

SOUTHWICK CEMTERY

*A Town Owned Burial Ground
332 College Highway
Southwick, Massachusetts 01077*

RULES & REGULATIONS GENERAL INFORMATION

*These Rules & Regulations have been formulated not to limit,
but to protect the rights of every lot owner in an effort to make
this Cemetery a beautiful and quiet resting place at a reasonable
cost*

Revised December 28, 2022

Southwick Cemetery Commissioners

Gene Theroux

Norm Boucher

Heidi Johnstone

Lisa Anderson, Sexton

The Cemetery Commission is not responsible for the
CARE, DAMAGE, VANDALISM OR THEFT
of any headstone, marker, planting or property
placed on individual lots.

Such adornments are the **SOLE** responsibility of each lot owner
and placed on said lots at the **OWNER'S RISK**

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SALE OF LOTS

Family lots or single gravesites will be sold only to legal residents or property owners in the Town of Southwick, Massachusetts. To purchase a lot, make an appointment with the Sexton. Contact information is posted on the kiosk, the Cemetery Office door and on the Town Website.

METHOD OF PAYMENT

Full payment for the purchase of a plot or plots is to be paid at the time of purchase. Prices of plots do not include opening/closing costs. See attached fee schedule for prices. A deed will be issued within 7 business days after the purchase of a plot.

All checks are made out to the **Town of Southwick**.

RECORD OF LEGAL OWNERSHIP

Cemetery lots are conveyed by a special deed for the burial of human dead and for no other purpose. The record of deeds is kept in the Cemetery Office in each individuals file and is the only evidence of title recognized by the Cemetery Commissioners. The lot and memorials thereon are forever exempt from public assessments and taxes and also from liability to be sold for payment of debts. No public road or street can ever be laid out or opened through the grounds of the Cemetery. No advertising of any kind shall be permitted within the fence of the Cemetery grounds, nor on the outer section in front of both Old and New Cemetery, on Town Property other than Cemetery appropriate advertising.

RESALE OF LOTS AND TRANSFERS

The Cemetery Commission reserves the right for first refusal to buy back, at the original price, all lots/plots that any owner is reselling. Resale, transfer or assignments of lots to anyone outside of the immediate family must be to legal residents or property owners in the Town of Southwick. Exceptions may be made when such assignment is made in the legal will of a deceased owner. Any sales, transfers or assignments must be written, notarized on our forms and submitted for proof of said plots and to the Sexton, to be approved by Cemetery Commissioners at a meeting. Owners may donate unused plots to the Southwick Cemetery for use at the Commissioner's discretion.

INTERMENTS

No grave shall be dug by anyone other than those employed by and under the direction of the Cemetery Sexton. Two interments in one grave will not be permitted except in the case of a mother and infant or two children under five years of age. The remains of up to 6 cremations may be buried in a single full lot with one full burial. The names may be placed on the one allowed family upright monument, or a flat stone with two optional names. All graves shall be dug at least 6 feet deep for adults and of sufficient depth for small children. All burials except infants and cremated remains shall be made in approved concrete liners or cement or metal vaults. Cremated remains shall be dug at 32” deep or until you reach the vault of the full burial.

Owners of lots may allow non-residents to be buried in their lots with the approval of the Sexton. A signed, notarized statement of permission to bury form from the lot owner or nearest of kin available is required before burial of anyone other than the immediate family. Owner’s rights are not jeopardized if they move out of town and/or sell their property.

There will be **NO BURIALS ON SUNDAYS OR HOLIDAY** unless approved by the Sexton. An extra fee will be charged for the approved Sunday/Holiday service and for a burial going past noon on Saturday. See attached fee schedule.

DISINTERMENTS

The disinterment or removal of a body requires a written order from the owner of the lot or from the nearest of the deceased and is subject to all State and Municipal requirements. Notice must be given to the Sexton at least 72 hours in advance of disinterment so that proper arrangements can be made. The digging shall be done under the supervision of the Sexton and must be paid for in advance.

AUTHORITY OF THE SEXTON

When instructions regarding the location of a grave on a lot cannot be obtained, are indefinite, or for any reason the grave cannot be opened where specified, the Sexton may, at his/her discretion, open it in such location on the lot he deems best and proper so that the funeral will not be delayed. All funerals, while within the grounds of the Cemetery, shall be subject to the direction of the Sexton or his representative.

MONUMENTS AND MARKERS

A single grave lot is any lot where the owner does not own the lot directly beside it (side by side lots). Each single lot is four feet wide by 8 feet in length. Head to head lots are considered single grave lots. On a single lot, an upright monument shall not exceed 36" inches above ground level (this includes the base showing). The width of the base of any monument shall not exceed 14 inches. If a single lot is four feet wide then the largest width allowed would be 3 feet. If two graves together equals 8 feet, then the most allowable width of a stone would be 6 feet. All stones shall be placed on a cement footing. The installation of all footings shall be the responsibility of the Monument Company with prior approval by the Sexton of the placement. All flat stones must be put on at least trap rock or a footing.

