



# GATE OF HEAVEN CEMETERY

*Archdiocese of Cincinnati*

11000 Montgomery Road • Cincinnati, Ohio 45249 • 513-489-0300 • [www.gateofheaven.org](http://www.gateofheaven.org) 



## RULES AND REGULATIONS

EFFECTIVE NOVEMBER 1, 2019

# PREAMBLE

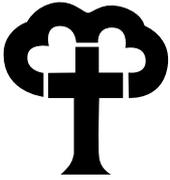
Death, as seen through the eyes of a Christian, is not the end; it is simply a natural passageway to everlasting life.

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.



# GATE OF HEAVEN CEMETERY

*Archdiocese of Cincinnati*

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SERVING THE CATHOLIC COMMUNITY SINCE 1948

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# 1. DEFINITIONS

**Burial Right** is an easement granted for the right of Interment in the Cemetery.

**Burial space** shall mean either Grave, Crypt or Niche.

**Care** shall mean that Care as defined in Section 11.

**Cemetery** as used herein shall mean all the land for earth burials (Graves) and buildings for Entombments (Crypts) and Inurnments (Niches) at Gate of Heaven Cemetery.

**Cemetery authorities** shall mean the Archdiocesan Director of Cemeteries and those persons to whom the Director has delegated the operation of cemeteries.

**Certificate of Burial Right** is a legal document granting the Burial Right to an Owner.

**Columbarium** is a room or building with Niches.

**Crypt** shall mean a space of sufficient size in a mausoleum used, or intended to be used, to entomb human remains.

**Entombment** shall mean burial above ground in a mausoleum Crypt.

**Grave** shall mean a space of ground in the Cemetery used, or intended to be used, for the burial of human remains.

**Holder** is a person or persons who holds only the right to use the Burial space by reason of inheritance (as defined in Section 11) or designation by Owner.

**Interment** shall mean burial in the earth, Entombment or Inurnment.

**Inurnment** shall mean burial of cremated remains above ground in a Niche or burial in the earth.

**Marker** shall include a lawn level Grave Marker or Marker on Crypt or Niche fronts, for one or more deceased persons.

**Mausoleum** is a building with Crypts.

**Niche** is an above ground Burial space, sized for an urn containing cremated remains of the body.

**Owner** is the original purchaser or a transferee of the Certificate of Burial Right.

**Vault** is an outer container holding either a casket or urn.

## **2. PURPOSE OF THE CEMETERY**

The Cemetery is intended for the Interment of Catholics and Christians. 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. 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. To this end, the Cemetery authorities shall have the right to eject from the grounds any person or persons whose actions they deem objectionable.
- B. The Cemetery authorities, their agents and employees, other Grave Owners and those reasonably entitled thereto, shall have perpetual right over Graves to pass to and from other Graves.

The Cemetery authorities shall have, to be exercised at any time and from time to time, easements and rights of way over and through said Cemetery premises for the purpose of landscaping, installing, maintaining and operating pipe-lines, conduits, drainage, electric or communication lines, or for any Cemetery purpose.

- C. Hours: Normally the Cemetery is open for visitation from dawn to dusk every day of the year. The office is open from 9 am to 4:30 pm Monday through Friday, and from 9 am to 1 pm on Saturday.

## **4. ARRANGEMENTS FOR INTERMENTS**

- A. Arrangements for Interments may be made on a pre-need basis at the Cemetery. For further information about pre-need arrangements, please contact the Cemetery office at (513) 489-0300.
- B. In the case of at-need Interment arrangements, the person with the authority for making the Interment arrangements shall contact the Cemetery office to make the arrangements.
- 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 (chapel or graveside).
  - 3. Acknowledges fees and obligations to the Cemetery.
- D. Since 1963, cremation has been an acceptable option for Catholics. Whenever possible, however, the church always prefers the Interment of the full body because it gives fuller expression to our Christian faith. If cremation is chosen, the cremated remains of the body should be in a Crypt, Niche or Grave. No scattering of cremated remains are permitted on the property.

