



# RULES AND REGULATIONS

January 1, 2024

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## PREAMBLE

Death, as seen through the eyes of a Christian, is not the end; it is simply a natural passageway to everlasting life.

Through the words of our Baptism, we become one in the sacredness of the Mystery of Christ's death and resurrection, which gives us the sure and certain hope of eternal life.

In the Creed – the statement of our beliefs – we say the words: “I look for the resurrection of the dead, and the life of the world to come.”

As a community of faith who awaits Christ's promise to come again, the Church from the earliest of times has created sacred places for the faithful departed. These sacred places through the blessings of its grounds, the daily prayers offered for those interred, and its religious sculptures and shrines serve as visible signs of reverence, respect, honor, and tradition.

Burial in a Catholic Cemetery is a statement of continued belief in everlasting life, even in death. To assure a continuation of these sacred values and commitments that the Church has made to its faithful, and to maintain order for the good of all, the following rules and regulations are placed in effect.



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# 1. DEFINITIONS

- **Care** shall mean that care as defined in Section 9
- **Cemetery Authorities** shall mean the Archdiocesan Director of Catholic Cemeteries and those persons to whom the Director has delegated the operation of cemeteries.
- **Cemetery** as used herein shall mean all the land for earth burials and for crypt or niche entombments.
- **Complete Cemetery Service** is a grave(s) in specific sections that includes the grave, specific outer container, interment and vault handling fee, a specific lawn-level marker containing only a basic inscription, marker setting fee and future care.
- **Crypt** shall mean a space of sufficient size in a mausoleum used, or intended to be used, to entomb full-body human remains and allows identification.
- **Easement** is a legal document granting the right of interment to a lot holder.
- **Entombment** shall mean burial above ground in a mausoleum crypt or niche.
- **Grantee** is the original purchaser of the easement for burial.
- **Grantor** as indicated on the easement is The Catholic Bishop of Chicago.
- **Grave** shall mean a space of ground in the Cemetery used, or intended to be used, for the burial of human remains.
- **Interment** shall indicate earth burial.
- **Irrevocable Assignment** shall mean a method of stipulating that the easement, and therefore the wishes of the original owner, can not be changed by their heirs.
- **Lot** shall include and apply to more than one adjoining grave, or more than one adjoining crypt.
- **Lot Holder(s)** is a Grantee or a person or persons who hold the Grantee's rights by reason of inheritance or transfer as defined in Section 7.
- **Lower Level Burial** Burials made at a depth that is deep enough to provide space for an additional burial on top of the first outer container.
- **Memorial** shall include upright monument, lawn level grave marker, bronze

attachments or inscription on crypt and niche front or fronts, for one or more deceased persons.

- **Niche** is an above ground burial space, sized for an urn containing cremated remains of the body, which allows identification.
- **Optional Complete Service** is optional goods and services added to a grave(s) purchase and conveyed on the Easement or through an Addendum that includes the grave, specific outer container, interment and vault handling fee, a specific lawn-level marker, marker setting fee and future care.
- **Replat** as defined in Section 8.
- **Shared Family Memorial** is a cemetery installed and owned, upright monument that allows multiple families to share the use of the memorial at a reasonable cost.

## 2. PURPOSE OF CEMETERY

The cemetery is intended for the interment, memorialization, and prayerful remembrance of the lives of Catholics and in some cases non-Catholic family members. Interment of non-Catholic members of a Catholic family will be permitted under certain conditions, since the Church does not wish to separate in death those who were united in life.

## 3. ARRANGEMENTS FOR INTERMENT

- A. It is highly recommended that burial spaces be selected on a pre-need basis at the Cemetery. For further information about selecting a final resting place at the time of need or in advance of need, please contact Cemetery Services at 708.236.5490 or through our website at [www.catholiccemeterieschicago.org](http://www.catholiccemeterieschicago.org)
- B. Authorization for burials
- In the case of at-need interment arrangements, the person who holds the Right of Disposition (in accordance with the Illinois Disposition of Remains Act, DORA) may contact the cemetery office directly to make the arrangements.
  - In the case of full body burial, further arrangements shall be made through the funeral director chosen by the person that has the authority to make the arrangements.
  - In the case of the interment of cremated remains, the person who holds the Right of Disposition may contact the cemetery directly.

- C. Prior to rendering interment services, the person of authority needs to sign cemetery documents that:
1. Confirms their authority to make the interment arrangements.
  2. Verifies the interment location and interment services chosen (in the interment chapel or at the graveside).
  3. Agrees to the prompt payment of fees and obligation to the cemetery prior to the service. Current fee schedules are available at the cemetery office.
  4. Understand that their permission is subject to the Illinois Disposition of Remains Act AND the Rules and Regulations of the Catholic Cemeteries of Chicago.

