

Mt. Calvary Cemetery

Policies and Procedures



Established 1956

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MOUNT CALVARY CEMETERY ASSOCIATION

Steubenville, OH 43952

POLICIES and PROCEDURES

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**POLICIES AND PROCEDURES OF
MOUNT CALVARY CEMETERY
STEUBENVILLE, OHIO**

PREAMBLE

FOR THE MUTUAL PROTECTION AND BENEFIT OF THE PLOT HOLDERS AND MOUNT CALVARY CEMETERY ASSOCIATION, THE FOLLOWING RULES AND REGULATIONS OF MOUNT CALVARY CEMETERY, AS ADOPTED AND AMENDED FROM TIME TO TIME PRIOR TO JULY 1, 1969, ARE BEING PUBLISHED AS THE RULES AND REGULATIONS OF MOUNT CALVARY CEMETERY ASSOCIATION FOR THE GUIDANCE OF ALL CONCERNED.

Mt. Calvary Cemetery Association meets the needs of individuals in the Diocese of Steubenville in preparation for, at the time of, and following the death of a loved one. In providing a consecrated place for burial, we treat the human body with dignity and respect after death, and offer an environment, which encourages frequent visitation with attendant prayer for the deceased, an environment in which love is remembered and faith is awakened and strengthened. We serve as a symbol of the extended community of the Church - a community unbroken by death - and celebrate the death and resurrection of the Lord, which offer to us the promise of eternal life

All Plot Holders and persons within the cemetery and all plots sold shall be subject to said Rules and Regulations and such amendments or alterations thereof or additions thereto, as shall be adopted by the Mount Calvary Cemetery Association from time to time; and the reference to these Rules and Regulations in the document conveying the right to interment shall have the same force and effect as if set forth in detail therein.

SECTION 1: DEFINITIONS

- A. The term "Management" shall mean the person or persons duly appointed by the Ordinary of the Diocese of Steubenville or his designee for the purpose of conducting and administering the cemetery owned and operated by the Diocese of Steubenville under the name of Mount Calvary Cemetery Association, Steubenville, Ohio.
- B. The term "cemetery" as used herein shall mean the property used for earth burials and mausoleums for crypt and niche for cremation entombment.
- C. The term "interment" may mean either ground burial or above-the-ground entombment.
- D. The term "entombment" shall mean interment above ground in a mausoleum crypt or a niche.
- E. The term "plot" shall include and apply to one or more adjoining graves.
- F. The word "grave" shall mean a space of ground in the cemetery used or intended to be used for burial of the remains of one human being.

- G. The term “plot holders” shall include person or persons who have purchased interment or entombment rights in the cemetery, or who held same by right of inheritance or transfer. Said transfers to be made only through and with the approval of Management.
- H. The term “memorial” shall include monument, tombstone, headstone, grave marker or tablet, and/or any inscription placed on a grave or graves for one or more persons.
- I. The term “care” shall mean that general care of the cemetery is defined more completely in Section 18.
- J. The terms “cremated remains” and “cremains” shall mean the bone fragments and ash remaining after the cremation which may include the residue of any foreign materials that were created from the cremation of human remains, and such shall be considered human remains.
- K. The term “cremation” shall mean the irreversible process of reducing human remains to bone fragments through intense heat and evaporation, customarily done in a specifically designed furnace or retort, which may include and other mechanical, chemical or thermal process whereby human bone fragments are pulverized or otherwise further reduced in size and quantity. Cremation is a process and is not a method of final disposition.
- L. The term “human remains” shall mean the body of a deceased human being in any stage of decomposition and includes cremains.
- M. The term “scattering” shall mean the permanent final disposition of cremains by dispersing them in the air, water, or on the surface of the ground, however, under the guidelines from the Congregation for the Doctrine of Faith, the Catholic Church does not allow scattering and states that the cremains should be kept in a sacred place- such as a cemetery.

SECTION 2: PURPOSE OF THE CEMETERY

- A. The Cemetery is intended for the interment of Catholic dead who are entitled to Christian burial in accordance with the rules and discipline of the Roman Catholic Church (see canon 1176). Any question of the burial of a non-Catholic or of any person not entitled to burial in accordance with the rules and discipline of the Roman Catholic Church shall be decided exclusively by the Management and the Ordinary of the Diocese or his designee and such decision shall be final (see canons 1183-84). The above shall not be interpreted to mean the exclusion of a non-Catholic member of a Plot Holder’s family.

SECTION 3: RESTRICTIONS, DISCLAIMERS, AND RESERVATION OF RIGHTS

- A. No Extraordinary Care: OWNERS AND PURCHASERS HEREBY ACKNOWLEDGE THAT MT. CALVARY SHALL TAKE REASONABLE PRECAUTIONS TO PROTECT EACH PLACE OF INTERMENT AND THE REMAINS PLACED THEREIN FROM LOSS OR DAMAGE. MT. CALVARY CEMTERY HEREBY DISCLAIMS ALL RESPONSIBILITY FOR LOSS OR DAMAGE FROM CAUSES BEYOND ITS’

REASONABLE CONTROL, including, but not limited to, damage to places of interment, outer burial containers and memorialization placed on a place of interment, caused by natural elements, including but not limited to water and soil conditions, acts of God, common enemies, thieves, vandals, strikes, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, orders of any military or civil authority, or through normal and extended wear and tear to such places of interment, outer burial containers and memorialization, whether the damage be direct or collateral. OWNERS AND PURCHASERS FURTHER ACKNOWLEDGE THAT MT. CALVARY CEMETERY SHALL BE HELD ONLY TO THE EXERCISE OF REASONABLE CARE AND DILIGENCE IN THE MAINTENANCE OF THE CEMETERY AND THE PLACES OF INTERMENT AND SHALL NOT BE HELD LIABLE FOR ANY OBLIGATION NOT EXPRESSLY SET FORTH WITHIN THESE RULES AND REGULATIONS, ANY AGREEMENT FOR THE PURCHASE OF A RIGHT OF INTERMENT OR ANY OTHER STATEMENT OF POLICY WHICH MAY BE ISSUED FROM TIME TO TIME. The Cemetery shall not be responsible, nor shall it provide any extraordinary or special care for a place of interment other than the general care and maintenance expressed in these Rules and Regulations or as otherwise agreed in writing.

- B. Rights of Mt. Calvary Cemetery: The Mt. Calvary Cemetery Association expressly reserves for itself certain rights and privileges in connection with the operation of the cemetery, which it owns and/or manages and shall have, sole discretion over all such decisions. The Mt. Calvary Cemetery reserves the right to:
- 1) Modify the existing memorialization plan of any section in Mt. Calvary Cemetery to allow the installation of raised markers and monuments, to limit the installation of a specific type of memorial, to restrict certain materials or to restrict the installation of raised markers and monuments.
 - 2) At any time plant, alter or remove any flora located within the cemetery, including but not limited to any tree, shrub, flower garden or memorial garden. The cemetery may use any area not subject to a Right of Interment for such purposes.
 - 3) Remove any grave accessory/decoration or other personal property located on a place of interment if in the sole discretion of Management, removal is deemed necessary to complete an interment, perform general cemetery maintenance or in connection with the management of the cemetery. Mt. Calvary Cemetery is not responsible for any damage to or loss of the grave accessory/decoration or personal property regardless of cause.
- C. Non-Diocesan vehicles on cemetery property:
- 1) Only vehicles used by individuals visiting a place of interment or having other business with the cemetery are permitted on cemetery property. All other vehicles will be deemed unauthorized and their occupants will be deemed trespassing on cemetery property. Unauthorized vehicles will be subject to towing at the owner's expense and the vehicle owner will be reported to the local authorities for trespassing on private property.

