed in lieu thereof.

11. All persons within a cemetery's grounds shall use only the avenues, roads, walks and paths and shall have the right of access over the paths and walks in the area in which the grave or lot they are visiting is located.

12. The ***Archdiocese of Newark Catholic Cemeteries*** shall have the right to employ guards, if it deems it necessary or proper, but it is under no legal obligation to do so.

The ***Archdiocese of Newark Catholic Cemeteries*** shall take reasonable precaution to protect certificate holders, and the interment spaces of certificate holders, within a cemetery, from loss or damage, but the ***Archdiocese of Newark Catholic Cemeteries*** shall not be liable for damage or injury to any person or property in a cemetery, except for its own willful misconduct or gross negligence.
The ***Archdiocese of Newark Catholic Cemeteries*** distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and, especially from damage caused by the elements, acts of God, wild life, acts of terror, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

Persons entering a cemetery's grounds or purchasing certificates for interment spaces therein, are mere licensees and assume every and all risks.

13. The ***Archdiocese of Newark Catholic Cemeteries*** shall not be liable for damage to or destruction of any structure, including but not limited to granite, bronze or concrete work on any lot from causes beyond its reason- able control, including but not limited to the elements, acts of God, acts of terror, the common enemy, thieves, vandals, strikes, lockouts, malicious mischief, explosions, war, riots, or by orders of any military or civil authority.

In the event of damage or destruction, the ***Archdiocese of Newark Catholic Cemeteries*** may at any time thereafter, give a ten [10] day written notice by regular or certified mail of the necessity for the replacement, repair, resetting or reconstruction thereof to the certificate holder of the lot as shown upon its records by depositing the same in the United States mail addressed to such certificate holder at his or her address appearing on its books.

In the event such certificate holder fails to replace, repair, reset or reconstruct the same within the period specified in said notice, the ***Archdiocese of Newark Catholic Cemeteries*** may at its discretion cause the same to be repaired, reset or reconstructed, and charge the expense thereof against such certificate holder, but nothing herein contained shall obligate the ***Archdiocese of Newark Catholic Cemeteries*** to render any such service. Also see (***PART VIII: MEMORIALIZATION)***.

14. Unless in compliance with other requirements of these ***Rules & Regulations*** as set forth in ***PART VII*** herein, all labor and equipment for interments, disinterments, and excavations for memorials, and the construction of foundations, walks and curbs, shall be performed solely by the ***Archdiocese of Newark Catholic Cemeteries*** or its assigns at the expense of the certificate holder, who shall pay the same in advance.

15. The ***Archdiocese of Newark Catholic Cemeteries*** shall make the final determination as to the grading of a grave, and all construction erected thereon shall be in conformity therewith.

16. For the purpose of performing work on any lot or other part of a cemetery, including the making of interments, disinterments, excavations for any other purpose, or for repairs or improvements, the ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to enter upon and use adjoining areas, including lots or graves, to receive such machinery and materials as may be necessary to perform all the work in connection therewith and shall there- after restore such area.

17. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to change the boundaries or grading of a cemetery, including the right to modify, relocate, re-grade

or eliminate roads, drives and/or walks.
It also reserves the right to establish easements and rights of way under, through and over a cemetery's grounds and any and every part thereof for the purpose of laying a perpetual right of ingress and egress over any/all lots in a cemetery for the purpose of passage and re-passage to and from other lots and other parts of a cemetery.

18. No memorial, tree, plant, object or embellishment shall be altered or re- moved from a lot, grave or crypt except by a cemetery employee. Flowers, Christmas grave pillows or wreaths, and other appropriate decorations are required to be removed by the individual placing such objects. Deteriorated, unsightly, or items remaining past the established time limits, however, will be removed by cemetery staff without notice.

19. The ***Archdiocese of Newark Catholic Cemeteries*** shall have the right to determine products and services to be offered by any or all of its member cemeteries. The **Archdiocese of Newark** shall also have the right to establish or modify its charges for these products/services from time to time. Financial arrangements for products and services offered within the cemeteries shall be made with the ***Archdiocese of Newark Catholic Cemeteries*** prior to the product or service being provided.

While assuming no obligation to do so, the ***Archdiocese of Newark Catholic Cemeteries*** offers credit terms to individuals purchasing its products and services.

No interment/disinterment will be permitted and no memorial or embellishment may be placed upon any lot, grave, crypt or niche without financial arrangements being made with the ***Archdiocese of Newark Catholic Cemeteries***.

Businesses and outside vendors collecting funds from families for work within the ***Archdiocese of Newark Catholic Cemeteries*** shall pre-pay cemetery charges prior to the work being completed. Schedule of Service Fees for work shall be posted in the offices of each of the ***Archdiocese of Newark Catholic Cemeteries.***

20. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right of substitution of interment space in the event an individual(s) hold interment certificate rights in an undeveloped or incomplete area of a cemetery.

The ***Archdiocese of Newark Catholic Cemeteries*** may substitute an interment space of approximately equal value in a developed area or provide temporary interment or entombment until the interment space is developed.

21. These ***Rules & Regulations***, the ***Certificate of Right of Interment*** and the purchase agreement contain all of the covenants between the parties and no agent or representative of either party has the authority to modify, add to, or change any of the terms and conditions therein, or of any receipt issued for payment, or of any other document.

PART II

22. Violators of the ***Rules & Regulations*** of the ***Archdiocese of Newark Catholic Cemeteries*** or trespassers on a cemetery's grounds may be ejected therefrom, prosecuted, and held liable under the law for any damage done by them. Anyone who persistently violates said ***Rules & Regulations*** may be temporarily or permanently excluded from a cemetery and all Arch- diocesan Cemeteries.

PART III
RIGHTS OF CERTIFICATE HOLDERS

THE NEW JERSEY CEMETERY ACT OF 2003 HAS BEEN PASSED BY the State Legislature. This law, which in most respects does not apply to Roman Catholic cemeteries, is less than a model of clarity. However, based upon the provisions which may apply to Catholic cemeteries, the Newark ***Archdiocesan Cemetery Program***, adopts the following articles.

In case of any dispute as to the right to burial or any rights related thereto (including memorials, embellishments and care for the burial spaces), the matter shall be sub- mitted to the Archbishop of the Archdiocese of Newark or his designee, whose decision shall be final and binding upon all persons who have any interest therein.

1. The right to burial can be purchased only with the written approval of the ***Archdiocese of Newark Catholic Cemeteries*** and subject to the ***Rules & Regulations*** of the Cemetery Program, now or hereafter adopted, and for the purposes of human burial only. This provision applies to all sales.

2. The right to burial includes interment, entombment and inurnment. For purposes of this section only, all of these forms of burial shall be referred to as "burial", and the location of the burial shall be referred to as a "burial space."

3. A ***Certificate of Right of Interment*** (herein "Certificate") is a legal document which evidences a right to burial in one or more burial spaces.

   The certificate holder is the person whose name appears on the certificate at the time of purchase.

4. All burial spaces in the cemetery, as evidenced by the certificate, whether purchased or transferred, shall be subject to:

   A. All applicable laws and governmental regulations;

   B. The franchise, charter, certificate of incorporation or other document establishing the ***Archdiocesan Cemetery Program*** or individual cemetery;

   C. All by-laws of the ***Archdiocesan Cemetery Program*** or individual cemetery;

   D. These ***Archdiocesan Cemetery Program Rules & Regulations***.

5.1 The ***Archdiocese of Newark Catholic Cemeteries*** does not transfer title to property,

but only the right to be buried, i.e., a burial interest – as evidenced by a ***Certificate of Right of Interment***.

5.2 Within the ***Archdiocesan Cemetery Program***, the certificate can be in the name of only one person except for a married couple – who may jointly hold it as husband and wife. The certificate holder possesses general rights of burial for all spaces, i.e., grave, crypt, niche.

After purchase and designation of the certificate holder, the right to burial in the burial spaces held by the certificate holder cannot be sold to anyone other than the cemetery from which such right was originally purchased.

Thus, the right to burial can only be sold back to the cemetery. However, the cemetery is under no obligation to repurchase, but may do so if it desires to do so and upon such terms and conditions as it deems appropriate.

5.3 There are two types of burial interest stemming from the certificate holder's general rights: (1) The right to designate persons (designees) for burial in a specific burial space; and (2) a common burial right in undesignated burial spaces. The certificate holder's common interest in un-designated burials in the grave, crypt or niche may be passed on by the certificate holder in his/her Will or, in the absence thereof, according to the principles of intestate succession as documented herein.

5.4 At the time of acquiring the certificate, the certificate holder should designate in writing one (1) person, a "Designee", for each burial space in the grave, crypt or niche. The certificate holder can change the designee at any time during his/her life, so long as the certificate holder signs and dates a writing, which is then filed with the cemetery, designating the burial space, the name of the former designee and the name of the new designee.

Designee(s) shall be permitted burial by the cemetery notwithstanding any other common burial rights passing from the certificate holder to heirs or next of kin (under a Will or otherwise). Thus, unless changed by a certificate holder before his/her death, a designee's burial in a specific burial space is given priority over all others, including those who have a common burial right derived from the certificate holder.

After the death of the certificate holder, a designee may waive his/her right to burial in the burial space in a signed and dated writing, which the designee must file with the cemetery (such waiver will also be deemed to occur if the designee is buried outside the cemetery).

Similarly, after the death of the certificate holder, a designee may name a Replacement Designee by filing a signed, dated ***Replacement Designee Form*** with the cemetery. Once filed, the person filing the form will no longer have any rights as a designee.

If a designee formally waives his/her right to burial, or dies and is buried outside the cemetery without naming a replacement designee, then the right to burial reverts back to the heirs of the deceased certificate holder pursuant to common burial rights as explained herein.

Exception: Notwithstanding the foregoing, a spouse of the certificate holder has a right to be buried in one (1) burial space. This right shall be satisfied from common burial rights if available (see paragraph 6 below), or if none are available, by using the last named designee's space (in which case the last named designee's right to a burial space shall be deemed extinguished). The right of such a spouse to a burial space will not be deemed extinguished by anything except an annulment recognized by the Roman Catholic Church.

5.5 After any one person is buried in a grave, crypt or niche (the certificate holder, a designee or another), the common burial right (stemming from the certificate holder's general interest in burials in the grave, crypt or niche) cannot be transferred except as follows:

A. The certificate holder may transfer his/her common burial right to undesignated spaces in the grave, crypt or niche to another or others in a Will, provided that there is specific reference in the Will to the certificate.

B. If the certificate holder fails to specifically transfer his/her common burial right in the grave, crypt or niche in a Will, then the certificate holder's rights automatically pass as follows:

1. To the certificate holder's spouse and the certificate holders children (or children of a certificate holder's child who has pre- deceased), who all have a common burial right in the grave, crypt or niche (all remaining, un-designated burial spaces). A common right means that each such person has a right singly by himself/herself and collectively with others possessing common burial rights to each of the un-designated burial spaces.

2. If there is no surviving spouse, then to the certificate holder's children (or children of a certificate holder's child who has predeceased), who all have a common burial right in the grave, crypt or niche (all remaining, un-designated burial spaces).

3. If there is no surviving spouse or children (nor children's children) then the certificate holder's parents have a common burial right in the grave, crypt or niche (all remaining, un- designated burial spaces).

4. If there is no surviving spouse, children (nor children's children), or parents, then the certificate holder's siblings have a common burial right in the grave, crypt or niche (all remaining, un- designated burial spaces).

5. If none of the foregoing applies, then the certificate holder's common burial rights pass to the certificate holder's additional next of kin pursuant to New Jersey's statute on intestate succession, and such person or persons have a common burial right in the grave, crypt or niche (all remaining, un-designated burial spaces).

5.6 When two or more persons (other than designees) have a common burial right in a grave or crypt, then each has certain rights:

A. Each has the right to be buried in any of the burial spaces not reserved for designees.

B. A person may waive his/her common burial right in a signed, dated writing filed with the cemetery.

C. A person waives his/her common right to burial if he/she is buried outside of the specific cemetery in which he/she holds the common right of burial.

D. A person may transfer his/her common burial right to any other person(s) who have a common burial right in the grave, crypt or niche by filing with the cemetery a signed and dated ***Permission to Transfer Common Burial Right to a Named Person***.

E. All persons who have a common burial right may collectively transfer their right to a specific burial space to a named person by filing with the cemetery a signed and dated ***Collective Permission to Transfer a Specific Interment Space to a Named Person***.

F. If more persons have a common burial right in a burial space than may be buried there, any deceased person with a common right to burial in the space may be buried there – if requested by the deceased person's legal representative, even though it will make the space unavailable to others (not deceased) who also have a common right to be buried in the space.

For example, if three children of a certificate holder, and two grand- children of a deceased child of that certificate holder, have a common right to burial in one remaining common burial space, the first to die among these five children/grandchildren can be buried in the space if requested by the deceased's legal representative.

Exception: However, if one of the persons having a common burial right is a surviving spouse of the certificate holder (and the spouse does not already hold rights to a burial space as a designee), then one burial space must be reserved for the surviving spouse (unless the spouse has waived his/her right to burial in a signed, dated writing filed with the cemetery).

G. A person may authorize, in a signed, dated writing filed with the cemetery that his/her common burial right may be represented by another person who also has a common burial right.

H. Other than a filed authorization as noted immediately above in Para- graph G, the cemetery may follow the direction of any one person having a common burial right in a grave, crypt or niche who represents that the directions being given represent the consensus (agreement) of all persons who have an interest in the burial space.

5.7 The right to burial includes the right to memorialization, provided memorialization space is available. In this context, memorialization means the right to include name, date of birth, and date of death on the existing memorial/monument or memorial/monument to be purchased. Thus, a deceased persona with the right to be buried in a burial space also possesses the right to have his/her name on a memorial, even if the memorial at the burial space predates the deceased's burial.

