

**Rules and Regulations
for
St. Joseph's Church Cemetery**

Received by the Pastor, Trustees and Parish Cemetery Committee on November 14, 2000. Revised March 2024.

SECTION 1 - DEFINITIONS

Rule 1.1. "Lot" means the tract of ground used for interment as shown on the cemetery map or plat.

Rule 1.2. "Interment" means the permanent disposition of the remains of a deceased person by interment or burial.

Rule 1.3. "Memorial" means a monument, tombstone, marker, tablet or headstone.

Rule 1.4. "Management" means the Trustees of St. Joseph's Parish acting with the advice of the Parish Cemetery Committee and the Parish Council.

Rule 1.5. "Administrator" means the Pastor of St. Joseph's Parish, Pierz, Minnesota

Rule 1.6. "Cemetery" means the cemetery of St. Joseph's Church, Pierz, Minnesota.

SECTION 2 - CEMETERY LOTS - OWNERSHIP

Rule 2.1. Ownership of a lot confers no title to the land but only the right to interment in the lot of the owner or a member of the owner's immediate family. This ownership right is for a period of 75 years from date of purchase or until the death of the last survivor of the immediate family of the registered lot owner, whichever is sooner. "Immediate family" means spouse, parents, children, brothers, sisters, and grandchildren of the registered owner.

2.1.1. At the end of said ownership period, namely 75 years after the date of purchase or on the death of said last survivor, the lot may be sold again by Management, subject to any interment already made in the lot. The new registered owner acquires the right to bury a coffin above any coffin already buried in the lot.

Rule 2.2. Only one burial in any one lot is permitted except if the owner wishes a lot to be used for tier burial, i.e., a second coffin on top of the first coffin. A lot may be used only for interment.

Rule 2.3. The Administrator or his representative is in charge of the sale and registration of cemetery lots. The purchaser shall be given a receipt stating the date of purchase, price paid, the lot number and the name and address of the registered owner. An index file with this information shall be kept by the Administrator. The name of the owner shall also be registered on the cemetery map. The receipt shall be the purchaser's evidence of lot ownership.

Rule 2.4. No more than one lot will be sold to any one person and the lot shall be registered in the name of one person only. The purchase price for a lot is the current price for a parishioner or non-parishioner. Management reserves the right to change the purchase price at any time without notice.

Rule 2.5. Transfer of title by lifetime deed or by will or by interstate succession is governed by Minnesota State Statutes. If a deceased lot owner's estate has not been probated, succession of title may be established by affidavit filed with the Administrator. No transfer of ownership is effective until duly registered in the official

records of the Cemetery. No transfer or assignment by a lot owner is valid without the written consent of Management which consent is granted only in those instances permitted by state statutes.

SECTION 3 - INTERMENT AND REMOVAL

Rule 3.1. If a lot is used for tier burial, the first burial must be at least 7 1/2 feet deep. All burials must have a minimum of 18 inches of dirt on top of the vault.

Rule 3.2. All burials must be in vaults of natural stone or metal or reinforced concrete. All such containers must be made and installed to meet the specifications established by Management.

Rule 3.3. Once a casket containing a body is within the confines of the Cemetery, no funeral director nor his agent or employee may open the casket or touch the body without the express consent of the legal representative of the deceased or by authority of an order from a court of competent jurisdiction.

Rule 3.4. Management reserves the right to be given at least 24 hours notice prior to any interment and to at least one week notice prior to any disinterment or removal.

Rule 3.5. When an interment or removal has been completed, Management will cause the grave site to be reseeded as soon as circumstances permit.

Rule 3.6. A body may be moved from one lot to another in the Cemetery if there has been an exchange or purchase for that purpose but no body may be removed from the Cemetery for burial elsewhere without the written permit of the Management. A removal contrary to the express or implied wishes of the original registered lot owner is repugnant to a sense of proper decency and is forbidden.

Rule 3.7. All removals shall be made only by Cemetery employees after issuance of the proper permit. Management assumes no liability for damages to any casket or burial case occurring during removal.

Rule 3.8. When, in the opinion of Management, a new vault is needed at the time of removal, such new vault must be provided by the person seeking the removal and as a condition to the removal.

Rule 3.9. Arrangements for payment of all indebtedness due the Cemetery must be made with the Administrator before any interment.

SECTION 4 - MEMORIALS

Rule 4.1. No memorial may be placed on any lot except with the approval of the Management and in accordance with these rules.

4.1.1. To avoid difficulties later, these rules should be consulted before ordering a memorial and care should be used to select a reputable dealer who understands these rules.

4.1.2. Management reserves the right to order a correction made if any memorial is installed contrary to these rules.

Rule 4.2. All memorials shall be constructed of natural stone or bronze. No other material of any kind is permitted.

Rule 4.3. Memorials and inscriptions thereon shall be of a design and size as is fitting in a Catholic Cemetery and consistent with the overall layout of the Cemetery.

Rule 4.4. All memorials shall be set on foundations built of concrete and of the size and depth and location prescribed by Management. Foot markers must be placed below ground level to facilitate lawn maintenance. Memorials shall be set on the location designated by Management. Memorials or grave covers covering an entire grave are not allowed. Mausoleums are not allowed. Above ground burials are not allowed with the exception of the columbarium.