- 2) Parked vehicles should be locked. The Cemetery is not responsible for lost, stolen or missing property.
- 3) No vehicle is to be parked or left on a road or driveway within a cemetery in such position as to prevent another vehicle from ingress, egress and/or right of way.
- 4) All vehicles entering Cemetery property for the purpose of delivering or supplying products and/or services to a third party, a third party being any person who owns a right of interment, a person who has purchased a product and/or service for placement on a specific place of interment, must comply with the following requirements prior to performing any work at Mt. Calvary cemetery:
 - a) Report to the main office of the cemetery where products and/or services will be provided.
 - b) Provide verification that the original owner of the Right of Interment or an individual or individuals having authority over the Right of Interment has or have authorized the product and/ or service.
 - c) Provide the Management with appropriate documentation verifying the product and/or services have been approved for delivery or completion.
 - d) Execute an agreement with the Cemetery verifying that the individual or commercial operator is licensed to do business in the State of Ohio and maintains a specific amount of commercial general liability insurance naming The Diocese of Steubenville as an additional insured.

D. Outdoor Cemetery Conditions: Management uses its best efforts to maintain the cemetery in a safe and hazard free manner. There are many natural outdoor conditions and conditions inherent to a cemetery over which the Management has no control. The Cemetery is not responsible for any and all personal injuries, including bodily injury, attributed to, but not limited to, the following conditions:

- 1) Natural outdoor conditions found in any open grassy area, any forested area or any area surrounding trees planted by the cemetery i.e. exposed roots, holes created by animals.
- 2) Ground conditions created by the settling of graves, general ground maintenance and the placement of personal property on graves for memorialization.
- 3) Ground conditions that are created by forms of precipitation common to Ohio, all of which create a variety of conditions on cemetery grounds, requiring visitors to use caution when walking the cemetery grounds.
- 4) Rain and/or melting snow may make the cemetery grounds wet and soft making it possible to sink when walking the grounds. The possibility of sinking is increased when stepping on a new grave that is saturated with water.
- 5) Ground which has been disturbed due to a recent interment or other ground work will settle possibly creating a depression in the ground and making for uneven terrain. Visitors walking the grounds must walk with care to avoid stepping into such depressions.
- 6) Soft ground exists wherever there has been a recent interment in the ground or other work performed that has disturbed the ground. Soft ground is often the direct result of the

cemetery carrying out its normal course of operations. The ground is disturbed in order to complete the interment of a deceased person or to perform some other work below the surface, then the loose dirt is placed back into the void. When the disturbed ground becomes wet due to precipitation or other factors i.e. watering grass seed, it becomes muddy and may not support a person's weight. It may also settle, creating a depression in the ground. A person stepping on the disturbed ground may sink.

- 7) Decorations placed on graves by persons visiting the deceased may present a hazard when walking on cemetery grounds. Such decorations may be obscured by snow during the winter season.
- 8) Flush and raised markers are generally polished slabs of granite set at ground level or raised above ground. Polished surfaces are usually slippery, and become more slippery when wet. Raised markers may also be obscured by snow. Any precipitation or moisture, including watering the places of interment, will cause the granite markers to become wet and slippery. Frozen precipitation or moisture whether in the form of snow, ice or frost will cause the markers to become slippery. Snow may bury the raised markers. **FLUSH AND RAISED MARKERS ARE A FORM OF MEMORIALIZATION IN A CEMETERY. TO AVOID INJURY WHEN WALKING THE CEMETERY GROUNDS, AVOID STEPPING ON THE GRANITE FLUSH MARKERS AND RAISED MARKERS. FOR THE PROTECTION OF ALL VISITORS, THE CEMETERY RECOMMENDS ROADSIDE VISITATION WHEN THE CEMETERY GROUNDS ARE COVERED BY SNOW. ALL MARKERS AND OTHER DECORATIONS CAN BECOME OBSCURED BY SNOW.**

SECTION 4: ADMISSION TO THE CEMETERY

- A. Management of the Cemetery reserves the right to refuse admission to the Cemetery and to refuse the use of any of the cemetery's facilities or equipment at any time to any person or persons who Management may deem objectionable to the best interests of the cemetery.

SECTION 5: INTERMENT PROCEDURE

- A. All funerals on entering cemetery property shall be under the exclusive charge and sole discretion of Management.
- B. A burial permit for each funeral, as required by the local governmental or public authority having jurisdiction of the matter, must be presented to Management before the interment is completed.
- C. Management shall not be liable for the burial permit or for the identity of the person to be interred. Burial Permits: Ohio Revised Code Sec. 3705.17, prohibits the interment or cremation of human remains, "unless it is accompanied by a burial permit" issued by a local registrar or

sub-registrar of the department of vital statistics. The Diocese of Steubenville is prohibited from proceeding with any interment if not accompanied by the proper documentation.

- D. The casket may not be opened at any time within the Cemetery without the express permission and within the presence of Management. Management reserves the right to refuse permission to anyone to open the casket or to touch the body without the consent of the next of kin or legal representative of the deceased, or without a Court order, provided that Management may take appropriate and proper steps to correct any obnoxious or improper condition.
- 1) The casket size used for an interment in a grave is determined by the size of the outer burial container. The outer burial container for a standard grave must not exceed 90 inches in length by 34 1/4 inches in width. Size information is available at the cemetery office. Any outer burial container that exceeds the standard grave size will be considered oversized and a suitable place of interment must be located for purchase prior to the interment. The Cemetery reserves the right to refuse any outer burial container that exceeds the above size limitations
 - 2) A casket, which is to be entombed in a crypt, must not exceed 87 inches in length by 29 inches in width by 24 inches in height. Any casket that exceeds the above sizes will be considered oversized and a suitable location must be selected for purchase prior to an interment.
 - 3) An urn, which is to be interred in the ground, must be placed in an outer burial container designed for urns. The outer burial container for an urn must not exceed 18 inches in length by 18 inches in width by 18 inches in height. Niche sizes differ. Prior to placing the cremains into an urn, contact the cemetery staff to verify the correct niche size. Management will provide the purchaser with information regarding niche size and it is purchaser's sole responsibility to ensure the urn selected will not exceed the inside dimensions of the niche.
- E. Outer Burial Container: An outer burial container shall be required for each interment in a standard grave. While not required by law, the Cemetery mandates the use of an outer burial container. An outer burial container is used to displace the ground pressure on the casket or urn. The outer burial container must meet the Cemetery's requirements with respect to size, quality and construction and must be approved by Management prior to use.
- 1) A full body outer burial container must be: constructed of reinforced concert or of galvanized steel, stainless steel or copper all of a quality 12 gauge or better and must be capable of withstanding a minimum of 4500 psi of ground pressure. All metal outer burial containers must be of an air seal design. Certain cemetery sections containing full body graves have a standard width of 36 inches and are designed to accommodate a standard outer burial container, which is not greater than 90 inches in length, by 34 1/4 inches in width. In the event that the grave was purchased in an older section, the width may be smaller. Outer burial containers, which exceed the maximum sizes set forth above, will be considered oversized. Additional charges may apply when servicing an outer burial

container, which is considered, oversized. The Owner or other responsible person i.e. funeral director must verify the grave size prior to an interment.