- E. Prior to Interment, all required Cemetery fee(s) shall be paid. Current fee schedules are available at the Cemetery office.
- F. Normally, the purchase of the Interment in a Grave, Crypt or Niche is for a single use. Multiple uses in a Grave, Crypt or Niche may be allowed with the payment of additional fees.
- G. The Cemetery authorities shall not be responsible for any order given by telephone or any mistake occurring from the want of proper instructions, including the size of the casket or as to the particular Grave or Crypt location where Interment is to be made. An equitable charge will be made whenever additional labor costs results from such mistakes.

## **5. INTERMENT PROCEDURES**

- A. Interments are normally scheduled for acceptance between the hours of 10 a.m. and 2:30 p.m. weekdays. Interments scheduled for arrivals at times other than those listed may be subject to additional fees. All orders for Interments must reach the Cemetery office within a reasonable length of time prior to the scheduled Interment. The following times will be considered reasonable: a minimum of 48 hours for Tuesday through Saturday and 96 hours for Monday. There are no burials on Sundays and other designated holidays and holy days.
- B. All Interments on entering the Cemetery shall be under the exclusive charge and sole discretion of the Cemetery authorities. The Cemetery authorities may temporarily suspend graveside services due to environment or safety concerns, allowing services at the Interment chapel only. The hour and manner in which Interments will or will not be permitted shall be designated at the sole discretion of the Cemetery authorities and may change without notice due to scheduling conflicts, weather or condition of the grounds.
- C. 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.
- D. 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 authority has also granted consent or a court order has been entered requiring that the casket be opened.
- E. All Grave Interments shall be made in a Cemetery-approved Vault.
- F. The burial of cremated remains on top of a previously buried casket is not permitted.
- G. Only gasketed caskets of metal construction may be placed into a mausoleum Crypt.
- H. Only embalmed or cremated human remains may be placed into a mausoleum Crypt.

- I. All tools and equipment used in connection with the actual Interment must be those owned and operated by the Cemetery. Interment equipment provided by an outside vendor may be used, but the Cemetery disavows any responsibility for the function and safety of said equipment, with that responsibility belonging to that of the outside vendor and funeral director.
  
- J. 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.

## **6. DISINTERMENT PROCEDURES**

- A. Disinterment is the recovery of human remains by exhumation, disentombment, or disinurnment. No disinterment or removal shall be allowed except for a good reason and with the permission of the Cemetery authorities. Ohio Revised Code Section 517.23 states in part that disinterments may be performed upon the order of the probate court of... (i.e.) Hamilton County, application by a surviving spouse, or by direction of the Cemetery to correct an Interment error. A written application for the disinterment must be completed with the Cemetery by the requesting party prior to the scheduling of the disinterment. The Cemetery, without written application or order of a court, can make a disinterment and reinterment to correct an Interment error. Owners acknowledge on behalf of themselves, their heirs, successors, and assigns that Gate of Heaven Cemetery has the right to correct any errors that involve the Interment of the deceased person. The Cemetery must follow its own rules and is required to notify the decedent's last known next of kin.
  
- B. 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.
  
- C. The hour and manner in which disinterments and removals are performed shall be at the sole discretion of the Cemetery authorities. Families are not allowed to witness the disinterment procedure but will be notified upon the completion of the services.

## **7. OWNER(S) RIGHTS AND RESPONSIBILITIES**

- A. The Burial Right granted is for the purpose of human Interment and for no other purpose whatsoever, including resale or profit.
- B. The Burial Right is not transferable in whole or in part, except with the prior written consent of the Cemetery authorities, payment of a transfer fee, and consistent with Sections 8, 9 or 10.
- C. The Burial Right may be donated back to the Cemetery in whole or in part for charitable purposes.
- D. In no case shall an Owner have any right to sell, transfer, exchange or in any manner dispose of said Grave without the prior written consent of the Cemetery authorities.
- E. It is the responsibility of the Owner(s) to notify the Cemetery authorities of any change of address. Any notice sent to the address on record at the Cemetery office shall be considered sufficient and proper legal notification.
- F. Any Marker, vase, monument, shrine or private mausoleum is the property of the Owner. As such, these items should be added to the Owner's homeowner's insurance to protect against theft, vandalism, storm damage, etc. The Cemetery will exercise due care as it goes about its daily business. The Cemetery will attempt to notify the Owner, or his/her descendants, of any concerns it may have concerning any Marker, vase, monument, shrine or private mausoleum.

