

**Handbook  
for  
Resurrection Parish Cemeteries**

**Issue by Most Rev. Joseph V. Adamec, D.D. Bishop of the  
Diocese of Altoona-Johnstown Date:  
January 4, 2002**

**Modified by  
the Resurrection Parish Cemetery Committee**

**August, 2010**

## INTRODUCTION

From the time that the Sacred Body of our Crucified Savior was laid in the tomb to await the hour of his glorious Resurrection, the Church has been most solicitous to surround with an atmosphere of Christian faith and reverence the burial of those who will rise with Christ. In the Funeral Mass and the Final Commendation and Farewell at the grave, the Church gives voice to her belief in the Christian doctrines of the resurrection of the body, the communion of saints, and life everlasting. Moreover, as a further seal and symbol of that faith, she sets apart and blesses the place in which the bodies of her faithful departed await the day of Resurrection.

In the very earliest days, Mother Church found it necessary to make rules and regulations which would protect the sacred places and relics laid therein. She could not and would not allow anything within these holy precincts which would desecrate them, lessen their beauty or bring dishonor on the dead. Therefore, to assure the sacred character of the Catholic parish cemeteries within the Diocese of Altoona-Johnstown, and for the mutual protection and benefit of a cemetery and its plot holders, the Bishop of the Diocese of Altoona-Johnstown hereby promulgated a “Handbook for Parish Cemeteries” of the Diocese of Altoona-Johnstown.

This Handbook was proposed by the Cemetery Commission of the Diocese of Altoona-Johnstown, an advisory group established by Bishop Joseph Adamec in 1988 for the purpose of providing advice to the Bishop on matters of governance for the Catholic cemeteries within the Diocese. This Handbook is a description of practices and procedures for the effective operation and preservation of a Parish cemetery

This Handbook is also a description of the legal rights and responsibilities of a cemetery as well as those who are or will be buried there. Therefore, this Handbook contains “directives,” the authoritative statement of requirements that each cemetery must satisfy, as well as statements of “policy,” which are the practices and procedures which the Bishop expects each cemetery to follow. This Handbook also contains guidelines and suggestions concerning practices and procedures that have been determined by the Pastor and the Cemetery Committee of Resurrection Parish to apply to all parish-governed

cemeteries.

This Handbook also refers to “Rules and Regulations” that the parish has established for each cemetery. It is available for review at the parish office. The provisions of this Handbook and a cemetery’s Rules and Regulations shall apply to any mausoleum or columbarium, which may hereafter be erected in a Cemetery.

The purpose of any Catholic Cemetery is to provide for the burial of those persons who are entitled to Christian Burial according to the rules and discipline of the Roman Catholic Church. Any questions will be resolved in accordance with the provisions of this Handbook, a cemetery’s own Rules and Regulations, the canons of the Catholic Church, its rules and discipline as applied by the Pastor of the parish that is responsible for a cemetery. If a plot holder is dissatisfied with the Pastor’s decision, appeal may be made to the Diocesan Bishop. He or his designated representative will make the final decision.

All parish cemeteries as well as plot holders and persons entering a Catholic Cemetery in the diocese shall be subject to the provisions of this Handbook, and to the Rules and Regulations established and amended for that particular parish Cemetery. The reference to the Handbook and a cemetery's own Rules and Regulations in the certificate conveying burial privileges shall have the same force and effect as if both the Handbook and the Rules and Regulations were set forth in full therein.

With the formation of Resurrection Roman Catholic Parish, Johnstown, Pennsylvania on July 22, 2009, the governance of six cemeteries fell under its responsibility. The cemeteries included are: Immaculate Conception, St. Casimir, St. Columba, St. Emerich, St. Rochus, and St. Stephen.

The Pastoral Council of Resurrection Parish has established a Cemetery Committee as a standing committee of the Council. This Cemetery Committee has been charged with the duty of reviewing the Diocesan Cemetery Policy and to make recommendations so as to fit our parish needs. This document was presented to the Pastoral Council where no objections to its content were made.

## **Cemetery Operations Definitions**

The term **Management** shall mean the Pastor or Administrator of the parish, his Parish Cemetery Committee, and a cemetery Manager(s).

The term **Cemetery Manager(s)** shall mean the person or persons appointed by the pastor or administrator to oversee the day-to-day operations of all parish cemeteries.

The term **Cemetery** (and its plural) shall mean all the property used or intended to be used for interment of human remains.

The term **Plot** shall mean one or more adjoining graves or crypts within a cemetery.

The term **Burial Privileges** shall mean a Burial Privilege Certificate sold by the Management to a member of the Catholic Church authorizing the use of a plot for the interment of human remains. The privilege of burial in a Catholic cemetery is granted to Catholic party and a non-Catholic spouse. The Management sells only the right to use the space; ownership of the grave or crypt remains with the Management.

The term **Interment** shall mean placement of human remains or cremated human remains in a grave or crypt located within a cemetery.

