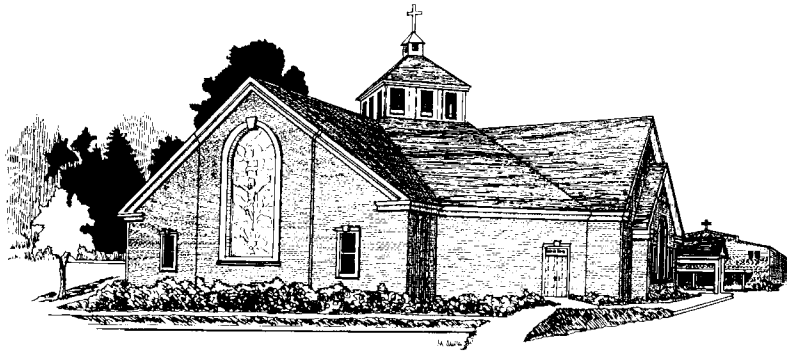


Holy Cross CEMETERY



RULES AND REGULATIONS

EFFECTIVE: JANUARY 1, 2012

Holy Cross Cemetery

Christian Burial is a religious act, a corporal work of mercy.

Holy Cross Cemetery, located in Dover, Delaware, is owned & operated by the Church of the Holy Cross. The Church of the Holy Cross is charged with the performance of Christian burial, a sacred trust. Along with this sacred trust is the responsibility to maintain Holy Cross Cemetery with the same dignity as any deserving function of the Roman Catholic Church.

Catholic cemeteries have been designated, and rightfully so, as "reliquaries of the Saints." To ensure the sacred character of Holy Cross Cemetery and to maintain good order, these rules and regulations have been established.

The Church of the Holy Cross, with recommendations by the Holy Cross Cemetery management, reserves the right to change, amend, alter, repeal, rescind, or add to these rules and regulations. These rules and regulations, along with any amendments, shall be binding and are for the mutual benefit of all certificate holders, their heirs, and assigns.

Certain aspects of these Rules and Regulations may extend to visitors and/or vendors.

TABLE of CONTENTS

Purpose.....	4
General Information	4
Grave Space Dimensions	5
Cremated Human Remains	5
Mausoleums.....	5
Burial Vaults.....	6
Perpetual Care Fee.....	6
Grave Openings.....	6
Disinterments	6
Fresh Cut Flowers.....	6
Artificial flowers.....	7
Landscaping, Plantings, and Decorations	7
General Cleanings	7
Funeral Floral Arrangements	7
Death of Original Certificate Holder	8
Corner Markers & Monument Foundations.....	9
Monuments and Memorials	9
Vendors.....	10
Visitors	10
Recreational Activities (bike riding, dog walking, etc.)	10
Definitions	11

PURPOSE

Holy Cross Cemetery is intended for, but not limited to, the interment of members of the Church of the Holy Cross.

The pastor of the Church of the Holy Cross reserves the right to refuse admission to the cemetery and/or refuse the use of any cemetery property to any person or persons as his judgment dictates according to these rules and regulations or Catholic doctrine.

GENERAL INFORMATION

Arrangements and application for Right of Burial must be made at the parish office of the Church of the Holy Cross, 631 South State Street, Dover, Delaware.

All certificate holders, heirs, vendors, and persons visiting the cemetery shall be subject to these rules and regulations, along with all subsequent amendments adopted by the Church of the Holy Cross.

Holy Cross Cemetery and its management disclaim all responsibility beyond its reasonable control for loss or damage within the Holy Cross Cemetery. This includes any damage caused by war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents or an act of God, such as the elements, floods, tornadoes, hurricanes, or earthquakes.

All personal/individual mausoleums and monuments must be kept in good condition by the certificate holder. All repairs must be professionally done according to the professional standards of the industry. In the event it becomes necessary to reconstruct or repair any damage to monuments, memorials, mausoleums, or graves, the cemetery management may direct repairs be made and charge the expense for such repairs against the grave lot and the certificate holder, their heirs, or assigns.

The Cemetery Management, employees, and other persons reasonably entitled thereto shall have a perpetual and uninterrupted right to pass over any grave lot in order to access other grave lots to which no other means of access is available.

Any work performed in Holy Cross Cemetery shall only be carried out after authorization has been obtained from the Holy Cross Cemetery management.

Holy Cross Cemetery Management reserves, and shall have, the right to correct any errors made in arranging interments, disinterments, or the placement of monuments and memorials.

The Church of the Holy Cross, with recommendations by the Holy Cross Cemetery Management, reserves the right to specify the terms for obtaining all interment rights, the manner in which said rights shall be held or exercised, and the fees for the various services available through the Holy Cross Cemetery Management. Said fees shall be published separately and are available through the parish office of the Church of the Holy Cross.

