

TOWN OF CHATHAM CEMETERY COMMISSION RULES AND REGULATIONS



Approved at Annual Town Meeting - May 9, 2005 - Article 20
Amended at Annual Town Meeting - May 9, 2011 - Article 13
Revised by the Cemetery Commission – March 9, 2018
Revised by the Cemetery Commission – September 30, 2021
Revised by the Cemetery Commission – March 30, 2023

I. General:

1. In the Town of Chatham, the cemetery grounds are maintained and controlled by the Cemetery Commission. All visitors are reminded that the cemeteries are consecrated to the memories of those who are buried within. Dignified behavior is expected and will be required.
2. The Cemetery Commission has adopted and will enforce regulations to govern the conduct of visitors. Our goal is to respect the dead, protect the grounds, and assure the safety of visitors.

II. Rules for Visiting a Cemetery:

1. The vehicle speed limit on all cemetery property is 10 MPH.
2. Parking is only allowed on roads.
3. Walking is allowed on roads and paths only.
4. Do not trespass on burial lots.
5. Sunbathing, picnicking, drinking alcoholic beverages, and playing in cemeteries are prohibited.
6. Loud, boisterous, or undignified behavior is prohibited.
7. Dogs and other pets are not permitted on cemetery grounds.
8. Gravestone repairs or rubbings are allowed only upon prior authorization of the Cemetery Commission, or Cemetery Administrator.
9. Cemeteries are closed from sunset to sunrise.

III. Cemetery Regulations:

1. All burials must be under the direction and approval of the Cemetery Administrator.
2. No landscaping or plantings of any kind are permitted within the cemeteries without completing a Landscaping Request Form. Forms can be obtained at the Cemetery Department. All completed forms will be reviewed for approval by the Commissioners at the Cemetery Monthly Meeting.
3. The use of lawn sprinklers is not permitted in any cemetery. No permitted watering devices are to be left unattended. Only handheld hoses and nozzles, which are attended, may be used.
4. Veteran flags will be placed in the flag holders on the burial lots, in honor of our Veteran's, a few weeks prior to Memorial Day and Veteran's Day. All flags will be removed within a few weeks following each holiday.
5. Only flat markers will be allowed in the Veteran's Lot - Section "A" and around the Columbarium in Seaside Cemetery.
6. Potted plants, baskets, floral arrangements, Christmas wreaths, and greens placed on a burial lot shall be removed by the owner or family member when the arrangements have served their useful life.

IV. Purchase of a Burial Lot:

Registered voters, real estate taxpayers, in the Town of Chatham may purchase, and be granted title to cemetery lots, subject to the following terms and conditions.

1. Qualified voters/property owners are eligible to purchase a maximum of four “single” burial lots. *A single lot is approximately 45 – 55 square feet.* Special consideration or variance of this regulation must be approved, in writing, by the Cemetery Commission upon written request.
2. During the sale of a burial lot, a married couple will be considered as one entity. A single lot may accommodate one full burial and one cremation or up to four cremations.
3. The sale of any lot excludes all interests in roadways, walking paths, and other cemetery improvements.
4. In the event the lot owner or their legal representative wishes to release deed ownership of the unused lot/s, back to the Town of Chatham they may do so. The Town of Chatham will reimburse the deed owner or the legal representative therefor the original purchase price of the burial lot/s. Under no circumstances shall any lot be purchased for the sole purpose of resale for profit.
5. The deed owner or their legal representative may not transfer, reassign or change deed ownership without written consent from the Cemetery Commission.
6. Upon the death of the title owner the lot/s shall pass to the heirs at law, as provided in MGL – Chapter 114, S29.

