

DIOCESE OF ROCKFORD

CATHOLIC CEMETERIES

THE RULES AND REGULATIONS
of
THE CATHOLIC CEMETERIES
of
THE DIOCESE OF ROCKFORD

Revised September 2017

DIOCESE OF ROCKFORD

CATHOLIC CEMETERIES

IN GENERAL

- A. The statements or representations of any employee of the Catholic Cemeteries-Diocese of Rockford shall not be binding on such Authorities except as they coincide with the document conveying the right of interment, and with these rules and regulations.
- B. These rules and regulations shall apply, where applicable, to any mausoleum or columbarium now in existence or which may hereafter be erected in the cemetery.
- C. The Cemetery Authorities reserve the right, without notice, to make temporary exceptions, suspensions or modifications in any of these rules and regulations, when in their judgement, the same appear advisable and such temporary exception, suspension or modifications shall in no way be considered a waiver or as in any manner affecting the general application of such rule.
- D. In all matters not specifically covered by these rules and regulations, the Cemetery Authorities reserve the right to do anything which in its judgement is deemed reasonable on the premises, and such determination shall be binding upon the lot holder and all parties concerned.
- E. The Catholic Cemeteries-Diocese of Rockford through its Cemetery Authorities reserve the right any time and from time to time to change, amend, alter, repeal, rescind or add to these rules and regulations or any part thereof, or to adopt any new rule or regulation with respect to its cemeteries or anything pertaining thereto.

Approved by: David J. Malloy

Most Reverend David J. Malloy, D.D., J.C.L., S.T.D.

Date: 25th Day of August 2017

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PREAMBLE

Ever since the Sacred Body of our Crucified Savior was reverently laid in the tomb, there to await the hour of its glorious Resurrection, the Church has been most solicitous to surround the burial of those who hope to rise with Christ with an atmosphere of deep Christian faith and profound reverence. In the Order of Christian Funerals, the Church gives voice to her belief in the Christian Doctrines of the Resurrection of the body, the Communion of Saints and Life Everlasting, but as a further seal and symbol of that faith, she sets apart and solemnly blesses the place in which the bodies of her faithful departed await the day of Resurrection.

In the 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 to the dead.

To insure the sacred character of the Catholic Cemeteries of the Diocese of Rockford in accord with the mind and traditional practice of the Church, and to establish and maintain good order, the following rules and regulations are in effect.

MISSION STATEMENT

We, the People of the Roman Catholic Diocese of Rockford, are called by the Father through baptism to be the new people of God. United in faith and relying on the abiding presence of the Holy Spirit, we have access to the redeeming love of Jesus, the Christ. This love allows us the care and compassion to alleviate the suffering of those in our faith community who face difficulties at the time of a death.

As Catholic Cemeterians in the Diocese of Rockford, we are called to share in His mission to proclaim the Reign of God in Word, Sacrament, and Service.

This call is particularly unique in the service we offer to our Catholic Communities: to bury their dead with dignity and grace, to care for the families at their time of grief, and to beautify the places where their loved ones' physical remains are buried.

“The Church, who as Mother has borne the Christian sacramentally in her womb during his earthly pilgrimage, accompanies him at his journey’s end, in order to surrender him ‘into the Father’s hands.’ She offers to the Father, in Christ, the child of his grace, and she commits to the earth, in hope, the seed of the body that will rise in glory. This offering is fully celebrated in the Eucharistic Sacrifice.”

CCC 1683

VISION STATEMENT

Though the time of death is traumatic, an occasion of considerable emotional and financial strain, it is always and primarily a moment of religious significance. Death begins the culmination of our earthly pilgrimage and our passage to eternity.

We must spread the word that the final expression of our faith as Catholics is the blessed and sacred burial in a Catholic cemetery. We must proclaim the sacred right, privilege and loving duty of each and every Catholic to choose such a burial.

RULES AND REGULATIONS OF THE
CATHOLIC CEMETERIES OF THE DIOCESE OF ROCKFORD

For the mutual protection and benefit of lot holders in the Catholic Cemeteries of the Diocese of Rockford, the Director of said Catholic Cemeteries-Diocese of Rockford, under the Presidency of the Most Reverend Bishop of the Diocese of Rockford, hereby adopts the following rules and regulations. All lot holders and persons within the Cemeteries, and all lots, shall be subject to said rules and regulations and such amendments or alterations thereof. Additions thereto as shall be adopted by the Director of Catholic Cemeteries-Diocese of Rockford, or by the Bishop of the Catholic Diocese of Rockford, from time to time; and the reference to these rules and regulations in the document conveying the right of interment or entombment shall have the same force and effect as if set forth in full therein.

These rules and regulations are not considered to be all-inclusive. They cover only broad areas. Individual cases will be decided by the Manager, Superintendent, Pastor or Director of Catholic Cemeteries.

