

Cemetery Commission



The **Provincetown Cemetery Commission** will hold a Public Hearing **Wednesday, January 29, 2020, 4:00 pm** in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA 02657 to inform the public of the following changes to the Rules and Regulations:

Article 1: Definitions. As used herein:

Cemetery shall mean the historic Winthrop Street Cemetery (once known as Cemetery No. 1), the Hamilton and Gifford Cemeteries on the southeast side of Cemetery Road, the Old Section (a portion of which was once known as Cemetery No. 2) bordered by the northwest side of Cemetery Road and a portion of Alden Street, the New Section, running further along Alden Street and which includes a section dedicated to Green Burial lots, Alden Section A, located in the far northeast corner and Alden Section B, located in the furthest north portion of the cemetery. All cemeteries listed are owned by the Town of Provincetown and administered by the Provincetown Cemetery Commission.

Green Burial shall mean a burial that allows the body to decompose naturally, returning all elements to the earth through environmentally sound practices. A Green Burial incorporates the following essential elements: an un-embalmed body wrapped in a biodegradable shroud (cotton, wool, silk, hemp, etc.) and buried on a natural burial trundle (wooden tray with handles), or in a coffin made solely of biodegradable materials (cardboard, wood, willow, bamboo, seagrass, felt, etc.), or placed directly onto the earth without a trundle or a coffin. Other perimeters and guidelines of Green Burial are noted accordingly under the corresponding Articles to follow.

Cemetery Superintendent shall mean the individual so designated by the Provincetown Cemetery Commission in consultation with the Provincetown Department of Public Works Buildings and Grounds. The Cemetery Superintendent may exercise the functions of the Commission as provided herein or as otherwise provided by vote of the Commission.

Resident shall mean any person who ~~has maintained a principle~~ currently maintains a primary residence in Provincetown, or has previously resided ~~owned a property~~ in Provincetown at any time for at least ten ~~two~~ years as evidenced by the Town's records or otherwise to the satisfaction of the Commission.

LOTS

Article 3: Sale of Lots. Cemetery lots shall be sold only to Residents or former Residents of Provincetown and are transferable only to members of their immediate family unless otherwise approved by the Commission (See Article 1: definition of Resident). Those who purchase a Green Burial Lot will be given literature pertaining specifically to Green Burial.

Article 4: Perpetual Care. In addition to the price of the lot, aAll lots shall be sold with a separate payment to the Cemetery Perpetual Care Trust Fund, in an amount set by the Commission in its duly adopted Schedule of Fees ~~and Charges, in addition to the price of the lot~~ (See Appendix A: Schedule of Fees & Lot Specifications). The principle amount of the Fund may not be appropriated, but the accumulated investment income may be expended by or at the direction of the Commission.

Article 6: Provincetown Cemetery Buy-Back Program. The Commission will consider buying back previously sold lots in the Provincetown Cemetery to the purchaser or heirs, for the purchase price paid, less the perpetual care fee, at the time of initial sale, subject to available funds.

IMPROVEMENTS

Article 7: Grading and Improvements. The Commission shall establish the grade of all lots and avenues, and shall direct all improvements on such lots, before as well as after interments have been made, and no lot shall be filled or raised above the established grade except in the case of a Green Burial, which requires a backfill of 3-5 feet to allow for the natural settling of earth. The Commission shall have charge of planting, sodding, surveying and improvements.

Article 8: Memorial Markers Headstone/Monuments and Monuments. Memorial ~~headstones/monument~~ headstones, markers and monument sizes are determined by the size of the burial lot ~~purchased~~ and whether or not it is a Green Burial lot (See Appendix A: ~~Schedule of Fees & Lot Specifications~~ B: Markers and Monuments). Any ~~Memorial marker or monument headstone/monument~~ that exceeds the maximum size allowed by lot must be approved by the Commission. The Commission will not approve any proposed monument which it deems objectionable. Green Burials offer the option of an engraving on a communal marker in lieu of an individual marker.

Article 9: Lot Markers. Lot markers or corner stones indicating the boundaries of lots shall be level with the ground and shall not be altered or removed.

Article 12: Grave Specifications. All graves, except for Green Burial graves, shall be a minimum of 5 feet deep to the top of a concrete vault or other vault as approved by the Commission. ~~or otherwise specified by the General Laws of the Commonwealth. Due to the sandy conditions of the Town's soil, so-called "Natural Burials," without a vault, are not permitted.~~ Green Burial graves shall be a minimum of 4 feet deep and a concrete vault, or any other type of vault, is prohibited.

Article 13: Vault Covers. Vault covers shall be placed only by vault company employees, unless otherwise authorized by the Commission. Vault covers are prohibited for Green Burials.

