

**Town of Barnstable  
Town Cemeteries and Columbarium  
Rules and Regulations**

The following rules and regulations, adopted by the Town of Barnstable Town Manager pursuant Code of the Town of Barnstable Administrative Code §§ 241-47.1(B)(2)(g) and 241-47.25(c)(4) on April 21, 2016, shall govern the operation and management of all Town Cemeteries and Columbaria. Those rules and regulations adopted on July 20, 1990 are hereby superseded and canceled.

**TOWN CEMETERIES AND COLUMBARIUM:**

The Town of Barnstable maintains and operates fourteen (14) active and inactive cemeteries and one 96 - niche columbarium. Active cemeteries are those in which burial lots and niches are available for licensing assignment to residents of the Town. Inactive cemeteries are those in which NO lots remain available for licensing assignment.

**Active Columbarium:**

Mosswood Cemetery, 280 Putnam Avenue, Cotuit

**Active Cemeteries:**

Beechwood Cemetery, 1705 Falmouth Road/ Route 28 Centerville  
Crocker Park Cemetery, 9 Pine Street, West Barnstable  
Cummaquid Cemetery, 1460 Mary Dunn Road, Barnstable  
Lothrop Hill Cemetery, 2801 Main Street/ Route 6A,  
Barnstable  
Marstons Mills Cemetery, 437 Route 149, Marstons Mills  
Mosswood Cemetery, 280 Putnam Avenue, Cotuit  
Oak Neck Cemetery, 230 Oak Neck Road, Hyannis

**Inactive Cemeteries:**

Centerville-Ancient Cemetery, 61 Phinney's Lane, Centerville  
Cobb Hill Cemetery, Millway, Barnstable  
Hillside Cemetery, Old Mill Road, Osterville  
Hyannis-Ancient Cemetery, 509 South Street, Hyannis  
Oak Grove Cemetery, 230 Sea Street, Hyannis  
Old West Barnstable Cemetery, Corner of Route 149 and 6A,  
West Barnstable  
Sandy Street Cemetery, Route 6A, West Barnstable

**MANAGEMENT:**

Under the administrative direction of the Town Manager, the Director of the Department of Public Works (DPW) shall have overall responsibility for the proper management of Town

Cemeteries and Columbaria, in accordance with these rules and regulations and applicable federal and state laws. Under the general direction of the Supervisor, DPW Structures and Grounds Division, the Foreman of the Cemeteries shall have direct responsibility for the day-to-day administration, operation and maintenance of Town Cemeteries and Columbaria. As such, the Cemeteries staff, under the direction of the Foreman, shall be responsible for the administration and enforcement of these rules and regulations.

**CEMETERY OFFICE:**

The Cemetery office, located at Mosswood Cemetery 280 Putnam Avenue, Cotuit on the west side of Putnam Avenue, Cotuit, is open weekdays from 7 a.m. to noon and 12:30 to 3:30 p.m. It is closed all day on Saturdays, Sundays and the following holidays:

New Year's Day  
Martin Luther King Day  
President's Day  
Patriot's Day  
Memorial Day  
July 4th  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving and Day after  
Christmas Eve Day (11-3:30 p.m.)  
Christmas

**SERVICE/BUSINESS HOURS:**

Persons seeking information and/or services covered by these rules and regulations shall be guided by the hours of operation specified for the Cemetery office. Except where special arrangements are made at least FORTY-EIGHT (48) hours in advance through the Cemeteries Foreman, no services shall be provided beyond normal working hours or on Saturdays, Sundays or holidays.

**VISITING:**

Town Cemeteries and columbaria are open to visitors and the public seven days a week throughout the year, typically from sun-up to sundown daily. Visitors are requested to bear in mind that the cemeteries and columbaria are consecrated to the memories of those who are buried within. Dignified behavior shall be required at all times.

**SPECIAL PROHIBITIONS:**

Vehicles shall proceed cautiously but at no time shall they exceed 15 MPH in any town cemetery. Violators shall be subject to a speeding fine.

Use of any cemetery driveway or cart path as a thoroughfare shall be prohibited.

Parking is limited to driveways only.

Bicycling, horseback riding, motorcycling, skateboarding, or any other type of recreational sport or similar activity shall be prohibited.

Children under 14 are not permitted within cemeteries for any reason except when accompanied by a parent or guardian.

The disposal of flowers and other debris is prohibited except in receptacles provided by the DPW.