DEFINITIONS

- Cemetery: any land or structure in the State of Illinois dedicated to and used for, the interment, inurnment, or entombment of human remains.
- Cemetery Authority: any individual or legal entity that owns or controls cemetery lands or property.
- Columbarium: a standalone or wall grouping of multiple niches designed to hold receptacles containing cremated human remains.
- Crypt: a space of sufficient size in a mausoleum used, or intended to be used to entomb human remains.
- Entombment right: the right to place individual human remains or individual cremated remains in a specific mausoleum crypt or niche selected by a consumer for use as a final resting place.
- Grave: a space of ground in the Cemetery used, or intended to be used, for the burial of human remains in a casket or cremation container and vault.
- Income care: In the Catholic Cemeteries of the Diocese of Rockford, Income Care is 20% of the cost of a grave, crypt, or niche, which is invested for the future care of the cemetery.
- Interment: meant for either earth burial or crypt or niche burial.
- Inurnment: specifically used for niche burial.
- Lot: includes and applies to easement rights of more than one grave.
- Lot holder: includes a person or persons who have purchased interment rights or who hold same by right of inheritance or transfer.
- Memorial: includes monument, grave marker, and mausoleum crypt front, for one or more deceased persons.

PURPOSE OF THE CEMETERY

- A. The Catholic Cemetery is intended for the interment of Catholics who are entitled to ecclesiastical burial according to the rules and discipline of the Roman Catholic Church and regulations of the Diocese of Rockford. Any questions of the burial of any person not entitled to ecclesiastical burial according to the rules and discipline of the Roman Catholic Church and the regulations of the Diocese of Rockford or of a non-Catholic member of a lot holder's family, shall be decided exclusively by the Director and Local Ordinary and such decision is final.
- B. While the Church has always held and taught a clear preference for curial of the body intact, it also recognizes a person's right to choose cremation as part of the method of interment. Cremation is not forbidden, unless it has been chosen for reasons which are contrary to Christian teaching.

Permission for cremation (and for the burial of cremated remains) may be denied when that cremation was performed because of a sectarian spirit, hatred of the Catholic religion, or the Church, or a denial of Christian Doctrine.

ADMISSION TO THE CEMETERY

- A. The Cemetery Authorities shall, at their discretion, admit or refuse to admit to the Cemetery and shall permit or refuse to permit the use of any of the Cemetery's equipment or facilities at any time to any person or persons as the rules, judgement, and tradition may dictate.

ARRANGEMENTS FOR INTERMENT/ENTOMBMENT/INURNMENTS

- A. The Cemetery Authorities shall have the right to request those wishing to make a selection of a lot, or arrange for an interment or entombment, to call at the Cemetery Office in ample time to complete arrangements before closing time of such Cemetery Office. As written in the Illinois Cemetery Oversight Act, Sec 20-10, "At the time cemetery arrangements are made and prior to rendering the cemetery services, a cemetery authority shall create a written contract to be provided to the consumer, signed by both parties, that shall contain:; 1) the date on which the arrangements were made; 2) the price of the service selected and the services and merchandise included for that price; 3) the supplemental items of service and merchandise requested and the price of each item; 4) the terms or method of payment agreed upon; and 5) a statement as to any monetary advances made on behalf of the family.
- B. The Cemetery Authorities shall not be responsible for any order given by telephone or any mistake occurring from the want of proper instructions as to the size of the casket, or as to the particular grave or crypt location where interment is to be made, if the family chooses not to come to the cemetery to sign the contract and confirm the grave, crypt, or niche location in person. An equitable charge will be made whenever additional labor costs result in such mistakes.
- C. The Cemetery Authorities shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where the rules and regulations have not been complied with, or where said rules and regulations shall forbid such interment; and further, said Cemetery Authorities reserve the right, under such circumstances, to place the body in a receiving vault until full rights have been determined. Any protest must be in writing and filed in the Cemetery office.
- D. No organizations, except those approved by the Ordinary of the Diocese and patriotic organizations will be permitted to conduct services in any cemetery.