5.8 The cemetery has the right to bury in accordance with the instructions of a person who swears or affirms that he/she has the right to bury the deceased, pursuant to the current cemetery ***Rules & Regulations***, in the burial space requested.

Note: ***By law, a person who signs an authorization for the disposition of human remains warrants the truth of the facts stated, the identity of the human remains and the authority to order the disposition. That person will be liable for damages caused by a false statement or a breach of warranty***. *N.J.S.A.* 45:27-30 (d).

5.9 In light of the foregoing, it is important that the certificate holder provide a designee for each burial space, and equally important that the certificate holder state in his/her Will who is to acquire common burial rights in un-designated burial spaces in a grave, crypt or niche upon the death of the certificate holder. If the certificate holder fails to do so, the procedures noted herein for succession may control as to who is entitled to be buried in any remaining, un-designated spaces.

6. The subdivision of burial spaces is not allowed without consent of the cemetery management and no one shall be buried in any burial space in which the rights have

been subdivided, except by written consent of all parties have an interest in the burial space and the cemetery authority.

7. Burial spaces shall be freely transferable in accordance with these ***Rules & Regulations*** and the Civil Laws of the State of New Jersey (to the extent that civil laws may be applicable).

8. Catholic Cemeteries may, but is not required to, arrange for the exchange of burial spaces at the request of the person or persons having rights therein. In rare cases of necessity, Catholic Cemeteries may, in its sole discretion, require an exchange of burial space or burial spaces, despite the objection of the person or persons having rights or an interest therein.

9. Catholic Cemeteries may refuse consent to burial unless and until all monetary payments covering the purchase of the certificate and/or burial have been paid in full.

10. Catholic Cemeteries office personnel communicate with certificate holders and their spouses through either/both customary postal services and/or electronic mail. Program cemeteries continue to solicit email addresses and seek fully implement this form of communication with certificate holders and their spouses.

It shall be the duty of the certificate holder to notify the cemetery of any change of either street or email address for the certificate holder and for his/her spouse.

Any notice sent to a certificate holder or the spouse at the last address on file, whether the address be a postal box, street address, email or cell phone, with the cemetery shall be considered sufficient, proper and legal notification for all purposes, whether or not such purposes are specified in these ***Rules & Regulations***.

PART IV

INTERMENTS – ENTOMBMENTS – INURNMENTS

INTERMENT IN A CATHOLIC CEMETERY is a right of baptized Catholics and may be extended as a privilege to members of their families. The ***Code of Canon Law***, which governs the daily life of the church, establishes certain very limited conditions by which this right can be denied to Catholics. The right will not be denied, however, without very serious consideration at the highest levels of Archdiocesan administration, beginning with the executive director of cemeteries, the chancellor, and vicar(s) general and concluding with the archbishop.

Interment in a Catholic cemetery is a profession of faith, a witness to the dignity of each individual human person, and a proclamation of belief in the resurrection of the dead. Integral to interment is the ***Order of Christian Funerals*** as the church desires that no believer be laid to rest without the appropriate accompanying prayers of the Christian community. It is therefore the obligation of the Catholic cemetery to facilitate and record all interments. Additionally, it is important to stress that scattering of cremated human remains, whether in a cemetery or some other public or private place, is not recognized by the Catholic Church as an appropriate means of disposition/interment, and therefore not permitted in Catholic cemeteries.

Selecting the Catholic cemetery for interment acknowledges membership in the Catholic Church, life lived within a particular parish family, and the hope of union with the Risen Lord Jesus Christ and the communion of saints.

In addition, all Catholics should consider the use of Catholic cemeteries since the facilities are beautiful and well-kept, offer a complete selection of goods and services at fair prices, and invest a portion from the sale of cemetery goods and services back into the care and maintenance of Catholic cemeteries and its ministries.

Policies and procedures have been established by the ***Archdiocese of Newark Catholic Cemeteries*** to assist survivors in preparing for interment, entombment and or inurnment in a Catholic cemetery:

1. Contact the parish to determine the liturgical and ritual needs and expressions, including the securing of the appropriate times, facilities and required pastoral staff. At this time, the parish pastoral staff will collaborate with the family to determine how best to prayerfully observe not only the personal loss, but also the death of a parish member.

   Opportunities are generally afforded to participate in the planning and celebration of

the appropriate liturgies.

2. Contact the Catholic cemetery to ensure that the times selected can be accommodated and that the required/desired cemetery goods and services are purchased. If items have been previously purchased, the ***Certificate of Right of Interment*** or a notarized affidavit, identifying the proper authority and all other rightful heirs, will be required at this time. All cemetery records will be updated during this conference and arrangements for payment will be made with the responsible family member or funeral director.

   Generally, the authorized person(s) making a site selection for interment must do this in person to avoid any misunderstandings or confusion at a time that may already be filled with sorrow. An exception, at the discretion of the executive director, may be granted to the funeral home handling arrangements.

Once all funeral service facilities have been visited and arrangements have been agreed upon and confirmed, then definite publication may be facilitated in the news media, church bulletin or announcement, and at the cemetery.

For the mutual protection of all concerned, the following regulations are operative:

ESTABLISHING OWNERSHIP OF INTERMENT RIGHTS

1. Prior to opening any grave, crypt or niche, ownership of the burial, entombment or inurnment right must be established. This is generally accomplished by the presentation of the certificate or the contract for the interment rights. At the discretion of management or, when the certificate is not able to be located, an affidavit may be required and must be prepared and presented prior to the interment.

2. Owners of **Certificates of Right of Interment** are not permitted to sell their interment rights, in whole or in part, except to the ***Archdiocese of Newark Catholic Cemeteries*** and then only under limited circumstances. Contact with the cemetery office prior to any proposed transfer shall be made to determine if it is permitted.

3. No permitted transfer or assignment of any interment space, or interest therein, shall be valid until accepted in writing by the ***Archdiocese of Newark Catholic Cemeteries***.

4. The ***Archdiocese of Newark Catholic Cemeteries*** may also refuse to consent to a transfer or to an assignment as long as there is outstanding any portion of the purchase price or the deposit required to be made to the ***Archdiocese of Newark Catholic Cemeteries*** endowment trust fund from the holder of the ***Certificate of Right of Interment***.

5. This procedure is required so the ***Archdiocese of Newark Catholic Cemeteries*** may at all times have a complete and accurate record of all certificate holders and purchasers. It shall

be the duty of the certificate holders to notify the ***Archdiocese of Newark Catholic Cemeteries*** of any change in the certificate holder's post office address.

Any notice sent by regular or certified mail to a holder of a ***Certificate of Right of Interment*** at the last address on file will be considered sufficient and proper legal notification for all purposes whether or not such purposes be specified in these rules.

ARRANGING FOR THE INTERMENT

1. Facilitating interment in an Archdiocesan Catholic cemetery is both an obligation and a privilege entrusted to the administrators and other program employees. No interment may take place without the knowledge and involvement of the ***Archdiocesan Cemetery Program***. The proper cemetery authority must receive the proper identification, permits and fees, identify the correct location, and record the interment in the cemetery's permanent records. Only those individuals properly received and recorded in a cemetery's permanent records may be memorialized.

2. Orders for interment may, at the option of the ***Archdiocese of Newark Catholic Cemeteries***, be received by telephone, fax modem or email from the authorized funeral director, but must be verbally confirmed at the appropriate cemetery office. All orders for interment require presentation of the original ***Certificate of Right of Interment***, or contract for same, or acceptable affidavit as well as the signed interment authority [permission slip] furnished by a cemetery; and these must be delivered to a cemetery prior to the time of actual interment.

3. The ***Archdiocese of Newark Catholic Cemeteries*** shall not be responsible for any error that may be made in accepting a telephone, fax modem or email interment order. To avoid substantial inconvenience, management may accept a telegraphed interment authorization from the certificate holder, except if the certificate holder is the decedent. The ***Archdiocese of Newark Catholic Cemeteries*** may require its certificate holders to make interment arrangements personally at a cemetery's office.

4. Cemeteries will typically be open for interment from 8:00 AM until 2:00 PM, Monday through Friday, [after 2:00 PM overtime charges will apply], and from 8:00 AM until 12:30 PM on Saturday [after 12:30 PM overtime charges will apply]. Every effort is made to accommodate the liturgical schedules and clergy of the parishes served by the ***Archdiocese of Newark Catholic Cemeteries***. There will be no committal services scheduled on Sundays and posted holidays *[see #12, page 64]*.

5. **Committal Services** are limited to thirty (30) minutes in order to accommodate the needs of all families, clergy and funeral service personnel.

6. Fees and service charges are on file in each of the cemetery offices and are subject to change without notice. Holders of interment rights are encouraged to make their financial arrangements directly with the cemetery in a pre-need environment. At the time of any at-need cemetery service, all fees must be paid in full. All goods and services offered by the ***Archdiocese of Newark Catholic Cemeteries*** are available in both the pre-need and at-need environment, but the application of the terms may be different.

7. Verified interment orders must be completed at a cemetery's office a minimum of 12 working hours prior to interment. Emergency calls may be considered on an individual basis.

8. Funeral homes are requested to check with the cemetery for availability of specific interment times. This will allow the best possible service to all families patronizing the cemetery.

9. The following information shall be furnished with an interment order:
Completed Funeral Order (S-Drive)

A. Required Information
1. Day/Date/Time of Mass and Arrival
2. Location
3. Outside Container & Company
4. Depth
5. Name of Deceased
6. Funeral Home
7. Owner & Contact Information
8. Responsible Party & Contact Information
9. Existing Burials
10. Fees
11. Signature/Date & Time Order Rec'd
12. Foreman/Operator/Driver Signature

10. Families may have options for the site of the ***Committal Service***. In inclement weather, schedule permitting, a mausoleum committal chapel may be chosen rather than graveside. In the Gazebo Section, the family may elect to celebrate the ***Committal Service*** in the gazebo itself. If the ground burial section is not too far distant from a Gazebo Section, families with committals in other sections may also elect a gazebo if one is available.

When gazebo ***Committal Service*** is selected, the casketed remains may not be immediately transferred to the grave for interment. In instances where immediate family is to witness the final interment, this fact must be considered. The funeral director must always remain for the final interment.

Gazebos are handicap-accessible and there is no additional charge for the use of a gazebo for the ***Committal Service***. If the family still desires the full grave set-up, there will be an additional charge.

11. The ***Archdiocese of Newark Catholic Cemeteries*** may refuse to make an interment until the following day if the remains arrive at the cemetery entrance after 2:00 PM, or if in the opinion of the ***Archdiocese of Newark Catholic Cemeteries*** the interment is impractical.

12. Applications for all interments must be accompanied by a ***Board of Health Burial Permit*** (an original or electronically transmitted copy), the ***Certificate of Right of Interment***, and written permission for the interment by the certificate holder or rightful heir(s). The permission document shall remain with the cemetery. For cremated human remains, the ***Certificate of Cremation*** containing the identity of the deceased and cremated individual must be included.

13. A metal nameplate, bearing the name of the deceased, shall be attached to the outer burial container and casket.

14. The ***Archdiocese of Newark Catholic Cemeteries*** does not perform interment services on Sundays, especially Easter Sunday and the Feast of the Resurrection of Christ. Nor does the **Archdiocese of Newark** perform interment services on the following holy days or days of special religious observance: the Feast of the Nativity [Christmas] and the Solemnity of Mary the Mother of God [New Year's Day].

The time of the observance of the ***Easter Triduum*** [Holy Thursday, Good Friday, Holy Saturday] in the Roman Catholic tradition does not permit the celebration of the church's full liturgical rights [Funeral Mass] for the dead.

Therefore special accommodations and individual decisions are always required for individuals whose liturgical services would fall on any of these days; the ***Archdiocese of Newark Catholic Cemeteries*** accepts the directives of the Archdiocese and accommodates the desires of the pastor of the parish in these circumstances.

The following federal holidays are also times when interment services are not available: New Year's Day, Martin Luther King's Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Thanksgiving Day and Christmas Day.

GREEN/NATURAL INTERMENT

PART IV

1. Catholic Cemeteries of the **Archdiocese of Newark** has introduced and made provision for green/natural interments (See ***PART I: DEFINITIONS***) at Maryrest Cemetery in Mahwah, New Jersey. Green/natural burial is differentiated by levels of fidelity to ecological principles.

   A. **Dark green** is restricted to those wishing shroud burial, i.e. no form of casket, outer casket protection, embalming, or memorialization on the grave.

   B. **Medium green** is restricted to those electing a natural biodegradable casket, no outer casket protection nor embalming, but allowing restricted memorialization according to the parameters of the burial site.

   C. **Light green** is designated for those electing a natural biodegradable casket, embalming using natural embalming fluids, and allowing restricted memorialization according to the parameters of the selected burial site. No outer casket protection is permitted.

2. A letter of understanding (Natural Burial Sections #21 Form), containing all pertinent information about restrictions/conditions for natural/green burial must be signed prior to any interment within a green/natural section.

3. Areas are designated within the green/natural burial section to accommodate the different levels as identified above in #1. Interment in each specific area is restricted according to the level and exceptions are not permitted.

4. Interment may be either single or double-depth and must be determined prior to the initial interment in any grave space.

5. **Landscape** consists only of wild flowers and natural flora and fauna. Grave visitation is restricted to the designated pathways. No additional floral tributes are permitted within the section. Donations to the cemetery of bird seed and/or wild flower seed is both encouraged and recommended.

6. Additionally, the cemetery intends the green/natural section to be a refuge and habitat for birds and other fauna. Donations to facilitate the construction, placement and maintenance of bird houses/feeders as well as birdseed can be made at the cemetery office. Placement, maintenance, re-supply of feed is restricted to cemetery employees only. Only natural pesticides will be used in the area and the use of power equipment will be significantly restricted.

7. **Fees** for products and services are posted on the ***Archdiocesan Cemeteries Program*** website, at Maryrest's office, and at all other program offices. Fees for products and services may be adjusted at any time and without notice.