The term **Grave** shall mean a space in a cemetery used or intended to be used for the in-ground placement of a casket or urn containing human remains.

The term **Crypt** shall mean the space within a building used or intended to be used for the permanent placement of a casket or urn containing human remains. Such a building may be referred to as a mausoleum or columbarium.

The term **Disinterment** shall mean the removal of the human remains from the grave or crypt for the purpose of examination or burial in another location.

The term **Plot holder** shall refer to the person or persons who have purchased burial privileges or who hold these privileges through inheritance or transfer.

The term **Memorial** shall refer to a commemorative item or structure used to mark where an interment has been or will be made. It may also serve to remember a family or individual not buried there (a fact which must be noted in the records of Management). It includes a monument, tombstone, headstone, grave marker, tablet, or the inscription on a crypt.

The term **Foundation** shall mean the base on which a memorial is erected.

The term **Care** shall refer to the maintenance of graves and crypts necessitated by natural growth and ordinary wear, as well as the cleaning and maintenance of roadways, walks, and common areas.

The term **Qualified Outside Contractor** shall mean a person, firm or corporation performing work on Cemetery grounds, other than an employee of a cemetery or the plot holder of record. "Qualified Outside Contractors," as used herein, shall mean and include all contractors, subcontractors, material men, laborers and other persons or entities performing work or services at a cemetery, and/or delivering or installing equipment or materials of every nature and type, including specifically all funeral directors, memorial dealers and vault installation companies.

## **Cemetery's Rights And Responsibilities**

The Management shall specify the terms of purchase of all burial privileges and to fix the number of interments allocated to a plot.

If the purchaser fails to carry out the terms of the Burial Privilege Certificate purchase agreement, the Management shall have the right to declare said agreement void and all rights of the purchaser in and to the plot forfeit. The Management shall have the right to resume possession of the plot or the unused part thereof.

The Management shall have a perpetual right of ingress and egress over any and all lots in a Cemetery for the purpose of passage to and from other lots and other parts of a cemetery.

All interments and disinterments, construction of foundations, walks and curbs, erection of memorials, grading, landscape work, improvements of any kind, planting, trimming, and removal of plants, trees and shrubs, and all care of plots shall be done only at the direction of the Management.

Cemetery employees are not permitted to do any work for plot holders except upon the order of the Management.

Cemetery employees are not permitted to receive any fee, gratuity or commission, directly or indirectly, except from the Management.

If in its discretion the Management deems it necessary to remove existing trees, 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 of replacement thereof.

The Management shall have the right to change the boundaries or grading of a cemetery or of a portion thereof, or to change the arrangement of graves or crypts. It also reserves rights of way under, through and over a cemetery grounds and any and every part thereof.

The Management shall have the right to correct errors made by it in the sale or description of burial privileges or any discrepancies relating to burial privileges. In its discretion, the Management may substitute other burial privileges or refund any monies paid for the purchase of burial privileges.

In the event of an error or discrepancy involving the size, boundaries, or location of a plot or any unforeseen subsurface condition, and this error, discrepancy or condition prevents a proper interment, the Management shall have the right to preclude further interments in the plot.

The Management shall have the right to correct any error made by a Qualified Outside Contractor at the contractor's expense.

Persons entering a Cemetery grounds for any reason are invitees or licensees and assume each and every risk. Therefore, the Management shall not be liable for injuries to any person occurring within a cemetery, except those arising from its own willful misconduct or gross negligence.

The Management shall not be liable for the theft of any property occurring within a cemetery.

The Management shall not be liable for any loss or damage from any cause beyond its reasonable control, including but not limited to the elements, earthquake, flood, war, insurrection, riot, order of any military or civil authority, thieves, vandals, strikers, malicious mischief-makers, explosion, unavoidable accident, or any cause similar or dissimilar.

In the event it becomes necessary to reconstruct or repair any graves or crypts which have been damaged by causes over which a cemetery has no control, the Management shall give written notice of the necessity for such repair to the plot holder of record. Mailing said notice to the name and address of the plot holder of record shall constitute adequate notice. In the event the plot holder fails to repair the damage within a reasonable time, the Management may direct that the repairs be made and charge the expense to the plot holder of record.

The Management shall have the right to prohibit the installation of any memorial which because of design, content, workmanship, material or faults of any kind is, in its opinion, unsatisfactory, in violation of the provisions of this Handbook or a cemetery's Rules and Regulations, or is offensive to the teachings of the Roman Catholic Church.

The Management shall have the right to have repaired or removed any memorial or foundation, which does not conform to the provisions of this Handbook or the Rules and Regulations of a cemetery or is offensive to the teachings of the Roman Catholic Church.

Should any memorial, private mausoleum or tomb become unsightly, dilapidated, or a hazard to the safety of persons within a Cemetery, the Management, after notice to the plot holder, shall have the right to correct or remove the condition at the expense of the plot holder.