INTERMENT, ENTOMBMENT, INURNMENT PROCEDURES

- A. All funerals upon entering the Cemetery shall be under the exclusive charge and sole direction of the Cemetery Authorities.
- B. A Burial Permit for each funeral, as required by Illinois law, must be presented to the Cemetery Authorities before the funeral is completed.
- C. The casket may not be opened at any time within the Cemetery without the express permission and in the presence of the Cemetery Authorities, and then only upon prior presentation of a court order to do so. Permission to anyone to open the casket or to touch the body for a good and worthy reason without the consent of the legal representative of the deceased and without a court order, shall be refused. In the event necessity requires, the Cemetery Authorities may take appropriate steps to correct any obnoxious or improper condition.
- D. No disinterment or removal shall be allowed except for a good reason and with the permission of the Cemetery Authorities and with written authorization of the grave or lot holders and nearest of kin and according to proper legal procedure. (*see Heirship Guidelines for disinterments for further information*).
- E. The Cemetery Authorities shall exercise due care in making a disinterment and removal, but shall assume no liability for the damage to any casket or outer container incurred in making the disinterment and removal.
- F. Funeral homes must contact the cemetery for scheduling the funeral at the earliest time. The hour and the manner in which interments, disinterments and removals will or will not be permitted shall be designated at the sole discretion of the Cemetery Authorities.
- G. The Cemetery Authorities reserve, and will have, the right to correct any errors that may occur either in making interments, disinterments, or removals or in the description, transfer or conveyance of any interment rights or grave or lot. Canceling either such conveyance and substituting will do this or conveying in lieu thereof, other interment rights or grave or lot of equal value and similar location. Such conveyance is to be selected by the Cemetery Authorities. Also, in the sole discretion of said Cemetery Authorities, a refund of the sum paid on account of said purchase may be returned to the Buyer. In the event any such error shall involve the interment of the remains of any person in any grave or lot, the Cemetery Authorities reserve, and shall have, the right to remove and reinter the remains in such other grave or lot of equal value and similar location as may be substituted and conveyed in lieu thereof.
- H. Only persons employed by Catholic Cemeteries-Diocese of Rockford, and only equipment owned by said Association, shall be used in making interments,, or removals, unless the Cemetery Authorities make other arrangements.
- I. Cemetery personnel will not be held responsible for damages or injuries resulting from defects in burial vaults, concrete cases and lids thereof when they set or seal said vaults, cases or lids or maintain the same.

DISINTERMENT PROCEDURES

The basic policy governing disinterments and reinterments has been established as follows:

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- A. No disinterment or removal shall be allowed except for a good reason. All disinterments and removals will require the permission of the Cemetery Authorities and the written authorization of the grave or lot holders and the nearest next of kin and the blood heirs of the deceased. All documents will be executed according to proper legal procedures. **A FAMILY IS NOT ALLOWED TO WITNESS THE DISINTERMENT /REINTERMENT PROCEDURE.**
- B. The Cemetery Authorities shall exercise due care in making a disinterment and removal, but shall assume no liability for the damage to any casket or out burial container incurred in making the disinterment and removal.
- C. The hour and manner in which interments, disinterments, and removals will or will not be permitted shall be designated at the sole discretion of the Cemetery Authorities.
- D. The Cemetery Authorities reserve, and shall have, the right to correct any errors that may occur either in making interments, disinterments, or removals or in the description, transfer or conveyance of any interment rights or grave or lot, either by canceling such conveyance and substituting and conveying in lieu thereof other interment rights of a grave or lot of equal value and similar location as far as possible, as may be selected by the Cemetery Authorities, or in the sole discretion of said Cemetery Authorities, by refunding the sum paid on account of said purchase. If the event of any such error shall involve the interment of the remains of any person in any grave or lot, the Cemetery Authorities reserve, and shall have, the right to remove and reinter the remains in such other grave or lot of equal value and similar location as may be substituted and conveyed in lieu thereof.

HEIRSHIP GUIDELINES FOR DISINTERMENTS

Listed below are some examples of the procedures that should be followed to establish the names and relationships of the persons who are required to sign the removal order for a requested disinterment or a removal. These established names and relationships should be recorded in the "Heirship" space of the removal order. These guidelines will not cover all possible situations, but will serve as examples that will help you in dealing with removals in general.

Example I.

Request by Mrs. Mary Doe to move her husband, John Doe, Sr.

HEIRSHIP

John Doe, Sr. and Mary Doe were married only once and then only to each other. Of this union, six (6) children were born.

John Doe, Jr.
Walter Doe (a deceased minor)
Anne Doe Brown
Joan Doe (A deceased unmarried adult)
Harry Doe
Donald Doe

Mrs. Mary Doe and all the living children of John and Mary Doe are required to sign the removal order. If Mrs. Mary Doe is deceased also and one of the children made this request for a removal, all the living children of John and Mary Doe are required to sign for the removal of either parent.

EXAMPLE 2.

Request from Mr. John Doe, Sr. and Mrs. Mary Doe to move their son, Walter Doe (a minor).

HEIRSHIP

John Doe, Sr. and Mary Doe were married only once and then only to each other. Of this union six (6) children were born.

John Doe Jr.
Walter Doe (A deceased minor)
Anne Doe Brown
Joan Doe (A deceased unmarried adult)
Harry Doe
Donald Doe

Only John Doe, Sr. and Mary Doe are required to sign the removal order since Walter was a minor. If either of the parents are deceased, the remaining parent's signature is the only authorized signature needed.

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EXAMPLE 3.

Request from Mr. John Doe, Sr. and Mrs. Mary Doe to move their daughter, Joan Doe, an adult that has never married and has no blood heirs other than her parents and brothers and sister.

HEIRSHIP
 John Doe, Sr. and Mary Doe were married only once and then only to each other. Of this union, six (6) children were born.
 John Doe Jr.
 Walter Doe (A deceased minor)
 Anne Doe Brown
 Joan Doe (A deceased unmarried adult)
 Harry Doe
 Donald Doe

John Doe, Sr., Mary Doe and all the living brothers and sister of Joan Doe are required to sign the removal order. Since Joan Doe was an adult, it may have been her decision to select her present resting place, and one of her blood heirs may want to honor that decision by not signing the removal order.

