

# Cemetery Commission Regulations

March 25, 2003

- I. Eligibility to apply for a Cemetery Lot:
  - A. Taxpayer of record of a buildable lot.
  - B. Native born Chilmarkers who do not own a buildable lot in Chilmark but who are veterans of the U.S. Armed Services and U. S. Coast Guard or who have been granted by Congress special Veteran's status as a result of wartime service can have a ¼ Lot or ½ Lot as needed.
  - C. Owners of a Life-Estate in a habitable dwelling can have a ¼ Lot or ½ Lot as needed.
  - D. Only one member of a Trust may have a lot.
- II. Cemetery lots are sold by consecutive number.
- III. Cremations and casket burials.
  - A. The number of burials permitted on all new and all unused lot has been increased from the number previously allowed. The new limits for casket burials, which are voluntary and require place one casket above another. The space available in a Full Lot formerly used for four caskets can now accommodate eight caskets. The capacity of Half Lots is increased from two caskets to four. Lot owners should specify at the time of purchase or at the time of the first burial whether they expect to use the full capacity of their lot, so that the first casket can be placed at an appropriate depth. Electing the option to place one casket above the other is entirely voluntary, but the lot owner should understand that single level casket burials will limit the capacity to four caskets for a Full Lot and two for a Half Lot. Furthermore, opening a grave and placing one casket above another can only be done with the written consent of a relative or descendent of the decedent occupying the lower casket.
  - B. The number of casket burials on lots where there already is at least one interment shall remain at four per full lot and two per half lot.
  - C. Except in unusual circumstances, casket burials are not permitted on Quarter Lots.
  - D. Cremations are limited to four per Quarter Lot eight per Half Lot and sixteen per Full Lot.
  - E. Burial sites in the "King Lot" measure 4'x4' and are suitable for two cremations and a maximum of two stones.
  - F. Lots are restricted to one per family.
  - G. Cement liners are required for all burials except cremations.
- IV. Stones and Monuments
  - A. All Stones and Monuments are subject to the approval of the Cemetery Commissioners who may authorize the Cemetery Superintendent to approve markers.
  - B. Guidelines for Stones and Markers
    1. Markers on lots should not exceed 3½ feet above ground level, width not to exceed height with the exclusion of a bench, which shall be used as the marker.
    2. All markers shall be chosen at the owners' discretion, subject to the above approval.
    3. Although single monuments on each lot with multiple inscriptions are favored, a maximum of eight vertical stones on a Full Lot, four vertical stones on a Half Lot and two stones on a Quarter Lot will be permitted. Where a single monument is

used, individual flat markers no larger than 12" by 24" will also be permitted. The surface of flat markers must not extend above the surrounding ground level.

4. New markers in the "old section" of the Cemetery will be subject to the above guidelines, but in addition should generally be consistent with the style of the traditional markers in that section of the Cemetery.

V. Plantings

- A. Except for native red cedars, all trees or shrubs will be dwarf varieties and not exceed eight feet in height at maturity. Plantings, other than cedars, that exceed eight feet in height or plantings that exceed the bounds of the lot will be trimmed or removed at the owners' expense. Lot owners are asked to remove flowers, wreaths and other items after they have withered.

VI. Sale or Transfer of Cemetery Lots

- A. Cemetery lots may be inherited by the heirs of the owner of the lot as provided under the Laws of the Commonwealth.
- B. Cemetery lots may be given back to the Town or sold to the town for an amount equal to the price originally paid for the lot.
- C. All other transfers of ownership are prohibited.

- VII. The Cemetery Superintendent shall be responsible for maintaining the Cemetery and is authorized to remove material from lots and markers to facilitate proper maintenance.

- VIII. Lot sizes: In general lot sizes are as follows: Full lot: 11'x 22' and Half lot: 11'x11', The size of Quarter lots vary but they will always accommodate four cremations. Occasionally, the size of Full as well as Half lots may also vary, but regardless of the actual dimensions Full Lots and Half Lots will still be suitable for a maximum of eight and four caskets respectively.

Approved by the Chilmark Selectmen  
March 25, 2003

A true copy.  
Attest:

  
Margaret T. Orlando  
Town Clerk