The name or inscription on each memorial must correspond with the information contained in the records of the Management, and no changes shall be made thereon except upon written request of the proper parties and by permission of the Management.

## **Plot Holder's Rights And Responsibilities**

All burial privileges in a cemetery are conveyed and shall be held subject to the provisions of this Handbook and the Rules and Regulations adopted by the Management.

A Burial Privilege Certificate authorizes the use of a plot for the interment of human remains. The scattering of cremated remains over a cemetery or over a portion thereof is never permitted. In cases where no Burial Privilege Certificate exists and/or no parish record of the purchase exists, these circumstances will be handled on an individual basis in a pastoral way.

The use of a plot is for interment purposes only and not for resale or profit. If a plot is forfeited by the plot holder or if Management determines that a plot has become abandoned, the parish has the right to make the plot



available for another burial privilege.

The purchase of burial privileges must be made through the parish office.

Arrangements for interment are made through a funeral director. It becomes the responsibility of the funeral director to notify the parish office of the imminent burial and to collect the appropriate fees and forward them to the parish. A listing of fees can be found in Appendix A.

The individual(s) named in the Burial Privilege Certificate issued and of record will be presumed to be the holder(s) of the burial privilege unless the Management has executed an ownership transfer.

It shall be the duty of the plot holder to notify the Management of any change in his or her post office address. Notice sent to a plot holder at the last address in the Management's record shall be considered sufficient and proper legal notification.

A vested burial privilege is one in which the individual holding it has a superior right to its use, which is not defeasible by anyone other than the owner or someone else who has a similar vested privilege. A vested burial privilege may be released by waiver or terminated upon the interment elsewhere of the remains of the person in whom it is vested.

The spouse of an plot holder has a vested burial privilege in the space superior to any other person, even if the marriage occurred after the burial privilege was acquired and the Burial Privilege Certificate makes no reference to the spouse. No transfer or other action of the plot holder, without the written consent of the spouse of the plot holder, deprives the unnamed spouse of a vested burial privilege.

In the case of a divorce, the vested burial privilege of the spouse who is not identified in the Burial Privilege Certificate is terminated. A new certificate will be issued, which reflects the terms of the divorce decree and property settlement.

A vested burial privilege does not give one the right to be interred where any deceased person having a prior vested burial privilege has been interred, nor does it give one the privilege to have the remains of more than one deceased person interred in a single interment space in violation of the provisions of this Handbook or the Rules and Regulations adopted by Management.

Burial privileges in any lot shall not be vested in any person or persons until full payment has been made to the Management and the Burial Privilege Certificate is issued.

If the Burial Privilege Certificate has been lost or mislaid, a duplicate may be issued to the person who has established legal right to it by presenting a notarized affidavit in which the person claiming interment privilege in said plot must identify himself, establish his holding of the privilege to said plot and state that no other party has prior or equal claim to said plot.

Upon the death of a plot holder, any and all privileges of the plot holder shall pass to the plot holder's spouse, then to those designated in instructions filed by the plot holder with the Management, then to those designated in the plot holder's will, and finally according to the Commonwealth's laws of intestacy.

When there are multiple holders of burial privileges, they may designate one or more persons to represent their interests by filing written notice with the Management. In the absence of such designation or in the absence of written objection at the time of interment, the Management may, without liability, permit an interment upon the request or direction of any co-holder set forth in a notarized affidavit containing the fact of the death of the plot holder and the name of the person or persons entitled to the burial privilege.

Subject to the provisions of this Handbook and a Cemetery's Rules and Regulations, burial privileges are transferable. Upon the receipt of written instructions from the current plot holder or a legal representative, the Management shall transfer the burial privileges to the person(s) designated in the authorization and issue a new Burial Privilege Certificate. Transfers are limited to those who are entitled to Christian Burial and a non-Catholic spouse. However, to the extent that it is practicable, the records of as-yet-unused plots shall always include the names of preceding plot holders

to facilitate accurate record-keeping.

The Management may exchange burial privileges when desired by the plot holder. However, if the Burial Privilege Certificate to be surrendered is of greater value than that to be received, no compensation will be given to the plot holder.

At its sole discretion, the Management may repurchase a Burial Privilege Certificate for the original price, less any administrative cost.

The Management shall have the right to require full payment of the purchase price and perpetual care as a condition of any transfer or assignment of burial privileges.

## **Memorials**

The Management shall have the right at all times to prescribe the kind, size, design, content, symbolism, craftsmanship, quality and material of all foundations, memorials or inscriptions placed or to be placed in a cemetery.

Only one marker will be permitted on each grave or crypt.

All memorials shall be made of granite, marble, or bronze, manufactured by recognized manufacturers in accordance with trade standards and good craftsmanship. They must be in proportion to the size of the lot.

A detailed plan and design of all foundations and memorials, including the inscription, must be submitted to the Management for approval. No foundation shall be constructed or memorial installed until it is checked and approved by the Management.