- 2) Cremains must be interred in an outer burial container constructed of concrete, cultured marble, certified Corian® surface by DuPont or its equivalent, or galvanized steel, stainless steel or copper of a quality 12 gauge or better. All cremation vaults must be capable of withstanding a minimum of 4500 psi of ground pressure.
- 3) Outer burial containers, which are not, approved Management for use in the Cemetery are prohibited. The Cemetery reserves the right to refuse the use of any non-approved cremation container.

F. Crypts and Niches: Crypts and niches are the Places of Interment located above ground in a community mausoleum or a Family mausoleum. Niches may be located in a mausoleum or a columbarium. Crypts are generally used for a full body entombment although they may be used for the interment of cremated remains. Niches are used solely for the inurnment of the cremated remains of a human being. Upon full payment of all charges and fees associated with the purchase of a Right of Interment in either a crypt or a niche, the Purchaser or Owner will receive the appropriate Deed. Ownership is limited to the Right of Interment only and does not extend to the mausoleum structure, including the crypt or niche front. Common Areas: In order to maintain the stately appearance of the mausoleums and columbaria, those areas beyond a person's place of interment may not be used for placement of a person's personal items. The Cemetery will remove personal items immediately that are placed in violation this policy.

- 1) Mausoleum and Columbarium Memorialization: Due to the limited amount of space on a crypt or niche front and in consideration of the community setting of the mausoleums and columbaria, memorialization must be limited. All memorialization must comply with the criteria established the mausoleums. In addition, please refer to the decorations policy for crypt and niche fronts.
- 2) Casket Limitation: Only metal or fiberglass caskets shall be permitted for all mausoleum entombments. A wood casket in a crypt will fail and the remains of the deceased may become exposed.
- 3) Embalming: The design of a mausoleum, both community and Family, requires that all deceased persons to be entombed must be properly embalmed in accordance with current industry practices for embalming. Management reserves the right to demand verification of embalming from the funeral director. Embalming of remains may be waived for religious or specific cultural reasons or in the event of impossibility due to the condition of the human remains.
- 4) Crypt Liner/Casket Protector: In order to better serve all families, it is the policy of the Cemetery to require that each casket to be interred in a crypt be enclosed in a crypt liner, which is also referred to as a casket protector. The crypt liner or casket protector is selected by Management using established standards for the capture of fluids and proper release of gases. The Cemetery retains sole discretion with regard to this requirement.

- G. No interment will take place unless the grave/ crypt/ niche is paid and full and a deed has been issued for that property purchased. Exceptions to this policy will only be made in consultation with the deceased's pastor, their family and Cemetery Management and consent of a diocesan official.
- H. In the event that an interment has been made in a place of interment and the amount due has not been paid, and has been placed in collections, the Cemetery will record the debt as an obligation of the person interred. The Right of Interment will be encumbered by the debt and the obligation identified as a "Debt of the Interred". No future interments will be permitted in the Place of Interment and no memorialization is permitted until payment in is received.
- I. No disinterment or removal shall be allowed without permission of the President of the Board of Trustees in writing. Application for disinterment or removal shall be in writing, addressed to Management, and must contain the following information:
 - 1) A statement of relationship of the applicant to the deceased; that the applicant is the next of kin and that he is of sound mind and full age.
 - 2) Reason for the request.
 - 3) Proposed other disposition of the remains/cremains.
 - 4) Cause of death of the deceased.
 - 5) A statement releasing Management from any liability for damages in connection with the removal. Management shall exercise due care in making a disinterment or removal, but it assumes no liability for damage to the casket, vault, or burial case. Management shall have the right to designate the time and manner in which all interments, dis-interments, or removals will or will not be made or permitted. All services shall be subject to payment in full prior to any work being performed. Management has the right to assign fees for disinterment.
- J. All interments, disinterment, and removals shall be subject to the orders and laws of the properly constituted authorities of the County, City, and State.
- K. Number of Burials per Deed: A Right of Interment is designated for the interment of one deceased person. However, the cemetery will allow a maximum of one full body and two cremains or three cremains in a single ground plat. Cremation niches can be used to single or double entombment. If a niche is to contain a double entombment, the cremains must remain in the original container from the crematory.
- L. Fulfillment of the Agreement for Right of Interment: No interment will be permitted and no interment rights shall be acquired by the purchaser of the Right of Interment until purchaser has fulfilled the terms and conditions set forth in the agreement for the purchase of a Right of Interment entered into between the Cemetery and the purchaser.
- M. Only equipment owned or controlled by Management shall be used in making interments, dis-interments, or removals.
- N. Flowers must be delivered at the gravesite or chapel in sufficient time to permit proper arrangements before arrival of the funeral procession. Designs shall not offend against

Catholic discipline. Management, in all cases, shall have the right to limit the amount of flowers displayed at the gravesite.

- O. All flowers, floral designs, wreaths, baskets, or vases delivered to the gravesite and chapel, mausoleum or columbarium shall be the property of the Cemetery, and Management shall have the right to make whatever disposition of items left by the family and funeral home after completion of the burial service.

SECTION 6: ARRANGEMENTS FOR FUNERALS

- A. Management shall have the right to fix the time for those wishing to arrange an interment or entombment. Selection of a plot, crypt, or niche may be done during regular office hours, by appointment, or by electronic means.
- B. Interments shall not be permitted on the following days, except in the event of urgent circumstances: any Sunday; New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day Christmas Eve and Christmas Day.
- C. Prior Notice: In order to provide a proper and consistent service, the Management requires not less than forty-eight (48) hours prior written notice of interment, entombment or inurnment sent to the cemetery Failure to provide sufficient written notice may result in additional charges assessed to the provider of the funeral services or the family. Failure to provide sufficient notice may cause a delay in services.
- D. Funerals shall not be permitted in the Cemetery when escorted or accompanied by regalia or banners of societies forbidden by ecclesiastical law. Fraternal and service organizations not forbidden by Church law may be permitted at the discretion of Management. Specific permission for such services must be obtained in a reasonable amount of time in advance of the service from Management.
- E. Only a duly authorized clergyman of the faith of the deceased may be authorized to officiate at the chapel or the gravesite.
- F. Management may order an interment or opening of a plot on proper authorization by the Plot Holder of record. To avoid grave inconvenience, Management will accept a hard copy, email, or other electronic means, authorizations but will not be responsible for any order given verbally or by telephone for mistakes occurring from want of proper instruction as to location of the interment or size of vault or outer case. Management reserves the right to make equitable additional charges when added labor costs result from such mistakes.
- G. Management shall, in no way, be liable for any delay in the interment of a body where protest has been filed or where the Rules and Regulations have not been complied with. Management reserves the right, under such circumstances, to place the body in a receiving vault until full rights have been determined.

SECTION 7: CORRECTION OF ERRORS

- A. Management reserves and shall have the right to correct any errors that may be made by it in making interments, disinterment's, or removals, or in the description, transfer, or conveyance of any interment rights or plot, either by cancelling such conveyance and substituting and conveying in lieu thereof other interment rights or plot of equal value and similar location so far as possible, as may be selected by Management, or in the sole discretion of Management, by refunding the amount of money paid on account of such purchase. In the event the error shall involve the interment of the remains of any person in any plot, Management reserves and shall have the right to remove and re-inter the remains in such plot of equal value and similar location, as may be substituted and conveyed in lieu thereof.