The purchase of the interment right in a single grave, single crypt or single niche is for the remains of the person. Multiple use of a grave or crypt may be allowed with the permissions of lot holders, next of kin of all other burials in the grave or crypt, and the payment of additional fees.

- D. The Cemetery Authorities shall not be responsible for any order given to the cemetery staff by telephone without written documentation to confirm the information or any mistake occurring from the want of proper instructions as to the size of the casket or as to the particular grave, crypt or niche location where interment is to be made. An equitable charge will be made whenever additional labor costs result from such mistakes.

## **4. INTERMENT PROCEDURE**

- A. Interments are normally scheduled for acceptance between the hours of 9 am and 3 pm weekdays and between the hours of 10 am and 1:30 pm on Saturday. Interments scheduled for arrivals at times other than those listed may be subject to additional fees. There are no burials on Sundays and other designated holidays and holy days. Those holidays where burials may be permitted can be subject to an increased cost. All interments, upon entering the Cemetery, shall be under the exclusive charge and sole direction of the Cemetery Authorities. The Cemetery Authorities may temporarily suspend or modify graveside services due to environmental or safety concerns, including allowing services at the interment chapel only.
- 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 the Cemetery Authorities before interment is completed.
- C. The casket may not be opened at any time within the Cemetery, nor may the body be touched even for a good and worthy reason without the expressed permission and in the

presence of the Cemetery Authorities. Such permission shall not be granted unless the person who has the Right of Disposition has also granted consent or a court order has been entered requiring that the casket be opened.

- D. All grave interments shall be made in a cemetery approved outer container.
- E. The Cemetery Authorities shall not be liable for any delay in the interment of a body where a protest to the interment has been made, or where the rules and regulations have not been complied with, or where said rules and regulations shall forbid such interment; and further, said Cemetery Authorities reserve the right, under such circumstances, to refuse to accept the body until full rights have been determined. Any protest must be in writing and filed in the Cemetery Office.

## **5. DISINTERMENT PROCEDURES**

- A. No disinterment or removal shall be allowed except for a good reason. All disinterments and removals will require the permission of:
  - 1. The Cemetery Authorities.
  - 2. The written authorization of the grave, crypt or niche lot holder(s).
  - 3. The nearest of kin and the blood heir(s) of the deceased.
- B. All documents will be executed according to proper legal procedures. When a disinterment or removal will result in the permanent interment in other than a Catholic Cemetery, permission is required from the Archdiocesan Director of Catholic Cemeteries.
- C. The Cemetery Authorities shall exercise due care in making a disinterment and removal, but shall assume no liability for the damage to any casket or outer container incurred in making the disinterment and removal.
- D. The day, hour and manner in which disinterments and removals are performed shall be at the sole discretion of the Cemetery Authorities. Families are notified upon the completion of the services.
- E. For the safety of our staff disinterments of burials made at a lower level are not permitted.

## **6. LOT HOLDER(S) RIGHTS**

- A. The Easement granted is for the purpose of human interment and for no other purpose whatsoever.
- B. The Easement is not transferable in whole or in part, except with the prior written consent of the Cemetery Authorities (see 6-C). In some cases, the easement may be conveyed back to the Cemetery Authority in whole or in part or may be exchanged for another easement. All returns and exchanges will only be granted with the submission of proper documentation proving proper heirship rights.
- C. The original holders of the easement may request to initiate an Irrevocable Assignment indicating that at no time can any of their heirs change the terms of the agreement. Only the original holders could cancel, exchange or return their easement rights back to the cemetery.
- D. In no case shall a lot holder have any right to sell, transfer, exchange or in any manner dispose of said grave or lot or any use of said grave or lot without the prior written consent of the Cemetery Authorities.
- E. The cemetery Authorization Document and Full Use and Control Form (Form 92) and assistance in completing and filing is available at the Cemetery office. All forms must be reviewed, approved, and filed in the Cemetery office prior to any activity on said grave, crypt or lot.
- F. It is the responsibility of the lot holder(s) to notify the Cemetery Authorities of any change of address, phone numbers and email addresses. Any notice sent to the addresses on record at the cemetery office shall be considered sufficient and proper legal notification.
- G. Lot holders are prohibited from allowing interments to be made on their lots, without knowledge or permission of the cemetery. This includes the scattering of cremains.
- H. The Cemetery will take all reasonable precautions to protect lot owners and their property within the Cemetery from loss or damage but it shall not be responsible for any loss or damage.
- I. Possession and/or consumption of alcoholic beverages, weapons, firearms or illegal drugs in the Cemetery is strictly prohibited.