For a Catholic Cemetery to keep its distinctly religious nature, only Christian symbols will be permitted on memorials. Scenes or symbols depicting a decedent's occupation, hobbies, interests, fraternal associations, etc., are not permitted. The depiction of animals may be appropriate if a verse of Sacred

Scripture is used to identify its religious nature.

If any memorial or any inscription shall be determined by the Management to be offensive or otherwise in violation of the provisions of this Handbook or Cemetery's own Rules and Regulations, the Management shall have the right to enter upon such lot and remove or change the offensive or improper object or objects at the expense of the plot holder.

The general care and maintenance of a cemetery's grounds and buildings, including landscaping, grass-cutting, gardening, planting, and embellishment of the property, is the responsibility of the Management and shall be performed exclusively at the direction of Management. General care, however, does not include any special care of individual plots.

No work on individual plots shall be performed by the plot holder or qualified outside contractor except upon the written order of the plot holder and with the permission of the Management. This does not include the seasonal planting of flowers.

All work of every type performed on individual plots or elsewhere in a cemetery shall be done under the supervision of the Management. Therefore, the Management shall have the right to fix the days and hours when a foundation may be installed, a memorial delivered, or when work of any kind may be performed.

For reasons of public safety, no coping, curbing, fencing, hedging, borders, or enclosures of any kind around the plot, head or foot stones, and no decorations, ornaments, images, toys, wooden crosses, boxes, glass or plastic enclosures, and no iron or wooden chairs and settees, and no vases or urns of concrete, metal, wood, glass, or plastic, wholly or in part, are permitted, unless specifically described in the Rules and Regulations of the Cemetery.

The Management shall have the right to remove, without notice and without making restitution to the plot holder for same, any article deemed in violation of this provision.

All work orders, inquiries, protests and complaints must be made in writing and directed to the parish manager. The parish manager will forward complaints to the Cemetery Committee for review.

## **Interment Procedures**

All interments are subject to the provisions of this Handbook and a cemetery's Rules and Regulations. Therefore, a burial permit is required for each interment. The remains of a deceased person will not be accepted for interment unless encased in a suitable casket or urn. The use of a Management-approved burial vault is required for all interments of a casket in a grave.

Each parish cemetery is a Catholic cemetery. All interments must be in accord with the law and teaching of the Roman Catholic Church. The committal service shall take place at the site of interment whenever possible. No symbols or ceremonies, religious or otherwise, may be used or performed that would be contrary or offensive to Catholic principles.

The Management shall have the right to designate the day, the hour, and the manner in which interments will be permitted.

The Management may accept a written authorization from the plot holder of record as a proper order for interment, unless there are written instructions to the contrary on file in the Parish office.

The Management shall have the right to demand written evidence of eligibility for Catholic burial according to the norms of Canon Law.

No person shall be permitted to bring or discharge a firearm within a cemetery, except a Guard of Honor present with the approval of the Management and under the command of an Officer. Hunting is prohibited on cemetery properties.

When for any reason the interment space cannot be opened as specified, the Management shall have the right to make whatever arrangements it deems best and proper so as not to delay the funeral.

When an interment is delayed for any reason beyond the control of the Management, including but not limited to inclement weather, labor strikes, unforeseen underground obstructions, the filing of a protest or the failure to comply with the provisions of this Handbook or a cemetery's Rules and Regulations, the Management shall have the right, without incurring any liability, to make whatever arrangements it deems best and proper under the circumstances.

## **Disinterment Procedures**

The transfer of human remains from a cemetery and disinterments generally will be permitted only for the most serious reasons.

No disinterment will be permitted without the proper state and local permits and the consent of the Management. Furthermore, the Management may, in its sole and absolute discretion, require an order of the Court or the consent of any person it deems advisable.

All disinterments shall be made under the supervision of the Management. Therefore, the Management shall have the right to designate the day, hour and manner in which disinterments are performed.

Any and all charges shall be paid in full before a disinterment shall be permitted.

The casket may not be opened within a cemetery without a court order or, in the alternative, without the written permission (and in the presence) of the Management and the written consent of the legal representative of the deceased.

A cemetery shall under no circumstances be held liable in case of disinterment where it acts upon the written order of a person claiming to have

the authority to give such order.

The Management shall exercise due caution in making a disinterment, but it shall assume no liability for the damage to any casket, urn or burial vault incurred in making the disinterment.

## **Perpetual Care**

The Management has an obligation to provide for the general maintenance of a cemetery grounds, including individual plots. The Management has established a "Perpetual Care Fund" for this purpose. A percentage of the purchase price of all interment space sold in a cemetery is deposited into the Perpetual Care Fund. Each parish-governed cemetery shall have a distinct perpetual care account.

Monies received for the Perpetual Care Fund are invested on behalf of the Management with a qualified trustee, according to the provisions of this Handbook. Interest income from the Perpetual Care Fund is expended by the Management in such manner as, in its judgment, will be most advantageous to the plot holders as a whole, and in accordance with purposes and provisions of this Handbook applicable to the expenditure of such funds.