INSTRUCTIONS TO HOLDERS OF CEMETERY AND MAUSOLEUM RIGHTS

- A. Persons arranging for interments, entombments, or inurnments should visit the Cemetery where the Cemetery Authorities will assist them in effecting the necessary arrangements.
- B. The Cemetery Authorities reserve the right to specify the terms of purchase of all interment rights in lots, mausoleum crypts, niches, and the manner in which said right shall be held or exercised.

Full payment for purchase of graves, crypts, and niches must be made in a reasonable length of time. A reasonable time period for payment is set at two years for purchase of grave space, crypts, and niches. All graves, crypts, and niches must be paid in full before use of same. Any exceptions must be stated in written contract between buyer and seller (cemetery).

- C. Should the lot, crypt or niche holder fail to carry out the terms of the purchase agreement, the Cemetery Authorities may declare said agreement cancelled and all rights of the purchaser in and to the lot, crypt or niche forfeited. The buyer shall have returned the amount of down payment and/or whatever payments Buyer had made, less a reasonable charge to cover administrative costs. Grave sites or mausoleum crypts/niches will then be returned to the cemetery inventory and the buyer’s name removed from all inventory records.

Documentation of all matters pertaining to this action will be kept on file in the cemetery office.

This regulation confronts the buyer who has not made reasonable and timely payments on his/her purchase of grave sites or mausoleum crypts or niches and charges for said purchase have increased since the original purchase. “Reasonable and timely payments” are defined as full payment within two years for grave site and crypts/niches.

- D. Due to relocation or other family circumstances, a buyer may wish to sell the grave easement rights or mausoleum entombment/inurnment rights back to the Cemetery Authorities. This may be done in the following manner:
- a. Buyer must contact the cemetery office and turn in the easement right or mausoleum right of entombment form or receipt for payment of above. The buyer would receive a refund in the amount of the original purchase price of the grave, lot, crypt or niche only, less a charge for administrative costs. If the original buyers are deceased, and there is no occupancy in the graves, lots, crypt, or niche, all the children of the deceased owners (or the children's children if a child is deceased) would need to sign the indemnity form. In this case, the purchase price, less fees, would be equally distributed to all the heirs. After all the paperwork has been signed and approved by the Cemetery Authorities, there is a 90 day waiting period before the distribution is made.
- E. No coping, curbing, fencing hedges, borders, perennial plantings, or enclosures of any kind shall be allowed around a grave or lot and the same will be removed if so erected, planted or placed.
- F. All adult and child graves interments shall be made in an approved outer burial container made either of concrete or approved other material. Concrete or approved material vaults are not to be used alone for the burial of human remains.

All persons buried or entombed must be placed in a casket that is rigid in structure, with handles that allow for placement and removal from a vault or crypt.

- G. A Cremation vault is required for all cremated remains that are buried in Catholic Cemeteries in the Rockford Diocese. All cremated remains will be buried at least 6" from the surface. This means that the outer burial container's top will be 6" from the surface minimally. Once interred, the cremated remains may not be disinterred in order to remove partial cremated remains. The cemetery is not responsible for locating cremated remains that were buried prior to the cremation vault requirement.
- H. When cremated remains are buried in a cemetery, regardless if they are buried alone, or included in the burial of another, the cemetery must have a Disposition of Cremated Remains permit for those cremated remains, and have the ability to receive payment for the burial. Cremated remains are not permitted to be placed inside the casket of another decedent, in order to prevent comingling of remains. Cremated remains of two people may not be co-mingled, each must have their own separate compartment.
- I. Interment of non-Catholic members of a Catholic family will be permitted under certain conditions, as the Church does not wish to separate in death those who were united in life, but such interment shall be subject in each instance to permission of the Cemetery Authorities.
- J. The use of a grave or lot is for the grave or lot holder, or the grave or lot holder's heirs, for interment purchases only and the easement and right of interment granted therein is not transferable, except with the prior written consent of the Cemetery Authorities. By specific written authorization of the Cemetery Authorities and the blood heirs, a person not a member of the grave or lot holder's family may be interred grave or lot.
- K. In the event of the death of a grave or lot holder any and all rights of the grave or lot holder shall pay to the grave or lot holder's family in the following manner:

- a. In all cases the surviving spouse of the original holder or holders of record of the grave or lot has an unconditional dower right of interment in the grave or lot. This right may be waived at any time, but is not transferable and terminated with the burial elsewhere or remarriage.
- b. As a general principle, when a selection is made by a husband and wife, it is desirable to enter title in both names “In Joint Tenancy with the right of Survivorship.” However, the desire of the purchaser should be ascertained in all cases.
- c. Where burial privileges in the grave or lot are held in the name of one person only: (See Appendix A) the rights of interment in the remainder of the lot or in the grave may be disposed of by specific request in a will, but not by residuary clause. In the absence of a specific bequest such rights of interment descend from the original holder of record in the following order:
 - i. To the children of the holder of record and to the children of deceased children.
 - ii. If none of the children of the original holder are living, then to the grandchildren.
 - iii. If no children or grandchildren, then to the parents or parent and brothers and sisters and children of deceased brothers and sisters of the original holder of record.
 - iv. If no child or grandchild, parent or brother or sister is living, then to the nieces and nephews of the original holder;
 - v. To the next of kin of the original holder of record.
- d. Where burial privileges in the grave or lot are held in the name of more than one person with the right of survivorship provided; (See Appendix B)
 The rights of interment in the remainder of the lot or in the grave may be disposed of by specific bequest in a will, not by residuary clause. In the absence of a specific bequest, such rights of interment descend from the original holders of record as follows:
 - i. Upon the death of one of the joint holders of record, right of interment passes to the surviving joint holder or holders.
 - ii. Upon the death of the last surviving joint holder, right of interment descends in the order set forth in letter [c] above.
- e. Where burial privileges in the grave or lot are held in the name of more than one person without the right of survivorship provided; (See Appendix C)

The rights of interments in the grave or in each of the several undivided portions of the lot may be disposed of by a specific bequest in a will, but not by residuary clause. In the absence of a specific bequest such rights of interment descend from the original holders of records as follows:

- i. Upon the death of each of the holders descends in the order as set forth in number [c] above.

When no one included in the classifications as set forth above is living, burial rights will have terminated.

- L. Transfer of a grave or lot or any portion of a lot may be made by the original holder or holders or heirs of the original holder(s) and then only with the approval of the Cemetery Authorities. All heirs must agree, in writing, to the transfer.

- M. The intent of the grave reservation is for interment of the person designated. In the event it is not used for this purpose, the use and control of the aforementioned grave shall revert to the owners or their heirs.

Each heir shares equally and jointly in the burial rights in the grave or lot as long as a vacant lot remains. Written authorization for interment or entombment shall be obtained from 2/3 of all living heirs for any person not a blood heir.

- N. The spouse of an heir or any non-heir may not be interred in the grave, lot or crypt/niche except upon the written authorization of 2/3 of all heirs. All heirs must be informed of this designation of burial rights to a non-heir, even those who did not approve it.

MULTIPLE INTERMENTS/INURNMENTS

In cemeteries where multiple interments or inurnments are permitted on a burial site, when the grave is occupied, permission must be sought from the Cemetery Authorities, as well as the next of kin of the deceased. Written permission from next of kin of the deceased must be on file in the cemetery office before a multiple interment can be made.

In the event that two persons wish to occupy the same grave, prior to one being deceased, permission must be sought from the Cemetery Authorities in advance of a burial. This allows for proper placement of casket and cremated remains urn and vault. When a cremation burial and a full body burial share the same grave space, a “second rite of interment charge” will be made.

Memorialization on graves must be made according to the rules of the cemetery.

RIGHT TO REPLAT

- A. No easement or right of interment is granted to any grave or lot holder in any walk, road or drive within the Cemetery, but such walk, road or drive may be used as a means of access to the Cemetery and its buildings as long as the Cemetery Authorities devote such road, drive or walk to that purpose.

In some cemeteries, to accommodate burials, Cemetery Authorities have converted walkways into grave spaces.

- B. The Cemetery Authorities, their agents and employees, other grave owners and those reasonably entitled thereto, shall have a perpetual right over graves and lots to pass to and from other graves and lots to which no other means of access is available.
- C. The Cemetery Authorities may at any time or from time to time for the erecting of buildings, or for any purpose or use connected with, incident to, or convenient for, the care of, the preservation of, or preparation for the interment of human dead bodies or other cemetery purpose:
 - a. Resurvey, enlarge, diminish, replat, alter in shape and size, or otherwise change all or any part or portion of the Cemetery.
 - b. Lay out, establish, close, eliminate or otherwise modify or change the location of roads, walks or drives.
- D. The Cemetery Authorities shall have, to be exercised at any time and from time to time, easements and rights of way over and through all of said Cemetery premises for the purposes of installing,

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maintaining, and operating pipelines, conduits or drains for sprinklers, drainage, electric or communication lines or for any other cemetery purpose.

SERVICE CHARGES AND PAYMENT

- A. The Cemetery Authorities shall have a right to fix a charge and time of payment for each interment, disinterment, removal, lot, crypt, niche transferred or released, and for the performance of any other service rendered by the Cemetery Authorities; and all work in connection with such service shall be subject to the determination and supervision of said Catholic Authorities.
- B. Any indebtedness due for work performed on a lot, crypt, niche, must be paid before an interment, inurnment or entombment may be made, or before any memorial may be erected.

USE OF THE CEMETERY

- A. Children under fifteen years of age are not permitted within the Cemetery unless accompanied by proper persons to care for them. Adults are responsible for their children when visiting the cemetery and are charged with keeping them away from monuments and from playing on monuments. Catholic Cemeteries is not responsible for the upkeep and maintenance of memorials. It is the responsibility of the lot holder or heirs to secure the monument.