PART IV

8. **Memorialization** is restricted to designated boulders. Due to the restriction of pathway visitation only, ***neither manufactured nor individual memorials or monuments are permitted.*** Memorialization will be by engraving name, birth and death years on one of the naturally occurring rocks/boulders in the section and are not guaranteed to be uniform. Arrangements for memorials are made through the cemetery office and cannot be made in advance.

9. **Interment** in any of the three designated green/natural burial areas is considered permanent and no disinterment is permitted under any circumstances.

10. Because of the recent introduction of green/natural burial and restrictions contained herein, pre-need arrangements are both permitted and encouraged.

GAZEBO SECTIONS

1. The ***Archdiocesan Cemetery Program*** has introduced and made available sections in certain cemeteries which are enhanced with the construction and placement of a central gazebo feature which may be used for ***Committal Services***, memorial prayer services, and individual prayer and reflection. Gazebo structures are handicap accessible, aesthetically pleasing, and offer limited protection from the weather.

2. Single, double and family in-ground estate lots are available within gazebo sections. While not required, vaults are preferred in these sections.

3. Families purchasing in a gazebo section may use the gazebo for the ***Committal Service*** at no additional charge. Committal Services in gazebos are limited to thirty (30) minutes. If, however, the family wishes to move to the actual interment site following the service, and a full set-up is required at the interment site, an additional charge will be assessed.

4. After a Committal Service in a gazebo, movement to the interment site, unless otherwise arranged in advance, is restricted to the funeral director.

5. Families purchasing in other sections of a cemetery, especially within view of a gazebo, are welcome to use the gazebo for ***Committal Services*** by making prior arrangements at a cemetery office. Prior commitments will determine availability.

6. Memorialization in a gazebo section is restricted to the two-piece upright monument, base/die or slant/base. Monoliths are not permitted. Flat markers are permitted only if issued by the government for a veteran. In the instance of the veteran marker, it will be placed in the area immediately in front of the family memorial.

7. All other rules or regulations contained herein, especially ***General Information Rules & Regulations***, apply equally to any gazebo section.

8. Floral tributes at the gazebo ***Committal Service*** will be restricted to two items. Additional floral items may be placed at the interment site.

PART IV

ARRANGING FOR THE GROUND INURNMENT OF CREMATED HUMAN REMAINS

1. Cremated human remains may neither be surreptitiously buried in nor scattered upon any grave or other space within a program cemetery. The proper permits must be received by the cemetery authority, space assigned and recorded, fees satisfied before any interment may take place, and the interment must be accomplished only by authorized cemetery personnel. As a Catholic cemetery, the interment is expected to be accompanied by the official prayer of the church as contained in the *Order of Christian Funerals*.

2. According to the ***Guidelines for Christian Burial***, cremated human remains [ashes] are to be treated with respect and inurned in consecrated ground.
An urn vault (See ***PART I: DEFINITIONS***) is required for all in-ground inurnments. Urn vaults may be secured through the family's funeral director.

3. Commingling of cremated human remains within any Archdiocesan Catholic cemetery is not permitted.

4. Inclusion of cremated human remains within the casket of another, without the express knowledge and consent of ***Catholic Cemeteries***, and without payment of burial rights and inurnment fees, and/or failure to record said inurnment, is forbidden.

5. Because there is a necessary waiting period for the completion of the cremation process, special circumstances oftentimes surround arrangement for inurnment of cremated human remains and the attendant celebration of the ***Committal Service***. This is especially true in the Roman Catholic tradition because of the newness of the cremation experience.

   The church earnestly desires that the complete ***Order of Christian Funerals*** be celebrated, including the ***Vigil*** with the body present, the ***Funeral Mass*** with the body present at the parish church of the deceased, and the inurnment of the cremated human remains with the celebration of the ***Committal Service*** at the cemetery.

   Because of the delay caused by the cremation process, it is usually necessary for the family to make additional arrangements at the parish after the return of the cremated human remains for the celebration of the ***Committal Service*** and the respectful inurnment of cremated human remains.

6. Arrangements at the cemetery for inurnment of cremated human remains are completed in the same fashion as for interment or entombment. Contact with one's

parish is made to facilitate the celebration of the liturgical rites at the cemetery. Contact is then made at the cemetery to schedule the inurnment and the ***Committal Service***. Transfer of Human Cremated remains from one container to another, shall only be conducted by the family or funeral director)

7. The time and place for the ***Committal Service*** is determined by the proper cemetery authority. The use of a gazebo for the ***Committal Service*** for inurnment of cremated remains is permitted, but arrangements must be made in advance and confirmed within 24 hours (depends upon availability) of the requested service.

Because circumstances dictated by the immediate demands of inhumation at each of the cemeteries, committal rites and services for those who have been cremated typically are celebrated between 8:00 AM and 10:00 AM on any Saturday. All other regulations applicable to Saturday services also apply.

ARRANGING FOR THE ABOVE-GROUND INURNMENT OF CREMATED HUMAN REMAINS

1. According to the ***Guidelines for Christian Burial***, cremated human remains [ashes] are to be treated with respect and may be inurned in above-ground niches. The consecrated grounds of a Catholic cemetery are recommended.

2. Inurnment of cremated human remains may not be placed within private family mausoleums without notification of the proper cemetery authority, transmittal of required permits/identification, payment of associated fees and appropriate recording of the inurnment within the cemetery's permanent interment records. The inurnment may only be performed by authorized cemetery employees.

3. Cremated human remains may not be co-mingled within a single urn. When accepting cremated remains for inurnment, the cemetery requires that all of the remains be presented.

4. Catholic symbols and military emblems, as approved by the cemetery, are permitted to be permanently affixed by the manufacturer to any cremation urn.

5. Only those emblems or cameos supplied by the ***Archdiocesan Cemetery Program*** may be permanently affixed by the cemetery to any granite, marble, glass or bronze niche shutter.

6. For glass-front niches, the following additional regulations apply

   A. An urn specifically designed for the containment of cremated human remains must be presented, pre-approved, and used for inurnment.

B. Urn sizes must comply with dimensions as set forth in the inurnment rights contract and the urn must be of a size to accommodate all of the cremated remains of the deceased individual.

C. Urns must be fabricated of materials that will withstand the test of time. Plastic receptacles provided by the crematory are not acceptable for display within glass-front niches.

D. Companion urns are not permitted in single space niches.

E. The shape and/or design of the urn must in no way compromise Catholic teaching or sensitivity.

F. Free standing name plates must be pre-approved by cemetery management. Other types of identification must be permanently affixed to the urn by the manufacturer or professionally engraved on the urn.

G. One artifact of a religious nature in conformity with Catholic tradition and practice, such as a statue, medal with chain, or a rosary, may be displayed within a glass-front niche, but must be approved prior to the inurnment based on space limitations.

H. Pictures, picture frames with pictures, personal items and trinkets of any kind are not permitted within glass-front niches with the exception of cameos as sold by the cemetery and other images approved by the cemetery and permanently affixed by the manufacturer.

PART IV

THE COMMITTAL SERVICE AT THE CEMETERY

1. All funerals upon reaching a cemetery shall be under the supervision of the ***Archdiocese of Newark Catholic Cemeteries***. Funerals shall not be admit- ted to a cemetery when they are escorted or accompanied by regalia or banners of societies, organizations or lodges which are offensive to the Catholic Church. Fraternal or lodge services not otherwise forbidden by church law may be permitted by management, providing specific permission is obtained 24 hours in advance.

2. Only a duly-authorized Roman Catholic priest, deacon, pastoral minister, or in the case of a deceased member of another faith, a clergyman duly approved by management may officiate at the grave side or crypt. In the event one of those named above is not available, a Catholic lay person may officiate.

3. The ***Archdiocese of Newark Catholic Cemeteries*** shall have the right to refuse to proceed with the interment unless the funeral is accompanied by a duly licensed funeral director. Before the interment may proceed, such funeral director must deliver all necessary permits and authorizations to the ***Archdiocese of Newark Catholic Cemeteries***' designated representative.

4. The ***Archdiocese of Newark Catholic Cemeteries*** shall not be responsible for obtaining the interment permit, nor to determine the identity of the person to be interred. The ***Archdiocese of Newark Catholic Cemeteries*** shall not be responsible for the embalming of the body.

5. After a casket is brought into any of the ***Archdiocese of Newark Catholic*** properties, the ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to refuse permission to open the casket without the written consent of the legal representative of the deceased and/or without a court order. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to require that any health hazard be corrected.

6. Drone photography is not permitted in ***Archdiocese of Newark Catholic Cemeteries*** properties.

7. The ***Archdiocese of Newark Catholic Cemeteries*** shall not be liable for any delay in interment due to failure to comply with its ***Rules & Regulations***, inclement weather, strikes, unforeseen underground obstructions, the filing of a protest, or other circumstances beyond the control of the ***Archdiocese of Newark Catholic Cemeteries***. The ***Archdiocese of Newark Catholic Cemeteries*** may require any protest or contest to be in writing and filed in the ***Archdiocese of Newark Catholic Cemeteries'*** office.

8. In the event of any delay the ***Archdiocese of Newark Catholic Cemeteries*** reserves

the right to either cause the remains to be returned to the funeral home or to place the remains in a receiving vault or an available mausoleum crypt until the reason for the delay is resolved to the satisfaction of the ***Archdiocese of Newark Catholic Cemeteries.***

9. Flowers are not permitted inside any mausoleum. For mausoleum entombment, flowers must be delivered at the interment chapel entrance or entrance to the mausoleum prior to the movement of the deceased to either the crypt or niche. Management reserves the right to limit the number of floral pieces to two.

For ground interment, flowers must be delivered to the site of the ***Committal Service*** prior to the movement of the deceased. Management reserves the right to limit the number of floral tributes to two. If the ***Committal Service*** takes place in one of the available gazebos, floral tributes beyond the two permitted at the gazebo will be placed at the site of actual committal.

Glass containers will not be permitted to remain at burial, entombment, inurnment sites following the committal service. Floral tributes brought to the Catholic cemeteries that are offensive to the Catholic Church shall not be permitted and will be removed.

OUTER BURIAL CONTAINERS

1. Generally, the use of an outside burial container is recommended. A diverse selection of approved burial containers is available.

2. All burial containers must be constructed of concrete, steel, fiberglass, or other composition approved by management of the ***Archdiocese of Newark Catholic Cemeteries***. Wooden liners, except as mandated, and with cemetery superintendent review and approval, are generally not permitted. The requirement of such containers is not solely for protection from the environment, but to insure against cave-in, so that the ***Archdiocese of Newark Catholic Cemeteries''*** grounds shall remain safe for maintenance, ingress and egress.

3. In instances where an interment is conducted for an infant or child, an infant combination casket/liner container no more than four feet [4'] in length is permitted, but only in sections where graves are of such a size to accommodate the combination unit.

4. Burial outer protection units must be delivered to the cemetery by 3:00 PM the day prior to the anticipated arrival of the deceased at the cemetery. Vault delivery must be scheduled at the discretion of cemetery management.

The exterior width of a burial container is limited to two inches (2") less than any grave width; the burial container is also restricted to four inches (4") less than the length of the grave. If the container is larger, additional accommodations must be arranged with the cemetery.

In certain instances, grave sizes may not accommodate an outer container of even this dimension and contact with the proper cemetery authority to make additional arrangements must be made in advance.

Crypts shall accommodate total exterior dimensions not exceeding 2' 0" high by 2' 6" wide by 7' 3" long.

5. The ***Archdiocese of Newark Catholic Cemeteries*** requires a cremation vault for burials and a suitable container [urn] for mausoleum inurnment. The size of the cremation vault is determined by the ***Archdiocese of Newark Cemeteries*** and is controlled by a combination of factors including prior burials at the location and the niche size required to accommodate the cremation urn.

6. The cremation vault will be placed at a location within the grave space as determined by the ***Archdiocese of Newark Catholic Cemeteries***.

SPACE UTILIZATION RESTRICTIONS

1. The number of burials in an interment space is determined by the certificate rights. When additional burial rights are required, management reserves the right to determine both availability within the interment space and appropriate fees to assess. The ***Archdiocesan Cemetery Program*** may restrict the interment or inurnments to any combination of legal or blood relatives. Proper authority and the ability to memorialize guides the ***Archdiocese of Newark Catholic Cemeteries*** in making such accommodations.

2. Prior certificates mandating/restricting wooden boxes must be reviewed by the cemetery superintendent prior to any additional interment.

3. Crypt shutter lettering, i.e., identification, is restricted to the number of individuals the space will uniformly accommodate. Full mausoleum crypts may be used for either full human remains, cremated human remains, or a combination of both. If, at any time, reconfiguration of lettering is required, a fee will be assessed for this service.

4. Once interment space has been depleted, the ***Archdiocese of Newark Catholic Cemeteries*** has fulfilled their sacred obligation of burial in said graves. The ***Archdiocese of Newark Catholic Cemeteries*** is under no obligation to inter additional family members in graves.

5. Ground disinterment for transfer (entombment) into abbey crypts will not accommodate the required disinterment outer casket protection on the lower level and is therefore not permitted.

CEMETERY DESIGN INTEGRITY

1. The integrity of the cemetery sectional overall design will be preserved. No interment will be permitted beneath any path, walk or road, whether shown on the maps of the ***Archdiocese of Newark Catholic Cemeteries*** or actually in existence without a variance granted by the Archdiocesan Executive Director of Catholic Cemeteries.

2. Management reserves the right to transfer a certificate holder who has purchased in an undeveloped area to a developed area of equal value, should the necessity of interment take place before the area purchased has been developed. Selection of the exact location within a like developed area may be done by the certificate holder. Should the holder be unable to make a new selection, management will make the selection.

3. As previously indicated, interment space location is to be identified by the certificate holder, or a properly authorized individual after the certificate holder is deceased, in writing on a cemetery's proper form. This form shall be kept as part of a cemetery's permanent records.