The term "Care" as it relates to individual plots refers to general maintenance necessitated by natural growth and ordinary wear. The term "Care" shall in no case mean the maintenance, repair or replacement of any memorial; nor the planting of flowers or ornamental plants; nor the doing of any special or unusual work in a cemetery including work caused by impoverishment of the soil or disruption of water supply or facilities; nor does it mean the reconstruction of any marker or memorial, or concrete work on any section or plot, or any portion thereof.

## **Service Charges And Payments**

The Management shall have the right to fix a charge and a time of payment for each interment, disinterment, plot transferred or returned, and for the performance of any other service rendered by the Management, its employees or volunteers. These fees are outlined in Appendix A and are to be reviewed annually. All work in connection with such service shall be subject to the supervision of the Management.

Any and all charges imposed by the Management must be paid in full before any work can commence on a lot.

## **Visitors to a Cemetery**

Unless otherwise specified in a cemetery's Rules and Regulations, each Cemetery is open from dawn to dusk.

All persons entering a cemetery for whatever reason must display proper respect for the deceased and for the sacred ground in which they are interred. The Management shall have the right to take any measures it deems necessary to ensure strict observance of this basic principle.

Anyone present in a cemetery after closing will be considered a trespasser. Trespassers and violators of the Rules and Regulations of a cemetery may be ejected from a cemetery, prosecuted, held liable under the law for any damage done by them, and refused admission to a cemetery in the future.

Unless otherwise specified in the Parish Handbook for the Cemeteries, no child under the age of fourteen (14) years is permitted in a cemetery unless accompanied by an adult.

No person shall pluck any flower, take cuttings of or otherwise damage any tree, plant, or shrub within a cemetery without specific permission of the Management.



No person shall be permitted to sell flowers, plants, or any other article or item, or to solicit work or the sale of any commodity whatsoever within a cemetery without the written permission of the Management.

No signs, notices, or advertising of any kind shall be allowed within a cemetery except those placed by Management.

No person is permitted to loaf, loiter or engage in any boisterous demonstration within a cemetery.

No person is permitted to throw rubbish or trash on roads, driveways, paths, walks, or any part of the grounds within the Cemetery.

No person is permitted to picnic or partake of any refreshment within a cemetery.

No person is permitted to bring or consume alcoholic beverages or controlled substances within a cemetery grounds.

No animals are permitted within a cemetery, except trained seeing-eye dogs.

All vehicles entering a cemetery shall be restricted to a cemetery roads and shall not exceed the posted speed limit.

The Management shall have the right to exclude any or all vehicles from a cemetery because of adverse weather conditions, special events or work taking place within a cemetery. Furthermore, the Management may exclude any vehicle it believes might damage in any way the roads within a cemetery or might be considered a nuisance by the Management, its employees, the plot holders and/or visitors of a cemetery.

Any vehicle that parks in front of an open grave, or parks in any way that obstructs the movement of other vehicles may be removed at the owner's expense.

The Management shall have the right to forbid and prevent assemblies within a cemetery which it deems inappropriate.

The Management shall have the right to exclude anyone who is not a plot holder or a relative of a plot holder or a person interred, as the rules and Management's judgment may dictate.

The Management shall not be liable for any injuries sustained by any person violating any of the provisions of this Handbook or any rule or regulation of a cemetery. Nor shall Management be liable for any theft or damage to any vehicles while on Cemetery property.

## **Qualified Outside Contractors**

Workmen not employed by the Management who are hired to do any kind of work on any individual plot shall operate as independent or Qualified Outside Contractors, but must do so with permission from the Management and under the general supervision of the Management.

All Qualified Outside Contractors performing work on a cemetery grounds shall present and file with the Management evidence of being bonded and proof of insurance to do business in Pennsylvania, as well as evidence of adequate insurance coverage for public liability, vehicle and property damage and Workers Compensation.

All Qualified Outside Contractors must notify the Management in advance of any work to be done and detail its plans, specifications and any anticipated obstructions of roads or paths. The Management shall determine when and how any work it has approved will be performed.

All work and other activity must cease in the immediate vicinity of the grave or crypt where funeral services are being held.

The Qualified Outside Contractor will use his best efforts to complete in a timely manner any work performed in a cemetery. No work will be allowed to remain in an unsafe, improper or unfinished state; the Management shall have the right to complete or remove said work at the expense of the plot holder or Qualified Outside Contractor.

No motorized equipment will be permitted within a cemetery without the specific consent of the Management.

Where heavy material is to be moved, the Management may require planks be laid on the walkways, paths or grass areas to protect them from damage. Damage done to lots, walks, drives, trees, shrubs, lawns or other property by Qualified Outside Contractors or their agents may be repaired by the Management, and the cost of such repairs charged to the Qualified Outside Contractor.