A Veteran footstone is ordered after their passing through paperwork signed by the Sexton. The cemetery receives the stone and it is installed by the Cemetery groundskeeper. A Military marker w/flag will be placed on the flat stone if there is no family head stone and added to the Veteran list.

If a family wishes to purchase a flat stone if there is no room for names on family stone, then this stone shall be placed at the top of the grave. They shall not exceed 2 feet in length and 1 foot in width. We reserve the right to reject any plan or design for a memorial which due to the size, design inscription, kind or quality of stone they deem to be objectionable or unsuitable to the location.

MAINTENANCE OF THE GROUNDS

The Commissioners & the Sexton have authority to classify sections, putting special restrictions thereon as to character and type of monument and layout. The Sexton has the right to control every tree, shrub, vine or plant growing within the boundaries of the Cemetery, whether planted by the lot owner or otherwise, including the right of removal when it considers them unsightly, overgrown or a nuisance. No shrubs shall be added in any other section of the Old or New Cemetery without the Sextons approval. Pruning of shrubs is the responsibility of the lot owner, but the Sexton may direct the groundskeepers to prune if lot owners are not present and it is not being done properly. Existing shrubs will be removed as they become too large or unsightly. Grave mounds, guards, fences, railings, copings, hedges, trees, enclosures, steps, settees or chairs will **NOT BE PERMITTED ON LOTS.**

WINTER BURIALS

The Cemetery will stay open throughout the entire year. Weather permitting it is at the discretion of the Sexton to determine if the ground can be opened for a winter burial. While the Cemetery is opened for winter burials, it is the discretion of the Sexton to consider closing the gate for a day or two until the Cemetery roads are clear and safe for traveling. The Town DPW and Cemetery Groundskeepers are the only ones with permission to plow the Cemetery.

FLOWERS AND PLANTS

The Cemetery realizes that flowers and plants are very important to many of our patrons. They are the responsibility of the parties who plant them, or place them. If not properly cared for, to the extent that they become unsightly, they may be removed or pruned by the Sexton/groundkeepers. Planted or potted plants should be put within 1 foot of the monuments for the convenience of the lawnmowers. Fall/Holiday plants such as mums and pumpkins must be removed prior to November 1st and Christmas decorations shall be removed by April 1, of each year.

Trellises, balloons, toys, shells, small rocks and glass receptacles other than for the purpose of holding flowers are prohibited. It is the duty of the Sexton to remove, without notice, any article that may be considered objectionable or that is prohibited.

CHANGES IN GROUNDS

The Commission along with the Sexton may, from time to time, lay out, alter or eliminate roads and paths, change grades or make such rules for the government of the grounds as they deem requisite and proper to secure and promote the general landscaping of the Cemetery.

USE OF THE CEMETERY

The use of the Cemetery as a thorough fare is prohibited. Business vehicles must not enter the Cemetery except by permission of the Sexton. No vehicles shall exceed a speed of ten miles per hour in the Cemetery. Vehicles must not turn around on the roads, nor pass a funeral procession or a lot where services are being held. Horseback riding is prohibited. Motorcycle and bicycle riding are prohibited unless visiting a grave site. Children will not be allowed on the grounds unless accompanied by an adult who is responsible for their conduct. Picnics, parties or the bringing in of refreshments, soliciting business, unseemly behavior, loud talking/music, loafing lounging or conduct unbecoming to the Cemetery are all prohibited. No dogs are permitted in the Cemetery unless in the car. The carrying of firearms without a license to carry, except in military parades or funerals, is prohibited. Trash cans are available in the Cemetery for your minor trash, Coffee cups, etc., dead plants of any kind are to be left on the side of the trash can. They are not for your household rubbish. Anyone dropping trash in the Cemetery will be subject to a fine.

HOURS OF VISITING

The Cemetery is open all year round, weather permitting. The gate will be closed during a snow storm or while certain work is being done for safety purposes and reopened when the roads are safe.

SOUTHWICK CEMETREY COMMISSION

The Commission consists of three members. One member is elected each year to serve a three year term without compensation. Individual Commissioners may submit bills for expenses necessarily incurred by him/her in the discharge of their duties (i.e. gas, mileage etc.). Conflict of interest laws do not allow a Commissioner to be paid for labor at the Cemetery. The Commission shall hold meetings when needed during the year to approve the yearly budget, for the Sexton to update the Commission on any and all repairs being done, major maintenance and improvements done in the Cemetery, and update on burials and plots sold. The Sexton has the same authority as the Commissioners, but is not a voting member of the Commission.

A SUGGESTION

Memorial gifts may be made out to the Perpetual Care Fund or to the Gift Account for the Southwick Cemetery. The funds for Perpetual Care Fund are invested with interest by the Town Treasurer and only the interest is used to help maintain the Cemetery. The monies made out to the Cemetery Gift Account can be used as the Commissioners/Sexton deems needed.

These rules and regulations and any future amendments are subject to State and Municipal legislation heretofore or that may hereafter be enacted.