PERFORMING THE OPENING/CLOSING

1. The cemetery and its employees, or designated person, or company are the only persons that will be permitted to open ground burial spaces, crypt and niche fronts due to the licensing requirement for the operation of heavy equipment in the cemetery, the liability associated with damage to memorials, the area in which they are to work, their expertise in the operation of the equipment required to perform these tasks, and the permitting requirements of the local boards of health.

2. While every effort is made to ensure that the proper burial location is identified and opened, nonetheless, errors are possible. The cemetery reserves the right to correct all errors made in the interment of human remains within any of its properties at the time said error is identified and verified, and after notice to the certificate holder.

3. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right, at its sole discretion, to disinter, remove and re-inter the shifted vaulted remains of any person interred in a multiple-depth grave without the consent of the legal custodian or custodians of said remains or grave certificate holder where remains are interred.

PART IV

DAMAGES AT THE CEMETERY

Damage done to lots, walks, drives, trees, shrubs, fences or other property by dealers, contractors, their agents or individuals or families at the cemetery shall be repaired by the cemetery and the cost paid by those responsible.

PART V
MAINTENANCE

THE TERM "MAINTENANCE" REFERS TO THE PHYSICAL CARE of a cemetery in its entirety and includes seeding, mowing and trimming on and around graves. It shall also consist, among other things, of the general repair and cleaning of the public walks and roads in a cemetery, the general repair and cleaning of the office and all other buildings, garages, fences, and equipment utilized in the proper administration, protection and operation of a cemetery.

It shall not include special care of graves, or care for any shrubbery on lots planted prior to these ***Rules & Regulations***, monuments, memorials or other structures situated thereon with the exception of the ***Right of Inscription Program***.

PART VI
BEAUTIFICATION AND DECORATION REGULATIONS

THIS SECTION SHALL APPLY TO THOSE PLOTS WHERE ENDOWMENT CARE has been provided for in the purchase contract. Endowment care is understood as that attention to and maintenance of plots necessitated by natural growth and ordinary wear and includes cleaning, planting, cutting, and care of lawns, trees and shrubbery; it further includes the cleaning and maintenance of roads and walks provided there are sufficient cemetery funds for that purpose.

In times past, provision was made for "annual care." A yearly rate for this work, commensurate with cost, adjustable on a yearly basis, was established and charged on those plots that are not otherwise endowed with the cemetery for care. Annual care charges are billed and shall be paid annually. Unpaid charges must be brought current before any activity may take place on the plot. Holders of annual care are encouraged to convert them to endowment care.

Non-permanent enhancements to interment spaces include everything from seasonal decorations to all sorts of other personal expressions of love or memory of interred individuals. The ***Archdiocese of Newark Catholic Cemeteries*** adopts the following enhancement and/or beautification regulations for all interment spaces.

1. Grave mounds will not be allowed and no lot shall be raised above the established grade. Cemeteries are maintained as lawn facilities. No fence enclosures, shells, stones, pebbles, wood chips, plastic or other border materials etc. may be used to cover or decorate graves or lots. With the exception of the planting area already occupied by an additional marker, annuals may be planted up to twelve [12"] inches in front of a marker or monument and may not exceed fifteen [15"] inches in height. Seasonal artificial flowers will be permitted in a self-draining pin-type vase.

2. General cemetery clean-up begins on each of the following dates January 15, the Monday following Easter Monday, June 21, and November 16 each year and can take up to several weeks to complete depending on size of cemetery and weather. During this time, all grave decorations are removed from graves and private mausoleums so that a thorough clean-up of the properties can take place. Notifications of these clean-up times are posted on our website and at the entrances of all Archdiocesan Cemeteries.

   If, in order to open a grave to make an interment or disinterment, the ***Archdiocese of Newark Catholic Cemeteries*** at any time deems it necessary to remove existing or unauthorized hedges, shrubs, posts, bars, corner markers, entrance sills, enclosures or

parts of enclosures, it may remove and dispose of the same without any liability and without responsibility for the replacement or cost thereof.

3. The placement of cemetery tributes, whether floral or of some other type, is strictly regulated for the common good of all holders of ***Certificates of Right of Interment***. No placed tribute, whether floral, shrubbery, or of any other type, may be considered permanent to the site.

A. No ornamental tree, bush, large shrubbery, vine or creeping plant that is part of the overall cemetery landscape is to be utilized for any form of grave decoration at any time. Typically, overgrown items will be identified for removal each year prior to Memorial Day. Time will be allowed for families to contact the cemetery office to claim shrubbery; if responsible parties have not responded by August 1, overgrown items will be discarded.

B. Except as noted above, planted flowers, regardless of the season, are always welcome. Wilted flowers will be removed prior to mowing, or sooner if, in the judgment of management of the ***Archdiocese of Newark Catholic Cemeteries***, they become unsightly.

C. During the majority of the grass growing season, mowing will typically take place on a weekly basis. Because of the unpredictability of weather, it is impossible to guarantee the same section will be mowed on the same day of each week during the growing season.

D. No type of hanging plant container is permitted within the cemeteries.

E. One votive light, made of a durable material and battery or solar powered, may be placed within the 12 inch flower bed area of existing monuments and flush memorials. Lights of any other type will be removed as identified by staff.

F. Votive candles and landscape lights are not permitted.

Votive lights placed within the planting areas of upright monuments may remain throughout the year as long as they remain in good condition. Insofar as there is no ability to use the upright monument as protection during the winter months, a votive light as described above may be placed in front of flush memorials only from April 15 through November 15.

4. Only one statue, of a religious nature, may be placed (not permanently affixed) on the monument ***base*** or in the planting area of an upright monument; statue height shall not exceed ½ the height of the monument dye. Statuary is not permitted in flat marker sections.

All statues must be made of a durable material; glass, porcelain or other similar materials are not permitted. Broken or unsafe statuary will be removed by cemetery staff without notice.

A. While not encouraged because of the potential hazard to operators and cutting machinery, seasonal artificial flowers will be permitted in the self-draining pin-type vase. Glass jars, bottles, tin cans, crockery or earthenware pots are strictly prohibited.

B. All floral tributes are to be removed by their owners prior to the fall and spring general clean up dates of the ***Archdiocese of Newark Catholic Cemeteries***. Floral tributes not removed by the beginning of each of the clean up periods will be removed and disposed of by the ***Archdiocese of Newark Catholic Cemeteries***.

C. Neither trees nor shrubbery may be planted at monument or flush memorial sites. Should existing shrubbery become overgrown, obstructing the view of the monument or infringing upon adjacent burial spaces, without notice, the ***Archdiocese of Newark Catholic Cemeteries*** has the right to either cut back or remove, at its discretion, the offending shrubbery.

D. Thorn bushes of any type, including roses, are considered shrubbery and therefore not permitted.

E. Floral tributes or non-permanent decorations of any type may not be affixed to or placed upon any upright monument or flush memorial at any time without cemetery approval.

F. Christmas greens [2' in width only - pillow size] may be placed at the head of plots within the ***Archdiocese of Newark Catholic Cemeteries*** the Friday after

Thanksgiving Day. Full blankets are not permitted. Christmas greens that are not removed by owners will be removed and disposed of after January 15 by cemetery staff.

G. Florists accepting responsibility for placement of Christmas decorations on behalf of individual families must observe the posted placement schedule. Florists placing these decorations must also accept responsibility for removing them according to the posted removal schedule.

H. Live floral tributes may not be placed at mausoleum crypts and cremation niches. For those desiring placement of live floral tributes honoring loved ones entombed or inurned in a community mausoleum, a specific site is designated by the ***Archdiocese of Newark Catholic Cemeteries*** for this purpose. Families are requested to limit placement to one tribute per crypt space.

By subscription, families may arrange with each cemetery for seasonal tributes of artificial flowers in approved vases to be placed on mausoleum crypts, cremation niches or ground burial sites. These tributes are placed at any time throughout the year except during the clean-up weeks.

I. All artificial flowers not contained in approved vases must be placed at exterior designated display areas and will be removed as they deteriorate and become, in the judgment of management, unsightly, insuring that only attractive and maintained arrangements remain at the sites.

J. American flags are permitted on graves from Memorial Day through Flag Day, and on Veterans Day. Veterans Day flags may be placed three days prior to the holiday and remain one week after the holiday. All flags must be presentable and will be removed and disposed of according to the norms of the Quartermaster General of the United States Army. Shaft-type veteran and fraternal organization emblems are not permitted as flag holders.

5. The ***Archdiocese of Newark Catholic Cemeteries*** shall have the right to refuse care and/or planting orders. Flower receptacles subject to section restrictions may be placed in a cemetery only if material, size and design are approved by the ***Archdiocese of Newark Catholic Cemeteries***.

6. While the ***Archdiocese of Newark Catholic Cemeteries*** encourages family participation in the care of grave spaces, for the protection of the uniform appearance of the cemetery, the employees and visitors to the cemetery, all work performed by mechanical equipment or power tools of any kind on all lots and graves, including but not limited to grass cutting with power or push mowers, clearing of snow with power equipment, setting of sprinklers for watering of graves or lots, is strictly prohibited.

Care of cemetery-owned/installed shrubbery in Gazebo Sections and cemetery-owned private family mausoleums is the sole responsibility of the cemetery maintenance staff. Landscape/planting/maintenance of Green Burial Sections at **Maryrest Cemetery** is also the sole responsibility of the cemetery maintenance staff.

No personal/family maintenance of the various forms of shrubbery installed or owned by the ***Archdiocesan Cemetery Program*** is permitted in Gazebo or Green Burial Sections; neither is personal/family maintenance allowed around private mausoleums owned by Archdiocesan Cemeteries.

The bringing into the cemetery and application of any fertilizer, pesticide or other chemical by anyone other than authorized cemetery employees or cemetery-authorized outside contractors is strictly prohibited.

In addition, the digging of holes for any purpose whatsoever other than by employees of the cemeteries is strictly prohibited; the only exception is the planting of flowers.

7. No money shall be paid to the attendants of the grounds. The entire time of the persons regularly employed on the grounds belongs to the ***Archdiocese of Newark Catholic Cemeteries***. Visitors and certificate holders must not otherwise engage them. All orders, inquiries and complaints must be documented in the office.

8. All persons including sub-contractors, unless with proper permission from both the ***Archdiocesan Cemetery Program*** and the certificate holders, are strictly prohibited from picking flowers, removing turf, trees or shrubs, or in any way altering or marking any property within a cemetery not specifically belonging to them, or in any way defacing a cemetery's grounds.

9. Any planting, decoration or other object(s) placed on or above a grave or lot shall be removed, when in the judgment of management, such action is warranted and in the best interest of the cemetery. No flowers or other decorative items may be placed on or in trees or shrubbery.

Flowers or other decorations will be removed as soon as they fade and wither and the right is reserved by the ***Archdiocese of Newark Catholic Cemeteries*** to make such removal.

Flowers placed on the grave at the time of a burial will remain in place, at the discretion of management, up to 72 hours from the time of placement. Additional burials in the immediate area or weather conditions may necessitate a shorter time period.

10. Nothing herein above contained shall be deemed to prohibit the type of care of an interment space identified above in #5 by the holder of the ***Certificate of Right of***

Interment or his/her duly authorized representatives. All rubbish made by such holder of a ***Certificate of Right of Interment*** or other representatives must be removed from the cemetery immediately after completion of their work.

In the event this rule is violated, the ***Archdiocese of Newark Catholic Cemeteries*** may remove such rubbish and assess charges to the violator.

11. Gardeners working in the cemeteries as independent contractors shall apply for permits at the appropriate cemetery office. Competence, familiarity with the ***Rules & Regulations*** and observance of same, will be required to secure permission. An annual fee will be assessed to each vendor.

Soliciting work in any manner in a cemetery is cause for refusal or revoking of permission to work.

PART VII
OUTSIDE CONTRACTORS

THE ARCHDIOCESE OF NEWARK CATHOLIC CEMETERIES RECOGNIZES that there are oftentimes special skills and tools required to perform certain types of work within its facilities. An example of this would be the construction of a mausoleum or garden crypt facility or carving on a monument.

At the same time, not all of the work required for the professional and orderly operation of its cemeteries can be executed by its cemetery employees. For these reasons, the ***Archdiocese of Newark Catholic Cemeteries*** earnestly desires to collaborate with outside contractors for the performance of certain tasks within its cemeteries.

Included within this group would be mausoleum builders, general contractors, vault retailers, dealers or distributors, monument or memorial retailers, dealers or distributors, tree cutting/trimming services, general landscapers, and pesticide and fertilizer applicators.

1. With the exception of general landscapers, vault dealers and monument companies for whom a single annual permit will be issued, prior to initiating or beginning any type of service or work on a cemetery's grounds, all outside contractors shall secure an authorization permit from the ***Archdiocese of Newark Catholic Cemeteries***. This permit will be issued within three working days of compliance with all requirements in these ***Rules & Regulations***.

2. All outside contractors employed by certificate holders to work on their lots in any capacity must give notice at a cemetery's office stating the kind and style of work to be done, and file with the ***Archdiocese of Newark Catholic Cemeteries*** a written permit signed by the certificate holder for such work. When the outside contractor is required by the State of New Jersey to be licensed, a copy of that license must be presented prior to the issuance of any written cemetery permit.

3. No materials may be brought or delivered into a cemetery until a written permit is obtained from a cemetery's office stating the kind and style of work to be done, said written permit signed by the certificate holder for such work and filed with the ***Archdiocese of Newark Catholic Cemeteries*** at the office of the cemetery where the work is to take place.

4. All outside contractors must furnish to the ***Archdiocese of Newark Catholic Cemeteries*** detailed plans and specifications for each individual contract.

5. All outside contractors performing work on a cemetery's grounds shall present and file

at a cemetery's office a certificate of insurance from a responsible insurance company authorized to do business in the State of New Jersey, in an amount to be determined by the ***Archdiocese of Newark Catholic Cemeteries***' Insurance Carrier, listing the ***Archdiocese of Newark Catholic Cemeteries*** as an additional insured, and containing an automatic cancellation notice to the ***Archdiocese of Newark Catholic Cemeteries***.