SECTION 8: INSTRUCTIONS TO PLOT. CRYPT AND NICHE HOLDERS –THEIR RIGHTS

- A. Persons desiring to purchase interment rights should visit the office of the Cemetery where Management will assist them in making a selection and affecting all necessary arrangements or our website or a local funeral home that acts as a Mt. Calvary representative. Management reserves the right to specify the terms of the purchase and of all interments in the plot, crypt or niche.
- B. Should the purchaser of a plot fail to carry out the terms of the purchase agreement, Management may, subject to the terms of the agreement, cancel all rights of the purchaser to the plot, crypt or niche.
- C. In any transaction not covered by written agreement, the terms of the transaction shall be due and payable prior to interment unless an exception has been agreed upon by management, the deceased's pastor and a diocesan official.
- D. No Easement Rights or other Property Rights: The Owner of a Right of Interment receives a right to be interred in a grave, crypt or niche only and the Cemetery retains fee simple ownership of the land. The Owner does not receive with the Right of Interment any easement rights or other property rights in the land, crypt or niche. No easement or property right is granted to the Owner of a Right of Interment on any property of The Diocese of Steubenville, including but not limited to the place of interment, land, buildings, drives, roads, or walkways used as a means of access through or to the cemetery.
- E. From the earliest times in the Church's tradition, believers have decorated the places of interment of their loved ones with words and symbols reflecting their strong faith in the continuing presence of the Lord in life and death and their firm hope in the resurrection as the promise of everlasting life. Catholic Cemeteries are Sacred Places and as such must be

maintained in a manner which is respectful of all those who have entrusted their loved ones to us. In order to maintain the condition of the cemeteries, and to be considerate of one another, it is necessary to limit the nature and type of decorations permitted throughout these Sacred Places. It is the policy of the Cemetery that any item or object other than a marker or monument, is considered a decoration or grave accessory (hereinafter collectively “decoration”). It is imperative that all decorations comply with these Rules and Regulations and any amendments thereto promulgated by the Management from time to time. Due to the nature of cemetery operations, the Cemetery is not responsible for damage or loss to a decoration or grave accessory regardless of cause.

- F No coping, curbing, fencing, hedging, border, or enclosure of any type shall be permitted on any plot. If so erected, Management shall have the right to remove same at the expense of the Plot Holder. Benches are only permitted with written consent of Management and must be placed on a cement pad that follows management’s guidelines. Families who purchase 6 or more graves can place shrubs between graves with written permission of Management.
- G Containers of the following sizes are permitted: Pots -- 6 to 8 inches, Boxes -- not exceeding 18 inches in length, 6 inches in height, 6 inches in width. All containers should be of plastic or wood construction with ample drainage. Some of these containers are not suitable for the snow or harsh winter. The cemetery will not take responsibility for damage to them. Woody perennials such as: trees, bushes, or evergreens are not permitted, and they will be removed and disposed of unless the plot owner owns six or more plots in the same row. All plants will be cut level to the turf after October 14th.
- H. Metal: stands, boxes, pots, and shepherd hooks are strictly prohibited as well as lawn ornaments, glass or decorative stones and border edging. Candles of any kind are not permitted. These restrictions are necessary for the personal safety of visitors and the safety of cemetery staff while maintaining the grounds. Any violations mentioned above will be removed and disposed of immediately. Special holiday decorations may be removed following that holiday by cemetery staff.
- I. Decorations in glass or metal containers are subject to immediate removal because of the danger they present to employees and visitors. All glass decorations and any lights or lighted decorations, such as Christmas lights, are prohibited. Such decorations will be removed and discarded.
- J. In the mausoleums, only artificial flowers are permitted in the vases purchased through Mt. Calvary Cemetery. Only regulation vases are permitted to be attached to the fronts of crypts and niches. All other items will be removed. Any items such as metal, crockery, glass or similar materials are not permitted, as they present hazards due to breakage and cause rust stains on the decoration facilities provided. Candles of any kind are not permitted. Any objects taped or hung to the front of a crypt will be removed immediately by Management.

- K. Crypt and Niche Decorations: Crypt and niche fronts are generally constructed of porous materials such as granite or marble and can be damaged by adhesives used to attach decorations. Damage from such adhesives may include discoloration or may even cause the granite to become brittle. A damaged crypt or niche front can diminish the beauty of the crypt or niche. Unauthorized personal items attached to the crypt and niche fronts will be removed and the cost of any repair will be assessed to the Owner of the Right of Interment or their surviving heirs. Crypt and niche fronts are a part of the building structure and only Cemetery approved and installed crypt and niche front decorations are permitted
- L. Not more than one full burial of human remains and two cremains shall be interred in one grave or three cremains. Interments in walks or spaces reserved for location of memorials is forbidden.
- M. Interment of non-Catholic members of a Catholic family will be permitted in family lots provided the person to be buried is baptized (Canon 1183). Non-baptized desiring to be buried in family lots can do so only with the permission of the local Ordinary.
- N. The plot is for the use of the Plot Holder and their family, relatives, and heirs for interment purposes only and not for resale or profit. By special permission of Management and written consent of the Plot Holder, a person not a member of the Plot Holder's family may be buried in said plot. The Plot Holder shall have no right to subsequently order or request removal of such remains or to the re-use of space. In no case shall the Plot Holder have the right to sell, transfer, exchange, or in any manner, except as herein provided, dispose of said plot or any part thereof or any right or interest therein.
- O. Abandonment: Purchasers' rights to burial in the lot in question will be considered abandoned, and the Purchase Price forfeited, under the following conditions: (a) if after a period of 100 years from the Effective Date, the right to burial in the lot(s) in question has not been exercised, or, (b) if, at any time, Management receives notice or other reliable information that all Purchasers have been interred elsewhere. In the event of abandonment of the burial rights in such lot, it will be made available for resale by Management.
- P. Only the original Owner or original Owner's spouse may return a Right of Interment to the Cemetery.
- Q. In event of death of a Plot Holder, any and all privileges of the Plot Holder shall pass to the Plot Holder's family in the following manner:
- R. The spouse of the owner has a vested right of interment in the plot. Such vested right shall terminate upon burial elsewhere or upon remarriage.

- S. If the Plot Holder shall have filed written instructions at the cemetery office as to which member or members of the family shall succeed to the rights of said plot, Management will recognize such instructions and comply with them provided the instructions are definite, reasonable, and practicable; subject, however, to the vested right of interment of the surviving spouse.
- T. If satisfactory written instructions are in conflict with a later Will duly probated in a court having jurisdiction thereof, the provisions of the Will shall govern; subject, however, to a vested right of interment of the surviving spouse and provided the provisions of the Will are not in conflict with Cemetery Rules and Regulations then in force and provided Management is furnished proof of same.
- U. In the absence of valid and sufficient written instructions filed at the Cemetery office by the Plot Holder, or a duly probated Will in which specific mention is made of the plot and specific bequest disposes of the plot, the rights of interment shall devolve upon those entitled to succeed thereto in the following manner or sequence:
- 1) The surviving spouse shall have vested right to one burial space.
 - 2) Burial rights to the remainder of the plot descend from the intestate owner in the following manner:
 - 3) To the children of the owner;
 - 4) If none, to the grandchildren of the owner;
 - 5) If none, to the father or mother, or both;
 - 6) If none, to living brothers and sisters;
 - 7) If none, to living nieces and nephews by blood relationship;
 - 8) If none, to living uncles and aunts by blood relationship;
 - 9) When there are no longer any living persons who could be classified in any of the above-mentioned groups, and there has been no specific mention of the rights in the plat in the Will of the deceased owner, burial rights shall terminate and revert to the Cemetery.
 - 10) No one, except the original owner, may transfer a Plot or part of a Plot. Each transfer must be approved by Management. Each qualified heir shares equally and jointly in the burial rights while vacant graves remain. His individual rights cannot be determined except at the time of his own burial. Any qualified heir may release his right at any time; however, he cannot sell, assign, or transfer this right to any one individual, but to the other qualified heirs jointly. An heir inherits the right of burial only and not the right to sell, transfer, or assign any part of the plot, or in any manner to disturb, change, or remove existing memorials.
 - 11) In a conveyance to two or more persons as joint tenants, each joint tenant has a vested right to interment in the plot. Upon the death of a joint tenant, the rights to the remainder of the plot immediately vests in the survivors. A vested right may be waived and is terminated upon interment elsewhere of the remains of the person in whom vested. No objection exists where there are joint owners to an agreement between them as to parts of the lot to be used by each, but Management will not undertake to enforce such agreement.