## **8. EXCHANGE OF BURIAL RIGHTS WITHIN THE CEMETERY**

- A. All accepted requests for transfer of Burial Rights will be charged the standard transfer fee.
- B. An Owner who wishes to transfer from their originally purchased area of this Cemetery into another area of this Cemetery prior to an Interment having been made in the original Grave may do so by presenting his or her written request to the Cemetery authorities for approval. The Owner will be credited the original purchase price, minus a transfer fee, toward the purchase of any other property within the Cemetery. The balance, if one exists, will be paid in either cash or time contract by the Owner. Exceptions are as noted below.
- C. An Owner may transfer his/her site for another within the same section or like section, in most instances, by simply paying the transfer fee. Like sections currently refer to:
  - equivalent section Grave space for equivalent section Grave space
  - equivalent Crypt space for equivalent Crypt space
  - any lawn Crypt division for any other lawn Crypt division
  - equivalent section Niche space for equivalent section Niche space
- D. An Owner who wishes to transfer from their originally purchased area of this Cemetery into another area of this Cemetery after an action has occurred on the original Grave, Crypt or Niche i.e.: Interment, Entombment, Inurnment, Marker

placement, vase placement, may do so by presenting his/her written request to the Cemetery authorities for approval. The Owner will be credited with the original purchase price of the Grave minus a transfer fee, minus the value of Interment, Entombment, Inurnment, burial Vault, Marker, foundations, etc., and additionally charged the standard disinterment or disentombment fee, whichever of the above stated is appropriate.

## **9. TRANSFER OF BURIAL RIGHTS TO ANOTHER**

Since a Burial Right is intended for the purpose of human Interment and not for resale or profit, any transfer of a Burial Right with respect to any vacant Grave must be transferred from the Owner as provided herein.

A. The Owner may, with approval of the Cemetery authorities, transfer all or part of the Burial Right to anyone within his or her Sequence of Inheritance (see Section 11) by appearing at the Cemetery office with the Certificate of Burial Right, executing the necessary papers and paying the transfer fee as established by the Cemetery authorities. The Cemetery authorities shall issue a transfer Certificate of Burial Right to the transferee and shall record the change of ownership in the Cemetery records. The Cemetery authorities will allow the transfer of any or all products and services, together with the Grave, with no further fees.

B. In the event the Owner wishes to dispose of all or part of the Burial Rights, but not to transfer the Burial Right pursuant to A. above, the Burial Right and any related products and services, may only be returned to the Cemetery, pursuant to Section 10.

## **10. SALE OF BURIAL RIGHTS**

The Owner may sell all or part of the original purchase back to the Cemetery for the original purchase price, less than an administrative fee of 30% of the original purchase price, as established by the Cemetery authorities, provided all charges against the Grave, Crypt or Niche have been paid. The transfer fee will be waived. These rights shall terminate after the death of the Owner, unless the Owner has, by a devise in his Last Will and Testament, disposed of the Burial Right to any person or persons entitled to burial in the Grave, Crypt or Niche, according to the rules of the Catholic Church. Whenever a Grave, Crypt or Niche is so disposed of, a certified copy of the Last Will and Testament must be filed in the Cemetery office to have any binding force. The Burial Right must be specifically mentioned as such in the Last Will and Testament for the devise to be effective.