In the event that all original lot holders and their heirs are deceased, Catholic Cemeteries declares the right to remove and place a monument deemed unsafe by Cemetery Authorities, flat on the ground in the safest position possible.

- B. Animals are not allowed in the Cemetery or in any buildings in the Cemetery. (Exception: specially trained dogs to assist those in need.)
- C. Turf shall not be disturbed for any purpose except under written authorization or under supervision of the Cemetery Authorities.
- D. The Cemetery Authorities shall not be liable for vases, floral pieces, baskets or flowers which are attached to such floral pieces for funeral services in the Cemetery.
- E. Any funeral floral frames, vases, ribbons not called for within a reasonable length of time after the interment will be removed by the Cemetery staff and disposed of by the Cemetery Authorities, in any manner they see fit.
- F. Automobiles, funeral cars and other vehicles must be kept under control at all times. At no time shall such vehicles drive through the gates or within the Cemetery at a speed in excess of 15 miles per hour.
- G. No one shall pluck any flower or break any branches or remove, injure, or cut any tree, plant or shrub.
- H. Any assemblages which the Cemetery Authorities deem improper shall be forbidden and prevented by said Authorities.

CEMETERY HOURS

The Cemetery Authorities shall have the right to fix the opening and closing hours of each cemetery, cemetery office, and all buildings.

CORRECTION OF ERRORS

Cemetery Authorities shall have the right to correct any errors or omissions in recordation and in the granting or making of interment, entombments, or disinterments including, without limitation, the right to inter or disinter/reinter in a comparable location.

GRADING, LANDSCAPING AND IMPROVEMENTS

- A. All grading and improvements of any kind and all care and maintenance of graves and lots shall be done solely by the Cemetery Authorities and/or subcontractors.
- B. The landscape plans of the Cemetery Authorities in respect to the location and varieties of trees and shrubs planted by the Cemetery Authorities are the only trees and shrubs allowed to be planted in the Catholic Cemeteries. Shrubs and trees planted by individual lot/grave holders will be removed by the Cemetery Authorities.

EMPLOYEES

- A. All work performed in the Cemetery shall be done by Cemetery employees, or outside workmen contracted by the Cemetery Authorities.
- B. Cemetery employees are not permitted to do any work for grave or lot holders except upon the order of the Cemetery Authorities.
- C. No Cemetery employee shall receive any fee or gratuity, directly or indirectly.

OUTSIDE CONTRACTORS

- A. The Cemetery Authorities reserve, and shall have, the right to give authorization to any workmen, other than employees of the cemetery, before they may do work in any cemetery. Lot, crypt, niche holders may have certain work done in accordance with the Rules and Regulations at their own expense upon application to the Cemetery Authorities; prices to be agreed upon and paid before said work is done.
- B. Outside contractors must notify Cemetery Authorities that they are on the premises each day.

LOSS OR DAMAGE

- A. The Cemetery Authorities disclaim all responsibility for loss or damage from causes beyond their reasonable control, and especially from damage by an act of God, the elements, earthquakes, war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, or any causes similar or dissimilar beyond control of said authorities, whether the damage be direct or collateral. In the event it becomes necessary to reconstruct or repair any section or lot, including graves or crypts, or any portion or portions thereof in the Cemetery, or any mausoleum or sarcophagus which has been damaged by such causes, the Cemetery Authorities shall give a 10 day written notice of the necessity for such repair to the grave or lot holder of record at his/her address as listed in the records of the Cemetery. In the event the grave or lot holder fails to repair the damage within a reasonable time, the Cemetery Authorities may direct that the repairs be made and charge the expense against the grave or lot and to the grave or lot holder of record.

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- B. The Cemetery Authorities disclaim all responsibility for damage of any kind that may occur to memorials in the normal course of cemetery operations, performed with reasonable care and caution.

CARE

- A. The cemeteries operated by the Diocese of Rockford, a non-profit corporation, are "Income Care" cemeteries. All monies are used for cemetery purposes; a portion is set aside for investment, and the proceeds thereof are used to provide general care. "Income Care" is to be understood as that care and maintenance necessitated by natural growth and ordinary wear, and includes cutting of lawns, and the cleaning and maintenance of roadways, walks and buildings, provided there are sufficient funds for these purposes.
- B. The term "Income Care" shall in no case mean the maintenance, repair or replacement of any memorial placed or erected upon any lot, crypt, niche; nor the planting, cutting, watering or care of any privately planted tree or shrub (which will be removed); nor the planting of flowers or ornamental plants, nor the doing of any special or unusual work in any cemetery; nor does it mean the reconstruction of any granite, bronze, or concrete work on any section of the lot, crypt, niche, or any portions thereof in any cemetery, injured or damaged by any cause, direct or indirect, beyond the Cemetery Authorities reasonable control.

