

OFFICE OF THE  
**CEMETERY COMMISSION**

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**HARVARD CEMETERY COMMISSION**  
**Harvard, MA**

Submitted by: Cemetery Commission  
Subject: Revision of Rules and Regulations

Purpose: It being duly established that the Town of Harvard has accepted the provisions of Massachusetts General Law, Chapter ten, section two hundred thirty six and also Chapter 114, section one hundred and ten through section forty three. These being to include any and all revisions or amendments which affect the Town's establishment, care and maintenance of public cemeteries.

The following rules and regulations issued by the Harvard Cemetery Commission do not replace the conditions and restrictions on cemetery lots, maintenance, care, powers, and responsibilities as set forth under the Massachusetts General Laws, but are intended to specify, expand and clarify them.

Rules and Regulations

1: Authority

The responsibility of care and maintenance of Harvard's cemeteries falls under the direct control of the three elected commissioners. This authority may be extended by them, to a person employed by the Commission or Town, to act in their behalf, as their designate, under the Commission's directed order.

2: Meetings

The Commission will meet publicly, monthly, at times of posted notice, and upon call of an emergency matter. A change of the date and time of any posted meeting may be revised or canceled due to holidays, inclement weather, sickness or other factor beyond the control of the Commission.

3: Officers

As directed by the General Laws, a chairman, a secretary and other positions will be named and placed on record for the ensuing year. This will be done at the April or May meeting.

**HARVARD CEMETERY COMMISSION**  
**General regulations**

1. Harvard Cemeteries will be open daily between the hours of 7:00 am to dusk. Subject to weather and seasonal conditions.
2. Recreational type vehicles, foot powered or motor driven are prohibited from grounds and drives.
3. The Cemetery Commission, or its designate, is not responsible for plants, shrubs, markers, or any item lost or stolen from the cemeteries.
4. All trash, debris, trimmings, etc. must be placed in container and may not be left on the ground or the roadside.
5. The Cemetery Commission is not responsible for damages to any plantings, monument, or markers that results from a plowing or mowing operation
6. Behavior unbecoming the sanctity of a cemetery is prohibited.
7. Playing of any game, picnicking or any other assembly of people for the purpose other than one of normal cemetery functions is forbidden.
8. No firearms may be carried or discharged within the boundaries of a cemetery at any time, except on the occasion of a memorial or military salute. (Law enforcement personnel excluded. #8).
9. Dogs, cats, and all other domestic animals are not allowed within the limits of the cemeteries, with the exception of those confined within a motor vehicle.
10. Grave stone rubbing, as it is referred to, is not allowed except by expressed written permission of the commissioner or their designate.
11. Prohibited: the filming of a motion picture for a commercial purpose of any nature without a written permit issued by the Harvard Board of Selectmen and the Cemetery Commission.
12. No person, visitor or lot owner is permitted to alter, or disrupt in any manner, monuments, or other items, within the lot bounds of any gravesite.

These general rules and regulation have been compiled protect your rights as lot owners and to enhance ease or maintenance and safe working conditions for our employees. Your cooperation is appreciated.

## **HARVARD CEMETERY COMMISSION**

### **Part I: Terms of Lot Sales and Ownership**

1. All lots are sold and transferred by a recorded deed issued by the Town of Harvard as directed under the Massachusetts General Law Chapter 114, Section 24.
2. No lots shall be sold to any organization, group or association. Lots may be sold to individual who are current residents of the Town. Any exemptions to these conditions require the approval vote of the majority vote of the commissioners.
3. The right granted to any lot or grave within the limits of the cemeteries is a sole and an exclusive right of burial of the human dead and the erection of a memorial monument or marker. The Commission has specifications and standards and restrictions which applicable to certain lot-sections of the cemetery governing the erection of monuments and markers.
4. Purchase of a lot, consisting of one or more graves, must be made by appointment with one of the members of the Commission or their designate.
5. Cost of lots will vary by reason of the number of gravesites within a lot and the factor of possible unit increases. Current costs are available from the Harvard Cemetery Commission.
6. Payments of a lot shall be made by check payable the Town of Harvard Cemetery Commission.
7. The costs of all lots include perpetual care.
8. A burial lot may consist of space for one or more graves or burials. One grave may be used of the interment of one in ground (casket- vault) burial and that of two cremation placements, (ashes) or one grave may be used for three cremations. (ashes)
9. No lot owner may sell, transfer, or convey ownership title to any person, but may under the Massachusetts General Law, Chapter 114 -Section 31, a family lot may, by descent be passed to an heir. This factor should be considered and be mandatory for all lot owners.
10. No grave may be opened without sufficient notice, nor by any person not so authorized by the Commission or their designate.
11. No alterations of the lot plot plan and the general design of Bellevue Cemetery, as it is set forth in survey of the Charles A. Perkins Co., dated April 1987, unless recommend by the Commission and supported the vote of the Town. (Future development excluded) (Plan #2498 – Revised)