The insurance coverage will indemnify the ***Archdiocese of Newark Catholic Cemeteries***, the **Roman Catholic Archdiocese of Newark**, the archbishop, or certificate holder for any damage caused to any lot or to the property of the ***Archdiocese of Newark Catholic Cemeteries***.

Information on current requirements can be obtained at the ***Archdiocese of Newark Catholic Cemeteries'*** office**.**

6. In addition to the foregoing, all outside contractors shall file adequate certificates issued by responsible insurance companies authorized to transact business in the State of New Jersey evidencing adequate coverage for general liability, public liability, property damage and Workers' Compensation.

   These policies should list the ***Archdiocese of Newark Catholic Cemeteries*** as an additional insured and contain an automatic cancellation notice to the ***Archdiocese of Newark Catholic Cemeteries***. Information on current requirements can be obtained at the ***Archdiocese of Newark Catholic Cemeteries'*** office or through the *Risk Management Department* of the **Archdiocese of Newark**.

7. All fees owed to the ***Archdiocese of Newark Catholic Cemeteries*** must be paid at the particular cemetery where the work is to take place at the time application is made for a permit. These fees include all immediate care and future care charges.

8. All work performed in a cemetery by outside contractors shall be, where applicable, in accordance with the standards and specifications for such work as performed by the ***Archdiocese of Newark Catholic Cemeteries*** employees for the same type of work.

   These specifications and standards are available at the ***Archdiocese of Newark Catholic Cemeteries*** offices; and the ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to change these standards and specifications from time to time.

   Standards and specifications include start/stop times and noise levels as delineated within governing local ordinances.

   All work performed by outside contractors shall be reviewed and inspected by the ***Archdiocese of Newark Catholic Cemeteries***, a reasonable review and inspection fee

shall be paid by the said contractors to the ***Archdiocese of Newark Catholic Cemeteries***, and all work is subject to a final inspection and approval by the ***Archdiocese of Newark Catholic Cemeteries***.

9. No contractor or other person, unless hired by the ***Archdiocese of Newark Catholic Cemeteries***, will be permitted to work in a cemetery on Saturdays, Sundays, legal holidays, or before 8:00 AM on weekdays, and all workers must leave a cemetery's grounds no later than 3:30 PM.

   Any and all work considered by cemetery management to be disruptive to the conducting of a Committal Service will stop at the time the funeral procession enters the cemetery and will not resume until permitted by cemetery management.

10. All workers of contractors are subject to the supervision of the ***Archdiocese of Newark Catholic Cemeteries*** and any worker failing to comply with these ***Rules & Regulations*** will not be permitted to work in a cemetery. All workers are subject to the following rules of conduct:

    A. Vulgar or profane language will not be used.

    B. Workers and outside contractors must comply with all Federal and State of New Jersey ***OSHA*** regulations and requirements and are responsible for providing their own first aid and safety equipment.

    C. Shirts and trousers in conformity with the cemetery's grounds keepers' uniform of the day must be worn at all times.

    D. Upon receipt of reasonable notice, the ***Archdiocese of Newark Catholic Cemeteries*** shall schedule all installations or work.

    E. The ***Archdiocese of Newark Catholic Cemeteries*** shall require removal of excavated dirt and cleanup of the installation or work site.

    F. The ***Archdiocese of Newark Catholic Cemeteries*** may require evidence that the employees of any company performing work in a cemetery are covered by Workers Compensation Insurance and that the company carries adequate public liability insurance in which the ***Archdiocese of Newark Catholic Cemeteries***, the **Roman Catholic Archdiocese of Newark**, and the archbishop are named as additional insureds.

11. The ***Archdiocese of Newark Catholic Cemeteries*** in no event assumes any liability to anyone by reason of its granting approval to anyoutside contractor to perform work at a cemetery.

If, in the opinion of the ***Archdiocese of Newark Catholic Cemeteries***, any work or material furnished shall be improper, it may reject the same; and if the work has already been done or the said material been delivered, the ***Archdiocese of Newark Catholic Cemeteries*** may remove the same at the expense of the certificate holder and outside contractor.
If in its opinion the same may be put in proper order, the ***Archdiocese of Newark Catholic Cemeteries*** may at its discretion put the same in proper order at the expense of the certificate holder and outside contractor. The ***Archdiocese of Newark Catholic Cemeteries*** may fix and collect from an outside general construction contractor a reasonable charge for the use of cemetery roads and facilities.

12. If in the opinion of the ***Archdiocese of Newark Catholic Cemeteries*** it is necessary to make a survey before a contractor performs work or furnishes material, the ***Archdiocese of Newark Catholic Cemeteries*** may make a survey and may fix and collect from the contractor a reasonable charge.

All corner stakes must be laid out by the ***Archdiocese of Newark Catholic Cemeteries*** and the grade of all lots will be determined by the ***Archdiocese of Newark Catholic Cemeteries***. The contractor shall be governed thereby.

13. No work will be allowed to remain in an improper and unfinished state. Should this occur, the ***Archdiocese of Newark Catholic Cemeteries*** may complete or remove it at the expense of the certificate holder.

14. No motorized equipment will be permitted within the sections without the specific consent of the ***Archdiocese of Newark Catholic Cemeteries***.

15. When making improvements and, if some degree of obstruction to roads, avenues and paths becomes necessary, prior approval by the ***Archdiocese of Newark Catholic Cemeteries*** must be obtained, and the same must be as slight as possible. No unnecessary delay will be permitted after work has been commenced.

16. Where heavy material is to be moved, planks or plywood conforming to ***Archdiocese of Newark Catholic Cemeteries*** standards must be laid on the paths or grass affected to protect them from damage.

17. No setting of monuments will be permitted during inclement weather, the same to be determined at the sole and absolute discretion of the ***Archdiocese of Newark Catholic Cemeteries*** general manager or one of his/her assistant working foremen or designees.

PART VIII
MEMORIALIZATION

PLACEMENT OF MEMORIALIZATION, WHICH INCLUDES UPRIGHT and diagonal monuments, flat markers and crypt shutter engravings, within the ***Archdiocese of Newark Catholic Cemeteries*** involves a number of considerations for which these ***Rules & Regulations*** are appropriate.

First and foremost, it must be remembered that the ***Archdiocese of Newark Catholic Cemeteries*** are religious in nature and, by their very existence, affirm the teachings and traditions of the Roman Catholic Church. Memorialization within these cemetery facilities makes faith statements about life, death, life after death and membership in the ***Communion of Saints***.

Therefore, monuments and memorials are not the proper venue to express political views/statements, to commemorate a favorite pastime or hobby, or to place or carve other items more closely identified with creating shrines rather than commemorating entrance into eternal life as promised at one's baptism.

Any memorial of any type placed within one of the ***Archdiocese of Newark Catholic Cemeteries*** will be evaluated in the context of the religious nature of the cemeteries prior to any authorization to fabricate and place said memorialization. Any memorial installed in a cemetery must conform to and be consistent with the description submitted to and approved by the ***Archdiocese of Newark Catholic Cemeteries***.

Second, it is the desire of both the family and the ***Archdiocese of Newark Catholic Cemeteries*** that any memorialization placed be of such material and quality that it will not deteriorate over time and present a future situation of further expense to a family or difficulty to the cemetery.

Monuments and memorials, because of the various complexities governing material, content and manufacture, cannot be directly accepted from on-line vendors.
Memorialization must be processed and set through a monument dealer approved by cemetery management.

Third, while the memorial is meant to identify/honor an individual or family, materials, designs and inscriptions must be within the parameters of baptismal dignity and must further acknowledge this baptismal dignity with the religious symbol of a cross which is prominent in size and placement.

Fourth, monuments and memorials are and always remain the property of the certificate holder and/or heirs thereto, with the exception of those sold under the ***Inscription Program*** of the ***Archdiocese of Newark Catholic Cemeteries***. Even while in the custody of the cemetery program, the care and control of the monument or memorial remains the responsibility of the certificate

holder or monument/memorial owner.

Finally, as an aid to assisting all who seek to locate graves within the cemetery, the ***Archdiocese of Newark Catholic Cemeteries*** requires the placement of the section, block, tier, lot, grave identification as shown on the certificate of the right of interment on the monument or memorial. The following regulations are intended to amplify these issues, concerns, and desires.

1. No one shall erect or place, or cause to be erected or placed, any memorial until it is first approved by the ***Archdiocese of Newark Catholic Cemeteries***. Approval of application requires a minimum of thirty [30] business days.

2. All applications for memorialization must be filed in duplicate with the proper cemetery office. Application forms may be downloaded through the cemetery website, accessed through www.rcancem.org. All applications must show dimensions, specific type of material to be used, quality and finish thereof.

   Subsequent to approval by the cemetery superintendent, monument setting slips may be picked up at the cemetery office. Setting slips are only distributed on the day the monument is set. After the setting and approval by the foreman or superintendent, the setting slip is to be returned to the cemetery office.

3. The cemetery has a 90-day period [weather permitting] from the date of approval of the application to install the foundation.

4. The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right at all times to prescribe the kind, design, size, symbolism, crafting, quality and material of all memorials, or inscriptions placed in a cemetery.

5. No employee of the cemetery shall be interested directly or indirectly in any business connected with the building or erection of memorialization; nor are employees permitted to recommend any memorialization dealer to any patron of Archdiocesan Cemeteries.

6. All certificate holders or anyone duly authorized to act for and in behalf of a certificate holder, before ordering any memorials or inscriptions must secure from the ***Archdiocese of Newark Catholic Cemeteries*** written approval of the design, size, and lettering style and present the certificate of the right of interment.

7. The names of manufacturers of memorials or inscriptions complying with these requirements will be supplied on request. The ***Archdiocese of Newark Catholic Cemeteries*** also reserves the right to issue separately, as **APPENDIX II** detailed, regulations and instructions pertaining to the kind, size, design, symbolism, craftsmanship, quality and material of memorials, inscriptions, monuments or markers to be placed within the cemeteries.

Producers of memorialization materials, i.e., quarries, quarries that also manufacture memorials, and manufacturers of memorials not quarries, in order to secure the acceptance of their stone in the cemetery, must agree to sell only first grade, clear stone for memorial purposes.

Producers must also be willing to guarantee that such stone is free from sap or anything that would cause rust stains, and that it will not check or crack.

Producers must also agree that, should such faults develop within five years from the date of setting, the memorial will be replaced without cost to the cemetery or certificate holder, by the same quarry that manufactured the memorial, or the quarry will make an adjustment on material, such adjustment not to delay the replacement of the memorial in the cemetery.

Retail dealers, to secure approval of the cemetery, must agree to use only first grade stone from approved producers as provided above and must guarantee the memorial to be executed in first grade workmanship. Retail dealers also agree that, should faults develop within five years due to the setting, treatment or handling of the memorial by the retail memorial dealer, the memorial will be replaced by the retail memorial dealer without cost to the cemetery or certificate holder.

Said detailed regulations and instructions, and all amendments thereto, are hereby made a part of these ***Rules & Regulations***.

8. In the event a memorial of a size/shape theretofore unused in a cemetery is approved by the ***Archdiocese of Newark Catholic Cemeteries***, the certificate holder shall pay the fair and reasonable cost of the special form required to construct the foundation for such memorial, and the charge for service and installation shall be by special arrangement with the ***Archdiocese of Newark Catholic Cemeteries*** payable in advance of the work to be done.

   The granting of permission in one instance is not to be construed as an automatic granting of the same or similar items by other certificate holders.

9. The consent of the certificate holder of the lot or next of kin or person authorizing the interment will be required for placing of any memorial, but the ***Archdiocese of Newark Catholic Cemeteries***, the **Roman Catholic Archdiocese of Newark** or its archbishop shall incur no liability for failure to receive such consent.

10. Grave ledgers, bevels, slants with or without a granite base may be placed in a cemetery to match existing memorialization. Slants with or without granite base may only be placed in sections in cemeteries which have specific provisions for this

purpose. In each instance, the memorial regulations for the particular cemetery, the specified section and the individual lot must be verified.

11. The name or inscription on each memorial must correspond with the name and record in the office of a cemetery, and no change shall be made thereon except upon request of the proper parties and by the permission of the ***Archdiocese of Newark Catholic Cemeteries***.

12. The ***Archdiocese of Newark Catholic Cemeteries*** reserves and shall have the right to correct any error that maybe made by its employees in the space identification and/or placing of any memorial in a cemetery. The ***Archdiocese of Newark Catholic Cemeteries*** retains the right, at the expense of the certificate holder and outside contractor, to recall said outside contractors to correct any error that may be made by their employees in the location or placing of a memorial in a cemetery.

13. Foundations are required for all above ground and flush to the ground memorialization in the ***Archdiocese of Newark Catholic Cemeteries*** and shall be paid in full at the posted rate at the time the monument contractor submits design, materials, and inscriptions for approval.

14. While the ***Archdiocese of Newark Catholic Cemeteries*** will exercise all possible care to protect raised lettering, carving or ornaments on any memorial or other structure on any lot, it disclaims responsibility for any damage or injury thereto.

15. The right to interment must be paid for in full before memorial work is installed.

16. Only best quality markers shall be permitted and are limited to tablets set level with the turf and of such dimensions, materials, design, finish and construction as determined by the ***Archdiocese of Newark Catholic Cemeteries***.

17. To preserve uniform beauty, all memorials must meet the following criteria:

    A. A cross is required on all memorials and must be of size and placement to occupy prominence. Other additional religious expressions, as approved by the proper cemetery authority, may appear on memorialization.

    B. Placement of photographic imagery is decided by cemetery management on a case-by-case basis.

    C. Criteria and specifications regarding memorials, including recessing and size placement of permitted enhancements within the recess, may be obtained from each cemetery's office. Where monuments are not permitted, the rules governing monuments do not apply, nor can they be interpreted as waiving the restrictions.