Domestic animals of any type shall not be permitted in the cemeteries, except certified animals assisting persons with disabilities.

No grading, seeding, mowing or fertilizing shall be allowed other than by authorized DPW personnel.

No sod or ground shall be broken without specific authorization of the Cemeteries Foreman.

No flower boxes or fences, curbing, hedges, trees, shrubs or any other similar type of in or above-ground planting shall be placed around or planted upon any columbarium, niche, grave or lot in a Town cemetery.

For safety concerns of our workers and our cemetery visitors, the following are not permitted at any time:

- Metal stands and hooks (including shepherd hooks and other metal rods)
- Glass, ceramics
- Any kind of lighting (vigil, solar, digital. etc.)
- Wind chimes, balloons
- Signs/banners
- Statues (unless part of an approved monument)

- Toys, pin wheels and stuffed animals
- No drilling or mounting any items on trees
- Other inappropriate items

No crushed stone or bark shall be placed around monuments, markers or cremation garden. Ornaments of any type are prohibited.

**Cremation Garden and Columbarium:**

No ornamentation, structural change, or addition shall be made on or about any niche, and the Town of Barnstable reserves the right to remove any such ornamentation or correct any such alteration at the expense of the Purchaser without being deemed guilty of any manner of trespass.

**DECORATIVE ITEMS ALLOWED:**

No decorative items of any kind are allowed on any columbarium or niche. The following rules and regulations apply to decorative items in all other cemetery areas.

Ground level cemetery flower planters shall be permitted from April 15<sup>th</sup> to October 15<sup>th</sup>.

Flowers in heavy movable planters with a maximum of 12 inches in diameter shall be permitted or a movable window box not to exceed 18". Planters must sit freely on the ground with no wires, rods or clamps holding them in place. Plant stands of any kind are not permitted.

Natural Wreaths and Christmas greens shall be allowed from December 1st to February 1st. Christmas lights are not permitted.

Artificial flowers properly secured shall be allowed from November 1st to April 15th.

Donated plant material will be allowed in designated memorial planting areas were available and upon approval of Cemetery Foreman.

Except for that portion of Mosswood Cemetery west of Putnam Avenue, Cotuit, veterans' flags and holders shall be allowed throughout the year provided they are installed flush with the front base of the grave monument and maintained in proper, presentable condition by the installer.

Veterans' flags and holders shall be allowed in that portion of Mosswood Cemetery west of Putnam Avenue during the period one (1) week preceding and following Veterans' Day and during the weeks preceding and following Memorial Day and the Fourth of July. Flags and holders must be installed at the back edge of the flush marker and maintained in proper, presentable condition by the installer.

In the event of a strong storm, hurricane or blizzard all items on grave spaces should be removed or will be removed during storm clean-up by Cemetery staff.

All items subject to restricted dates shall be removed by the lot owner or responsible organization on or before the specified removal date. Flags not removed on the specified date and those which become faded, frayed or torn shall be removed and disposed of by the Cemeteries staff. Flag holders shall also be removed at the time the flag is removed and disposed of if not claimed within sixty (60) days. Other items shall be removed by the Cemeteries staff if, in their judgment, they have become wilted, decayed or unsightly.

Funeral floral arrangements shall be removed by Cemeteries staff seven (7) days following their placement. Lot owners wishing to keep any part or all of the floral arrangement should retrieve them within the seven-day period.

Decorative items not complying with the above rules will be removed and disposed.

The Town is not responsible for loss or damage to flowers, planters, flags, containers, holders or other decorative items due to weather, vandalism, theft, maintenance procedures or any other cause.

**CEMETERY MAINTENANCE AND REPAIR:**

Cemeteries staff and such other DPW employees as may be authorized by the DPW Director or Supervisor, Structures and Grounds Division shall have the right to enter upon any columbarium, lot or other part of any town maintained cemetery to inspect, view or perform such work as may be deemed appropriate.

The DPW may, at any time, lay out, alter, change grades or eliminate sections of driveways, cartways or walkways, or change grades in a manner which in their opinion will

maximize the appropriate usage of the cemetery property without jeopardizing its aesthetic qualities.

Niche repairs, gravestone repairs or rubbings shall be prohibited without the specific authorization of the Cemeteries Foreman or his representative.

The Town shall reserve to itself the exclusive control, without further recourse or notice, over every tree, shrub, vine, or other plant growth within the boundaries of all town cemeteries, whether having been planted previous to these rules and regulations by deed or otherwise, including the right of removal without notice, when it considers such removal necessary.