## **11. HEIRSHIP**

- A. In the event of the death of an Owner intestate or the Last Will and Testament does not specifically grant the Burial Right, the right to use the Burial space shall pass to the Owner's family, subject to any authorization documents signed by the Owner and recorded and filed at the Cemetery office during the Owner's lifetime, in the following Sequence of Inheritance:
1. The surviving spouse of the original Owner of record has a right of Interment in the Grave. This right may be waived at any time, but is not transferable and terminates by divorce or death and burial elsewhere.
  2. Jointly to the children of the Owner.
  3. After the death of the last child of the Owner, jointly to the grandchildren of the Owner, thence to the great-grandchildren, etc.
  4. After the death of the last direct descendant of the Owner, jointly to the parents of the Owner.
  5. After the death of the last parent of the Owner, jointly to the living brothers and sisters of the Owner.
  6. After the death of the last brother or sister of the Owner, jointly to the nephews and nieces of the Owner.
  7. After the death of the last nephew or niece of the Owner, jointly to the grandparents of the Owner.
  8. After the death of the last grandparent of the Owner, jointly to the uncles and aunts of the Owner.
  9. After the death of the last uncle or aunt of the Owner, jointly to the stepchildren of the Owner.
  10. After there is no longer any living person who could be classified in any of these groups, the Burial Rights in the area shall be terminated.
- B. 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 Owner should be ascertained in all cases.
- C. Each heir shares equally and jointly in the Burial Rights in the Grave as long as a vacant Grave space remains. Rights of individual heirs to burial in the Grave will be determined by the order of their death unless otherwise determined by properly authorized and signed documents on file at the Cemetery office.
1. an heir may release his right at any time, but may not assign such rights.
  2. the spouse of an heir or anyone else may not be interred in the Grave except upon the written authorization of all the heirs.
- D. The intent of the Grave designation is for Interment of the person designated. Once a reservation is recorded, it cannot be changed or cancelled, without written consent of the person designating 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 Owner(s).

## **12. 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 any existing Burial Rights shall not be changed.
- B. The Cemetery authorities may at any time, or from time to time, for the erection of buildings, or for any purpose or use connected with, incidental to, or convenient for, the Care of, preservation of, or preparation for the Interment of dead human bodies or other Cemetery purposes:
1. Resurvey, enlarge, diminish, replat, alter in shape or size, or otherwise change all or any part or portion of the Cemetery.
  2. Lay out, establish, close, eliminate or otherwise modify or change the location of roads, walks or drives.
- C. Current Cemetery maps are available for review at the Cemetery office.

## **13. CARE**

- A. All burial areas in the Cemetery will be sold with Care included in the purchase price. Care shall include:
- 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

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

- A. All grading, landscaping and improvements of any kind and all Care and maintenance of Graves shall be done solely by the Cemetery authorities.

Planting or other work accomplished in any other manner shall be removed and the Owner of the burial area charged for the reconditioning of the affected area. Turf shall not be disturbed for any purpose except under written authorization of the Cemetery authorities.

- B. Owner(s) rights do not include grading, landscaping (planting trees, bushes, etc.) and improvements of any Cemetery property.

## 15. MARKERS

Where permitted in accordance with Cemetery regulations, Marker orders may be placed by the Owner, next of kin, burial informant, executor/trix, or their assigned legal representative. All Markers, Monuments, Shrines and Private Mausoleums must be aligned and in accord with Canon Law and Catholic Church Teaching.

- A. **MARKERS - GENERAL INFORMATION:** A Marker shall be defined as one piece of natural granite or cast bronze, no larger than 56” in width and 16” from front to back. All Markers shall be designed with at least one, but not more than two (three in Section 9 and Section 28 Lawn Crypts) inscriptions referring to individual burials thereon; shall be constructed with a flat top and shall be set flush with the ground surface. Only one Marker shall be permitted at each Grave in the Cemetery, except for those Graves in the “Cloistered Garden” or Section 9, as outlined below; the placement to be either at the head or the foot of the Grave, as determined by the Cemetery authorities.
1. The inscription of any Marker may include proper name, middle name or initial, surname, nickname (Cemetery approval required), birth and death dates of the person at whose Grave the Marker is to be placed, religious emblem (required), and optional personal inscription. Fraternity emblems must represent Christian fraternities only. Only if two bodies have been buried in the same Grave (in the instance of cremation), may two inscriptions appear on the same Marker. Exceptions noted below by section.
  2. A Marker may be placed at a Vacant Grave if the data on the Marker refers to a living person who intends to be buried in the Grave and if the necessary arrangements are made at the Cemetery office.
  3. All lettering on granite Markers shall be incised at least three-sixteenths of an inch and on bronze Markers shall be raised three-sixteenths of an inch. The height of all lettering must be in keeping with the design of the Marker, with the width in proportion to the height.
  4. A Marker is considered the personal property of the person who purchased and arranged for placement of same.
  5. Neither Gate of Heaven Cemetery nor the Archdiocese of Cincinnati shall have liability for loss or damage to Markers or flower containers, and shall not be responsible for damage or destruction of the property except to the extent that such damage or destruction is caused by the Cemetery’s willful misconduct, gross negligence or inadvertent damage by equipment.