D. All certificate holders or anyone duly authorized to act for, or on behalf of a certificate holder, before ordering any memorial must secure from the ***Archdiocese of Newark Catholic Cemeteries*** written approval of design, size and lettering style.

E. Memorials may only be delivered during specified cemetery hours. All memorials are subject to inspection and approval by the Arch- diocesan Cemeteries before acceptance for installation.

The ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to reject any monuments or memorials that do not comply with the ***Archdiocese of Newark Catholic Cemeteries'*** requirements.

F. Only granite monuments within the regulations of material and size will be accepted and there can be only one headstone or monument on any one plot. The use of metal or glass in the construction of monuments or other memorials, except mausoleums, will not be permitted. Bronze markers are permitted in those sections set aside for their use.

18. Cameos are permitted on flush granite memorials and upright granite monuments provided they are recessed below the face (surface) of the monument or memorial, installed by an authorized monument dealer, and meet the following criteria.

A. Only owners of monuments or memorials may request the placement of a cameo and the standard memorial application must be submitted and approved by cemetery management.

A notarized disclaimer by the applicant, containing language to hold harmless the **Archdiocese of Newark** and the ***Archdiocese of Newark Catholic Cemeteries***, must accompany the application.

B. Cameos are only permitted if, in the judgment of cemetery management, there is sufficient space for proper placement.

C. Cameo shapes are restricted to oval, circular, or oval/circular within a square border. A cameo may not exceed the following sizes: 3 - 9/16" x 4 - 3/4" for the double/companion; 3 - 1/4" x 4" (individual) or 2 - 3/8" x 3 - ½ "(individual).

D. Cameos are permitted on flush bronze memorials only if factory installed in a recessed fashion.

19. Use of black, white or gold leaf lithochrome stain is permitted on monuments and memorials, but is not recommended. The memorial permit must indicate each area where stain is intended to be used.

20. The completed memorial is subject to the approval of the ***Archdiocese of Newark Catholic Cemeteries*** and if unsatisfactory, it may be removed by cemetery management.

21. With the exception of flush government-issued markers, memorials are permitted only in areas designated by the ***Archdiocese of Newark Catholic Cemeteries*** where like memorials are placed, in order to achieve uniformity in size, material, design and location.

22. Flush memorials or markers, where permitted, must be a minimum of 4 inches thick, set flush with the ground.

23. Memorials shall be set on uniform lines as prescribed by the ***Archdiocese of Newark Catholic Cemeteries*** to conform to the general plan of a cemetery.

24. Subject to the provisions of ***PART VII*** hereof, the ***Archdiocese of Newark Catholic Cemeteries*** reserves the exclusive right to execute all grading; landscaping; excavating; installing of foundations, walks and curbs; installing of flush government-issued veteran memorials; setting and sealing of vaults, crypts and niches; making of interments, disinterments, entombments, inurnments and removals [including all openings, fillings and closing of interment space with its equipment - including but not limited to its tents, artificial grass and lowering devices]; to care for any crypt or niche; and to plant all trees and plants of any and several kinds.

25. The certificate holder, and all others requesting the same, shall prepay a cemetery's established charges in advance. All applicable fees will be charged according to the cemetery's ***Schedule of Service Fees***.

26. Application for installation of a memorial and the approval thereof by the ***Archdiocese of Newark Catholic Cemeteries*** shall be made in writing on the ***Archdiocese of Newark Catholic Cemeteries*** form and signed by the certificate holder with his/her address and cemetery location.

    Such application shall be supported by the design, specifications, blueprints, details, warranty, and guarantee as to replacement and maintenance as is required by the ***Archdiocese of Newark Catholic Cemeteries***.

    No memorial shall be installed without a setting order signed by the certificate holder and approved by an authorized officer of the ***Archdiocese of Newark Catholic Cemeteries***.

PART VIII

27. Except as limited by the provisions of ***PART VII*** hereof, all government flush memorials shall be installed by the ***Archdiocese of Newark Catholic Cemeteries*** at the cost of the certificate holder, and the ***Archdiocese of Newark Catholic Cemeteries*** shall assume responsibility for the proper installation of such flush government marker or memorial; but the ***Archdiocese of Newark Catholic Cemeteries*** shall not be liable for any defective materials or defective workmanship beyond replacement or repair of such defective materials furnished by the ***Archdiocese of Newark Catholic Cemeteries***.

28. Should any memorial become unsightly, dilapidated or a menace to visitors, or not be in compliance with these ***Rules & Regulations***, the ***Archdiocese of Newark Catholic Cemeteries*** shall have the right either to correct the condition or to remove the same at the expense of the certificate holder.

29. Except as provided herein, no memorial shall be removed from a cemetery without the written consent of the certificate holder and the ***Archdiocese of Newark Catholic Cemeteries***.

30. All foundations must be ordered to the full size of the monument base. The foundation charge for any above-ground memorial installed by the ***Arch- diocese of Newark Catholic Cemeteries*** shall be calculated on the required size of the foundation as determined by the overall size of the monument.

    Monuments and foundations shall be placed at the center of the plot facing the direction determined by the cemetery superintendent. All stone work must have the surface next to the foundation bedded off sufficiently true to allow all parts to be in contact with the foundation and the bottom bed shall be set in cement mortar.

31. Setting of memorials and monuments will be done in accordance with the superintendent/general foreman/foreman who shall give line, measurements and grades necessary for proper setting.

32. No monument work, unless hired by the ***Archdiocese of Newark Catholic Cemeteries***, will be permitted on Saturdays, Sundays, and legal holidays. No work will be permitted to start before noon on Mondays and on days following legal holidays. Working hours for monument dealers are 8:00 AM until 11:30 AM and 1:00 PM until 3:30 PM.

    No permits will be issued nor may any monument work take place between 11:30 AM and 1:00 PM. Monument work is to be completed and monument dealers, unless hired by the ***Archdiocese of Newark Catholic Cemeteries***, will leave the cemeteries by 3:30 PM.

PART VIII

33. The charges for building and maintaining foundations shall be reasonable and uniform. Charges shall be posted at a cemetery's office, and are subject to change. The charge for the building and installations will be assessed on all memorials placed in a cemetery.

34. If the marker or memorial is purchased from an outside agent and is approved by the ***Archdiocese of Newark Catholic Cemeteries***, the charges for service, installation and care shall be the same as set forth above.

35. No memorial may be installed in a cemetery, unless the manufacturer thereof has first been approved in writing by the ***Archdiocese of Newark Catholic Cemeteries*** and such manufacturer, or the retail dealer of its product, must guarantee replacement, at its expense, in the event of defective material workmanship, or discoloration when exposed to the elements.

36. Orders for government markers will not be approved by the ***Archdiocese of Newark Catholic Cemeteries*** until a setting order has been signed by the next of kin of the deceased veteran.

Government-issued flush granite 24" x 12" Veteran markers will be accepted at all ***Archdiocese of Newark Catholic Cemeteries*** facilities.
Government-issued flush bronze 24" x 12" Veteran markers mounted on granite will be accepted at Archdiocesan Cemeteries, but only in those cemeteries with sections designated for the placement of flush bronze memorialization.

37. All memorials shall be set in a uniform line as prescribed by a cemetery, to conform to the general plan of a cemetery.

38. Construction of coping or enclosures will not be permitted on any plot in any section. Foot markers, where so permitted, shall be set by cemetery employees at the cost to the certificate holder. Corner posts are not permitted.

39. Within graves surrounded by pipes/corner posts, new interments may necessitate the removal of said pipes/corner posts. Any corner posts/pipes removed for this purpose will not be replaced without the assessment of a cemetery-established fee, providing that said replacement is even possible.

40. Authorized certificate holder requests to remove all piping/corner posts on a lot will be accomplished free of charge to the certificate holder.

41. If any memorial, or any structure whatsoever, or any inscription to be placed on same, shall be determined by the ***Archdiocese of Newark Catholic Cemeteries*** to be offensive, the ***Archdiocese of Newark Catholic Cemeteries*** shall have the right and it

shall be its duty, to enter upon such lot and remove, change or correct the offensive or improper object or objects.

42. All flags, foreign or domestic, approved for monument work, and must be accompanied by the American flag.

PART IX
MAUSOLEUM

IN ORDER TO PRESERVE THE FACING of any community mausoleum, among other reasons, all crypts and niches will be opened and closed only by the ***Archdiocese of Newark Catholic Cemeteries***.

1. No overall identifying memorials or plaques will be permitted on the mausoleum unless placed there by the ***Archdiocese of Newark Catholic Cemeteries***. All crypt and niche fronts may have the name of the deceased, the year of birth and death, in uniform style in conformity to that designated for the particular mausoleum.

2. Religious emblems and military designations on all mausoleum crypt and niche fronts are permitted and must be approved by the proper cemetery authority. In order to preserve the uniform integrity and simple beauty of each of these facilities, such emblems and designations, with the exception of those provided by the Department of Veterans Affairs of the United States Government, must be purchased through the ***Archdiocese of Newark Catholic Cemeteries***. All religious emblems and military designations may only be installed by the appropriate cemetery personnel.

   According to the size of the crypt or niche, the ***Archdiocese of Newark Catholic Cemeteries*** shall also, for uniformity, designate the number of emblems and/or military designations and the placement thereof.

3. Flower vases containing artificial floral tributes are available from the ***Archdiocese of Newark Catholic Cemeteries*** on a subscription basis.

   These tributes are affixed to crypt and niche fronts and changed four times each year. For preservation of uniform appearance, only these tributes in approved vases may be affixed to crypts and niches.

4. The ***Archdiocese of Newark Catholic Cemeteries*** has detailed floral regulations [see **PART VI**] for its mausoleums. Copies of these regulations are available at the ***Archdiocese of Newark Catholic Cemeteries*** offices. Under no circumstances may any unauthorized item be glued, taped, or in any other way affixed directly to a crypt front or in the spaces between individual crypt shutters. Such placements will be removed and disposed of immediately.

5. Community mausoleum clean-up takes place January 15, the Monday following Easter Monday, June 15 and November 16 each year, including the mausoleum and cremation niche facilities as well as the exterior designated floral tribute placement

area. Notifications of these clean-up times are posted at the entrances of all Archdiocesan Cemeteries.

6. For those desiring placement of live floral tributes or artificial tributes other than those supplied through the ***Archdiocesan Cemetery Program***, an exterior site is designated at the entrance of each of the community mausoleum buildings where these live or artificial floral tributes may be placed. Families are requested to limit placements to one for each crypt space at any given time.

7. All wilted flowers or plants will be removed by the ***Archdiocese of Newark Catholic Cemeteries*** as well as all vases or ornamentations not approved by the ***Archdiocese of Newark Catholic Cemeteries*** or located in an area outside of that designated by the ***Archdiocese of Newark Catholic Cemeteries***.

8. All ***Rules & Regulations*** heretofore set forth shall apply equally to the mausoleum except where said rule is obviously inappropriate or where specifically deleted or superseded by an applicable regulation pertaining to mausoleum use.

9. No entombment shall be permitted until an entire crypt is paid in full unless this specific rule is exempted by the ***Archdiocese of Newark Catholic Cemeteries*** through a specific arrangement made at the time of purchase for an immediate-need situation.

10. If burial or other related permission is granted prior to payment of the entire purchase price, including interest charges, then any entombment made or memorials placed shall be considered temporary. If a contract is cancelled for non-payment of the purchase price, management shall have the right without further notice or process to enter said crypt(s) and have the contents emptied and any human remains found therein interred in any part of the cemetery where the mausoleum crypt is located.

11. In the event a pre-need purchased entombment space is required prior to completion of construction of the unit, the cemetery may make available a temporary receiving space until transfer of the remains to the mausoleum can be made.

    In the case of such pre-construction temporary entombments, the cemetery, at its cost and expense, shall have the absolute right to remove and entomb the remains in the crypt originally selected. A crypt liner or casket wrap, from among those authorized by the executive director, is required for such types of temporary entombment.

    A crypt liner or casket wrap, with a fixed and firm base/tray, from among those authorized by the executive director, is required for all caskets disinterred from the ground that are being removed to any mausoleum crypt with the exception of lower abbey crypts.

12. Bodies for entombment within properties of the ***Archdiocesan Cemetery Program***

must be embalmed with arterial and cavity injection. (Reference New Jersey State Sanitary Code; Sub-chapter 1; 8:9-1.1)

13. The funeral director acts as an agent of the certificate holder. Applications for entombment must be made at the cemetery office a minimum of 12 working hours prior to the morning of the funeral.

Applications for entombment must be accompanied by the Board of Health Burial Permit, the certificate of the right of entombment, and ***Interment Authorization*** form, remaining in the cemetery files, of the certificate holder or rightful heir(s).

14. A crypt liner or casket wrap, as specified by the executive director of cemeteries, is required for all entombments in community mausoleums. The crypt liner or casket wrap, approved by the executive director, will be the usual and customary crypt liners/casket wrap.

In the case of a disinterment from the ground, a crypt liner or casket wrap with a fixed and firm base/tray, is required. The interior dimension of the standard crypt is constructed to accommodate a casket with dimensions not exceeding 7 feet & 3 inches in length, 2 feet & 6 inches in width, and 2 feet in height [7' - 0" x 2' - 6" x 2' - 0"].

15. Crypt shutter engraving, i.e. identification, is restricted to the number of individuals the space will uniformly accommodate. Full mausoleum crypts may be used for either full human remains, cremated human remains [ashes], or a combination of both. If, at any time, reconfiguration of lettering is required, a fee will be assessed for this service. Specific full mausoleum crypts may be designated in certain buildings to accept up to four urns of cremated human remains.

16. All work, of every type, including lettering and plaque placements, openings and closings, performed in the mausoleum shall be performed by the ***Archdiocese of Newark Catholic Cemeteries***, at a reasonable charge, determined by the executive director of cemeteries.