**BURIAL LOT AND NICHE DEEDS:**

Subject to the availability of space, persons who have been bona fide residents of the Town of Barnstable for a period of two (2) years or more are entitled to be issued a deed to a burial lot in an Active Cemetery or niche in a columbarium. Additionally, non-resident taxpayers and residents with less than two (2) years residency may be issued a deed to a burial lot or niche in Mosswood Cemetery only at 150% of the total fee currently in effect for residents with two or more years residency. No association, group or organization shall be issued a deed.

Lots larger than four graves or two niches, when available, may be deeded by special arrangement through application to the Town Manager. Price lists for deeds are available at the Town Manager's Office or the Cemetery Office.

Application for Right of Burial or Niche Inurnment deed shall be obtained from the Town Manager's Office, 367 Main Street, Town Hall, Hyannis, 02601 or from the Cemetery Office, 280 Putnam Avenue, Cotuit MA 02635. Residency shall be verified based on the Town Clerk's List of Persons and Voter Registration List at the time of application. Non-resident taxpayers must present a current real estate tax bill at the time of application.

Town maintained cemeteries are nondenominational and all burial lots are available to qualified town residents regardless of religious affiliation.

The right granted to the grantee of any lot, grave or niche is a sole and exclusive right of burial or inurnment of human remains and of the erection of monuments, markers or inscription of niche door, subject to the terms, conditions and regulations as they may exist from time to time. Deeds

are not transferable. Arrangements shall be made with the Town Manager's Office, should a grantee wish to relinquish their rights to one or more graves or niches. Compensation shall be no greater than the total of the fees paid at the time the deed was issued.

**CEMETERY FEES:**

**Deed Fee:**

A deed fee, based on the number of graves or niches contained in a burial lot or columbarium, shall be paid at the time of the deed application.

**Perpetual Care Fee:**

A perpetual care fee covering the following services shall be paid at the time of the deed applications:

Maintaining grade of a grave

Maintaining grass on a grave

Maintaining the columbarium and cremation gardens landscape

Removal of dead flowers and debris

Landscape maintenance of burial lots and the columbarium is the sole responsibility of the Cemeteries staff. Re-landscaping by private individuals is prohibited.

**Administrative Fee:**

An administrative fee shall be charged for all interments and inurnments and shall be performed by Cemeteries staff. The administrative fee shall be charged at the time of service.

**Marker, Monument, Foundation and Niche Door Installation Fee:**

This fee shall be paid at the time arrangements are made with the Cemeteries Foreman for the installation.

**Fee Schedule**

The current schedule covering the deed fee, perpetual fee, administrative fee, grave or niche opening fee and installation of monuments and markers may be obtained from either the Town Manager's Office or the Cemeteries Office during regular business hours.

**INTERMENTS OR INURNMENTS AND DISINTERMENTS OR DISINURNMENTS:**

All interments or inurnments and disinterments or disinurnments are made subject to the orders and laws of the properly constituted authorities of the Town, County and State.

Forty-eight (48) hours notice shall be provided to the Cemeteries Foreman when making arrangements for interments or inurnments. Sunday and holiday services shall not be permitted except in cases where an extreme hardship would result.

**Interment or inurnment** orders must be placed before noon on the Saturday preceding a Monday burial or entombment. Orders received after noon on Saturday shall be scheduled no earlier than the following Tuesday.

Disinterments or disinurnments shall not be made without the written consent of the Town Manager and the written authorization of the person(s) entitled by law to disinter or disinurn the remains.

The Cemeteries Foreman shall have the right to refuse a funeral when, in his best judgment, conditions within the cemetery make the burial unsafe and/or impossible.

All burials or inurnments shall be performed in coordination with and under the general direction of the Cemeteries Foreman.

The numbers of burials allowed in one (1) casket grave are one (1) casket burial and two (2) cremations or three (3) cremations and no casket.

The designated cremation lots may contain no more than two (2) burial containers or urns.

In the Columbarium each niche can hold two (2) standard size cremation urns not to exceed 9"x10". The urns must be of a material suitable for inurnment (No Cardboard).

Only single depth casket burials shall be allowed.

No interments or inurnments shall be made until the Cemeteries Foreman has been furnished with a burial permit or cremation certificate, as required by laws of the Commonwealth, and an interment or inurnment order which has been signed by the owner or legal representative of the lot or niche.

