

BY-LAWS AND GUIDELINES
OF
HIGHLAND CEMETERY

DOVER, MASSACHUSETTS



The drawing on the cover was done in 1980 by one of the Commissioners, the late Harry A. Bertschy, who prepared a brief History which is available at the Highland Cemetery office.

For current fees to purchase a lot, services and memorial permit please go to the Dover website; www.doverma.org under Government, Cemetery Commission. You may also contact one of the Commissioners or call the Supervisor at the cemetery office - (508) 906-3328.

HIGHLAND CEMETERY

The Commissioners wish to preserve the quiet and dignity of these hallowed grounds while allowing citizens of Dover, who are or have been residents of the Town for not less than five years, shall be entitled to lots in Highland Cemetery. It is with this in mind that the Commissioners have established the following rules. It is the Commissioners' desire to leave as much personal freedom to individuals in how they determine to use the Cemetery, provided that dignity to these hallowed grounds and justice to all be preserved.

DISCLAIMER OF LIABILITY

Highland Cemetery disclaims all responsibility for loss or damage to any lot, monument, memorial or planting from causes beyond its reasonable control, including but not limited to loss or damage caused by an act of God, the elements, earthquake, vandals, thieves, malicious mischief makers, order of any military or civil authority, civil disturbance, unavoidable the loss or damage or any cause, similar or dissimilar, beyond the control of the Cemetery whether the loss or damage be direct or related.

**BY-LAWS RELATING TO THE CEMETERY,
ADOPTED BY THE TOWN MAY 5, 1985, AND
AS AMENDED ON MAY 1, 2021**

ART. 1 All unsold lots in the cemetery to be sold and deeds given, subject to the following regulations.

ART. 2 The Commissioners may divide unsold lots into portions, each such portions, to be designated as a grave. All lots shall be sold under perpetual care. The Commissioners shall determine from time to time the price to be paid for lots and graves and the amount to be deposited for perpetual care.

ART. 3 All interments in lots for which deeds have been issued, shall be at the discretion of the owner as to whom should be buried within the lot. (2021)

ART. 4 No sale, transfer or assignment of the deed of any lot shall be valid without the consent of the Commissioners, and their approval endorsed on the conveyance.

ART. 5 The land marks or corner stones indicating the boundaries of the lots shall be set level with the surface of the ground. They will be furnished and set by the Commissioners on all lots hereafter sold and the same shall not be altered or removed.

ART. 6 The Commissioners will make no charge for the general care of lots or graves under perpetual care, but extra care or work, such as planting trees or cultivating flowers, will only be done at the owner's expense, unless special provisions be made and extra amount paid in the perpetual care agreement.

ART. 7 The Commissioners shall establish the grade of all lots and avenues, and shall direct generally all improvements within the grounds, upon all lots, before as well as after the interments have been made therein, and no lot shall be filled or raised above the established grade. They will have charge of the planting, sodding, surveying and the improvements generally at the cemetery.

ART. 8 The Commissioners desire to leave the improvements of lots, as far as possible, to the taste of the owners, but, in justice to all, they reserve the right given them by law, to exclude or remove from any lot any headstone, monument or other structure, tree, plant, or other object whatever which they consider injurious to the general appearance of the grounds, and no trees growing within any lot shall be removed or trimmed without the consent of the Commissioners.

ART. 9 When burial is required, notice must be given to the Commissioners in season for opening of the grave, accompanied with a permit from the Town Clerk or Board of Health, as required by law.

ART. 10 All graves must be dug by employees of the cemetery. Interments will be subject to the necessary charges.

ART. 11 All lots will be numbered and supplied with markers by the Commissioners. Only one body shall be buried in a grave, or up to three cremated remains may be interred in the space of one grave. The only exception to these rules is that one cremation, placed in a marble urn, may be placed on top of one full as burial. Whenever a lot or a grave is vacant, the owner thereof may sell the same to the Town at the original price thereof, but there shall be no reimbursement for any amount paid for perpetual care. An individual grave may not be transferred except as provided herein or by will or interstate succession. (2021)

ART. 12 No charge will be made for opening or closing receiving tomb. All bodies must be removed by May 1st unless by special permit of the Commissioners.

ART. 13 Drivers of carriages employed at funerals will be required to care for their teams during the ceremonies, and their employees will be held responsible for any damage which may result from their carelessness or neglect of duty.

ART. 14 There shall be only one headstone per lot of two graves or more, and the positioning of the headstone shall be directed by the Commissioners. All new headstones must rest on concrete foundations laid below the frost, and satisfactory to the Commissioners. No work will be allowed to be set in the spring until the ground has fully settled and is in proper condition. (2021)

ART. 15 No tomb shall be constructed except in such parts of the grounds as shall be designated by the Commissioners for that purpose, and no proprietor shall suffer the remains of any person to be deposited in a tomb so authorized, for hire.

ART. 16 All persons are forbidden from gathering any flowers, either wild or cultivated, breaking any tree, shrub or plant, writing upon, defacing or injuring any monument, fence or structure.

ART. 17 All persons are prohibited from discharging firearms, walking on the borders, or crossing lots.

ART. 18 Citizens of Dover who are or have been residents of the Town for not less than five years shall be entitled to lots in the cemetery. It allows one lot to a family, subject to the regulations adopted by the Town, upon payment for the same. By consent of the Commissioners the five years' residence requirement may be waived. (2021)

The following guidelines are a compilation of rules and regulations both verbal and written passed down through the years. The Commissioners have endorsed these rules and amended them as the times and situations have warranted.

CONDUCT

All those visiting the cemetery shall conduct themselves as befitting the respect due these hallowed grounds.

All citizens who wish to gather in the cemetery are welcome. However, those groups wishing to gather in the cemetery for funerals, memorial services, or educational purposes shall notify the Commissioners so that the rights of others may be preserved.