INTERMENTS

Article 15: Hand Opening and Closing. For Green Burials, the opening and/or closing of the grave may be completed by-hand by friends and/or family members of the deceased. If so, arrangements must be made for Cemetery staff to be on-site during the opening and/or closing. All other requirements as listed in Article 14 must also be followed.

Article 16: Lowering Devices, Grass Mats and Coffins. Mechanical lowering devices and artificial grass mats are prohibited for Green Burials. For a Green Burial, the body may be transferred into the grave by-hand or lowered into the grave using a system of wooden slates and natural fiber pulleys or straps. If a coffin is used for a Green Burial, it must be free of any varnishing, metals, or other toxic or non-biodegradable materials. Green Burial coffins must be made solely of biodegradable materials.

Article 15 17: Funerals and Interments.

Article 16 18: Receiving Tomb. No charges shall be made for opening or closing the Receiving Tomb, which is provided for frozen ground conditions. All remains must be removed from the Tomb same as soon as the ground thaws or no later than ~~by the following May 1st~~ April 1, unless a special permit is granted by the Commission.

FINANCE

Article 17 19: Charges for Services.

Article 18 20: Payments.

CONDUCT, DECORATIONS AND MAINTENANCE

Article 19 21: Conduct upon Cemetery Property. It is forbidden for persons to gather flowers, either wild or cultivated or part of memorial tributes, to damage any tree, shrub or plant; to write upon or in any way deface or injure any monument, fence or structure; to walk upon any lot; to discharge firearms [except in connection with a military funeral]; to litter; to bring dogs on Cemetery property unless ~~same~~ they are kept firmly on leash and on paved walkways only, away from all monuments, and all evidence of their presence is fully removed; to behave in any lewd or disrespectful manner; or to behave in any manner disruptive of interments taking place. Violators will be reported to the Provincetown Police for appropriate enforcement action.

Article 20 22: Motor Vehicles.

~~**Article 21: Hours.** The Cemetery is open from sunrise to one half hour after sunset. Pedestrian access is prohibited between one half hour after sunset and the following sunrise.~~

Article 22 23: Decorations. The Commission is not responsible for any flowers or decorations placed on graves, Plant baskets or floral blankets will be removed after Mothers Day, Fathers Day, Memorial Day, Veterans Day and other such commemorative occasions between five and ten days thereafter. Christmas wreaths, potted plants, etc. will be removed by Feb. 1 ~~of the following year~~. Flags placed upon the graves of veterans will be removed when they become faded, frayed, or otherwise in no condition to show proper respect. No permanent planting of trees, shrubs or bushes shall be permitted. For Green Burial lots, decorations of any kind must be of natural elements or be made solely of biodegradable materials, such as paper pulp containers for plants or flowers.

Article 23 24: Vases. Cement vases, urn boxes or containers of any kind for growing plants or flowers are not allowed. Metal containers for cut flowers are permitted subject to approval by the Commission. For Green Burial lots, vases must be made of biodegradable materials or fresh cut flowers may simply be placed directly onto the gravesite.

Article 24 ~~25~~: Commission Discretionary Maintenance.

Article ~~25~~ 26: Gravestone Rubbing.

ADMINISTRATIVE

Article 27: Hours. The Cemetery is open from sunrise to one half hour after sunset. Pedestrian and vehicular access is prohibited between one half hour after sunset and the following sunrise.

Article 28: Events. Any organized group event or cemetery tour must have prior approval from the Cemetery Commission.

Article ~~26~~ 29: Abeyance of Commission.

Article 27 ~~30~~: Amendments.

APPENDIX A

Schedule of Fees & Lot Specifications

<u>Single Green Burial Lot – 5’ by 10’</u>		
	<u>Lot</u>	<u>\$450</u>
	<u>Perpetual Care Fee</u>	<u>\$300</u>
	<u>Vaults Allowed</u>	<u>None</u>
	<u>Cremations Allowed</u>	<u>None</u>
	<u>Total Base Cost</u>	<u>\$750</u>
	<u>Additional Fees</u>	
	<u>Hand Opening & Closing for Green Burial</u>	<u>\$0 (performed by friends/family of deceased)</u>

APPENDIX B

Markers and Monuments

<u>Single Green Burial Lot – 5’ by 10’</u>		
	<u>Engravings on Communal Marker Allowed</u>	<u>One</u>
	<u>Markers Allowed – 10” x 4” x 14”</u>	<u>One</u>
	<u>Monuments Allowed</u>	<u>None</u>

Michel P. Harpie
Chair, Cemetery Commission

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