No grave or niche shall be opened by any person not so authorized by the Town of Barnstable. Each grave or niche shall be marked by the Cemeteries staff prior to the opening. All interments or inurnments and disinterments or disinurnments shall be made by Cemeteries staff.



All interments shall be made in a concrete box (liner) of one piece construction with one or two piece cover sufficient to permanently support the weight above it. Liners shall be placed into the grave prior to graveside ceremonies. Above ground self-sealing devices are prohibited in Town cemeteries.

The Town shall not be responsible for disinterments of remains that have not been interred in a permanent container.

The Town reserves the right to correct any errors that may be made when making interments or inurnments and disinterments or disinurnments and shall not be held liable due to the failure of any device to operate normally or to conditions which may develop beyond its control.

The Town shall not be held responsible for any order given by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular grave where interment is desired.

Records of each interment and inurnment shall be maintained at the Cemeteries Office in Cotuit and also recorded in the Town records as required by law.

#### **Monuments, Markers and Foundations**

The deed shall have the right to erect a memorial monument in designated cemeteries and/or flush marker, but all such memorials shall not exceed the dimensions specified in the cemetery specifications for foundations and markers and shall be set on suitable foundations.

All foundation work and marker placement shall be performed by, or in special circumstances under the direction of, an employee(s) of the Cemeteries and at the discretion of the Cemeteries Foreman.

All monuments, markers or niche door inscription shall be placed in accordance with cemetery specifications.

Only one (1) flush marker shall be allowed on single grave lots.

Only one (1) flush marker shall be allowed on designated cremation lots.

Memorialization on niche door must comply with town's approved inscriptions and approved by Cemeteries Foreman before ordering. SEE **ENGRAVING OF NICHE COVERS**.

Only a flush marker will be allowed on that portion of Mosswood Cemetery west of Putnam Avenue, Cotuit. This has been designed as a flush marker section.

In cemeteries other than those designated as "flush marker", one (1) upright monument will be allowed per family lot consisting of at least two (2) full interment grave sites. Any other foot marker or corner bounds shall be flush with the ground.

All upright monuments shall have foundations constructed in accordance with cemetery specifications.

Markers and monuments shall be set as weather and frost conditions permit. The Cemeteries staff shall not be held responsible for stone setting delays due to weather conditions beyond its control.

While the Cemeteries staff shall exercise all care to protect raised lettering, carving or ornaments on any monument, marker or niche cover it shall not be held responsible for any damage or injury thereto during routine maintenance, vandalism or by storms.

All monuments, markers and niche doors shall conform to cemetery specifications. Non-conforming monuments, markers or niche doors shall not be allowed and will be rejected.

#### **SPECIFICATIONS FOR FOUNDATIONS AND MARKERS:**

The Cemeteries Foreman, or his designed supervisor, will be available to contractors by appointment for meetings or information in any of the Town cemeteries with suitable advance notice.

The deed owner having the right to erect memorial stones or monuments, shall not exceed the following dimensions and shall be set on suitable foundations:

Maximum Dimensions for Monument and Markers

Flush single marker:

2' long X 1'2" wide X 4" thick

Flush double marker:

36" long X 1'2" wide X 4" thick

Cremation lot marker:

2' long X 1'2" wide X 4" thick

Upright monument:

3'6" long X 1'2" wide X 8" thick. All bases shall have an exposed edge of 2 inches at the sides and 3 inches at the length. The maximum overall height of 3 feet on all monuments is equal to the base plus the die (headstone). All flush markers shall be at least 4 inches in thickness.

Town of Barnstable reserves the right to construct all monument foundations at the expense of the deed. No memorial monuments and/or markers shall be installed without the approval of the Cemeteries Foreman.

No less than thirty days' notice in advance shall be provided the Cemeteries Foreman for construction of monument foundations.

Cemetery will not be responsible for any errors made by improper inscription on any memorial monument or markers.

Foundations shall be a minimum of three-foot depth and match the horizontal dimensions on the monument base.

All foundation work, monument placement and marker placement shall be performed by, or under direction of, the Cemeteries Foreman.

Foundations shall be made of poured concrete.

Monument companies will be allowed to perform lettering and cleaning of monuments or markers (except ancient grave stones) during regular work hours. No work is to be done on weekends, holidays or evenings without permission of the Cemeteries Foreman.

#### **ENGRAVING OF NICHE COVERS:**

Engraving of the niche cover will be done only by Town approved monument dealers and will be the responsibility of the niche owner. A list of reputable monument dealers or providers will be provided to the owner.