## **7. HEIRSHIP**

- A. In the event of the death of a lot holder(s) any and all rights granted in the easement shall

pass to the lot holder's family, subject to any authorization documents signed by the lot holder and recorded and filed at the Cemetery office during the lot holder(s) lifetime, in the following manner:

**1) Where burial privileges in the grave or lot are held in the name of one person only.**

The rights of interment in the remainder of the lot or in the grave may be disposed of by specific testamentary bequest in a will, but not by residuary clause. In the absence of a specific testamentary bequest, such rights of interment descend from the original holder of record to the next of kin.

**2) Where burial privileges in the grave or lot are held in the name of more than one person with the right of survivorship provided.**

The rights of interment in the remainder of the lot or in the grave may be disposed of by specific testamentary bequest in a will, but not by residuary clause. In the absence of a specific testamentary bequest, such rights of interment descend from the original holder of record to the next of kin of the final survivor to pass.

- B. When no one included in the classifications as set forth Section 10, A 1) and 2), is living, burial rights will have terminated.
- C. As a general principle, when a selection is made by a husband and wife, it is preferred to enter title in both names "as joint tenants with the right of survivorship, and not as tenants in common." However the desire of the purchaser should be ascertained in all cases.
- D. Care should be taken with blended families and other forms of relationships so as to title the easement in a way that protects the heirship rights as indicated by the original purchasers.
- E. In all cases the surviving spouse of the original holder(s) of record has a right of interment in the grave or lot. This right may be waived at any time but is not transferable and terminates with the burial of the spouse elsewhere.
- F. Each heir shares equally and jointly in the burial rights in the grave or lot as long as a vacant grave space remains. Rights of individual heirs to burial in the grave or lot will be determined by the order of their death unless otherwise determined by properly authorized and signed documents on file at the Cemetery office.

- An heir may release his right at any time, but only to the other heirs jointly.
  - The spouse of an heir or anyone else may not be interred in the grave or lot except upon the written authorization of all the heirs.
- G. The intent of the grave reservation is for interment of the person designated. Once a reservation is recorded, it cannot be changed or canceled, without written consent of the person designated the right of burial. In the event the reservation is not used for this purpose, as in the person designated is buried elsewhere, the use and control of the aforementioned grave shall revert to the holders or their heirs.
- H. The original holders may choose to place an Irrevocable Assignment designation on the easement. This is a means to stipulate that the easement, and therefore the wishes of the original owner, can not be changed by their heirs.

## **8. RIGHT TO REPLAT**

- A. Replat refers to the right of the Cemetery, subject to applicable laws, to modify grave arrangements when in the judgment of the Cemetery Authorities this becomes necessary, except that the easement shall not be changed insofar as the burial rights are concerned. Replatting includes but is not limited to, the following activities:
- Resurvey, enlarge, diminish, replat, alter in shape or size, or otherwise change all or any part or portion of the Cemetery.
  - Lay out, establish, close, eliminate or otherwise modify or change, the location of roads, walks or drives.
- B. The Cemetery Authorities, their agents and employees shall have easements and perpetual rights of way over and through all of said Cemetery premises for landscaping and for the purpose of installing, maintaining and operating pipelines, conduits or drains for sprinklers, drainage, electric or communication lines.
- C. Current cemetery maps are available for review at the cemetery office.

## **9. CARE**

- A. Income Care is the general maintenance of the graves and crypts in the Cemetery insofar as the net income derived from the Income Care Fund will provide the following:
- the laying of seed, sod, or other suitable ground cover
  - the cutting of lawn throughout the cemetery at reasonable intervals

- the trimming or removal of shrubs
- the trimming or removal of trees
- keeping in repair the drains, water lines, roads, buildings, fences, and other structures
- keeping the cemetery premises free of trash and debris.

## **10. GRADING, LANDSCAPING AND IMPROVEMENTS**

- A. All grading, landscaping and improvements of any kind and all care and maintenance of graves and lots shall be done solely by the Cemetery Authorities.

Lot holder(s) rights do not include grading, landscaping (planting trees, bushes, etc.) and improvements of any cemetery property.