17. The ***Archdiocese of Newark Catholic Cemeteries*** shall make general rules for certificate holders and visitors to the mausoleum including but not limited to hours of visitation, dress and general conduct.

18. The cemetery authority reserves the right to open/enter crypt spaces in community and cemetery-owned family mausoleums without notice when damage or failure of casket wrap/crypt liner has caused an identifiable problem within the unit.

19. **Private mausoleums**, with the exception of those owned and placed by the ***Archdiocese of Newark Catholic Cemeteries***, are and remain the property and

responsibility of the certificate holder/owner.

20. Family-owned private mausoleums are permitted in the cemeteries. Arrangements for the location of sites, suitable placement on the site, material and construction are strictly controlled by the ***Archdiocese of Newark Catholic Cemeteries***. No burial certificates for ground inhumation or inurnment is presumed or granted within the private mausoleum site.

21. Two sets of construction drawings, including site placement [at least three feet inside all plot boundaries] must be submitted to the ***Archdiocese of Newark Catholic Cemeteries*** in advance. No liability of any kind is assumed by the cemetery for sufficiency of the foundation as proposed by the dealer, and no approval of any application or drawing by the cemetery shall carry with it responsibility for such sufficiency.

22. To be approved for placement in the ***Archdiocese of Newark Catholic Cemeteries***, private mausoleum design must adequately address facility security and the potential for theft and vandalism of construction materials. In addition, private mausoleum design and construction requirements include the following:

A. Exterior material must be granite from recognized quarries approved by the executive director of cemeteries. No marble, limestone, blue- stone, cement, terra cotta or other soft/synthetic materials will be accepted.

B. Exterior walls must be cut stone and all stones must hold their thickness the full length of the wall. Each stone course must be cut true and level, bedded with cement mortar, and grouted with cement before the next course is set. All exterior joints shall be raked out and pointed with manufacturer’s recommended products.

C. Interior material must be natural slate or equivalent in sides, ends, and bottoms of crypt spaces. Slate shelves for crypts shall be finished smooth, level, and at least 2" thick. Interior ends and sides shall be constructed of slate at least 1" thick.

D. Marble or granite may be used for interior and crypt covers. Interior marble must be at least 1" thick. No type of plaster will be permitted to set interiors. Crypts shall be constructed so they can be separately and permanently sealed.

E. A private mausoleum of a design requiring a flat roof shall use only an approved stone and place the stone in one piece.

F. Doors, windows, ventilators and handles must be of standard bronze. Openings

shall be cut through the outside walls at the bottom and top of the crypt stacks to provide ventilation. At least 1" space shall be left for ventilating between outer walls and crypt stacks.

G. No crypts will be permitted below ground level. Foundation walls shall not be less than 16" thick and at least 4" thicker than the first course of wall above for purposes of setting the interior. Foundation charges will be calculated on a surface square inch basis and foundation charges will be provided when approved plans are returned.

23. No arrangements for placements of private mausoleums or tombs may be made without suitable provision for endowment care, the amount of which is to be determined by the executive director of cemeteries.

24. Private mausoleum design and construction must be approved by the executive director of cemeteries. No signs or advertisement of contractor(s) will be permitted prior to, during construction, or after the building is completed.

25. Upon completion of the private mausoleum, one key to the door lock shall be deposited with the cemetery office.

26. When an entombment is made in a private mausoleum or tomb, the ***Archdiocese of Newark Catholic Cemeteries*** reserves the right to seal the crypt and/or direct how the crypt shall be properly sealed.

27. No entombment may be made in a private mausoleum unless the casketed remains are encased within a crypt liner or casket wrap with a fixed and firm base/tray. The crypt liner/casket wrap must be approved by the executive director of the ***Archdiocesan Cemetery Program***. In the case of a disinterment from the ground, a crypt liner or casket wrap with a fixed and firm base/tray, approved by the proper cemetery authority, isrequired.

28. The cemetery reserves the right to direct the owner of a private family mausoleum or sarcophagus to cause their retention of a recognized monument dealer to open/enter crypt spaces in a family-owned mausoleum or sarcophagus when damage or failure of casket wrap/crypt liner has caused an identifiable problem within the unit.

29. Catholic cemeteries encourage visitation and prayer for the deceased. Formal memorial prayer services within community mausoleums are held at the site of the entombment, i.e. the crypt front.

A. Memorial prayer services are restricted because of the regular entombment

schedule and may be conducted Monday through Saturday between 2:00 PM and 3:30 PM. On Sundays, these services may be conducted between 10:00 AM and 3:30 PM.

B. Advance notification to the cemetery is required at least one week prior to the desired time. Cemetery authority must be provided with the name and telephone contact number of the family contact person making the request on behalf of the family.

C. Families hosting memorial prayer services must be considerate of other families visiting in the area and must limit their formal service to no more than 20 minutes.

D. Sometimes, the size of the group gathering for a memorial prayer service will be so large that use of a mausoleum committal chapel is desired. Permission from the proper cemetery authority will be required and will be dependent upon schedule and availability.

PART X
DISINTERMENT

AS HAS BEEN INDICATED ELSEWHERE in these ***Rules & Regulations***, within the Catholic tradition, the final prayer made at a ***Committal Service***, "May they rest in peace" is taken quite seriously and forms the foundation for the church's attitude toward the disinterment of bodies from their final resting place.

Requests for disinterment must be given very serious consideration prior to sub- mission to the ***Archdiocese of Newark Catholic Cemeteries***. Along with this understanding of the church's general attitude, permission for disinterment, and the conditions under which such disinterment shall take place, will be governed by the following regulations. Interment in any of the three designated green/natural burial sections is considered permanent and no disinterment is permitted.

1. Any person who desires to disinter a body from an interment space held by another must present a written permit signed by the certificate holder for such removal, and sign a request himself/herself to execute such removal.

   Written permission, according to the New Jersey Department of Health and Senior Services Disinterment - Transit Permit (Title 26; Title 8A 5 -20) and New Jersey State Sanitary Code, is required and applications for disinterments shall be accompanied by a ***Board of Health Disinterment Permit*** from the locality where the cemetery is located and otherwise be in compliance with the applicable New Jersey laws.

   An electronic scan of all required disinterment paperwork may be maintained on file in the central offices of the ***Archdiocese of Newark Catholic Cemeteries***.

   Affidavits of all rightful next of kin may also be required by the ***Archdiocese of Newark Catholic Cemeteries*** for appropriate authority in these matters.

2. No disinterment will take place without the proper state and local permits, the consent of the ***Archdiocese of Newark Catholic Cemeteries*** and all the persons whose consent may be necessary or advisable under the laws of the state of New Jersey. The ***Archdiocese of Newark Catholic Cemeteries*** may, in its sole and absolute discretion, require that in addition to such consents an order of the court also be obtained.

   Removal of a body or cremated human remains [ashes] by the heirs, so that the lots may be sold, or removal of a body or cremated human remains unless pursuant to the expressed or implied wish of the certificate holder is forbidden.

3. The ***Archdiocesan Cemetery Program*** shall under no circumstances be held liable in

case of disinterment or removal where it acts upon the written order of a person claiming to have the authority to give such an order.

4. All disinterments must be made by the ***Archdiocese of Newark Catholic Cemeteries*** and all charges in connection therewith, including unpaid arrears pertaining to the lot, if any, shall be payable in advance before a disinterment shall be permitted.

5. The date of a disinterment shall be determined solely by the ***Archdiocese of Newark Catholic Cemeteries***. No disinterments take place on Saturdays, Sundays, or legal holidays.

6. When a removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights therein revert to the ***Archdiocese of Newark Catholic Cemeteries***, unless both spaces involved are held through a certificate by someone other than the ***Archdiocese of Newark Catholic Cemeteries***.

   If a body is removed from a plot and the plot remains empty, the certificate for the plot may be released to the cemetery in return for its face value. Any and all memorialization on the plot must be removed before it can be relinquished.

7. If no steel or concrete liner has been used for this interment, one must be furnished. The supervising funeral director will have complete responsibility for the removal of any liner from cemeteryproperty.

   The ***Archdiocese of Newark Catholic Cemeteries*** shall exercise care in making a disinterment, but it shall assume no liability for damage to any casket or burial case or urn. If cremated human remains [ashes] were inurned without any container, such remains cannot be disinterred.

8. The ***Archdiocese of Newark Catholic Cemeteries***' disinterment charge shall be an amount posted in the ***Archdiocese of Newark Catholic Cemeteries*** office, payable in advance.

   Applications for disinterment must be signed by the certificate holder or all rightful next of kin and properly notarized prior to the time of disinterment. If the disinterment is taken from the ground into the mausoleum, the funeral director will supply the cemetery with the approved crypt liner or casket wrap with a fixed and firm base/tray, approved by the proper cemetery authority.

9. The disinterments of infants, fetuses, stillborn infants, or human cremated remains is generally not possible.

10. Disinterred remains being transferred within a program cemetery to ***Archdiocese of***

Newark Catholic Cemeteries community and family mausoleums, including any privately owned mausoleum and/or sarcophagus, must be contained in a crypt liner or casket wrap with a fixed and firm base/tray, approved by the proper cemetery authority. Disinterred remains being transferred from another cemetery to any above-ground mausoleum facility within the ***Archdiocese of Newark Catholic Cemeteries*** must be contained in a crypt liner or casket wrap with a fixed and firm base/tray, approved by the proper cemetery authority. Use of lower abbey spaces for such transferals is not possible.

11. Human remains disinterred from the ground and being transferred to another ground burial site from either another cemetery or within the ***Archdiocese of Newark Catholic Cemeteries*** must be encased within an approved vault.

12. The presence and services of a licensed funeral practitioner are required in the state of New Jersey for all disinterments.

PART XI
CARE OF THE POOR

THE ***MISSION STATEMENT*** OF THE ***Archdiocese of Newark Catholic Cemeteries*** offers many challenges to bring the ministry of Catholic cemeteries to full fruition. Among these is the commitment to meeting the burial needs of the poor and indigent of our community without discrimination:

...The services offered by the ***Archdiocese of Newark Catholic Cemeteries*** must always be seen as putting faith into action. Care for the burial needs of the Catholic community is a sacred trust, a service to the community on behalf of the community... ***Attention to the needs of the poor is integral to the Catholic cemetery***. Just as we must treat the poor with dignity in life, so too we must treat them with dignity in death...

The policy of the ***Archdiocese of Newark Catholic Cemeteries*** is to offer its services in a non-discriminatory fashion to all Catholics and members of their immediate families regardless of their ability to pay for them. The ***Archdiocese of Newark Catholic Cemeteries*** has established the following guidelines to ensure that the poor are treated with dignity and respect.

PART XI

INTERMENTS TOTALLY SUBSIDIZED BY THE ARCHDIOCESAN CEMETERIES

1. In certain circumstances a person or family may not qualify for New Jersey social service agency assistance, and yet may not have the ability to pay for all or part of the necessary cemetery services. In such an instance, the memorial planning advisor will take steps to ascertain what level of payment, if any, can be afforded. The memorial planning advisor will then take reasonable steps to ascertain whether or not other relatives in the family are in a position to make payment for all or part of the burial services.

2. The memorial planning advisor contacts the ***Archdiocesan Cemetery Program*** main office where the proper delegate contacts the pastor or officiant at the burial since this individual's recommendation is key to a final determination. With all of the information gathered, each situation will be handled individually with the final decision resting with the executive director of cemeteries, or in the absence of the executive director, his/her designee.

3. The executive director of cemeteries has the ability to authorize the burial with funds entirely contributed by the cemetery if this is deemed the appropriate solution. Obviously, if it were possible to receive even partial payment to help defray expenses, this would be desirable.

   The location of the particular grave or a grouping of graves to be utilized for cemetery-subsidized burials is decided by the executive director.

   In the case of cremation, a ground space in a cremation section would be utilized unless the family desires a "head of grave" cremation inurnment with another family member, space permitting. In this instance, the certificate holder will be required to provide written authorization.

4. Arrangements for memorialization cannot be permitted at the same time that the family is receiving total or partial subsidy by the cemetery for burial. The executive director would have authorized the cemetery contribution for burial only if there were insufficient funds for the family or other interested party to make all or partial payment.

   Since circumstances change, however, the family, friends or other interested parties should not be penalized indefinitely for having needed this assistance at the time of burial; neither shall the cemetery place itself in a position of expecting to take back or be reimbursed for what has already been freely given as an act of charity.

5. If memorialization is desired, the cemetery expects reimbursement for those goods/services that were subsidized. The cemetery may encourage payment of the subsidized goods/services in order that the needs of all those families who come forward later seeking this type of assistance may be met to some degree.

   Since any subsidy allowed within the confines of the family's need at the time of death and the financial status of that family could change over time, the certificate holder/rightful next of kin is permitted to arrange for memorialization.

   Since each case is unique, the director of cemeteries or general manager may, on occasion, authorize exceptions based on pastoral or other considerations.

6. No charity/indigent burial may take place after 11:00 AM on Saturdays unless the personnel situation of the involved pastor or officiant so requires.

INTERMENTS SUBSIDIZED BY A GOVERNMENT AGENCY

In most cases the burial of the poor is accommodated by payment to the cemetery from a government social service agency. Said agency will make payment when the deceased and/or the deceased's family has insufficient funds to cover the cost of burial. The agency provides a set amount which it will pay for a minimum standard burial. This dollar amount is adjusted from time to time by the agency.

1. The location of a particular grave or grouping of graves to be utilized for agency-funded burials is determined by the executive director.

2. A person using government funds can utilize a pre-arranged grave space.

3. Application for government funds is the responsibility of the deceased's family or other responsible party. It is necessary for said individual to obtain the proper paperwork from either the funeral home or government agency and return the cemetery portion to the cemetery office for filing. Once the government agency approves the funds for the burial, a copy of the agency paperwork is to be returned to the appropriate cemetery office.