The Management shall have the right to stop all work whenever, in its opinion, proper preparations for the work have not been made, when tools or equipment are inadequate or defective, when work is being executed in such a manner as to threaten life or property, when the Qualified Outside Contractor has been guilty of misrepresentation, when any reasonable request by the Management or its employee has been disregarded, when work is not being executed according to approved specifications, or when any person employed on the work violates any rule or regulation of a cemetery. The Management disclaims any and all liability for damages arising from its suspension of work previously approved.

## **In General**

The statement of any employee or representative of a cemetery shall not be binding upon the Management unless the statement coincides with the terms of a Burial Privilege Certificate, the provisions of this Handbook or the Rules and Regulations of the Cemetery.

In its sole discretion the Management shall have the right to make, without notice, temporary exceptions, suspensions, or modifications in any of its Rules or Regulations. Any temporary exception, suspension, or modification shall in no way be considered as affecting the general application of the original rule or other provision of its Rules and Regulations.

In all matters not specifically covered by the provisions of this Handbook or a cemetery's Rules and Regulations, the Management shall have the right to do anything which in its judgment is deemed reasonable under the circumstances and such decisions shall be binding upon the plot holder and all parties concerned.

The Bishop shall have the right at anytime and from time to time to change, repeal or add to the provisions of the Diocesan Cemetery Handbook or to adopt a new Handbook governing parish cemeteries within the Diocese of Altoona-Johnstown. Whenever such action occurs, it shall become the duty of the Resurrection Parish Cemetery Committee to review this document and make the necessary changes. All changes must meet the approval of the Pastoral Council and then be presented to the pastor or administrator for final acceptance.

The Management shall have the right at any time and from time to time to change, repeal or add to its Rules and Regulations, or any part thereof, or to adopt any new Rules and Regulations with respect to the parish Cemetery. Copies of the Resurrection Parish Cemetery Handbook shall be made available to parishioners for review. Management will decide how this review can be accomplished. Nonetheless, a copy will always be available at the parish office.

New or changed Rules and Regulations will be posted in the Parish bulletin for a period of one month prior to their adoption. Such notice shall be considered complete and sufficient announcement of the said change. If any section, subsection, paragraph, clause or provision of the provisions of this Handbook or a cemetery's Rules and Regulations shall be adjudged invalid, such adjudication shall apply only to the provision so adjudged, and the rest of the provisions of this Handbook or a cemetery's Rules and

Regulations shall remain valid and effective.

The Management may enforce the provisions of this Handbook and its own Rules and Regulations by pursuing any remedy available to it under contract, at law or in equity, including injunctive relief.

If any plot holder is dissatisfied with the decision of the Pastor concerning the application of the provisions of this Handbook or a cemetery's Rules and Regulations, the plot holder may request that decision be reviewed by the Bishop or his representative, whose decision will be final.

## **Administration**

### **Introduction**

The Pastor of each parish with one or more cemeteries shall be responsible to the Bishop for the proper administration of a cemetery and compliance with the policies of the Diocese. With the assistance of a Parish Cemetery Committee, the Pastor or his designated representative shall direct the work of all parish employees, contractors and volunteers in the operation and maintenance of the parish Cemetery.

Each parish with one or more cemeteries shall establish a Parish Cemetery Committee. This council should consist of at least three lay members of the parish who demonstrate a commitment and a competence to supervise the operation of a cemetery. The Parish Cemetery Committee serves the Pastor of the parish in an advisory capacity. The Pastor will convene and preside at meetings as needed, but at least once each year.

The Pastor and Parish Cemetery Committee shall be responsible to perform the following duties:

- Prepare an annual Cemetery budget for approval by Parish Finance Council

- Supervise investments and transfer funds as necessary to pay Cemetery expenses
- Maintain records and maps of Cemetery
- Schedule and supervise maintenance of Cemetery property and buildings
- Plan improvements to a cemetery for approval by Parish Finance and Pastoral Councils
- Prepare reports for the Diocese
- Establish and amend Rules and Regulations pertaining to the parish Cemeteries.

The day-to-day duties of administering the parish Cemetery shall be performed by employees, volunteers or a Cemetery Manager, under the direction of the Pastor or his designated representative. They shall be responsible to perform the following duties:

- Supervise the routine maintenance of Cemetery grounds and buildings
- Along with the Parish Manager, handle the purchase of Burial Privilege Certificates
- Supervise interments and disinterments as necessary
- Oversee the installation of footers and memorials
- Maintain up-to-date records and maps of the cemeteries

## **Compensation of Administrators**

Neither the Pastor nor any member of the Parish Cemetery Committee will receive any compensation for this service to the parish community.

No volunteer who participates in activities intended to maintain or improve the property or buildings of the parish Cemetery will receive any compensation for this ministry. Only those persons specifically employed with the approval of the Pastor, the Parish Cemetery Committee, and the Finance Council will receive financial compensation for their work.

