

Town of Westford
Regulations for Municipal Cemeteries

2019

Board of Cemetery Commissioners

The Westford Cemetery Department manages, maintains, and preserves Westford's five public cemeteries and one historic burying ground:

- **Fairview Cemetery** - at Main Street and Tadmuck Road
- **Hillside Cemetery** - at Depot Street and Nutting Road
- **Old Pioneer Burying Ground** - at Carlisle Road and Old Lowell Road
- **Pine Grove Cemetery** - at 68 Forge Village Road
- **Westlawn Cemetery** - at Concord Road (Route 225) and Country Road
- **Wright Cemetery** - on Groton Road (Route 40) near North Street

[Note: The two other cemeteries in Westford, St. Catherine of Alexandria Cemetery (on Pine Ridge Road) and the Russian Orthodox National Cemetery (also known as the Russian Brotherhood Cemetery, on Patten Road), as well as the "Keyes cemetery" or "Jonas crypt" (on Jonas Road) do not fall under the supervision of the Cemetery Department.]

Cemetery department staff works collaboratively with private funeral homes and directors, families, the Veterans Services Officer (VSO), private contractors and vendors, volunteers, and researchers to coordinate burials, sell burial lots, cremation niches, and burial rights, organize cemetery events, and field queries on genealogical research.

Westford Cemetery Department personnel are committed to serving the community and visitors to our cemeteries. We are dedicated to maintaining and preserving our cemeteries and looking after the final resting places of our beloved departed citizens entrusted to our care. Please contact us if you need assistance.

Westford Cemetery Department
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Town of Westford Regulations for Municipal Cemeteries

The following regulations have been adopted by the Board of Cemetery Commissioners and approved by a vote of the special Town Meeting held on October 28, 2019 for the governance of all public cemeteries in the Town of Westford, control of which is entrusted to the said Board of Cemetery Commissioners, or Cemetery Commission. The Westford Cemetery Commission consists of five (5) permanent members who meet on a regular basis, typically on the second Tuesday of each month. Said regulations are listed in the following categories:

- I. Definitions
- II. Ownership and Burials
- III. Perpetual Care
- IV. Monuments and Markers
- V. Work on Lots
- VI. General Care
- VII. Columbarium Niches

I. DEFINITIONS

Cemetery Department refers to the Director of Parks, Recreation and Cemetery and the professional staff consisting of the Cemetery Supervisor, Senior Administrative Assistant, Heavy Equipment Operator and other Town employees as may be required.

Green Burial shall mean a burial that allows the body to decompose naturally, returning all elements to the earth through environmentally sound practices. Specific guidelines for Green Burials are noted accordingly under the corresponding sections to follow.

II. OWNERSHIP AND BURIALS

1. The Cemetery Commission adopts a schedule of fees for interments and other services and privileges provided to owners. The current fee schedule is available at the Westford Cemetery Department and on the Westford Cemetery Department website.
2. The deed to any lot or grave grants the bearer the sole and exclusive right of burial. At no time does said bearer actually own the property. The person or persons named on the deed to any burial lot or cremation niche will determine who is buried in that lot.
3. No bearer of a deed to the right of burial may sell a lot. Only the Cemetery Commission has the option to buy a lot back at the original price, and only if the lot meets the requirements of the Cemetery Commission. Any owner of a burial deed who wishes to sell an unused lot shall advise the Cemetery Commission. All burials in said graves or cremation niches (lots) shall be under the

personal charge of the Director or designee. No interments shall be made until the Director or designee has been furnished with the following:

- a. Burial permit, as required by the laws of the Commonwealth;
 - b. A signed interment order for the lot in which the interment is to be made;
 - c. All required fees.
4. All fees for opening or preparing a grave shall be paid to the Cemetery Department before interment. No interment shall be made until the fees are paid. See separate fee schedule adopted by the Cemetery Commission. There will be an extra charge for interments scheduled to begin after 3pm on weekdays and on Saturday.

**NO INTERMENTS SHALL TAKE PLACE
IN TOWN CEMETERIES ON SUNDAY
OR ANY OFFICIAL TOWN HOLIDAYS**

5. The Cemetery Commission reserves the right to correct any errors that may occur in association with interments or disinterments. The Town, the Cemetery Commission, and its respective officers and employees thereof shall not be held liable for the failure of any device to operate normally or for conditions beyond their control.
6. Green Burials take place in a designated section. Sequential burial is used in this section to minimize disturbance to land and vegetation. One may pre-purchase the right to be buried in this section, however, the actual grave site is not assigned until time of need.
7. In the case of Green Burials, no embalming is permitted during body preparation. Removable medical devices are to be removed prior to burial. Any clothing, jewelry, or mementos buried with the body must be biodegradable. **The Cemetery Department reserves the right to refuse a body that is not properly prepared.**
8. Green Burial containers may include caskets or shrouds and must be made from materials that are biodegradable and nontoxic/nonhazardous. *A Green Burial brochure, specifying the kinds of allowed materials, is provided upon purchase of a Green Burial lot.* Shrouded bodies must be entirely wrapped and must be supported by a solid softwood board, such as pine, which stays in the grave. Plywood and particle boards are not acceptable. **The Cemetery Department reserves the right to refuse a body that is not properly contained.**
9. Vaults and grave liners are not permitted in the Green Burial section.
10. Except in the case of Green Burials, all interments shall be made in an acceptable outer container designed and created for said purpose, and of sufficient strength and durability to constitute a reasonable and permanent support for the weight above it.