## **11. MEMORIALS**

- A. When a family selects graves with Complete Cemetery Service, Optional Cemetery Service or a Shared Family Memorial Plan, a lawn level marker or an upright monument is provided for by Catholic Cemeteries per the terms of the easement. When a family selects a crypt or niche the memorial inscription or plaque is included.
- B. The Cemeteries' primary responsibility for monuments and markers is the establishment of regulations concerning type of memorial, quality, placement, and content. The memorial is intended to memorialize the person interred or entombed in the grave or crypt. Memorials obtained from commercial memorial dealers should reflect the deceased's belief in the resurrection as well as being a long lasting memorial to the deceased. Due to the harsh environmental nature of our area, only memorials constructed from granite are allowed.
- C. If a family wishes to purchase a memorial through a commercial dealer, the family must receive permission from Catholic Cemeteries first. The family will need to complete a memorial application and pay a fee to Catholic Cemeteries. A family will not be permitted to erect a memorial in a Catholic Cemetery unless and until Catholic Cemeteries has approved the memorial. Prior to a family ordering a memorial, the family should review the terms of the easement and consult with the cemetery about the rules and regulations concerning memorials. Then the family can work with a memorialist and begin the process of selecting a memorial. Prior to starting the memorial, a memorial application form along with the appropriate cemetery fees must be submitted to the cemetery office

for approval.

- D. Families or next of kin are not prohibited from purchasing a memorial online however all responsibility of the memorial conforming to our rules and regulations lay with the purchaser of the memorial. Whereas the local memorial dealers are more apt to be aware of our specific rules and regulations, online companies do not necessarily contain that breadth of knowledge. All costs for purchasing a memorial that is not approved are the responsibility of the purchaser. Online memorials require additional time and resources by the cemetery to approve, check in and accept the memorials, therefore they may be subject to additional fees.
- E. The finished memorial is subject to final review upon delivery to the cemetery. Further details and applications may be obtained in the cemetery office.
- F. Families who had a marker placed in advance, are responsible for final inscription. (See What You Should Know About Ordering a Memorial brochure)

## **12. USE OF THE CEMETERY**

- A. Catholic Cemeteries are holy places. These sacred grounds are blessed by the church and dedicated as a place of prayer and dignity for our faithful departed. Please maintain a quiet reverence and respect for the other people visiting the resting sites of loved ones.

Please abide by the following:

- proper attire at all times
- proper behavior at all times
- no grills (gas or charcoal)
- no loud/live music
- no skateboarding
- no pets roaming free
- no tents or canopies
- no alcoholic beverages
- no picnics
- no lawn games
- no candles
- no unlicensed vehicles
- no swimming or fishing
- no firearms or weapons

- B. Children under fifteen years of age are not permitted within the Cemetery unless accompanied by parent or guardian.
- C. Automobiles, funeral cars and other vehicles must be kept under control of licensed drivers at all times. At no time shall such vehicles drive through the gates or within the Cemetery at a speed in excess of 15 miles per hour.
- D. Commercial vehicles may be admitted to the Cemetery only upon specific authorization of the Cemetery Authorities.

- E. No one shall pluck any flower or break any branches or remove, injure, or cut any tree, plant or shrub.
- F. Any assemblages that the Cemetery Authorities deem improper shall be forbidden and prevented by said Authorities. (See Cemetery Ground Care and To Our Lot Holders Brochures)

## **13. GRAVE DECORATION REGULATIONS**

- A. Decorations for niches, crypts, and graves are permitted between April 1 and October 14 and November 1 and March 14. Decoration regulations have been established to protect the safety of our visitors and to efficiently maintain our cemeteries. Regulations are available in our offices and in roadside stands.
- B. No coping, curbing, fencing, hedging, borders or enclosures of any kind shall be allowed around the grave or lot and will be removed without notice.
- C. Turf shall not be disturbed for any purpose except under written authorization or under supervision of the Cemetery Authorities.
- D. The Cemetery Authorities shall not be liable for vases, baskets, floral pieces, flowers or plantings.
- E. No vases, baskets, floral pieces, flowers or plantings may be removed from the Cemetery except with the authorization of the lot holder(s) or the Cemetery Authorities.  
(See Grave Decoration Regulations and Crypt Decoration brochures)

## **14. EMPLOYEES**

- A. Cemetery employees shall do all work performed in the Cemetery, except that outside workmen may do such work as is specifically authorized by the Cemetery Authorities.
- B. Cemetery employees are not permitted to do any unauthorized work for grave or lot holders except upon the order of the Cemetery Authorities.
- C. No Cemetery employee is allowed to receive any fee or gratuity, directly or indirectly from a lot holder or vendor, for any work performed.