6. **Children's Gardens:** For placement at the Graves of children, a Marker of appropriate scale and design is required. For example: a Marker 16" in width, 8" from front to back, and 4" thick if granite or 16" x 8" if bronze, uniform in design, may be used in any Children's Interment Garden constructed prior to 2002. For Children's Gardens constructed after 2002, specific requirements are available per section. These Markers are designed for use only in the Children's Gardens.
7. **Granite:** Granite Markers are to be 24"x 12"x 4" or 24"x 14"x 4" sawed sides only. Granite Marker bases are intended to provide a two inch perimeter on all sides of the bronze Marker. A granite Marker base must be four inches thick, sawed sides only. Veteran's granite Markers are not permitted.
8. **Priest's Circle:** For placement in the "Priest's Circle" all Markers shall be uniform and shall be furnished by the Cemetery in the shape of a Cross.
9. **Sections 7 and 21:** Marker designed for use in these sections is a 24" x 12" or 24" x 14" copyrighted Gate of Heaven Oak Marker. If this Marker style is not chosen, an additional fee will be charged. Flower vase, if desired, must be incorporated into the Marker.
10. **Section 9:** Marker is 56"x 16" bronze mounted on a granite base and is designed for dual inscription. This Marker may only be provided by the Cemetery as part of the Interment package. Flower vase, if desired, must be incorporated into the Marker.
11. **Sections 10A and 17:** Only bronze Markers 24" x 14" mounted on a granite base are permissible. Flower vase, if desired, must be incorporated into the Marker.
12. **Section 28 Infant or Children's Garden:** Marker designed for use in this section is 10"x 20" ledger style bronze Marker with or without vase and is provided by the Cemetery. Only vases which are incorporated into the Marker are acceptable. In the area provided for miscarriages, a 12" x 12" x 4" granite Marker can be used, no vase is permitted.
13. **Section 28 Lawn Crypt:** Lawn Crypt Marker is 16" x 24" bronze mounted on a granite base 20" x 28". This Marker is designed for dual inscription and may only be provided by the Cemetery as part of the Interment package. Flower vase, if desired, must be incorporated into the Marker.
14. **Section 28 Traditional Adult Garden:** Graves within these sections are sold primarily as a pre-packaged unit of Grave, Vault, fees and Marker. Only bronze Markers 24"x 14" mounted on a granite base are permissible. Flower vase, if desired, must be incorporated into the Marker.

15. **Traditional Adult Sections:** At all other Graves in the Cemetery, a Marker must be 24" in width and 12" or 14" from front to back and must be at least 4" in thickness, with smooth sides and bottom if made of granite. A bronze Marker must conform to the sizes set forth above for granite, must be at least 1/4 of an inch in thickness, must have four corner lugs or bolts 1/4 of an inch in diameter. Individual bronze Markers may be mounted on a finished granite base 28" x 16" x 4" in size, sawed sides, or a 24" x 12" granite foundation. Flower vase, if desired, must be incorporated into the Marker.
  16. **Section 28 Veteran's Garden:** Marker is either a 24" x 12" bronze U.S. Government Issued, mounted on a granite base, or a veteran spouse match Marker 24" x 12" bronze mounted on a granite base.
  17. **Section 35:** Marker designed for use in the Glass-front Niches is a stone with brass plate, with the standards determined by the Cemetery Authorities.
  18. **Mausoleum and Columbarium:** All Markers, except for those for the Glass-front Niches, will be either a bronze Marker or engraving, with the standards determined by the Cemetery Authorities.
- B. **CONSTRUCTION:** The Cemetery shall require that a Marker application be submitted for placement of every Marker prior to its delivery to the Cemetery. Each Marker application submitted shall be inspected by the Cemetery authorities, together with the Marker described thereon, either accepted or rejected on the basis of size, structural stability, location, lettering, inscription, color, material, and in compliance with these rules and regulations.
  - C. **FOUNDATIONS:** After the Marker application has been approved, the charge for the foundation, based on standard charges adopted by the Cemetery authorities, must be paid before the Cemetery will proceed with the necessary constructions.
  - D. **SETTING:** All Markers shall be set by the Cemetery employees in the manner prescribed by the Cemetery authorities, or by Cemetery designated contractors in compliance with Cemetery guidelines, supervision, and specifications.
  - E. **REMOVAL OF MARKERS:** The Cemetery reserves the right to remove any Marker which becomes dangerous or unsightly or any Marker placed in violation of these rules and regulations without previous notice to the Owner of said Marker.
  - F. If a family wishes to purchase a Marker through a commercial dealer, the family must receive permission from the Cemetery first. Prior to a family ordering a Marker, the family should review the terms of the rules and regulations concerning Markers. Then the family can work with a commercial dealer and begin the process of selecting a Marker. The family will need to complete a Marker application and submit to Cemetery authorities for approval. A Marker will not be permitted in the Cemetery until the Cemetery authorities have approved the finished Marker for installation.