MAUSOLEUMS

- A. Cemetery Authorities reserve the right to remove from a crypt front any item affixed to the crypt front without notice. Any stains or marks caused by the items will be removed at the expense of the crypt owner.
- B. Please see decoration rules for flower regulations.
- C. Private mausoleum or tombs, either wholly or partially above ground, shall be constructed only in lots designated for them. Plans, specifications, material and location in the lot of such mausoleum shall be subject to the approval of the Cemetery Authorities. The Cemetery Authorities reserve the right to require that an endowment for future maintenance of mausolea be deposited with it, said endowment to be of a size specified by the Cemetery Authorities.
- D. When interment is made in a private mausoleum, the crypt shall be properly sealed, subject to approval of the Cemetery Authorities. The entombment must be made in an approved casket which complies with the regulations of the controlling Department of Health.
- E. No walkways, patios, or other appurtenant structure will be permitted on the ground surrounding a mausoleum. No additions or changes will be allowed after the specifications and foundations plan for a mausoleum have been submitted and approved.
- F. Community mausoleum entombment must be made in an approved casket which complies with the regulations of the controlling Department of Health.
- G. The Cemetery Authorities reserve the right to issue under separate cover detailed regulations concerning the use of the community mausolea. Such regulations may include, but not be limited to: the decoration of crypts; the size, quantity, type and placement of lettering on crypts; and the use or nonuse of flowers, vigil lights, etc.

TEMPORARY RECEIVING VAULTS

- A. A vault may be used for temporary entombment under the following conditions:

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- a. An unconstructed reserved crypt space is unavailable at the time of entombment;
 - b. Preparation or maintenance of reserved crypt space is taking place at the time of entombment.
- B. The casket shall be removed from the temporary receiving vault within a reasonable time, which in no case shall exceed (3) months, unless the Cemetery Authorities in their discretion shall consent to a longer period or in the case of construction of a new phase of the mausoleum
 - C. The Cemetery Authorities will exercise due care in making a removal, but shall assume no responsibility for damage to any casket or burial case incurred in making the removal.
 - D. Receiving vaults in any cemetery may be used for temporary entombments subject to certain rules and regulations. Their facilities are available only when final interment is to follow in a Catholic cemetery.
 - E. The Cemetery Authorities reserve the right to issue at any time under separate cover detailed regulations and instruction pertaining to Receiving Vaults in any cemetery, or to incorporate specific provisions in any receiving Vault Agreement, and such regulations, instructions, and provisions are hereby made part of these rules and regulations.

MEMORIALS AND RULES FOR MEMORIAL WORK

- A. Memorial dealers and responsible parties of the deceased shall abide by all the rules and regulations of the Catholic Cemeteries-Diocese of Rockford.
- B. It is presumed by the Catholic Cemeteries that any person, designated by the Owner(s) or Heir(s) for use of a gravesite for burial, has the right of memorialization implied by said designation.

In accordance with regulations established by the Cemetery, various sections are to be marked either by flush marker only or upright monument only, or by both upright monument and/or flush marker and/or upright marker.

Therefore, it is the policy of Catholic Cemeteries to require, of immediate family members of the deceased, proper memorialization of the deceased. This is to be done in accordance with the current rules of the section of the cemetery where the grave is located. Memorialization should take place as soon as possible after the death of the family member. All balances must be paid in full prior to memorialization.

- C. The Cemetery Authorities reserve the right at all times to approve and prescribe the kind, size, design, symbolism, craftsmanship, quality and material of memorials, inscriptions, monuments, or markers placed or to be placed in any cemetery.

A detailed plan and design of all memorials must be submitted to the Cemetery Authorities for final approval, prior to the contractor's start of work on a memorial. A form requesting approval and/or request for a foundation may be obtained at the cemetery office. The contractor shall be notified if a design is approved or rejected. The memorial permit must be signed by the following prior to submission to the cemetery office:

- a. The living holder of burial easement right in said Lot or single grave site.
- b. The purchaser of the memorial.
- c. The memorial contractor.