All those visiting the cemetery shall stay on the roads and paths provided unless visiting a specific grave.

There is a 5 mile per hour speed limit throughout the cemetery.

There is to be no washing of vehicles on cemetery grounds.

There is to be no consumption of alcoholic beverages on cemetery grounds.

There are to be no bikes, skateboards, roller blades, and cross country skis permitted on cemetery grounds for recreational purposes.

Playing games such as golf, frisbee, or baseball is not allowed.

There are no dogs allowed on the grounds of the cemetery, except for service dogs.

MONUMENTS

The Commissioners respectfully wish to bring to the attention of all lot owners that **approval** of the Commission is required **prior** to the installation of any headstone, marker, or monument.

Those intending to arrange for the installation of a headstone, marker, or monument will provide the Commissioners with the necessary information. A permit is available on line or at the cemetery office.

All those wishing to erect a monument, flat marker, or ledger on their lot must apply for and submit a memorial permit listing all pertinent information and pay the appropriate fees.

Temporary grave markers shall be removed within six months following interment or at the time of installation of a permanent memorial.

All contractors must call 24 hours in advance of working on cemetery property, check in on arrival is required, and they must have a written work order approved and signed by the lot owner before starting any work on cemetery property. They also must abide by all cemetery rules or they will not be allowed to continue to work on the grounds or in the future.

The Commissioners believe that headstone and boulder sizes are to be proportional to the lot and therefore the maximum dimensions (excluding base) by lot size should be no larger than:

Single grave

Flush marker 2' W x 1' D x 4" Thick

Ledgers (for cremations) 2' W x 3' D 4" Thick

These monuments shall be placed so they are legible from the foot of the grave.

Two grave

1'8" W x 8" D 2'4" H

These headstones shall be installed at the head of the grave.

Four grave

2'6" W x 8" D 2'4" H

Six grave

3'4" W x 8" D 2'6" H

Eight grave

4' W x 10" D 2' 8" H

These headstones shall be installed in the middle of the lot.

Individual family granite foot markers will measure 2' W x 1' D x 4" thick and shall be placed at the foot of the individual. Bronze markers will also be placed at the foot of the individual and will be set on a cement base. There will be no charge for setting of Federal issued veteran's foot markers.

Benches are only allowed on an eight grave lot. The size is to be a four (4') foot bench or smaller. The bench must be pedestal style or have a base equal in size and shape as the top.

Bases shall not exceed the above dimensions by more than three (3") inches on the left and right side of the headstone or monument. All bases shall have the lot number on the left side as you are facing the monument. Boulders do not need a base, but need to be at least three (3") inches below ground.

Foundations shall be constructed to the size of the base of the monument, and to a depth of four (4") inches.

PLANTINGS

Plantings must be approved by the Supervisor. Plantings should be adjacent to and no further than twelve (12") inches from monument and in keeping with the surrounding grounds.

To make possible the mowing and care of the lots, a grass buffer zone of at least forty-eight (48") inches will be maintained between all monuments and/or plantings.

Highland Cemetery cannot be held responsible for bushes or plants which might be damaged by routine maintenance or preparations for a grave.

All planting done without prior approval of the Supervisor is subject to removal by cemetery staff without notification.

All lawn care is to be done by cemetery personnel only.

All trees are to be approved by the Commissioners and planted under the direction of the Supervisor. There are to be no trees planted on lots without special permission of the Commissioners.

Trees given in memory of loved ones are encouraged.

All flowers are to be cared for by the lot owner. Any flowers or gardens not maintained will be removed.

All military and organization markers and flags shall be placed next to the family monument. The military marker and American flag will be placed to the left of the headstone as you look at it and organizations will be to the right of the headstone. In the event there is only a flat marker these items will be placed at the top of the marker. All American flags will be removed and disposed of in a respectful manner during fall clean-up. Organizational flags are the responsibility of the organization.

All decorations will be removed by the cemetery personnel one month after the season that is being celebrated or when they no longer add to the appearance of the cemetery.

There is no planting or placing of flowers allowed around a flat marker or ledger.

There are to be no stone, brick, or masonry borders around plantings nor are any of these materials allowed as ground covers.

Artificial shrubs or flowers, permanent vases, candles, shepherd hooks, and flame torches, are not allowed. No glass, crockery, or other breakable containers are allowed.

MEMORIALS

Cemetery personnel must be notified in person one full work day in advance of a burial, and authorization must be given by the Supervisor or cemetery staff before a burial can be scheduled.

All burials, either full body or cremation, are to be accompanied by the permits required by law as stated in Chapter 114 Massachusetts General Law and all other applicable laws.

All full burials are to be in an approved vault.

All bodies presented for burial shall be in a casket, coffin, or similar container.

All cremations are to be in a vault or an urn of permanence designed for burial.

All burials and cremations occurring after normal work hours and any interments requiring preparation or closing before or after normal work hours are subject to overtime charges.

All winter burials and cremations are subject to a Frost/Snow charge.

During all memorial services or funerals, the Commissioners or their representative are in charge of the cemetery grounds and proceedings.

All vault covers will remain on the delivery vehicle unless otherwise requested by the family.

Tents are allowed only during inclement weather and only if there are no safety concerns due to wind. The Supervisor or other representative of the Commission shall make the final determination as to the use of a tent on the day of the memorial or funeral service.

DISINTERMENTS

All applicable fees, costs and permits must be paid for and obtained by the parties or agency requesting the interment.

Signatures of parents, spouse and all siblings of the deceased, as applicable, must accompany a disinterment request.

Signatures of the lot owners or their heirs must accompany a disinterment request.

Cemetery personnel will not be responsible for handling of the remains or removing the vault during a disinterment.