11. No grave shall be opened for interment/disinterment by any person not employed by the Town of Westford.
12. Green Burial graves will be dug to a depth of 3-4 feet.
13. Green Burial graves will be mounded to accommodate settling and will then be allowed to return to their natural state.
14. To preserve the distinctive characteristics of the Town's cemeteries and to promote the availability of burial lots for all residents of Westford, the Cemetery Commission reserves the right to establish reasonable limits on the quantity of graves or cemetery lots that may be purchased by one individual or family.
15. For each single grave space purchased, the Westford Cemetery Commission allows up to three (3) cremation (urn) burials, or one traditional (casket) burial and two (2) cremation (urn) burials. In the case of Green Burials, each grave space allows for one full body interment.

III. PERPETUAL CARE

1. Westford cemeteries are perpetual care cemeteries. The purpose of the perpetual care trust fund, per Massachusetts General Law chapter 114, is for the overall care, maintenance and development necessitated by natural growth and ordinary wear. The perpetual care trust fund principle is set aside for investment and the earned interest thereof is used to provide perpetual care.
2. A portion of the proceeds from the sale of each grave or burial niche is designated for the perpetual care trust fund, according to the fee schedule adopted by the Cemetery Commission during the budget process.
3. The Perpetual Care Fund income in no case means the maintenance, repair or replacement of any memorial placed or erected upon any lot or grave nor the planting, cutting, watering or care of any privately planted flowers, trees, or shrubs. Nor does it mean the reconstruction of any granite or special work in the cemetery of a lot or grave. Please refer to MGL c.114 "Cemeteries and Burials" found online for more detailed information.

IV. MONUMENTS AND MARKERS

1. Monuments are not permitted on Green Burial lots.
2. Markers are *not required* for Green Burials. Markers *desired* for Green Burials must be flat, natural, unpolished, locally-sourced stone no larger than 1' x 2'. The top will be set flush with the ground. Engraving is permitted prior to installation.
3. Prior to any monument being installed, removed, inscribed, cleaned or repaired, a Monument Permit Application must be submitted to and approved by the Cemetery Department. There is a \$20.00 processing fee for this permit.

*****All rules and regulations regarding any monument or marker installed, removed, inscribed, or repaired are listed on the back of the Monument Permit Application.**

V. WORK ON LOTS

1. Any work to be done in a Town cemetery by anyone other than a Town employee requires approval before and after the work is completed.
2. No materials of any kind will be provided by the Cemetery Department to any outside party.
3. No soliciting for work of any kind will be allowed in the Town's cemeteries.
4. Immediately upon completion of any work on lots, all surplus material will be removed by those doing the work. Avenues or lots, other than those upon which the work is being done, shall not be impacted and must be kept clear at all times.
5. Cemetery Department personnel will take all reasonable care while mowing the grass but cannot be held responsible for accidental damage to plants on lots.