## **16. VASES, MONUMENTS AND SHRINES**

- A. **VASES:** Flower vase, if desired, must be incorporated into the Marker. No freestanding vases are allowed, except in the Veteran's Garden.
- B. **MONUMENTS:** A monument shall be defined as any structure of natural granite or bronze set in the monument location on those lots designated as monument lots. In the design of a monument all bases thereto must be at least ten inches in thickness; all dies shall not exceed three feet and six inches in width or height, and be at least eight inches in thickness. Urns designed for the growth of plants are unsatisfactory; therefore designs with urns shall be rejected.
- C. **SHRINES:** Shrines constructed on shrine lots shall be per Cemetery design; and carved from granite or marble, composite materials are unacceptable. Statue not to exceed 54" in height, pedestal not to exceed 30" in height and appropriate width and depth for the statue. Pedestal engraving must have prior approval of Cemetery authorities. Huts covering the statue are not permitted due to safety concerns. Any existing huts will be removed when their condition warrants, and will not be replaced. All shrines are to be approved and provided by the Cemetery.

## **17. PRIVATE ESTATES**

Private or Family Estates are provided by the Cemetery only for construction on sites designated specifically for same. All terms of Care and maintenance are contained within the purchase contract. Maintenance of buildings for which the Owner has not contracted for endowed Care is the responsibility of the Owner or of his/her heirs. Endowed Care will be added to the purchase agreement at a rate of 20% of the purchase price of the building, and includes Care and maintenance of the building only including exterior pressure washing and re-caulking or tuck pointing of seams. It shall not include any restoration to art work or repair of damage due to vandalism except that which is necessary to make the building secure. It is the responsibility of the family to make known to the Cemetery officials a family contact person following the death of the original Owner.

## **18. GLASS-FRONT NICHES**

Glass-front Niches are shrine walls, not display cabinets. Each family is expected to respect the sacredness and dignity of their loved one's space and the space as a whole. In doing so, the Cemetery requires all families to comply with the following policies for Glass-front Niches:

- A. **URNS:** Gate of Heaven will only accept specifically designed urns for cremated remains to be placed in the Glass-front Niches. The urn can be bronze, ceramic, marble, or granite. No wood urns will be permitted in the Glass-front Niches. The dimensions of the urns will be dependent on the size of Glass-front Niche purchased. The maximum height of the urn can be no taller than 11", other than those in the Feature Glass-front Niches.

B. **PERSONAL ITEMS:** Each Glass-front Niche may contain personal items in addition to the Urn and Marker. Please understand that the size and shape of the urn you have chosen may limit the items that may be placed in the Glass-front Niche. Our Sales Advisors will be able to assist you in determining the appropriate Glass-front Niche size to meet your wishes.

- A single Glass-front Niche may contain up to 3 additional items
- A companion Glass-front Niche may contain up to 4 additional items
- A deluxe Glass-front Niche may contain up to 4 additional item

C. **VASES AND FLOWERS:** To maintain the sacred enclosure, the standard bronze vase can be purchased. The Cemetery has contracted for permanent silk arrangements in white, red, yellow, and blue. These may be purchased only through the Cemetery.

D. **FRAMED ITEMS:**

1. Single and Companion Glass-front Niches may hold only one framed item. This could be a photo in a frame or a personal framed item.

- a. All framed items must be no larger than 5 x 7.
- b. Photo in a frame must be a photo no larger than 4x6 in a 5x7 in diameter.
  - i. In a companion Glass-front Niche, the picture can be that of the individual and their spouse, as long as, the spouse is to be inurned in the Glass-front Niche as well.