- D. The Cemetery Authorities also reserve the right to issue under separate cover detailed regulations and instructions pertaining to the kind, size, design, symbolism, craftsmanship, quality, and material of memorials, inscription, monuments, or markers to be placed in any cemetery. Said detailed regulations and instructions, and all amendments thereto, are hereby made a part of these rules and regulations.
- E. The Cemetery Authorities reserve the right to set the days (Monday through Friday) and hours when any memorial may be delivered to any cemetery.
- F. Removal of any memorial, by a contractor, shall be done after written notification is made to the cemetery office.
- G. The location and position in which a memorial is to be placed or erected on a lot shall be entirely subject to the approval, and shall be under the supervision of the Cemetery Authorities.
- H. No memorial extending above the surface of the ground shall be erected on lots designated as flush marker lots.
- I. Non-cemetery workers, in placing or erecting monuments and other structures, or bringing in materials in regard to such work, shall operate as independent contractors, but such work must conform with the regulations made by the Cemetery Authorities.
- J. Non-cemetery workers, in placing or erecting monuments, building foundation and other structures, are prohibited from scattering their material over adjoining lots, or from blocking roads or walks, or from leaving their material on the grounds longer than is absolutely necessary, or from attaching ropes to trees or bushes. When heavy material is to be moved over lawns, planks must be laid to prevent injury. All excess materials not used in the foundation or the placing of the memorial or marker should be removed from the grounds by the contractor. A charge for clean up of a grave site may be sent to the contractor if the cemetery grounds are not left in good order.
- K. Damage done to lots, walks, drives, trees, shrubs, or other property by non-cemetery workers, dealers, or contractors, or their agents, may be repaired by the Cemetery Authorities; and cost of such repairs shall be charged to the dealer or contractor, or his/her principal.
- L. The Cemetery Authorities reserve the right to stop all work of any nature when, in its opinion, proper preparations have not been made; or when work is being done in such a manner as to endanger life or property; or when work is not being executed according to specifications; or when any reasonable request on the part of the Cemetery Authorities is disregarded; or when any person employed on the work violates any rule of the Cemetery Authorities.
- M. While the Cemetery Authorities will exercise all possible care to protect raised lettering, carving, or ornaments on any memorial or other structure, on any lots, it disclaims responsibility for damage or injury therein.
- N. The Cemetery Authorities reserve, and shall have, the right to correct any error that may be made by its employees or by any other person or persons in the location or placing of a memorial in any cemetery.
- O. Should any memorial, mausoleum, or tomb become unsightly, dilapidated, or a menace to the safety of persons with the cemetery, the Cemetery Authorities shall have the right, after 30-days notice to the lot holder of record, whether to correct the condition or to remove the same, in either case at the expense of the lot holder.
- P. Soliciting memorial sales or memorial work within any cemetery is not permitted. Also not permitted is a display of the contractor's name on monuments or markers.

APPENDIX A – EASEMENT RIGHT IN A SINGLE NAME

JOHN/JOAN DOE
JOHN/JOAN DOE – DECEASED
SURVIVING SPOUSE OF JOHN/JOAN DOE HAS DOWER RIGHTS OF BURIAL ONLY
CHILDREN OF JOHN/JOAN DOE AND THE CHILDREN OF ANY OF HIS/HER DECEASED CHILDREN
IF ALL OF JOHN/JOAN DOE’S CHILDREN ARE DECEASED, THEN TO HIS HER GRANDCHILDREN
IF ALL THE CHILDREN AND GRANDCHILDREN OF JOHN/JOAN DOE ARE DECEASED, OR IF JOHN/JOAN DOE NEVER HAD ANY CHILDREN, THEN TO HIS/HER PARENTS, BROTHERS AND SISTERS AND CHILDREN OF ANY DECEASED BROTHERS AND SISTERS.
IF ALL JOHN/JOAN DOE’S PARENTS, BROTHERS AND SISTERS ARE DECEASED, THEN TO HIS/HER NIECES AND NEPHEWS THEN TO THE NEXT OF KIN OF JOHN/JOAN DOE.

APPENDIX B – EASEMENT RIGHTS BY JOINT TENANTS

JOHN AND MARY DOE, JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP	
JOHN DOE – DECEASED	MARY DOE – DECEASED
ALL INTEREST TO MARY DOE	ALL INTEREST TO JOHN DOE
BOTH JOHN AND MARY DOE DECEASED	
TO THE CHILDREN OF JOHN DOE AND MARY DOE AND THE CHILDREN OF ANY DECEASED CHILDREN	
IF ALL THE CHILDREN OF JOHN DOE AND MARY DOE ARE DECEASED THEN TO THEIR GRANDCHILDREN	
IF ALL THE CHILDREN AND GRANDCHILDREN OF JOHN DOE AND MARY DOE ARE DECEASED OR IF NEITHER JOHN DOE OR MARY DOE HAD ANY CHILDREN, THEN TO THEIR PARENTS, BROTHERS AND SISTERS, AND THE CHILDREN OF ANY DECEASED BROTHERS AND SISTERS	

APPENDIX C – OWNERSHIP BY TENANTS IN COMMON

JOHN DOE AND HARRY BROWN – TENANTS IN COMMON
UPON THE DEATH OF EACH OR EITHER LOT HOLDER (John Doe and Harry Brown) THEIR INTEREST IN THE LOT GOES TO:
SURVIVING SPOUSE OF BOTH JOHN DOE AND HARRY BROWN HAVE BURIAL RIGHT ONLY
ALL THE CHILDREN OF THE DECEASED LOT HOLDER(S) AND THE CHILDREN OF ANY DECEASED CHILDREN
IF ALL THE CHILDREN AND GRANDCHILDREN OF THE DECEASED LOT HOLDERS ARE DECEASED OR IF THE DECEASED LOT HOLDERS NEVER HAD ANY CHILDREN, THEN TO THE PARENTS, BROTHERS AND SISTERS AND CHILDREN OF THE DECEASED CHILDREN
IF THE PARENTS, BROTHER AND SISTERS OF THE DECEASED LOT HOLDERS ARE DECEASED, THEN TO THE NIECES AND NEPHEWS
TO THE NEXT OF KIN OF THE DECEASED LOT HOLDER