VI. GENERAL CARE

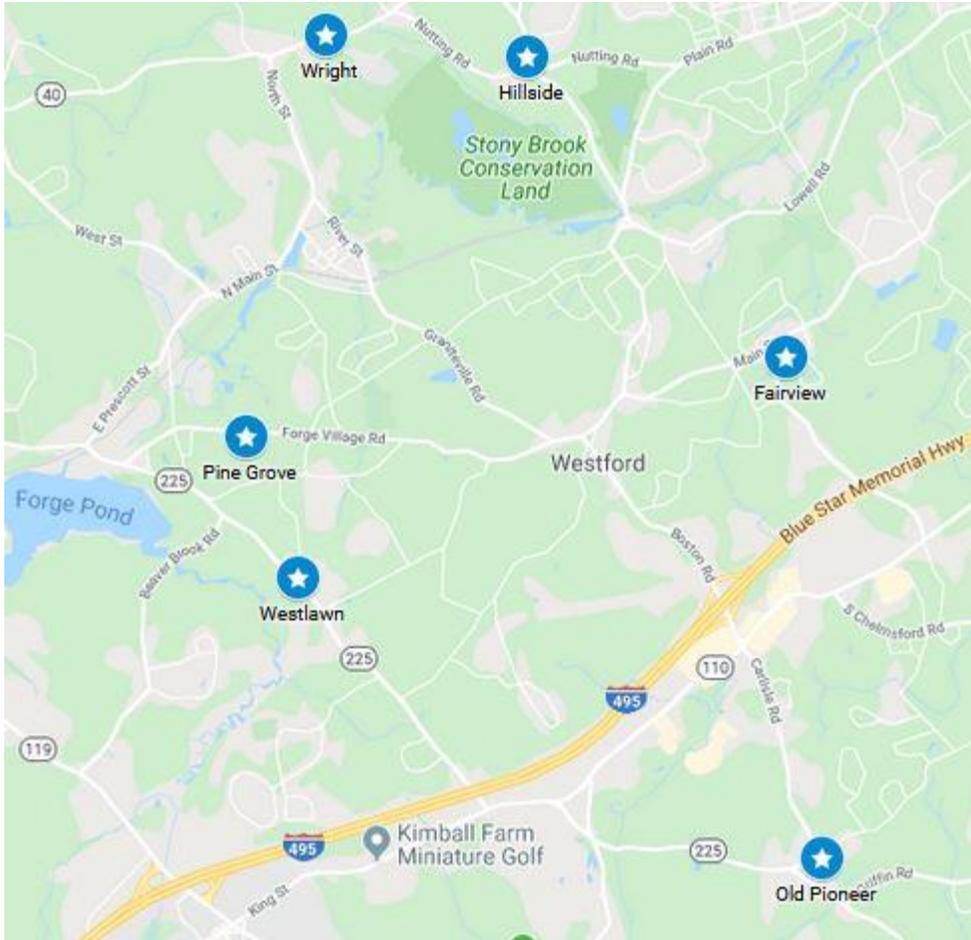
1. The Cemetery Supervisor is responsible for the care of the cemetery, under the oversight of the Director, and authorized by the Cemetery Commission to enforce these rules and regulations.
2. The Green Burial area will be maintained with minimal interference and maximum effort to preserve the natural environment.
3. No pets are allowed in the Town's cemeteries.
4. Genealogy requests will be handled at the convenience of Cemetery Department personnel.
5. Updated price lists for lots and cemetery services are available upon request from the Cemetery Department.

6. Grave decorations such as boxes, shells, seats, vases, lights, balloons, fences, and similar articles left on lots that are inconsistent with the proper keeping of cemetery grounds will be removed by the Cemetery Supervisor without notice. **Such decorations will be stored behind the Cemetery Department office and will be periodically disposed of at the discretion of Cemetery personnel. The Cemetery Department shall not be responsible for these items.**
7. All interments require two full business days advance notice and proper arrangements made with the Cemetery Department.
8. All persons are forbidden from gathering flowers (either wild or cultivated) or removing any trees or shrubs without permission of the Cemetery Supervisor.
9. No person shall mark, deface, or damage any monument, building, rustic seat, or other structure within a cemetery.
10. Trees or shrubs that exceed the height of the monument, outgrow locations or become unsightly, shall be trimmed or removed without notice.
11. In the Green Burial section, cut flowers may be placed on top of a recent burial. No decorations, other than cut flowers as stated above, are permitted in this section.
12. Cut flowers, floral frames or baskets will be removed approximately one week after interment. If the family desires, arrangements may be made with the Cemetery Supervisor on the day of the funeral to retrieve any of these items. The Cemetery Department shall not be responsible for any discarded, lost or damaged items.
13. All Memorial Day potted plants and decorations, with the exception of American flags marking the graves of veterans and public safety personnel, will be removed seven days following the holiday. Flags will remain until Veterans Day (November).
14. Artificial flowers, wreaths, sprays, potted plants and decorations are prohibited during mowing season. The preceding will be allowed, except in the Green Burial section, during the winter months, November 1st through April 1st.
15. No plantings of any kind are allowed in the Green Burial section. Planting as referenced in #16, #17, and #18 refer to traditional burial lots.
16. Scattered planting is not allowed. Only one flower bed will be permitted per lot: any bed shall be located in front of the monument, not to exceed the width of the monument and no more than one foot from the base of the monument.
17. Annual planting is allowed, and permission is granted, provided the lot owner agrees to water and weed the planting once a week and remove the plantings at the end of growing season. Neglected planting will be removed by Cemetery Department personnel.

18. Evergreen planting is allowed on monument lots only, and only with prior permission from the Cemetery Supervisor to insure compliance with the cemetery's planting guidelines. A yearly pruning will be done by Cemetery Department personnel.

VII. COLUMBARIUM NICHES

1. Any interment in the columbarium niche will require a permit to be completed and associated fee to be paid before interment. Once paid in full, the owner of a niche will be permitted to erect a bronze plaque, with the dimensions of the plaque to be 10" x 10". Approved plaques will be attached to the niche by Cemetery Department personnel. Each niche can hold a maximum of two urns. The inside dimensions of the columbarium niches at Pine Grove Cemetery are 12" x 12".
2. Decorative items including artificial flowers, solar lights, flags, etc. may not be attached to the columbarium niches or placed in the surrounding area.



Fairview Cemetery – corner of Main Street & Tadmuck Road

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Wright Cemetery – Groton Road (Route 40) near North Street