GRAVE SPACE DIMENSIONS

Casketed burials occur in grave spaces approximately 10 feet by 40 inches and may be single-depth or double-depth depending on the soil conditions of the specific grave lot. The size of the grave space varies in the older sections of the cemetery.

It is possible to have a combination of up to three (3) remains in one grave space. Possibilities include: 1 casket and 1 to 2 urns, 2 caskets and 1 urn, or 1 to 3 urns.

CREMATED HUMAN REMAINS

Separate grave spaces are available for cremated human remains. The size shall be no greater than 2 ft. by 2 ft. Due to the size of military memorials, two (2) grave spaces must be purchased.

All cremated human remains shall be placed in an appropriate container suitable for proper identification and maintenance. Cardboard, tin, and glass containers are not allowed.

The right to bury cremated human remains on top of a previous interment must be requested and cannot be presumed. Once approved by the cemetery management, an additional right of burial fee will be charged for such remains.

MAUSOLEUMS

All mausoleums within the cemetery may only be used for the entombment of human remains. The Resurrection Mausoleum accommodates both caskets and urns. No additional personal/individual mausoleums/crypts are permitted in the cemetery.

BURIAL VAULTS

All casketed remains shall be placed in a burial receptacle (burial vault) suitable for maintaining the integrity of the grave space.

PERPETUAL CARE FEE

A onetime perpetual care fee will be charged at the time of interment unless the fee was paid at time of grave purchase.

GRAVE OPENINGS

All grave openings require a permit issued by the State of Delaware. All permits shall be completed and signed by the funeral director in charge and submitted to the cemetery management along with the required fees when an opening is requested. No unauthorized diggings are permitted.

DISINTERMENTS

No disinterment or removal shall be allowed without the consent of the cemetery management and the certificate holder or their heirs.

All disinterments require a permit issued by the State of Delaware. All permits shall be completed and signed by the funeral director in charge and submitted to the cemetery management along with the required fees when a disinterment is requested. No unauthorized diggings are permitted.

The required fee will be the same as the current grave opening fee.

FRESH CUT FLOWERS

Fresh cut flowers are welcomed but are not to be in any type of glass container. Flowers should be refreshed or removed one week after placement by the individuals placing them. Sub-surface vases are available to the public and can be purchased through a monument dealer. Such vases are ideal as the cemetery maintenance crew can invert them when flowers are absent allowing better accessibility to the grave lot for maintenance.

ARTIFICIAL FLOWERS

When artificial flowers become tattered or faded, the individuals placing them must remove them.

The caretaker will be instructed to remove such tattered faded flowers when the individuals placing them fail to do so.

LANDSCAPING, PLANTINGS AND DECORATIONS

To maintain the integrity and appearance of the cemetery, no permanent landscaping, plantings or decorative items of any kind are allowed on any grave space. This includes, but is not limited to, borders, shrubs, trees, perennial flowers/plants, candles and lights, benches, statues and decorative ornaments/figurines of any kind. One notice of violation will be given. If the violation is not corrected within two weeks, of the notice, the management reserves the right to remove same, without further notice, if so erected, planted, or placed. The management is not responsible for items removed.

American flags, 6 inches by 9.4 inches or smaller, may be placed but should be removed when tattered.

GENERAL CLEANINGS

All seasonal or holiday decorations will be removed by the caretaker within a reasonable time after Christmas, Easter Sunday, Mother's Day, Memorial Day, and Father's Day. More specific information will be published in the Sunday bulletin of the Church of the Holy Cross. Please inform your family and friends of these times.

Cemetery Management reserves the right to change and alter these days whenever it deems necessary.

FUNERAL FLORAL ARRANGEMENTS

One week after burial, the caretaker shall remove flowers placed on a grave space at the time of burial.

DEATH OF ORIGINAL CERTIFICATE HOLDER(S)

In the event of death of one of the Original Certificate Holders of a jointly held grave lot, any and all privileges of the grave lot shall pass to the surviving Original Certificate Holder(s).