## **15. LOSS OR DAMAGE**

- A. The Cemetery Authorities disclaim all responsibility for loss or damage from causes beyond their reasonable control, and especially from damage by an act of God, the elements, earthquakes, war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, or any causes similar or dissimilar beyond control of said Authorities, whether the damage be direct or collateral. In the event it becomes necessary to reconstruct or repair any section or lot, including graves or crypts, or any portion or portions thereof in the Cemetery, or any mausoleum or sarcophagus which has been damaged by such causes, the Cemetery Authorities shall give a 10 day written notice of the necessity for such repair to the grave or lot holder of record at his or her address as listed in the records of the Cemetery. In the event the grave or lot holder fails to repair the damage within a reasonable time, the Cemetery Authorities may direct that the repairs be made and charge the expense against the grave or lot and to the grave or lot holder of record.
- B. The Cemetery Authorities disclaim all responsibility for damage of any kind that may occur to memorials in the normal course of cemetery operations, performed with reasonable care and caution.

## **16. COMMUNITY, GARDEN, AND PRIVATE MAUSOLEUMS AND SARCOPHAGI**

- A. Community and Garden mausoleums for entombment are available in most Catholic Cemeteries. Entombments are at the direction of the Cemetery Authorities.
- B. Private mausoleums or sarcophagi shall be constructed only on lots so designated. Plans, specifications, material and location in the lot of such mausoleum or sarcophagus shall be subject to the approval of the Cemetery Authorities.
- C. When a private mausoleum or sarcophagi is placed on an estate lot, the building and the lot cannot be conveyed to a third party or back to the cemetery. It must remain the family's responsibility in perpetuity.
- D. A Care Fund shall be required to be established before the erection of such structures will be permitted. The income from this care fund shall be used for the maintenance and repair of the structure when there are no heirs left to care for the building. The amount of such care funds shall be determined at the sole discretion of the Cemetery Authorities.
- E. The Cemetery Authorities shall have the right to enter a private mausoleum at any time in the performance of their duties and responsibilities. A key to the mausoleum door shall

be kept in a locked file in the cemetery office.

- F. When interment is made in a private mausoleum or sarcophagus, the crypt shall be properly sealed as directed by the Cemetery Authorities.

## **17. IN GENERAL**

- A. The statements or representations of any employee of the Cemetery Authorities shall not be binding on such Authorities except as they coincide with the instrument granting the right of interment and with these rules and regulations.
- B. The Cemetery Authorities reserve the right, without notice, to make temporary exceptions, suspensions or modifications in any of these rules and regulations, when in their judgment, the same appear advisable and such temporary exception, suspension or modifications shall in no way be considered a waiver or as in any manner affecting the general application of such rule.
- C. The Cemetery Authorities, their agents and employees, other grave and lot owners and those reasonably entitled thereto, shall have a perpetual right over graves and lots to pass to and from other graves and lots within the Cemetery.
- D. No easement or right of interment is granted to any grave or lot holder in any walk, road or drive within the Cemetery, but such walk, road or drive may be used as a means of access to the Cemetery and its buildings as long as the Cemetery Authorities devote such road, drive or walk to that purpose.
- E. In the event necessity requires, the Cemetery Authorities may take appropriate steps to correct any obnoxious or improper condition.

## **18. RIGHT TO CORRECT ERRORS**

The Cemetery Authorities reserve and shall have the right to correct any and all errors that may occur either in making an interment, dis-interment or removal, the placement of memorialization or in the description, transfer or conveyance of any interment rights in a grave, crypt or niche.

Every effort will be made to contact the lot holder(s) or heir(s) at their last known address as recorded in the cemetery files 30 days prior to any correction being made. In the event that contact cannot be made prior to a correction being made, or that circumstances do not allow for a 30 day period prior to the correction being made, the Cemetery Authorities will within thirty (30) days following the correction notify the lot holder(s) or heir(s) at their last known address as recorded in the cemetery files about the correction made.

Any correction made in interment or a memorialization location or the conveyance of a grave, crypt or niche would be made, as far as possible, in a similar location at an equal value, or by refunding the sum paid on account.

## **19. ADDITIONAL INFORMATION**

These rules and regulations are not considered to be all inclusive and are subject to change. They cover general areas and are supplemented by other operational instructions, the Order of Christian Funerals, existing civil and canon laws, and other instruments published by the Cemetery Authority.

Additional brochures and forms supplement these rules and regulations. These materials are available at all of our cemetery offices or by contacting:

Catholic Cemeteries 1400 South Wolf Road Hillside, Illinois 60162

Phone: 708.236.5400

[www.CatholicCemeteriesChicago.org](http://www.CatholicCemeteriesChicago.org)