

Parish Cemetery By-Laws

St. Vladimir Orthodox Church Trenton, NJ

Effective Date _____

- Section 1.** The Parish Cemetery is a place of burial for current parish members or former parish members who are dues paying members in good standing in another Orthodox parish. The cemeteries front Lily Street at the intersection with Hunt Avenue in Hamilton Township, Mercer County, New Jersey. Supervision of the Parish Cemetery will be exercised by the Parish Council and the Cemetery Caretaker appointed by the Parish Council.
- Section 2.** Burial will be performed by the Parish Rector or by an Orthodox Priest. The Rector must obtain the applicable permit from the civil authorities, and the burial must be performed in accordance with the laws of the State of New Jersey and in the presence of a duly licensed undertaker. No interment shall be permitted without the installation of a concrete vault or equivalent thereof. Interment of cremains is subject to the approval of the Diocesan Hierarch.
- Section 3.** The Parish Council shall establish and make known the cost to purchase a cemetery grave plot, burial fees, and grave opening and closing fees. The current schedule of such charges shall be posted in the church basement. Parish members in good standing may purchase one (1) cemetery grave plot and one (1) plot for each immediate family member (i.e. husband, wife, or under-aged child). Any purchaser who has not paid for the interment space in full shall not be entitled to a Deed until such payment has been made in full.
- Section 4.** A parish member in good standing who purchases a cemetery plot has the right to bury in that plot only the members of his/her immediate family for whom the plot was purchased, including a non-Orthodox spouse who is baptized Christian. The non-Orthodox

spouse is entitled to burial in the Parish Cemetery against payment of the non-member burial fee regardless if the parish member dies before or after the spouse. An owner of a cemetery plot may not transfer, sell (except as outlined in Section 5a below), accept remuneration for, or assign burial rights.

Section 5.

- (a) The original purchaser of a cemetery plot may elect to return ownership of the plot to the Parish (see Sections b & f below for exceptions) and is entitled to reimbursement of the amount paid for the plot at the time of purchase. Perpetual care fees are non-refundable.
- (b) A parish member who owns a cemetery plot and later withdraws from the Orthodox faith will forfeit ownership of the cemetery plot and his/her right to burial in the Parish Cemetery. No reimbursement or refund will be given to the original purchaser or his/her surviving family members/heirs.
- (c) A parish member transferring from St. Vladimir Orthodox Church to another Orthodox Parish will not be required to forfeit his/her cemetery plot ownership or burial rights as long as he/she continues to be a member in good standing in the other Parish.
- (d) A member of the Parish who has not previously purchased a cemetery plot will have burial privileges provided he/she meets all of the foregoing criteria.
- (e) All previously purchased but unfilled and unmarked cemetery plots shall revert to and become the property of the Parish should a plot owner, who has purchased more than one (1) cemetery plot, die and the location of the family member(s) for which the other plot(s) was designated is unknown. The Parish Council and Rector will make every effort to find the eligible family member(s) prior to resuming ownership of said cemetery plot(s).
- (f) Any unfilled and unmarked cemetery plots originally purchased for a designated family member who no longer wishes to be buried in the Parish Cemetery shall revert to and become the property of the

Parish upon receipt of written notification from said family member of his/her decision not to be interred in the Parish Cemetery. Reimbursement shall not be made to surviving family members/heirs.

(g) No graves shall be dug or reopened without the permission of the Rector. Graves may only be opened by the grave opening company appointed by St. Vladimir Orthodox Church.

Section 6. Perpetual Care and Cemetery Maintenance contributions provide for reasonable and normal care to the interment spaces. Such care shall include repair of sunken graves, periodic mowing of grassy areas, spring and fall cemetery clean-up, and clean-up prior to the blessing of graves on St Thomas Sunday. Families are responsible for seeding once ground settlement has occurred (approx. one year).

Section 7. (a) Every filled cemetery plot must have grave identification – monument or marker – with appropriate name(s) engraved. Monuments are required to be representative of the Orthodox faith and the size must be in compliance with the approved parish detailed drawing (provided on request). All monuments, including military Veteran plaques, must be placed on a proper foundation. *Foundation:* The size of the foundation shall be determined by the size of the marker to be placed thereon. Construction of said foundation must be performed by a vendor approved by the Parish Council. *Monument:* Any contractor or tradesman performing work on interment space or on a monument thereon must have consent of the interment space owner, or responsible party authorizing such work, as well as the Cemetery Caretaker prior to the performance of such work.

(b) All installation, maintenance of, and repairs to any monument or memorial shall be at the expense of the responsible party. The Parish, Parish Council, or Cemetery Caretaker shall assume no responsibility for monuments or memorials placed on the cemetery

grounds. It is recommended that each owner or responsible party of interment space review his/her insurance coverage for protection against damage due to vandalism. If necessary, the purchase of an insurance rider providing such coverage is suggested. Should any monument or marker fall into disrepair to the point of causing a hazardous or unsightly condition, the Parish Council shall notify the interment space owner or responsible party at the last address on record that such condition must be remedied. If no remedial action is taken within sixty (60) days from the date of such notification, the Parish Council shall have the right to remove such monument or marker at the responsible party's expense.

Section 8. In addition to interment fees payable at time of burial, a monument deposit is required, per the posted Schedule of Charges, to ensure placement of a suitable identification marker (including engraving of an existing monument, a new monument, or a marker) within 18 months of interment. The deposit shall be refunded in full when the new marker or monument has been placed or when the engraving on an existing monument has been completed. If no identification marker has been placed or the engraving completed within the 18-month period, the deposit shall be used by the Parish Council to complete the task.

Section 9. Cemetery Plot Landscaping:

(a) Headstone (upright monument): The planting of flowers or artificial flowers is permitted only in the 1 ft. area in front of the monument on the burial side only. Flowers planted beyond this area will be removed at the discretion of the Rector or Cemetery Caretaker. Planted flowers require at least weekly care (watering, weeding) by the responsible party of the interment space. Plantings overgrown with weeds, etc. will be removed at the discretion of the Rector or Cemetery Caretaker, and costs may be assessed to the responsible party. Artificial flowers in disrepair will be removed at the discretion of the Rector or Cemetery Caretaker. Natural cut

flowers are permitted when placed in a non-glass vase at the headstone. The vase is not intended for continual use and must be removed within a 3-week period.

(b) Footstone (flush with the ground marker): No plantings are permitted.

(c) Placing of stones, chips, or any other foreign material shall not be permitted. Glass containers, which can cause an unsafe condition, are especially prohibited. Any such materials found on the premises shall be immediately removed and any expense incurred shall be borne by the responsible party.

(d) Shrubbery: Planting of trees or large shrubs is not permitted.

NOTE: Only trees or shrubs existing prior to the effective date of these Cemetery By-Laws shall be permitted to remain. However, any existing trees, shrubs, or flowers which die or become unsightly shall be removed by the Cemetery Caretaker at the responsible party's expense.

Section 10. Decorations:

It is the responsibility of those placing decorations upon the graves to remove them from the cemetery in a timely manner.

(a) Christmas decorations may be placed on graves during the winter season, but must be anchored to the ground to prevent being blown off by the wind. Any such decorations found to have blown off their original place shall be discarded.

(b) Easter decorations at monuments are permitted from Palm Sunday through St. Thomas Sunday, but must be immediately removed thereafter.

Section 11. General:

- If possible, trash should be removed from the Parish Cemetery and not placed in the trash receptacles.
- Pets are not permitted in the Parish Cemetery.
- Report any abuse of these Cemetery By-Laws to the Rector, Parish Council, or Cemetery Caretaker.