In the event there are no surviving Original Certificate Holders, any and all privileges of the Original Certificate Holder, shall pass to the Original Certificate Holder's heirs in the following manner:

1. The surviving spouse of the Original Certificate Holder whose name does not appear on the Certificate has a vested right of interment in one grave space in the grave lot. This right may be voluntarily forfeited at any time. Otherwise, it will terminate upon the death or remarriage of said surviving spouse.
2. If the Original Certificate Holder shall have filed written instructions at the parish office of the Church of the Holy Cross as to which member (s) of his/her family shall succeed to the rights of said grave lot, the cemetery management will recognize and follow the instructions if such instructions are definite, reasonable, and practical, subject to the vested right of interment of the surviving spouse.
3. If no valid or sufficient written instructions shall have been filed, all remaining rights and privileges of the grave lot descend from the intestate Original Certificate Holder in the following manner:
 - a. To the children of the Original Certificate Holder.
 - b. If none of the Original Certificate Holder's children are alive, then to the grandchildren of the Original Certificate Holder.
 - c. If there were no children or grandchildren, then to the father or mother, or both, of the Original Certificate Holder.
 - d. If there is no one living of the first three classifications, then to the living brothers and sisters of the Original Certificate Holder.
 - e. If there is no living brother or sister of the Original Certificate Holder, then to the nephews and nieces of the Original Certificate Holder.
 - f. If there are no living nephews or nieces of the Original Certificate Holder, then to the grandparents of the Original Certificate Holder.
 - g. If there are no living grandparents of the Original Certificate Holder, then to the uncles and aunts of the Original Certificate Holder.

When there is no longer any living person who could be classified in any of these seven groups, the interment rights in the grave lot will terminate.

Each qualified heir shares equally and jointly in the interment rights while vacant grave spaces remain in the grave lot. The heir's individual rights cannot be determined until the time of the heir's own death, which automatically gives

the heir the right if the heir qualifies in the sequence of inheritance.

Any qualified heir may release his/her right at any time. However, the heir cannot assign or transfer this right to any one individual, but to the other qualified heirs jointly.

When all grave spaces are occupied, the interment rights in the grave lot will terminate.

CORNER MARKERS AND MONUMENT FOUNDATIONS

The caretaker shall place corner markers and foundations for all monuments. The fees for placement shall be on file at the parish office of the Church of the Holy Cross. Fees for monument foundations are based upon the square inches involved.

MONUMENTS AND MEMORIALS

All monument dealers shall file for a permit at the parish office of the Church of the Holy Cross for the placement of all monuments and memorials. Each grave space is permitted only one monument or memorial, which is to be located at the head end of the grave space. The exception is when an existing family plot contains a monument with the family name and foot stones for each individual grave. In addition, one veteran's marker may be located at the foot end of the grave space.

All monuments and memorials must be made of materials approved by the cemetery management and shall be consistent with those that are common to the cemetery industry. Only symbols and inscriptions deemed appropriate to a Catholic cemetery are acceptable. There must be at least one Christian symbol included. The pastor of the Church of the Holy Cross, with the recommendations of the Cemetery Management, shall pass final judgment as to the appropriateness of any symbols and inscriptions.

Separate monument and memorials are not allowed for cremated human remains that are placed on top of a previous interment. Information about the remains will have to be placed on the existing monument or memorial located at the head end of the grave space.

A temporary identifying marker shall be placed at the grave space by the Funeral Director within one week of burial/interment. A permanent monument or memorial is required at the grave space within six (6) months of burial/interment.

VENDORS

For the sake of uniformity, the Cemetery Management will select the approved vendor for all grave openings, placement of corner markers, and the setting of monument foundations.

The payment of fees to the vendor for these services and materials shall be the responsibility of the person or persons arranging such service and materials.

All vendors shall leave the premises in as good a condition as when they first arrived.

VISITORS

Visitors are welcomed and encouraged to visit the cemetery between the hours of sunrise and sunset. All visitors should park their vehicles on the street when a graveside, funeral ceremony is in progress.

RECREATIONAL ACTIVITIES

Dog walking, bike riding, and other recreational activities are not permitted and are considered trespassing. Violators will be reported to the police for possible prosecution.

DEFINITIONS

Care shall mean the general care and upkeep of the cemetery premises.

Cemetery Management shall mean the person(s) duly appointed by the Pastor of the Church of the Holy Cross for the purpose of conducting and administering the cemetery.

Corner Markers are permanent granite squares that are placed in the ground for the purpose of setting boundaries for specific grave space(s).

Certificate Holder applies to one's Right of Burial in a particular grave space within the cemetery. It does not imply any ownership of those grounds that are considered to be Holy Cross Cemetery.

Disinterment is the removal of a human remains from where it is buried or entombed.

Entombment is the placement of human remains in an above ground receptacle known as a mausoleum.

Grave Space shall mean a space of ground that is used, or intended to be used, for the burial of human remains.

Interment is the placing of human remains in the ground for burial purposes.

Grave Lot shall apply to multiple adjoining grave spaces.

Memorials and Monuments are permanent settings that adorn a grave space or grave plot and gives testimony as to the person(s) interred in such grave space/plot. The term shall also apply to the inscription on a mausoleum.

Holy CROSS CEMETERY
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