- 12) An affidavit by a person or persons having knowledge of the facts, setting forth the fact of the death of the owner and the name or names of persons entitled to use of the plot, is complete authorization to Management to permit the use of the unoccupied portion of the plot by persons entitled to use it. On decease of the lot owner, the heirs shall have the duty to file in the office of the Cemetery full proof of their heirship for purposes of record of the Cemetery.
- V. No sale, assignment, or transfer of any right of burial in any plot will be permitted without consent of Management. Application for permission to sell, assign, or transfer said rights must be accompanied by evidence showing good and sufficient cause therefor and proof that such sale, assignment, or transfer is not for speculation or gain. No sale assignment or transfer is valid unless approved by Management, handled through the Cemetery office, and recorded in the records of the Cemetery. The certificate of transfer must be signed by the owner or owners and Management of the Cemetery. A transfer fee shall be charged.
- W. Any grave, crypt or niche purchased from Mt. Calvary Cemetery may be exchanged or returned with the exception of purchases as part of a Medicaid buy down. The return of crypts is subject to some restrictions and each case must be reviewed before a refund is given. This policy protects families if conditions change or especially if there is a relocation. Any grave and / or crypt and/or niche may be exchanged for graves, crypts or niches in another section. The credit for exchanging graves or crypts is determined by the purchase price of the new unit selected, or the current price of the unit being exchanged. In any exchange, the credit given will never be less than the original purchase price. Any refund for unused graves/crypts is based on the original purchase price less a twenty-five percent (25%) administrative cost and the funds placed in the irrevocable perpetual care fund. In accordance with Ohio, law graves and crypts can never be sold for more than the original purchase price or at a profit.
- X. Change of Address: It shall be the duty of the Owner of the Right of Interment and/or his/her surviving spouse or next of kin to notify the Management of any change in address for receipt of notices and other information from the Cemetery. Any and all legal notices sent to the Owner's last known address shall be deemed proper and legal notification.
- Y. Speculation Prohibited: Ohio law prohibits the purchase of rights of interment for the purpose of speculative investment.

SECTION 9 SERVICE CHARGES AND PAYMENTS

- A. Management shall have the right to fix the charges and time of payment(s) for each interment, disinterment, removal, plot transfer, and for the performance of any and all other services rendered by Management. All work in connection with such services shall be subject to the

determination and supervision of Management and paid in full prior to the service being rendered.

- B. In the event of a disinterment and a removal of the remains by the Owner of the Right of Interment, Mt. Calvary Cemetery will refund the original purchase amount for the Right of Interment less a twenty-five (25) percent administrative fee and less the funds paid into the irrevocable perpetual care fund.
- C. Purchaser will not be entitled to a refund for any products or services used in connection with a completed interment.

SECTION 10: RIGHT TO RE-PLAT

- A. The following rights and privileges are hereby expressly reserved to Management to be exercised at any time or from time to time for the purpose of erecting buildings, improving the Cemetery, improving the roads within the Cemetery, or for any other purpose or use connected with, incident to, or convenient for the care and preservation of the Cemetery, or preparation for the interment of human bodies or other cemetery purposes:
 - 1) To re-survey, enlarge, diminish, re-plat, alter in shape or size, or otherwise change all, part, or portion of the Cemetery.
 - 2) To lay out, establish, close, eliminate, or otherwise modify or change the location of roads, walks, or drives, provided ingress and egress to and from any plot is preserved or is allocated to the Plot Holder.
 - 3) Easements and rights of way over and through all of the cemetery premises for the purpose of installing, maintaining, and operating pipelines, conduits, sprinkler systems, drainage systems, electric or communication systems, or for any other purpose.
 - 4) No easement or right of way is granted to any Plot Holder in any road, drive, or walk within the cemetery, but such road, drive, or walk may be used as a means of access to the cemetery and its buildings, so long as Management devotes such roads, drives, or walks to that purpose.

SECTION 11: USE OF CEMETERY

- A. In order to promote the safety and comfort of all visitors Mt. Calvary Cemetery, the Cemetery requires that visitors comply with the Rules and Regulations contained herein and any amendments, which may be promulgated from time to time. The Cemetery requires all visitors to exercise appropriate caution when walking the grounds.
- B. All visitors within the cemetery shall use only the roads, drives, or walks, unless it is necessary to walk on the grass to gain access to one's own plot. Management disclaims any liability for injuries sustained by anyone violating this rule. Management is also not responsible for any liability that might occur while traversing other lots to access one's own lot

- C. Strangers and trespassers are not permitted to sit or lounge on the grounds or to enter any private building. Only the Plot Holders, their family, and relatives have the right to be on the cemetery plot. Any other person thereon shall be considered a trespasser, and Management shall owe no duty to trespassers to keep the property or the memorials thereon in a reasonably safe condition.
- D. Children under sixteen (16) years of age are not permitted in the Cemetery unless accompanied by a proper and responsible adult to care for them and be responsible for their conduct.
- E. All animals other than service animals are not permitted in the Cemetery or in any of the buildings.
- F. Proper attire and behavior for sacred ground will be enforced by Management.
- G. Language which is offensive to other visitors is prohibited.
- H. Unauthorized soliciting or peddling of any commodity is prohibited
- I. Discharging firearms on the premises is prohibited, except by military personnel using blanks in their capacity as escorts accompanying a veteran's interment service, any public safety officer or for purposes of self-defense.
- J. All alcoholic beverages and illegal substances are strictly prohibited on cemetery property.
- K. To avoid damage to trees, shrubs or gardens, any decorations placed on trees, shrubs or in the gardens are not permitted and will be removed and discarded.
- L. Grass shall not be disturbed for any purpose, except under the supervision of Management.
- M. The right to regulate the method and manner of decorating the plots and graves is specifically reserved to Management so that uniform beauty may be achieved and maintained. The use of homemade wood or metal boxes, markers, ornaments, or decorations shall not be permitted. Crypt and Niche vases, other than those of cast iron, aluminum, or bronze, of approved design, are not permitted and will be removed. Management shall have the right to remove any and all types of containers when they become unsightly, unserviceable, or create a potential hazard.
- N. Management shall not be liable for vases, floral pieces, and/or baskets of flowers beyond the acceptance of such pieces into the Cemetery. Management reserves the right at all times to remove any and all such decorations, plantings, flower containers if, in the opinion of Management, they are unsightly, in bad taste, or interfere with the overall beauty of the

Cemetery. All decorations will be removed and disposed of during the Cemetery fall and spring cleanup.