V. Interments:

1. All burial lots shall be used for no other purpose other than a place for the interment of the human dead. *This includes cremation remains.*
2. No interment shall be made until the Cemetery Administrator receives the following *prior* to the burial.
 - A completed Interment Form
 - Original Burial Permit
 - Original Cremation Certificate
 - Administrative Fee
3. No burial lot shall be opened for interment or removal unless authorized by the Cemetery Commission or the Cemetery Administrator.
4. All interments must be enclosed in a cement vault. Infants require an approved container.
5. All cremations must be placed within an urn or approved container.
6. Under no circumstances can cremains be sprinkled on burial lots.
7. All burials are permitted under the direction, approval and supervision of the Cemetery Commission or Cemetery Administrator.

VI. Cemetery Commission Liability:

1. The Cemetery Commission and/or the Town of Chatham shall not be liable or responsible for any personal injuries sustained by anyone violating these Rules and Regulations.
2. Any damage to a lot or grave marker by a private contractor working in the cemetery, will be the sole responsibility of the contractor. In addition, no liability or responsibility therefor will be attributed to the Cemetery Commission, and/or the Town of Chatham.
3. Any mistakes occurring during the burial process will not be the responsibility of the Cemetery Commission, Cemetery Administrator or the Town of Chatham.
4. To the full extent provided by law, no officer, employee, agent or representative of the Town of Chatham or the Cemetery Commission shall be deemed individually or personally liable or responsible for any duty or obligation of the Town or the Commission, acting as a public agency.

VII. Monuments, Markers, and Permanent Amenities:

1. No monuments, markers, headstones, or borders shall be placed on any burial lot without prior approval from the Cemetery Commission or Cemetery Administrator. This rule shall apply to any type of bench, fence, or curbing. All monuments, markers and headstones shall be placed on concrete footings.
2. Markers for cremation burial lots shall be limited to flat markers, approximately 1' by 2' and set flush to the ground on a concrete footing.
3. Any grave marker or headstone improperly set shall be moved and placed in the proper location on a concrete foundation, at the expense of the lot owner.
4. The maintenance, repair, and cleaning of any headstone or grave marker is the responsibility of the owner. The Cemetery Commission has the right, in its discretion, to maintain, repair, and clean any headstones or grave markers as resources may allow.

VIII. Use of Lots Regarding Plantings and Trees:

1. Approved plantings and trees shall not hinder the general maintenance of the cemetery grounds.
2. Existing plantings in cemeteries which have become overgrown and obstruct the use of any roadways, walking paths or adjoining lots may be removed or trimmed by the Cemetery Commission. The Cemetery Commission or Cemetery Administrator shall have the sole right to determine if such plantings or trees are overgrown and causing an obstruction.

IX. Administration:

1. The Select Board, in accordance with relevant provisions of Massachusetts General Law, Town Charter and Bylaws, shall appoint a board of Cemetery Commissioners to consist of three members, appointed respectively, terms of three years. The Commissioners shall, under the supervision and direction of the Select Board, maintain the public cemeteries and exercise such other powers and duties as may be authorized by General Laws including MGL Ch.-114, S27, Town Charter or Bylaws.

X. Active Cemeteries: *(Burial lots available for sale)*

Seaside Cemetery (Old Methodist) Entrance includes Crowell Rd. & Hitching Post Rd.
Union Cemetery – Entrance includes Main St./Rt. 28 & Stepping Stones Rd.
South Chatham – Main St./Rt. 28
People's Cemetery – Entrance includes Crowell Rd. & Stepping Stones Rd.

XI. Inactive-Cemeteries: *(No Burial lots available for sale)*

William Nickerson – At the end of A. Leonard Way
Dr. Samuel Lord – 252 Training Field Rd.
Smallpox Cemetery – South off Old Comers Rd.
Old South Cemetery – George Ryder Rd.
Old North Cemetery – Old Queen Anne Rd. & George Ryder Intersection
Old Baptist Cemetery – Old Queen Anne Rd.
Eldridge-Pratt Cemetery (Come Outers) - Bar Cliff Ave.
The Mack Memorial/Seamen's Cemetery – Main St.
Clark Cemetery – Cockle Cove Rd.
Eldredge Cemetery – Juniper Lane
Eldridge Cemetery – Bayview Rd.