## **Required Administrative Records And Reports**

The Pastor and Parish Cemetery Committee will prepare and maintain a comprehensive record of a cemetery, which will include the following:

- The identification of every plot, including the name and address of the current plot holder, the number and location of spaces included in that plot, the names of all who have been interred in the plot, the purchase price, and all payments made for the burial privilege, for any services provided by the Management, and for Annual or Perpetual Care
- An accurate map of the graves and crypts of a cemetery, designating those sold and those used
- To the extent that it is practicable, a collection of Cemetery documents that were distributed to plot holders in the past, specifically including blank copies of the Burial Privilege Certificate and other agreements, Rules and Regulations and any other documents that defined rights or expectations of either the plot holder or the Management
- The Rules and Regulations of the local Cemeteries prepared and published by the Pastor and the Parish Cemetery Committee.

The original records and map must be stored in a fire-proof container, and an up-to-date copy of these records and map must be stored at a separate location from the first.

The Pastor and Parish Cemetery Committee will file an annual report with the Diocese of Altoona-Johnstown, detailing the revenue, expenditures and balances of all funds designated to pay for the operation and preservation of a cemetery.

# Funding of a Cemetery

## **Introduction**

There must be two separate Cemetery funds: the Perpetual Care Fund and the General Maintenance Fund. Both the Perpetual Care Fund and the General Maintenance Fund must be accounts separate from each other and separate from all other church accounts. There shall be no commingling of any parish funds with either Cemetery fund. No money from either cemetery fund can be transferred, loaned or used as collateral to pay for a church expense.

The Perpetual Care Fund is a trust fund whose interest earnings establish a permanent source of revenue for the General Maintenance Fund. Under no circumstances is the principal amount of The Perpetual Care Fund to be spent or loaned. Resurrection Parish maintains six Perpetual Care accounts, one for each cemetery.

The Perpetual Care Fund is made up of money from the following sources: At least 25% of the gross revenue derived from the sale of graves and crypts; At least 15% of the annual interest income earned on investments specifically designated to provide perpetual care of a cemetery property; 100% of the bequests, fund-raising activities and parish contributions specifically designated to provide for perpetual care of a cemetery properties; and at least 25% of gross revenue from the sale of cemetery properties or its timber or mineral rights.

The General Maintenance Fund will cover the expenses of administering, maintaining, protecting and improving the land, buildings and equipment of the parish Cemeteries.

The General Maintenance Fund includes all cemeteries' monies not in the Perpetual Care Fund, such as checking or savings accounts at local banks, in the Diocesan Mutual Aid Plan or elsewhere. Resurrection Parish maintains one General Maintenance Fund to ensure the care of all six cemeteries.

The General Maintenance Fund is made up of money from the following sources: Not more than 75% of the gross revenue derived from the sale of



graves or crypts; not more than 85% of the interest income earned on investments of the Perpetual Care Fund; 100% of the gross revenue from fees for opening graves, issuing new Burial Privilege Certificates, reviewing and approving memorials; 100% of the annual fees paid by plot holders or crypt owners for the care of their property; 100% of bequests, fund-raising activities and parish contributions specifically made to support the general maintenance of the parish cemeteries; and not more than 75% of the gross revenue from the sale of cemetery properties or its timber or mineral rights.

## **Investment Requirements of The Perpetual Care Fund**

All monies in the Perpetual Care Fund must be deposited in a trust fund administered by the Diocesan Mutual Aid Plan or Foundation for the Diocese of Altoona-Johnstown.

The trustee of the Perpetual Care Fund will provide periodic reports on earnings and expenditures to the Pastor and Parish Cemetery Committee, at least once a year.

## **Local Issues**

The diocese recognizes that there are policies and practices of a cemetery that are better determined at the parish level. These are specified in these Rules and Regulations. What follows are some of these issues.

Only one interment shall be permitted in each grave or crypt, except in the case of: A parent and an infant child; twin children under ten years of age buried at the same time; Two interments of cremated remains; or the interment of an adult and one interment of cremated remains.

The parish office needs to be notified by the funeral director of any interments that will take place at parish cemeteries prior to the opening of the grave. The following information shall be furnished: Name, age, sex, and places of birth and death of the deceased; Lot, section and space number; Name of

owner of interment space; Name of funeral director; Exact size of burial container or casket; Date of interment and time of arrival at Cemetery; and Name and address of the next of kin.

Arrangements satisfactory to the Management for the payment of any or all indebtedness due a cemetery must be made before any interment or disinterment is made.

Flowers may be arranged at the site of an interment. Floral designs shall conform to Catholic thought and practice.

When and how plot holders may place flowers, wreathes and flags shall be designated by the Management.

## **Handout for Plot Holders**

### **Introduction**

From the time that the Body of our Crucified Savior was laid in the tomb to await the his glorious Resurrection, the Church has been most solicitous to surround with an atmosphere of Christian faith and reverence the burial of those who will rise with Christ. As a further seal and symbol of that faith she sets apart and blesses the place in which the bodies of her faithful departed await the day of Resurrection.