- O. All vehicles entering the Cemetery must be kept under complete control at all times and at no time may exceed twenty miles per hour (20 mph) within the Cemetery. Stopping or parking in front of an open grave is prohibited, unless such vehicle is in attendance at a funeral. It is prohibited to park or abandon any vehicle on any road or driveway in such location or in such manner or position to prevent other vehicles from passing. Parking or driving on the grass is prohibited. Management shall have the right to move or remove any vehicle thus parked
- P. ATV's (all-Terrain Vehicles), 4 wheelers, golf carts and tractors and lawn mowers otherwise owned by Mt. Calvary cemetery are not permitted.
- Q. Motorcycles are not permitted past the Cemetery Office building in order to maintain the reverence of sacred ground.

SECTION 12: CONDUCT WITHIN THE CEMETERY

- A. Idling, loafing, or demonstrations within the Cemetery, or any of its buildings, is prohibited.
- B. Throwing rubbish or littering on roads, driveways, walks, or paths in any part of the grounds or in any buildings is prohibited, except at designated locations for such trash.
- C. Picnicking and alcohol within the cemetery grounds is not permitted.
- D. No one shall pluck flowers, break branches, remove, injure, or cut any trees, plants, or shrubs without specific permission of Management. Such acts constitute vandalism and violation of this rule and subjects offenders to prosecution.
- E. Peddling, soliciting, or sale of any commodity whatsoever within the Cemetery is forbidden, unless expressly authorized and supervised by Management.
- F. No signs, notices, or advertising of any nature shall be allowed within the Cemetery, except such signs and notices erected by management for the information and guidance of the Plot Holders.
- G. Management has the right to regulate all assemblages within the Cemetery and to prevent improper assemblages.
- H. Violation of the Rules and Regulations of the Cemetery or good conduct on the part of any person, whether the lot owner or visitor, shall be grounds for denying that person access to the Cemetery. Persons barred from the Cemetery shall be treated as trespassers upon entry and shall be liable to prosecution. The foregoing list is not all-inclusive and shall serve as a guide.

The Mt. Calvary Cemetery requires that all visitors conduct themselves in a manner, which is respectful of these Sacred Places.

SECTION 13: GRADING AND IMPROVEMENTS

- A. All grading, landscape work, and improvements of any kind is only undertaken by Management or a contractor of Management. Plot owners may only plant flowers no greater than twelve inches from the monument.

SECTION 14: CEMETERY HOURS

- A. Management shall have the right to fix the opening and closing hours of the Cemetery, Cemetery office, and buildings.
- B. Visiting hours within the Cemetery shall be from one hour after sunrise to one hour before sunset. This means one hour after dawn and one hour before dusk. Anyone found in the Cemetery after visiting hours is to be deemed a trespasser and treated as such.

SECTION 15: CEMETERY EMPLOYEES

- A. Cemetery employees are not permitted to do any work for Plot Holders, except upon order from Management, but are required to be respectful and courteous to all visitors.
- B. Cemetery employees should be familiar with the Rules and Regulations governing conduct within the Cemetery and to report to the office or their immediate supervisor any violations of these Rules and Regulations. Management or someone appointed by management are the only employees allowed to ban or remove a visitor from cemetery grounds.
- C. The statements of any employee shall not be binding upon Management, except as such statements coincide with the document conveying the right of interment and these Rules and Regulations.
- D. Under penalty of disciplinary action, including dismissal, Cemetery employees are forbidden to accept any gratuity or commission, directly or indirectly. Employees may perform tasks outside of their scope of employment at the cemetery only if it is not during working hours and they do not wear their Mt. Calvary Uniform.
- E. Cemetery employees will follow all polices in the Mt. Calvary Handbook. The Superintendent of the cemetery reports directly to The Diocesan Buildings and Facilities Director who in turn

reports directly to the Vicar General. The Chancery has the right to change these polies at their will.

SECTION 16: OUTSIDE WORKERS

- A. No workers, other than the employees of the Cemetery, will be permitted to work in the Cemetery unless specifically authorized by Management. Plot Holders may have certain work done in accordance with Cemetery rules at their own expense upon application to Management; price is to be agreed upon and paid prior to commencement of such work. All such work will be under supervision of Management. Outside workers must present proof of liability insurance and workers compensation insurance prior to the commencement of work

SECTION 17: LOSS OR DAMAGE

- A. Management disclaims all responsibility for loss or damage from causes beyond its reasonable control, especially from damage caused by acts of God, the elements, war, common enemy, air raids, invasions, insurrections, riots, order of any civil or military authority, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, or any cause similar or dis-similar beyond control of Management, whether the damage be direct or collateral. In the event it becomes necessary to reconstruct or repair any section, plot, or grave which has been damaged, Management shall provide written notice of the necessity of such repair to the Plot Holder of record by depositing such notice in the United States mail, postage prepaid, addressed to the Plot Holder The Cemetery will not make repairs to plots and memorials that are the private property of the property owner unless they pose a safety risk to visitors. The plot holder is responsible for all repairs.
- B. A Plot Holder, holding interment rights in a plot, may be denied use of the plot in the event there is any unpaid amounts due to the Cemetery for the plot or, previous interments, or other work authorized by the Plot Holder or undertaken by Management in accordance with these regulations. Exceptions will only be granted in consultation with the deceased's pastor, their family, Management and a diocesan official.

SECTION 18: PLOT HOLDERS CHANGE OF ADDRESS

- A. It shall be the duty of the Plot Holder to notify the Cemetery of any change in their postal address. Notices sent to a Plot Holder at the last known address in Management's records shall be considered sufficient and proper legal notification.

SECTION 19: CARE

- A. While it is the desire of Management to provide care for all parts of the Cemetery, cognizance is taken of the financial limitations of Management as well as its primary duty to provide care to those plots whose owners have contributed to that care. Care, therefore, is understood as that attention and maintenance of plots necessitated by natural growth and ordinary wear and includes cleaning and cutting of lawns, trees, shrubs, and the cleaning and maintenance of roadways and walks. Planting lawns and revitalizing the soil may also be included provided there are sufficient funds available for that purpose. Grass will only be cut at the discretion of Management between November 1st and March 15th. All plants will be cut level to the turf after October 14th each year.
- B. Unless specifically included in a care agreement, the term “care” shall in no case mean the maintenance, repair, or replacement of any memorial nor the planting of flowers, ornamental shrubs, nor doing any special or unusual work in the cemetery, including work caused by the impoverishment of the soil, nor does it include the replacement or reconstruction of any marker or concrete work on any section or plot, or any portion thereof injured or damaged by any cause direct or indirect, beyond Management’s reasonable control.