4. Reserving an adjacent space for future purchase with or without government funds is not permitted.

5. Where grave configuration permits, memorialization may be purchased by the family

or friends of the deceased. Any fees applicable to memorialization must be paid in full prior to the cemetery ordering the foundation or allowing the placement of the memorial. Memorialization cannot be arranged until the cemetery has been reimbursed by the government agency.

6. In no case will mausoleum crypts or cremation niches be utilized for social service supported burials unless the deceased has purchased these pre-need or another family member is willing to donate his/her pre-need purchased crypt or niche spaces which would qualify within the agency's restrictions.

7. In cases where cremation is selected as the means of disposition, the inurnment takes place in an area designated by the executive director of cemeteries utilizing the receptacle received from the provider.

   The other option would be, with consent of the certificate holder and provided space is available, and in compliance with other cemetery regulations, inurnment at the "head of grave" on an already-owned/occupied grave of a relative with written consent. Memorialization follows the certificate holder's guidelines listed above for full ground burial.

8. Typically, no indigent or government agency-subsidized burial may take place on a Saturday. When a cemetery has previously scheduled other Saturday burials, an effort will be made to accommodate an indigent or government agency-subsidized burial, but only prior to 11:00 AM on that Saturday.

PART XII
TEMPORARY ENTOMBMENT

DUE TO UNFORESEEN FAMILY CIRCUMSTANCES OR CONDITIONS at the time of a death, the archdiocesan executive director of cemeteries may, as an emergency convenience, at his/her discretion, and when facilities are available, permit temporary entombment of human remains in one of the cemetery's receiving vaults, temporary receiving areas, crypts or niches. Such a vault, temporary receiving area, crypt or niche will be chosen by the cemetery.

1. Application for temporary interment requires the same permits as all other interments, i.e. certificate and signed permission of the certificate holder to inter the remains.

2. A crypt/casket liner is required for all temporary entombments. The specific type of crypt liner will be determined by the program's executive director of cemeteries.

3. Fees for such entombments are on file in the cemetery office. All fees for abovementioned entombment shall be paid in advance. A minimum rental of three [3] months must be paid in advance.

4. Signed permission of the purchaser and/or next of kin is not required to remove the deceased from the site of temporary entombment. No removals will be made on Saturdays, Sundays or legal holidays. Upon the removal of a temporary entombment, a fee as indicated in the cemetery office will be charged.

5. Upon the selection of a final resting place for such human remains, a 100% credit less costs will be given if the selection is made in one of the Archdiocesan Cemeteries.

PART XIII
MODIFICATIONS AND AMENDMENTS

BECAUSE OF CONTINUING CHANGES IN CUSTOMS, practices, economic conditions, and products, the ***Archdiocese of Newark Catholic Cemeteries*** may, and hereby expressly reserves the right, at any time or times, with or without notice to certificate holders and all others, to adopt new ***Rules & Regulations***, or to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these ***Rules & Regulations***.

1. The ***Archdiocese of Newark Catholic Cemeteries*** further reserves the right to modify and change all prices referred to herein without notice.

2. A copy of the current and dated ***Rules & Regulations*** and current ***Schedule of Service Fees*** will be available for inspection at the ***Archdiocese of Newark Catholic Cemeteries*** office or in the office of any Archdiocesan Cemetery during its regular office hours and website www.rcancem.org

   In order to prevent confusion and misunderstanding as to which version of the ***Rules & Regulations*** is current and is in force, the entire current ***Rules & Regulations*** document shall remain on a Cemetery's premises.

   Various dated information pamphlets, summarizing different aspects of these ***Rules & Regulations***, shall be available to the certificate holders, appropriate contractors and vendors, as well as the public.

   To the extent that any such documents in any way conflict with these ***Rules & Regulations***, these ***Rules & Regulations*** shall take precedence.

3. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The ***Archdiocese of Newark Catholic Cemeteries***, therefore, reserves the right, without notice, to make exceptions or modifications in any of the ***Rules & Regulations*** when, in its judgment, the same appear advisable; and such exceptions or modifications shall in no way be construed as otherwise affecting the general application of these ***Rules & Regulations***.

4. If any section, sub-section, paragraph, clause or provision of these ***Rules & Regulations*** shall, before any court with legitimate authority over the ***Archdiocese of Newark Catholic Cemeteries***, the **Roman Catholic Archdiocese of Newark**, or its archbishop, be adjudged invalid, such adjudication shall apply only to the provision so adjudged. The rest of these ***Rules & Regulations*** shall remain valid and effective.

5. The right of recourse in accord with the norm of Canon and Archdiocesan law is

acknowledged for both individuals governed by these ***Rules & Regulations*** and the ***Archdiocese of Newark Catholic Cemeteries*** that has issued them under the authority of the archbishop of the **Roman Catholic Archdiocese of Newark**.

APPENDIX I

MISSION STATEMENT
ARCHDIOCESE OF NEWARK
CATHOLIC CEMETERIES

VISION

THE IMAGE OF A LONG TRIP CAN HELP to understand life. Our experiences of birth, the stages of growth, navigating through all that happens in life, are like a great voyage. We view this with a different eye because of our faith. We do not travel alone; we are part of a believing community; this community supports us and marks major turning points and great moments with prayer and ritual.

Death is not simply an end of this trip. Death and life are of the same cloth. We see death with a different eye; we say in our funeral liturgy for all to hear ***"Lord, for your faithful people life is changed, not ended."*** As part of the great voyage, death is another stage along the way, celebrated by the believing community. The cemetery is part of this ritual.

We have our own cemeteries because we see death with that different eye. Catholic Cemeteries of the **Archdiocese of Newark** exist to meet the needs of individuals and families before, at the time of death and burial, and throughout bereavement.

By setting aside a holy place for burial, we provide a fitting environment for full liturgical celebrations. Just as in life, we believe that in death the human body deserves to be treated with respect and dignity. We also foster a type of remembering that is enlightened by faith and sees death as a bridge to the communion of saints. Our bonds with the believing are not broken by death.

HISTORY OF CATHOLIC CEMETERIES

Cemeteries are rooted in ancient religious rituals of reverence for the dead. Separate sacred spaces have always been set aside for burial. Influenced by Jewish tradition and the diversity of burial practices of Gentile converts, the early Christian church developed a burial tradition which retained reverence for the body and a sacred space for burial but also connected the death/resurrection of the believer with the death/resurrection of the Lord.

That is why Eucharist, the remembrance and celebration of the death and resurrection of the Lord, has always been integral to the burial of Christians who *"have died in the hope of rising again"*.

SIGNIFICANCE OF CATHOLIC CEMETERIES

When one enters a Catholic cemetery, the church's teachings about life, death, and life after death should come to mind. Cemeteries are part of our ritual space. Those involved in cemeteries are meant to provide a ministerial service.

In the **Archdiocese of Newark**, there are church cemeteries dating from the time of the first Catholic presence in New Jersey. Whether diocesan or parochial, Catholic cemeteries in the **Archdiocese of Newark** are to be service organizations. They must seek to help people face the hard reality of death in the context of the promise of eternal life.

A Catholic cemetery encourages frequent visitation and prayer for the dead. It seeks to foster an environment in which love is remembered, hope is rekindled, and faith is awakened and strengthened. Attention to the needs of the poor is always integral to the Catholic cemetery. Just as we must treat the poor with dignity in life, so too we must treat them with dignity in death.

We serve families best when we help them anticipate needs that are part of the reality of death. In the **Archdiocese of Newark** we look upon the arrangement of burial space not as a business transaction, but as a teaching moment, an opportunity for growth in faith. When individuals and families acknowledge the issues surrounding mortality and begin to make burial plans, it is a graced moment in which our faith can and must be integrated if we are to be true to the service we render.

In our contact with families, we represent the larger church; we represent pastors and parish communities to people who vary widely in the degree of their involvement in church life. Our work must be marked by ***welcoming***, ***caring*** and ***healing***. With our valuable record keeping, we serve as archives of the community of God's people.

SERVICE COMMITMENT

The services offered by Catholic cemeteries in the **Archdiocese of Newark** must always be seen as putting our faith into action. Care for the burial needs of the Catholic community is a sacred trust, a service to the community on behalf of the community. In the name of the people of God, those who labor in our cemeteries must be committed to support a deepening of faith in the families who experience a death.

Our cemeteries strive to be places that invite young and old to see death as a part of the larger pattern of life and to understand our burial ritual and religious traditions surrounding the experience of death. In the **Archdiocese of Newark**, we encourage the full utilization of the Catholic rituals surrounding death at our cemeteries, including graveside services.

APPENDIX I

OUR CLIENTELE

Catholic cemeteries in the **Archdiocese of Newark** exist to serve not only the church but also the greater community and all of society by making religious statements about the individual person, humankind, life, death, and life after death.

Those who minister in Catholic cemeteries will extend their efforts to all baptized members of the Catholic tradition. Where families are divided in their religious tradition, the request for burial of a family member of another tradition will be considered.

THE FUTURE

The **Archdiocese of Newark** is committed to promoting services in our Catholic cemeteries that are ministerial in character. Our primary focus will continue to be comfort to the bereaved. The Catholic cemetery will be a place of prayer and liturgical celebration. We will continue to express Catholic belief and practice in all that surrounds the reality of death.

Our Catholic cemeteries will be places where the meaning of life and death is well expressed in symbol and action. We will not attempt to hide the hard reality of death, for death is not easy. We will make our cemeteries places of remembering, healing, strengthening, and prayer. In this way, Catholic cemeteries in the **Archdiocese of Newark** will continue to give perspective and meaning to life, death and life after death.

APPENDIX II

AMPLIFICATION OF MEMORIALIZATION AND FOUNDATION REQUIREMENTS

ARCHDIOCESE OF NEWARK CATHOLIC CEMETERIES

1. Monuments and memorials are and always remain the property of the lot- holder and/or heirs thereto. Those monuments and memorials sold under the umbrella of the ***Right of Inscription Program*** are and always remain the responsibility of the ***Archdiocese of Newark Catholic Cemetery Program.***

2. Monuments and memorials, because of the various complexities governing material, content and manufacture, cannot be directly accepted from on-line vendors. Memorialization must be processed and set through a monument dealer approved by cemetery management.

3. Monument dealers, to secure approval of their applications, must endorse and have endorsed in their places of business, the following regulations appearing on application blanks:

A. Producers of memorialization materials, i.e. quarries, quarries who also manufacture memorials, and manufacturers of memorials not quarries, to secure acceptance of their stone in the cemetery, must agree to sell only first grade, clear stone for memorial purposes.

Producers must also be willing to guarantee that such stone is free from sap or anything that would cause rust stains that it will not check or crack.

Producers must also agree that should such faults develop within five years from the date of setting, the memorial will be replaced without cost to the cemetery, or certificate holder, by the same quarry which manufactured the memorial, or the quarry will make an adjustment on material, such adjustment not to delay the replacement of the memorial in the cemetery.

B. Retail dealers, to secure approval of the cemetery, must agree to use only first

grade stone from approved producers as provided above and must guarantee the memorial to be executed in first grade workmanship. Retail dealers also agree that should faults develop within five years due to the setting, treatment or handling of the memorial by the retail memorial dealer, the memorial will be replaced by the retail memorial dealer without cost to the cemetery or certificate holder.

3. Every memorial must have a cross either sculpture cut or engraved thereon and dominate in size and position. Generally, artwork of a religious nature or that of a floral design is also permitted. Only religious expressions, as approved by the cemetery authority, may appear on memorialization. Insignias or symbols for: Armed Services, police, fire fighters, medical, Knights of Columbus, Holy Name or Rosary Societies, and other similar religious societies are permitted but cannot exceed 4" in diameter.

4. No inscription or lettering may be cut or inscribed on both faces of the headstone or monument unless title to the burial rights on both sides shall be in the name of the same plot holder.

5. Artificial or temporary coloring agents are limited to black, white, silver, or gold leaf Lithochrome® stain inside sandblasted or carved areas only. Although Lithochrome® stain may be permitted, its use is not recommended. The memorial permit must indicate each area where Lithochrome® stain is intended to be used.

6. Monuments and memorials are not the proper venue to express political views/statements, to commemorate a favorite pass time or hobby, or to place/carve other items more closely identified with creating shrines rather than commemorating entrance into eternal life as promised at one’s baptism.

7. Contractors shall be held liable for all damage to plot or adjoining plots, conduct of employees and observance of all rules. Obstruction to avenues or paths, incidental to improvements, must be made as slight as possible. Materials and equipment will not be permitted to enter the cemetery until required for immediate use.

   Sufficient equipment and supplies of planks, canvas, etc. to complete the setting of monumental work without damage to plot surroundings shall be required of all contractors engaged in the setting or repair of monuments.

   The placing of derricks, slings, ropes, and other such devices used in the erection of monuments must be approved by the cemetery superintendent so as not to interfere with or cause damage to other plots/areas of the cemetery. No material, equipment or rigging shall be placed upon adjoining plots. Guy ropes or ties may not be made to any monument or tree. (Must be in compliance with all OSHA rules and regulations.)

   Shortcuts across plots will not be permitted; the paths must be used in all instances. Trucks loading or unloading shall not leave the roads.

8. All work must cease during burial services in the vicinity.

9. No memorial retail dealer or employee or sales contractor thereof may solicit on cemetery grounds at any time.

10. Trademarks, metal nameplates, or other markings identifying an exclusive retail dealer as the source of monument procurement, shall be considered as advertising and are not permitted.

11. Identification of materials or work from sources exclusively wholesale, that do not maintain a retail outlet or sales distribution directly or by sub- division, whose standards can and do conform to previously outlined regulations, upon application to a cemetery office, may be approved.

    Engraved identification thereof may not exceed one square inch boundary placed on the side end of the base.

12. Copyrights will only be permitted when taken out in the name of the certificate holder with prior approval of the cemetery.