Rule 4.5. If two adjoining lots are owned by members of the same immediate family, the memorial may be placed over the common boundary line of the two lots.

Rule 4.6. Memorial contractors or other workmen shall not do any work in the Cemetery or bring any materials or equipment into the Cemetery without first obtaining a written permit from the Administrator and any such person acts solely as an independent contractor.

Rule 4.7. Memorials and machinery and equipment for construction and installation of vaults and memorials may be brought into the Cemetery when required for immediate use and after the foundation has been ordered. Such items shall not, however, be brought into the Cemetery while a funeral is in progress.

Rule 4.8. During construction or installation, planks must be laid to protect the ground if heavy material is moved over paths or sod.

Rule 4.9. All construction, installation and repair work shall be done in a workmanlike manner; all debris shall be promptly removed from the cemetery premises; and work shall be done so as to cause as little injury to grass, trees and shrubs as is feasible. Upon completion of the work, the ground and sod shall be restored as nearly as possible to its original condition.

Rule 4.10. If any damage is done to lots, walks, drives, trees, shrubs or other property by dealers or contractors or their agents, it may be repaired by Management and the cost of such repairs charged to the dealer, contractor or other responsible party.

Rule 4.11. Tombstones shall face East; rows in the new addition shall run North and South and the size of each lot shall be 9 feet x 42 inches. Tombstones shall not be more than 36 inches high, finished front and back and be no less than six inches thick. For the Infant and Unborn section of the cemetery, each lot shall be 3 feet x 4 feet allowing grave sites of 24" x 4' and spaced 18" apart. Families will provide a marker with a personal identification with name and date of birth and death.

Rule 4.12. Any memorial dealer or contractor who willfully violates any of the rules of the Cemetery may be removed from the list of approved dealers and contractors.

Rule 4.13. In the event a lot is resold after a burial therein to another owner for tier burial, the new owner's right to place memorials is subject to memorials already placed which may not be disturbed.

SECTION 5 - CARE AND MAINTENANCE

Rule 5.1. Planting of flower beds, plants, shrubs and trees on graves in single grave sections or on a lot is not permitted. Planting grass or sodding is permitted. When an interment or removal is completed, Management will have the grave re-seeded as soon as circumstances permit.

Rule 5.2. Management reserves the right to remove all floral designs, flowers, weeds, trees, shrubs or plants of any kind as soon as they become unsightly, dangerous, harmful or diseased or in the event they do not conform to these rules. Management shall not be liable for floral pieces, baskets, frames or other containers brought on the premises.

Rule 5.3. The general care of the Cemetery shall be provided by Management. This includes the cutting of grass at reasonable intervals, the raking and cleaning of the premises, the pruning of shrubs and trees placed by Management and the general maintenance of the lots and grounds and walkways.

Rule 5.4. Management has no obligation for the maintenance, repair or replacement of any memorial, nor for the planting of trees or shrubs, nor for watering or sprinkling the lots, nor for the doing of any special or unusual work in the Cemetery.

Rule 5.5. Lot owners desiring additional care for their lots may make arrangements with Management.

Rule 5.6. No curbing, fencing or enclosures of any kind shall be allowed around any lot. No walks may be laid out over any lot.

SECTION 6 - GENERAL PROVISIONS

Rule 6.1. This Cemetery is for the burial of Catholics who are entitled to Christian burial in accordance with the rules and discipline of the Roman Catholic Church. Burial of a non-Catholic member of a lot owner's family is permissible. Eligibility for burial shall be decided by Management in accordance with the rules and discipline of the Roman Catholic Church.

Rule 6.2. No person shall, unless necessary, walk upon or across any lot or lawn area but shall, whenever possible, use the walks and lanes provided.

Rule 6.3. No person shall pick flowers, damage any tree or shrub or deface or injure any memorial, fence or other structure in the Cemetery.

Rule 6.4. Children under the age of 15 shall not be allowed in the Cemetery unless accompanied by a responsible adult.

Rule 6.5. The Cemetery is a holy and sacred place and all persons shall, while in the Cemetery, conduct themselves in a dignified manner, in strict observance of the proprieties and shall engage in no unbecoming conduct.

Rule 6.6. Approaching the bereaved on the Cemetery premises for soliciting memorial business is prohibited. No advertising of any kind is permitted in the Cemetery.

Rule 6.7. It is the obligation of the registered lot owner to notify Management of any change in address. Notice mailed to a lot owner at the last address on file in the cemetery records shall be deemed sufficient notice.

Rule 6.8. Management reserved the right to refuse admittance to the Cemetery to any funeral conducted in a manner contrary to the rules and discipline of the Roman Catholic Church.

Rule 6.9. Vehicles may not be operated off the provided road in the Cemetery except with the permission of the Administrator.

Rule 6.10. Management reserves the right to amend, modify, add to or repeal any of these rules from time to time.

***These rules and regulations supersede all prior cemetery rules and regulations.**