SECTION 20: MEMORIALS AND RULES FOR MEMORIAL WORK

- A. Memorial dealers shall abide by all Rules and Regulations of the Cemetery on penalty of being prohibited from entering or performing any work therein.
- B. For the purpose of these Rules and Regulations, a granite memorial includes all flush markers, raised markers, small monuments or large monuments that are manufactured in accordance with these Rules and Regulations for placement on a place of interment in the Cemetery. Any Memorial delivered to the Cemetery in contravention of these Rules and Regulations will be rejected and not permitted for placement on the place of interment. If installed or placed without authorization of the Cemetery, the Memorial will be removed for non-compliance, following thirty (30) days reasonable notice without response.
- C. General Standards for Memorials: Memorials for use in the Cemetery must be constructed of granite and are to be used solely for the purpose of memorializing and identifying those persons interred in a Place of Interment. Shrines and statuary that are donated by individuals for installation in the Cemetery may be used for purposes of memorialization if approved by the Cemetery. A memorial that is used for the purpose of memorialization on a Place of Interment

must include relevant information such as the date of birth and death and may include other symbols as herein set forth.

D. The Cemetery's requirements regarding symbols engraved on memorials are as follows:

- 1) Signs or symbols of particular meaning to the family of the deceased may be included in an area not to exceed the size of a Christian symbol. Other symbols may not be included if a Christian symbol is not also included. Any non-Christian sign or symbol must be approved in advance by the Cemetery. As the Cemetery is a sacred place, the Christian symbol on any marker or monument must be predominant. Recognized Christian symbols are always preferred and recommended. Examples of Christian symbols are those depicting God, Jesus, Resurrection, the Sacraments (especially the sacraments of initiation: Baptism, Confirmation, Eucharist), Mary, the Saints, hope, faith, love, etc.
- 2) Any trademarked character, logo, etc. without proper documentation is prohibited. Any trademarked character, logo etc. that appears on a memorial is the sole responsibility of the monument company, lot holder and their next of kin to prove a trademark violation has not occurred if the symbol comes into question of legality.

E. Sources for inscriptions are in the following order of preference: Sacred scripture; the liturgy of the Catholic church; approved and published prayers, hymns and spiritual writings; personally authored sayings which have a religious meaning or sayings having a significant meaning to the family if not deemed inappropriate by the Cemetery within its' sole discretion; and nicknames if deemed appropriate. In consideration of the Cemetery as a sacred place, any personally authored sayings must observe a level of decorum, which is appropriate for use in a Catholic cemetery. The applicant must obtain written approval of the Cemetery prior to the saying being inscribed. Formal titles of family relationship are preferred, e.g. Mother, Father, Sister, etc., however, personal terms of endearment or nicknames are acceptable subject to prior written approval by the Cemetery. The Cemetery has sole discretion with regard to personally authored sayings.

F. Minimum Quality Standards for Granite: To minimize the possibility of inferior materials being used for granite memorials, the Cemetery accepts only guaranteed first grade clear stone. This policy is enforced to protect the families served by the Cemetery. All granite memorials must comply with the following requirements:

- 1) The appearance of the granite, including but not limited to the color and the grain, must not be altered in any manner. The use of any type of oil, wax or any other substance either artificial or natural is strictly prohibited as it alters the true color of the granite.
- 2) The granite must be free of any material that will cause the granite to stain.
- 3) The granite must be free of fissures, which have a tendency to check or crack.

- 4) The granite must meet these minimum acceptable granite standards: Absorption percentage - cannot exceed 0.40% Compression strength - minimum is 19,000 PSI Modulus of Rupture - minimum is 1500 PSI
 - 5) Due to the nature of granite along with the fact that a defect in the granite is difficult to discover, the Cemetery is not responsible or liable for any defects discovered after the granite memorial has been delivered.
- G. Inferior Granite: Any granite memorial, which does not meet the minimum requirements, set forth in these Rules and Regulations or other published policy of the Cemetery, may be rejected. If rejected, the Cemetery will not permit the setting of the memorial and the memorial manufacturer must immediately remove it from Cemetery premises at their sole cost and expense. Due to the nature of granite, a defect may not be immediately discoverable. Under such circumstances, the Cemetery reserves the right to have the granite memorial removed and replaced by the manufacturer at the manufacturer's sole cost and expense. The Owner of the granite memorial and/or the manufacturer of the granite memorial and/or the seller of the granite memorial are jointly and severally responsible for complying with these Rules and Regulations.
- H. Certificate of Origin and Compliance: Prior to accepting, a memorial for delivery, the Cemetery requires that the monument dealer provide a completed Certificate of Origin and Compliance. The certificate must include the origin of the granite used in the manufacture of the memorial and a guarantee by the memorial manufacturer that the granite meets all Cemetery requirements. The certificate must be signed by the monument dealer and the Owner of the Right of Interment, his/her heir or a duly appointed representative. Information regarding the origin of the granite must include the quarry and country of origin and the number of years that the granite has been used for memorial purposes without a major incident, such as fading, discoloration or fracturing due to natural forces. Any granite which does not have a minimum of five (5) years of use without a failure may be prohibited.
- I. Designated Monument Areas: The cemetery office maintains information regarding the location of the monument lots and the specific memorial sizes permitted.
- J. Granite Memorials - Miscellaneous:
- 1) Information regarding foundation fees and other additional information applicable to granite memorials is available at the Cemetery office.
 - 2) Owner acknowledges that his/her marker or monument is set in the ground and is subjected to a combination of forces, both natural and man-made, which can damage the granite or alter its appearance. The Cemetery shall not be responsible for markers and/or monuments, which are damaged or broken as a result of the aforementioned causes.
 - 3) The Cemetery recommends against the use of memorials, which are predominantly black in color. Memorials of this type are generally not granite but more commonly known as diorite or gabbro and referred to as "Jet Black" for memorial purposes. This natural material contains a significantly lower amount of quartz, which is a fundamental element

of granite. Such material is more susceptible to damage because of its relative softness as compared to granite. Gabbro or diorite may be damaged by natural forces and/or cemetery equipment, therefore it is not recommended by the Cemetery for use as a flush marker. Any individual seeking to place a marker manufactured of this material in a cemetery must sign a release prior to the marker being approved and set. The Cemetery will be released of all responsibility if the marker is damaged under any circumstances.

- 4) Monuments, which do not include a base, also commonly, referred to as monoliths or slants without a base, are prohibited.
- K. Flush markers must have a flat top, with a sawed bottom. Edges around the top and sides of flush markers to be rounded or beveled not less than 1/8" or not more than 1/4".
- L. Management reserves the right at all times to approve and prescribe the kind, size, design, symbolism, craftsmanship, quality, and materials of memorials, monuments, markers, etc., to be placed in the Cemetery, and all such memorials are subject to the approval of Management prior to the placement. Acceptance or rejection shall be based upon such approval.
- M. The location and position in which a memorial is to be placed or erected on a plot shall be entirely subject to the approval and under the supervision of Management.
- N. No more than one monument may be placed on a lot. When the lot consists of two tiers of graves, the monuments shall be placed in the center of the lot and the family name may be permitted on both sides. When the lot consists of a row of graves, the monument shall be placed at the head of the graves and the name may appear only on the side of the monument facing the lot.
- O. No more than one marker may be placed on a grave.
- P. The name of a person not buried in a grave may not appear on a memorial unless the specific grave is reserved for them. In the event of the interment of the person elsewhere and the interment of another in that grave, the marker bearing the name must be removed or the name effaced.
- Q. In case of a double interment in a grave (i.e., the interment of a newborn infant with its deceased mother or a cremains placed on a grave), both names may appear on a single marker, but two markers will not be permitted.
- R. Any material placed in the Cemetery is restricted to two thirds of the width of the space it is intended to mark. Thus, single grave markers are restricted to 24 inches (24") in width. Management reserves the right to limit height of the memorial to the approximate height of surrounding memorials.