To maintain the columbarium in a uniform manner, the Town of Barnstable mandates that the covers will only have name, birth date and death date centered on the cover with a maximum of six lines of 14 characters. Each letter of the name shall not exceed 1-1/4" and the dates not to exceed 3/4 of an inch. One font pattern (Times New Roman) will be allowed on all niche covers and all engraving will not be lithographed. To recognize Veterans one line will be available for the Veterans service upon proof of honorable discharge. Niche covers are not required to be engraved.

Engraving of the niche cover is allowed before interment of the cremains. Full description of niche cover engravings and example will be available at the Town's cemetery office.

All markers and niche doors shall be delivered to the maintenance building at Mosswood Cemetery, 280 Putnam Avenue, Cotuit, MA 02635. Monday through Friday, 7 a.m. to 3:30 p.m. Holidays and weekend deliveries shall not be accepted. The delivery of monuments, markers and niche doors shall be accompanied by a work order showing the name and address of the lot owner and lot number where installation is to occur. A check, made out to the Town of Barnstable in the amount determined by the then current rates for monument foundation or marker installation shall accompany each work order.

**VIOLATIONS:**

Anyone who violates these rules and regulations shall be required to leave the grounds.

Any person who violates these rules and regulations and/or willfully or neglectful damages, defaces or destroys cemetery property including fences, gates, grounds, markers, monuments and columbarium shall be subject to prosecution.

The Cemeteries staff may remove from cemeteries anything it considers objectionable or injurious to the uses, purposes and uniform esthetics of any cemetery or in violation of any of the rules and regulations governing its operation.

**MISCELLANEOUS:**

Copies of the most current rules and regulations may be obtained during normal working hours at the Town Manager's Office in Town Hall, the DPW Structures and Grounds Division Office at the corner of Pitchers Way and Route 28, Hyannis and the Cemetery office, 280 Putnam Avenue, Cotuit.

**EFFECTIVE DATE:**

These rules and regulations are effective as of the date of approval and shall remain in effect until such time as they are amended or rescinded by the Town Manager.

## **DEFINITIONS:**

### **Columbarium:**

Shall mean a permanent structure owned by the Town of Barnstable, containing niches or other suitable spaces for the permanent memorialization of the cremated human remains.

### **Niches:**

Shall mean a discrete chamber designed, constructed, and intended for use as a permanent repository, for the inurnment of cremated human remains, encased in an urn.

### **Inurnment:**

Shall mean the permanent placement of cremated remains in a niche, or space in a columbarium, owned by the Town of Barnstable. The Grant or inurnment right in a niche gives only a right of inurnment of the cremated human remains, the ownership in fee to land and structure remaining in the Town of Barnstable.

## **Frequently Ask ?**

### *Who can buy a burial lot in the Town of Barnstable?*

Persons who have been bona fide residents of the Town of Barnstable for a period of two (2) years or more are entitled to be issued a license to a burial lot in an Active Cemetery. Additionally, non-resident taxpayers and residents with less than two (2) years residency may be issued a license to a burial lot in Mosswood Cemetery at 150% of the total fee currently in effect for residents with two or more years residency.

### *How many burials are allowed per grave?*

In any single grave space for casket burial the licensee is allowed 1 casket and two cremation urns or if no casket is used then 3 cremation urns can occupy a single grave space. A cremation lot may have only 2 cremation urns per lot.

### *What size monuments are allowed?*

Single flush markers cannot exceed 24" long x 14" wide x 4" thick

A double flush marker cannot exceed 36" long x 14" wide x 4" thick and must be centered on a 2 grave lot.

An upright monument where allowed cannot exceed 3'.5' long x 1' wide x 3' tall and needs a foundation poured by cemetery staff.

### *What is allowed on a grave lot?*

You are allowed flowers in heavy movable pots with a maximum of 12 inches in diameter or a movable window box not to exceed 18". Planter must sit freely on the ground with no wires, rods or dowels holding them in place. Plant stands of any kind are not permitted.

*Can you plant in the ground on your cemetery lot?*

No in ground plantings are allowed. Please contact Cemetery Foreman to discuss other allowable options.

*Can you donate a memorization tree to the cemetery?*

Yes, Location and tree must be approved by Cemetery Foreman.

*Does the Town put American flags on veteran graves on Memorial Day?*

No. The veterans' services with the Boy Scouts and Girl Scouts put out the flags.