

Town of West Tisbury  
Cemetery Rules and Regulations

The Cemetery Commissioners hereby establish the following regulations for cemeteries owned by the Town of West Tisbury. The authority to do so is found in Chapter 114 of the Massachusetts General Laws.

Definitions

- i. Cemetery Commissioners: The Board of Selectmen act as the Cemetery Commissioners
- ii. Cremation Lot: A lot that is 5' x 5' or smaller and designated only for burial of cremated remains.
- iii. Green Burial: A green or natural burial using no embalming, no metal casket, and no burial liner or vault.
- iv. Family: One or two parents and the minor children in their care.
- v. Heir: A person who inherits or has a right of inheritance in the property of another following the latter's death.
- vi. Marker: a flush-to-the-ground memorial, or a foot marker, which is used for commemorating the life of a deceased person.
- vii. Monument: a traditional upright monument, which is used for commemorating the life of a deceased person.
- viii. Single Grave Lot: A lot that is 10' x 5' that allows the burial right of either 1 or 2 burials (stacked) or multiple cremations burials of a deceased person or persons.

General

- i. All interments and/or removal of human remains are subject to orders and laws of the appropriate authorities of the Town, County or State.
- ii. The owner of a lot or his/her heirs acquires the right of burial only and is subject to these rules and regulations.
- iii. No interment shall be made in any lot other than that of the family member of the owner unless written permission is provided to the Cemetery Superintendent by the lawful heirs.
- iv. It is the duty of the lot owner to notify the Cemetery Commissioners of a change of address.

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- v. The Cemetery Commissioners are empowered to enforce the rules and regulations. They shall have supervision and control over the Cemetery Superintendent who will supervise all people working in the cemeteries, including the conduct of funerals and traffic control.
- vi. The Cemetery Superintendent, upon notification of a death, shall determine the identity of the deceased, promptly check the ownership of the lot then mark out the grave site of the deceased and supervise the excavation and closure of the grave. The Superintendent or the assistant must be present during interments.
- vii. No interments may be made without a burial permit issued by the Health Agent or Town Clerk.

#### Markers & Monuments

- i. All granite corner bounds shall be no more than two inches (2") above ground level.
- ii. No granite, cement curbing or mounding of individual lots shall be permitted above the original grade; markers or monuments will be allowed as detailed below.
- iii. No work or planting shall be done in any Town cemetery without the permission of the Superintendent.
- iv. All monuments shall be set on four-foot (4') deep cement foundations in the cemeteries, and all markers at a minimum of two-foot (2') deep foundations.
- v. On a single grave lot or cremation lot there may be only be one (1) upright marker/headstone or two (2) standard size (2' x 1') flat markers unless permission is given by the Cemetery Superintendent for additions or deviations from this regulation.
- vi. There shall be no lights on any lot.
- vii. The Cemetery Superintendent has the authority to remove from a lot articles (such as flowers, flags seasonal displays) that are no longer appropriate.
- viii. The Town of West Tisbury disclaims any responsibility for any damage to any monument or marker in the cemeteries.

#### Ownership of Lots/Fees/Burial Restrictions/Green Burials

- i. A family or individual may purchase no more than four (4) single grave lots or four (4) cremation lots.

- ii. Cemetery lots may be inherited by the heirs of the owner of the lot as provided under the laws of the Commonwealth
- iii. Cemetery lots may be given back to the Town or sold to the town for an amount equal or less than the price originally paid for the lot.
- iv. All other transfers of ownership are prohibited.
- v. Fees:

| <u>Lot Type</u> | <u>Size</u> | <u>\$/Resident</u> | <u>\$/Non Resident</u> |
|-----------------|-------------|--------------------|------------------------|
| Cremation lot   | 5' x 5'     | \$200              | \$400                  |
| Single Grave    | 10' x 5'    | \$300              | \$600                  |

There shall be no ancillary fees charged.

- vi. All caskets shall be placed in a permanent container such as a cement or concrete sectional vault unless there is a request for a green burial. A single grave may be used for either one burial or two burials if stacked. The decision to stack caskets must be made at the time of the first interment so that the first casket is placed at an appropriate depth. If stacked, the first casket must be placed at a depth no less than six feet (6'). If not stacked, the single casket must be placed at a depth of no less than four feet (4').
- vii. In the case of a Green Burial, burial in a casket is not required. However if one is used, it must be of biodegradable material such as pine or cardboard.
- viii. In the case of a Green Burial where vault/grave liner and possibly a casket may not be used, where ground subsidence issues and equipment access may be of concern, the Cemetery Commission reserves the right to restrict such burials to certain plots or a designated area of a town cemetery as the Cemetery Superintendent or Cemetery Commission deems necessary.
- ix. In the case of Green Burials the body of the deceased is to be prepared in an environmentally friendly way; embalming is not permitted. Any clothing or shroud used to cover the body is to be of biodegradable material. Non-degradable objects may not be buried with the body.
- x. In the case of Green Burials the body may be brought to the cemetery by an undertaker, or by family and friends of the deceased. A board and straps may be used to lower the body into the grave.
- xi. In the case of Green Burials participation in preparation of the grave and in the burial of the body is subject to the approval of the Cemetery Superintendent.
- xii. In the case of Green Burials burial will be at a depth of 4 feet. A stone marker not larger than nine inches by twelve inches, engraved with the deceased's name, and the year of birth and death, may be placed flat to the ground at the foot of the grave.

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- xiii. Green burial is allowed on private property but approval from the local Board of Health will be required ahead of time at minimum 90 days in advance.
- xiv. Cremation lots when joined together under single ownership shall be used for the burial only of cremated remains, and may not be utilized for casket burials

Rules and Regulations may be amended at any time by the Cemetery Commissioners.