- S. The size of a monument: The face area should not exceed fifteen per cent (15%) of the superficial area of the lot and its length should not exceed sixty per cent (60%) of the width of the lot. On two grave lots, the width of the memorial should not exceed four feet six inches (4'6") X three feet zero inches (3'0") in height.
- T. All memorial work including placement or removal of any memorial shall be on written order of the Plot Holder and with permission from Management. Management reserves the right to fix the days and hours when a permit may be obtained and when any memorial work may be delivered or removed from the Cemetery. Management also reserves the right to fix charges for foundations, permits, placement, or removal of memorials and demand payment for said charges before the work is done.
- U. Non-cemetery employees, in placing or erecting memorials or other structures or bringing in materials in connection with such work, shall (as to Management) operate as independent contractors but must do so under permission and supervision of Management. They are prohibited from scattering their materials over adjoining lots or from blocking roads or walks, or from leaving their materials on the grounds longer than necessary to perform the work. Damage done to plots, drives, trees, shrubs, flowers or other plants, or property shall be repaired by Management at the expense of the dealer or contractor or his principal.
- V. In the event that an interment has been made in a place of interment and the amount due has not been paid, and has been placed in collections, the Cemetery will record the debt as an obligation of the person interred. The Right of Interment will be encumbered by the debt and the obligation identified as a "Debt of the Interred". No future interments will be permitted in the Place of Interment and no memorialization is permitted until payment in is received.
- W. Memorialization if a Balance is Due: The Cemetery prohibits the installation of a memorial on a grave, engraving of any additional information (i.e. date of death) on an existing memorial, installing the name plaque or engraving the name and dates on a crypt or niche front until all amounts due for the purchase of the right of interment or for any products or services provided by the Cemetery are fully paid. The Cemetery reserves the right to remove any memorial i.e. monument or marker, from the place of interment, or remove a crypt plaque or crypt front and replace the same with a blank, in the event that the amount due is not paid in full. Any memorial dealer or inscription company entering the property of the Cemetery and voluntarily, without verifying the financial status of the place of interment with the cemetery office, and proceeds to complete a final inscription or other service in contravention of the contractual prohibition set forth in the agreement between the owner of the Right of Interment and the Cemetery, will be held responsible for interfering with a contract and will be responsible for payment of the past due amount. Such memorial dealer or inscription company may be barred from entering the Cemetery property for the purposes of performing services.

- X. Shrines and Statuary: An individual may request the Cemetery's permission to install a shrine or statue as a memorial and a cemetery feature. The cemetery has sole discretion with regard to the type of shrine or statue, the location and the material to be used. This shrine or statue will become a feature of the cemetery for the benefit of all families. Any inscription including the placement of the family name must be approved by the Cemetery. The Cemetery reserves the right to require a modification of any inscription and the right to require that the inscription identify the memorial as a gift or donation

- Y. Prayer Benches: A prayer bench may be installed in the Cemetery. The prayer bench must be constructed of granite. A memorial application requesting the installation of the bench must be submitted to the Cemetery Board for prior approval. A prayer bench may only be installed in areas that are approved for benches, i.e. the vacant spaces between rows of graves or other areas approved by the Cemetery. Prayer benches become the property of the Cemetery as they are donated for the use of all visitors. A prayer bench may be memorialized by inscribing a family name on the bench and a personalized prayer may be added. Benches may only be installed in locations approved by the Cemetery.

- Z. Management reserves the right at any time and from time to time to amend, alter, change, repeal, rescind, or add to the regulations governing the installation of memorials.

SECTION 21: MAUSOLEUMS – RULES FOR MAUSOLEUM WORK

- A. The erection of mausoleums or/and private mausoleums, either wholly or partially above ground, will not be allowed without special permission from Management and restricted to specific area within the cemetery that have been determined by Management. Application for permission to build such structures must be accompanied by plans and specifications of the proposed structure Construction of such structures shall be only on lots specifically designated by the Cemetery.

- B. The exterior of mausoleums must be of first quality granite or other material specifically approved by Management.

- C. The foundation for such structures shall be installed by the Cemetery (Management) from plans furnished by the contractor and the cost of the foundation shall be paid in full prior to proceeding with any construction on the structure.

- D. A perpetual care fund of twenty per cent (20%) of the selling price of structure shall be provided and paid to the Cemetery by the purchaser prior to any construction, including foundation work. The interest from said fund shall be used at the discretion and under the supervision of Management for the purpose of providing adequate care of the mausoleum and its surroundings.
- E. All necessary insurance must be carried by the contractor to render the Cemetery free from liability during construction. The term "All necessary insurance" includes protection to the Cemetery against damage to roads, drives, and paths, as well as freedom from liability for damage to adjacent lots. It also includes Workers Compensation Insurance. Contractors will not be allowed to work on Cemetery property unless proof of insurance is presented.
- F. All joints in all mausoleums and other structures erected for entombment must be completely filled and caulked. All exterior pieces must be clamped and doweled with bronze clamps and dowels.
- G. The Cemetery is obligated to keep available at all times a key for admittance to a mausoleum erected within the Cemetery and handles for crypt facings.

SECTION 22: GENERAL

- A. Management reserves the right, without notice, to make temporary exceptions, suspensions, or modifications in any of these Rules and Regulations, when, in its judgment, the same appear advisable; and such temporary exceptions, suspensions, or modifications shall in no way be construed as affecting the general application of such rule.
- B. In all matters not specifically covered by these Rules and Regulations, Management reserves the right to do any and all things which, in its judgment, is deemed advisable and reasonable in the premises, and such determination shall be binding upon the Plot Holders and all parties concerned.
- C. Management reserves the right at any time and from time to time to change, alter, repeal, rescind, or add to these Rules and Regulations, or any part thereof, or to adopt any new rule and regulation with respect to the Cemetery or anything pertaining thereto.

July 1, 1969

The above Rules and Regulations, effective in 1956, were revised this date to include amendments approved by the Board of Trustees on September 6, 1966, and modification of regulations set forth in a letter from the Chancery dated September 21, 1966, regarding burial of non-Catholic members of Catholic families. See copy attached.

Revisions were approved by the Board of Directors on XXXXXX

The Diocese of Steubenville
Office of the Chancellor
422 Washington Street
P. O. Box 969
Steubenville, Ohio

September 21, 1966

Reverend William M. Young, President
Mt. Calvary Cemetery Association
Steubenville, Ohio

Dear Father Young:

I wish to acknowledge your letter of September 17, 1966, in reference to the policy of burying non-Catholics in certain sections of Mount Calvary Cemetery previously closed to non-Catholic burials.

I brought this matter to the attention of His Excellency, Bishop Mussio, and he wishes me to inform you as a matter of future policy it will be permissible to bury non-Catholics in these sections of Mt. Calvary Cemetery, which previously excluded non-Catholic burials. The norm for this policy is that if the person to be buried enjoyed a good reputation in the community and was not involved in an invalid union, they may be buried in the above captioned sections of the cemetery provided that all other regulations of the cemetery have been met.

If there is any doubt in reference to non-Catholic burials in particular instances, the matter should be brought to the attention of this office.

The examples you cite in your letter, viz, Mrs. ----- and Mrs. -----, would appear to come within the above cited statement of policy.

By Order of the Most Reverend Bishop.

Rt. Rev. Msgr. Henry B. O'Donnell
Vicar General and Chancellor

O/t

Cc: Mr. Francis Pfister