- ii. No photos with pets are allowed.

2. Deluxe Glass-front Niches, may hold two framed items.

- a. All framed items must be no larger 5x7.
- b. Photo in a frame must be a photo no larger than 4x6 in a 5x7 frame.
  - i. In a companion Glass-front Niche, the picture can be that of the individual and their spouse, as long as, the spouse is to be inurned in the Glass-front Niche as well.

- ii. No photos with pets are allowed.

3. Feature Glass-front Niches are 24x24 in size and are considered a private estate. Rules and Regulations for Feature Glass-front Niches are at the Cemetery's discretion.

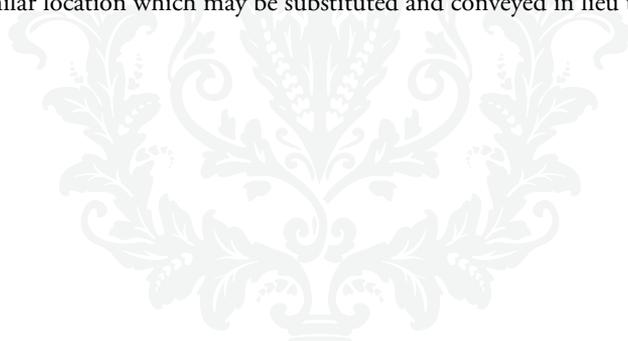
E. **VISITING HOURS:** Visiting hours are from dawn to dusk each day. Owners will be provided a key fob to enter the rooms after business hours. Replacement key fobs can be obtained for \$75.00.

## **19. GRAVE DECORATIONS**

- A. All Grave, mausoleum and columbarium floral decorations are to be of natural cut flowers or artificial flowers only. Potted plants, glass or pottery containers are strictly prohibited. Only that type of permanent vase is permissible which, when not in use, may be inverted and sunk in the ground, or which is permanently attached to a Crypt or Niche front and meets Cemetery design. All floral decorations or decorations in general will be removed and discarded by Cemetery personnel on a weekly schedule (printed schedule available upon request from Cemetery office). At no time may anything other than the permanently attached bronze plaque or vase be attached to a Crypt or Niche front.
- B. The Cemetery disclaims all responsibility for the theft or disappearance of any decoration including plastic vase liners and reserves the right to remove any decoration when, in the opinion of the Cemetery authorities, it becomes advisable to do so.
- C. The placement of American flags shall be permitted on Graves of Veterans of the Armed Forces; however, these flags shall be removed when, in the opinion of the Cemetery authorities, it is desirable to do so. Further, the flags must be stuck in the ground as the placement of flag holders or emblems attached to the Marker shall be prohibited and the holders or emblems shall be removed.
- D. The Cemetery shall charge a placement fee to be determined by the Cemetery authorities and due at time of delivery for the placement of decorations delivered to the Cemetery by outside vendors.

## **20. IN GENERAL**

- A. The Cemetery reserves the right at any time to change, amend, alter, repeal, rescind, add to or waive these rules and regulations, without notice to Owners of Burial Rights or to others.
- B. The Cemetery reserves the right, without notice, to make exceptions, suspensions, or modifications to any of these rules and regulations, when in its judgment the circumstances so warrant, and no such exception, suspension or modification shall be considered as affecting the general application of the rule.
- C. The Cemetery reserves and shall have the right to correct any errors made by the Cemetery employees in making interments, dis-interments or removals, in planting or grading work, in Marker work or in the description, transfer or conveyance of Burial Rights either as to the rights in a particular burial area conveyed or as to the person to whom conveyed. In particular, the Cemetery may correct any errors in the description, transfer or conveyance of Burial Rights by substituting and conveying in lieu thereof Burial Rights in other burial areas of equal value and similar location as far as possible, or as may be selected by the Director, or at the sole discretion of the Director, by refunding the amount of money paid in such transactions and repossessing the Burial Rights. In the event such error involves the interment of any person in such burial area, the Cemetery reserves and shall have the right to dis-inter and transfer such remains to another burial area of equal value and similar location which may be substituted and conveyed in lieu thereof.







# GATE OF HEAVEN CEMETERY

*Archdiocese of Cincinnati*

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