In the very earliest days, Mother Church found it necessary to make rules and regulations which would protect the sacred places and the relics laid therein. She could not and would not allow anything within the holy precincts which would desecrate them, lessen their beauty or bring dishonor on the dead.

To insure the sacred character of Resurrection Parish cemeteries, each cemetery is governed by the Pastor relying on his Cemetery Committee. The Cemetery Committee has developed a Parish Cemetery Handbook for this purpose. This Handbook incorporates directives from the Canon Law of the Roman Catholic Church along with guidelines from the Handbook for Parish Cemeteries issued by the Bishop of the Diocese. A copy of the complete

Handbook is available for review in the Parish office.

This is a Catholic Cemetery operated and maintained for the interment of those entitled to Christian burial according to the guidelines of the Roman Catholic Church. When one purchases a Burial Privilege Certificate, he or she and heirs bind themselves to the governing principles mentioned above currently in effect, or as amended in the future. Violation of these principles may result in the forfeiture of one's privilege to use the burial plot. When a plot holder is dissatisfied with the Pastor's application of the provisions of Canon Law or the Handbook for Resurrection Parish Cemeteries, appeal may be made to the Diocesan Bishop. He or his designated representative will make the final decision.

### **Buyer's Rights and Responsibilities**

The purchase of a Burial Privilege Certificate, whether in a grave or a crypt, does not acquire title to the property itself. Plots are for the interment of the plot holder; they may not be sold for profit by holders of Burial Privilege Certificates. All interments must be in accord with Church Law. No symbols or ceremonies, religious or otherwise, may be used or performed that would be contrary or offensive to Catholic principles.

This is a Catholic Cemetery. To keep its distinctly religious nature, only Christian symbols are permitted on the memorials. Scenes depicting a decedent's occupation, hobbies, interests, fraternal associations, and so on, are not permitted. The depiction of animals as found in Sacred Scripture is appropriate only if the Scripture verse is used with it to show that it is of a religious nature. Therefore, the Management requests a printed diagram showing the design and specifications for each memorial and inscription for advance approval.

All memorials are to be finished in accordance with trade standards and good craftsmanship. They must be in proportion to the size of the lot. Their foundations must be installed by qualified bonded contractors under the supervision of the Management. In the event that a memorial does not

conform to the specifications as approved, the Management will request that the memorial be removed by the dealer, otherwise the Management shall have the right to remove it at the expense of the dealer.

Memorial dealers and outside contractors are considered independent contractors and are to be bonded for work in the Cemetery. The Management is not responsible for defects in memorials or foundations caused by the memorial dealer.

Perpetual Care includes the cutting of grass and trimming around memorials. Care does not include placement, maintenance or repair of any memorials or the planting of flowers or ornamental plants on specific plots.

To facilitate routine care and maintenance of a cemetery, plot holders may plant and prune flowers, but not shrubs or trees, nor may they erect fences, border arrangements, furniture, or any decorations without prior approval of the Management.

The Management is not liable for damages arising from vandalism, natural disasters, public unrest, or any cause beyond the reasonable control of the Management.

The Management may refuse to open a grave or permit the placement of a memorial when just debts are not paid or when there is a question of ownership of the plot.

The Management may, at its discretion, repurchase plots, graves or crypts at original cost minus any outstanding expenses. Any transfer of ownership rights must be made by the Management.

Plot holders are to keep the Management informed of their current address. The address on file will be considered the legal address for notices pertaining to a cemetery.

Upon the death of a plot holder, all privileges in the plot shall pass to the spouse; then to those named or designated in instructions left for a cemetery or in the will; finally to those designated according to the Pennsylvania law of

intestacy. A new Burial Privilege Certificate is to be issued in all instances by the Management.

All inquiries and business concerning the cemeteries are to be made through the cemetery manager or the parish manager.

## **Visitors**

This Cemetery is private property. Unless otherwise specified in The Parish Handbook, a cemetery is closed from dusk to dawn.

All persons entering a cemetery for whatever reason must display proper respect for the deceased and for the sacred ground in which they are interred.

The Management shall have the right to take such measures as the circumstances warrant in order to ensure strict observance of this basic principle.

Unless otherwise specified, children under the age of fourteen (14) years must be accompanied by a parent or other adult. No pets except trained seeing-eye dogs are permitted on Cemetery grounds.

There is to be no loitering or unlawful assembly, no boisterous language or inappropriate actions, no alcohol or controlled substances in the cemeteries.

No firearms may be brought on to the property or discharged without permission of the Management. Hunting on Cemetery property, littering and vandalism are punishable by a fine and/or imprisonment. Violators will be prosecuted.

All off-highway vehicles, bicycles, skateboards, roller blades, snowmobiles, etc. are prohibited in a cemetery. No illegal parking of cars is permitted. The speed limit in a cemetery is a maximum of 10 MPH.

The Management shall have the right to make improvements to the cemeteries at all times.

In all matters not herein specifically covered, the Management shall have the right to determine and decide any and all questions that shall arise.