## **HARVARD CEMETERY COMMISSION-INTERMENTS**

1. All burials shall be under the personal supervision of a Cemetery commission, or Commission's designate.
2. Any outstanding obligations due the Town, such as special service charges, must be paid before a grave way is opened.
3. No interments will be made until the Commission or their designate has been furnished with a permit as required by law and with a written order from the lot owner or his/her legal representative.
4. No interment shall be made until all fees provided for in the then current rate schedule adopted by the Commission shall have been paid.
5. All non-cremated burials shall be made in a concrete box of one-piece construction, together with a one or two piece cover of sufficient strength to permanently support the weight above it.
6. All non-cremated burials shall be at a depth of approximately six feet, unless otherwise approved by the Commission or their designate.
7. All cremation burials shall be under supervision of the Commission or their designate, and contained in a suitable container. Burial will be at a depth of approximately eighteen inches. The location of each will be record on lot record cards.
8. The Commission shall make available single burial sites in the cemetery, which shall be used as burial sites for a resident pauper or body that is found unclaimed within the Town. These sites shall be free of charge and the Commissioners shall place upon said grave, a suitable marker, with the name, age, date of birth, date of death upon the same. The cost of which is to be paid for from a fund or appropriation made by the Town.
9. The Cemetery Commission, not it's designate shall not be held responsible for any order given, or mistakes that occur due to the lack of precise, proper facts or instructions as to a particular space, size in a lot where an interment is desired. The Commission, it's designate, reserves the right to correct any such error that may occur in making an interment or disinterment. The commission shall not be held liable for the failure of any device or equipment to operate in normal manner. This shall include any conditions beyond its immediate control.

**HARVARD CEMETERY COMMISSION**  
**Monuments, Markers and etc.**

1. Each one grave lot may contain only one monument, either upright or flat. A lot of two or more graves may contain one upright or flat monument and one flush marker per grave. (Veteran's markers are exempt) Upright monuments are not allowed in certain sections of the cemetery.
2. No monument or marker of any type shall be constructed of any material other than granite or natural stone, without written permission of the following dimensions without Commissions approval. (3ft. high x 4 ft. length x 2ft.)
3. All upright type monuments must be constructed on a cement foundation of approximate depth of eighteen inches and a width and length at least 2 inches that longer and wider that the monument supports.
4. Violations of erection specifications and required prior approval by the Commission or their designate may result in its removal at lot owner's expense.
5. No monument inscriptions deemed in the opinion of the Commission as profane, indecent, objectionable or unfitting to public acceptance will be allowed.
6. The Cemetery Commission, nor the Town of Harvard, shall at any time be held responsible for damages to any monument or marker of any type which is the result of vandalism by unknown person or persons, nor for any damages caused by a natural disaster such as those encountered during severe wind, snow or electrical storms.
7. Metal American flag holders may be placed on graves of any war veteran, or on the grave of a deceased Harvard Police or Fire Department member. These holders must be placed closely to monument bases so as not to interfere with mowing operations.
8. Flower planting-floral pieces-artificial types are not allowed, April 1 to November 9 each year. Permission is required to disturb turf for all in ground planting. (If permission is given, it is with the understanding that flowerbeds are kept weeded and cared for)
9. Floral frames or baskets, etc. will be kept one week from the day of interment. If baskets or flowers are desired by the family, the designate or caretaker should be notified.
10. No glass containers, vases, metal urns or holders may be use that pose a probable hazard or injury to other person or equipment.

**HARVARD CEMETERY COMMISSION**  
**Variance and Hearings**

The Harvard Cemetery Commission reserves the right to issue variances after hearing on all rules and of all regulations, as long as they are consistent with the Massachusetts General Laws, Chapter 114, and any section of which is applicable to the topic matter.

Revised and accepted by Cemetery Commission, 1122/92. Approved: 1992 Annual Town Meeting, Harvard, MA, 3/28/92. Public hearing acceptance date: 5/5/92.

The Commission reserves all rights to revise any rule or regulation herein set forth, after the commission has called a posted public notice of a hearing for that purpose.

The Commission suggests interested parties and lot owners contact them prior to all matters concerning burials, monuments, and the purchase or sale of lots, to receive updated information, specifications and current costs.

**ENFORCEMENT:** The established rules and regulations of the Harvard Cemetery Commission may be enforced by a member of the commission, state and Harvard Police Departments or any other person authorized to enforce civil and/or criminal laws.

## NOTICE OF CHANGES: AMENDMENTS

1. Under heading "Lot Sales & Ownership" Paragraph #13

Change of layout, etc. HCC at regular meeting voted to alter layout of Section "N" & "O" merged to N. New design to include 15ft. driveway/access ways. Lot sizes increased to 42" width x 10-ft. depth. Each with numbered markers and steel marked comers. This entire area's layout is available for single or multiple grave purchases.

It was also voted to change layout of original layout of Section "S" to include layout of "S" and "T" merged to new Section "S" with 15 ft. access drives and multiple two (2) grave sites (42" x 10ft.) Marked with metal numbered and blank comer markers. This entire area's layout is available for two- (2) grave or multiple two (2) adjacent increments.

NOTE: Design of both included eventual installations both water and drainage lines and paved driveway surfaces. (Subject to available funds)

2. Under heading "Lot Sales and Ownership" Paragraph #2

Additional wording approved by Town Counsel.

Explanation: Did not previously include "Lots maybe sold to current residents of the Town, past residents or relatives of these individuals. Any exemption to these the conditions require the approval vote of the majority of the commissioners." Voted 3/8/95 meeting of HCC.