



# GATE OF HEAVEN CEMETERY

*Archdiocese of Cincinnati*



## Rules and Regulations

Effective July 15, 2024

# PREAMBLE

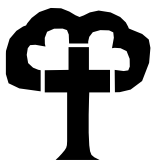
Death, as seen through the eyes of a Christian, is not the end; it is simply a natural passageway to everlasting life.

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 14.

**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 12) or designation by Owner.

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

**Inurnment** shall mean burial of cremated remains.

**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.

**Memorialization** describes all manner of grave marking, including imagery and inscriptions.

**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 Rights.

**Vault** is an outer burial 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 Burial Right 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: The Cemetery is open for visitation from sunrise to sunset 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. The office is closed on Sundays, designated holidays, and holy days.

## **4. ARRANGEMENTS FOR INTERMENTS**

- A. Arrangements for Interments are encouraged to 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 or visit us at [gateofheaven.org](http://gateofheaven.org).
- 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 or submit a Request for Committal Service online at [gateofheaven.org/request-a-service/](http://gateofheaven.org/request-a-service/). “The cemetery can assist a decedent’s family in determining who has the authority to make interment decisions,” according to the Ohio Revised Code 2108.70 and 2108.81.
- 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 inurned in a Crypt, Niche, or Grave. The Roman Catholic Church expressly prohibits the scattering of cremated remains in nature, at sea, or in any other way; furthermore, cremated remains should never be mixed together with those of another person or animal, divided and dispersed in any way, or kept in a private residence for an extended period. Gate of Heaven Cemetery wholly prohibits any and all of these practices on its property.
- E. At least 48 hours 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. Additional Interment Rights are available in specific areas and circumstances and may involve additional documentation and 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 urn 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 accepted between the hours of 10 a.m. and 2:30 p.m. on weekdays and between the hours of 10:00 a.m. and 12:30 p.m. on Saturdays. Saturday Interments require additional fees at the prevailing rate. Any 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 Wednesday through Saturday Interments and 96 hours for Monday and Tuesday Interments. 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 environmental 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 with a domed lid.
- F. The Interment of cremated remains atop a previously buried casket is not an automatic right. The Cemetery will seek to serve individuals requesting this option; however, adhering to its legal and operational obligations, and its duty to the Burial Right owner, this is not always possible. Additional restrictions, documentation, and payment of fees may be necessary. Please contact the Cemetery office for directions regarding your specific circumstances.
- 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, disinterment, or disinterment. 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, unless the disinterment was to correct an interment error.

- 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 without prior authorization 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 applicable transfer fees, 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 Burial Right 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 street address, phone number or email address. Any notice sent to the street address, phone number, or email 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. 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 Burial Space 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 toward the purchase of any other Burial Rights 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.
- B. An Owner may transfer his/her Burial Right for another within the same section or like section, in most instances. 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

C. 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 Burial Right, excluding the original purchase price 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. See Section 6 regarding Disinterment Procedures.

## **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 12) by appearing at the Cemetery office with the Certificate of Burial Right, executing the necessary papers and paying the applicable 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 Burial Right, 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 Sections 7C and 10.

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

As Burial Rights are purchased with a view towards the sacred trust of burying the dead, and not toward resale or profit, the Cemetery and the State of Ohio does not permit or recognize the resale of Burial Rights via secondary marketplaces for individual profit. Therefore, should a Burial Right Owner desire to dispose of his rights, the Owner may return all or part of the original purchase back to the Cemetery for the original purchase price, less 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 Burial Right 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. RECLAIM UNUSED BURIAL RIGHTS**

According to Ohio Revised Code 517.073, the Cemetery is permitted to create a procedure to reclaim unused Burial Rights. In compliance with applicable law, Gate of Heaven Cemetery has created and instituted the following procedure:

- A. The Cemetery may, at its election, endeavor to reclaim unused Burial Rights that were purchased seventy-five (75) years or more before the current time and are determined to be inactive. (See Section D below for a definition of inactive.) Should the Cemetery elect to exercise this right, it will:
1. Contact the Burial Right owner by certified mail to the address of record
    - a. If the Cemetery knows with certainty that the Burial Right owner is deceased, i.e. the owner is buried at the Cemetery, the Cemetery will endeavor to contact the representative who directed the interment of the Burial Right owner according to Section 4. B. of this document.
  2. Publish on its website a notice of the intent to reclaim the unused Burial Right(s).
  3. Publish a notice in a newspaper of general circulation in the county [Hamilton County, OH] if an address of record cannot be reasonably obtained.
- B. The Burial Right owner, or their descendants, then has six months to respond to the Cemetery's attempts to contact. Should the Burial Right owner reply within the established time, the owner can, at his election:
1. Continue the owner's Burial Right.
  2. Transfer the Burial Right to another person or persons as outlined in Section 9 of this document.
  3. Return the Burial Right for compensation as established in Section 10 of this document.
  4. The Burial Right may be donated back to the Cemetery, in whole or in part, for charitable purposes.
- C. Should the Burial Right owner fail to respond within the established timeline, the Cemetery will determine the Burial Right to be abandoned and reclaim it. Upon reclamation, the Cemetery may, at its sole discretion, sell the Burial Right again to any party of its choosing, for any price of its choosing, in accordance with its policies at the time. The Cemetery, similarly, can utilize the space associated with the Burial Right for any other purpose including, but not limited to: construction of buildings, columbaria, shrines, paths, or any other structure, or landscaping, or the planting of trees, bushes, shrubs, etc.
- D. An unused Burial Right is considered to be inactive when none of the following activities have taken place within the last seventy-five (75) years:

1. Purchase of the Burial Right from the Cemetery.
2. Transfer of the Burial Right from one person to another.
3. Designation of the Burial Right from one person to another.
4. Purchase of pre-need ancillary items for use in the space associated with the Burial Right.

In the absence of at least one qualifying activity above, the Burial Right shall be declared inactive and subject to this reclamation policy.

## **12. HEIRSHIP**

- A. In the event of the death of an Owner 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. No additional interments may take place in a Grave, except upon the written authorization of all the heirs in the highest heirship.

- D. The intent of the Burial Right designation is for Interment of the person designated. Once a designation is recorded, it cannot be changed or cancelled, without written consent of the person designating the right of burial. In the event the designation is not used for this purpose, as in the person designated is buried elsewhere, the use and control of the aforementioned Burial Right shall revert to the Owner(s).

### **13. 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.

### **14. CARE**

- A. All burial rights 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

### **15. 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.

## **16. 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. Marker designs must be approved by Cemetery management, prior to purchase and installation. The Cemetery cannot memorialize an individual who is not buried at Gate of Heaven Cemetery on a traditional marker as described in this Section. Other options exist for memorialization of such an individual. Please contact the Cemetery office for more detailed information. All Markers, Monuments, Shrines and Private Mausoleums must be aligned and in accord with Canon Law and Catholic Church Teaching. Any memorialization considered to be offensive or contrary to Catholic Church Teaching will not be allowed.

- 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 inscriptions referring to individual burials therein; 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 Section 9, or other designated sections 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 vase, 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:** Memorialization varies in each Baby Garden.
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.
8. **Priests' Circle:** For placement in the "Priests' Circle," all Markers shall be uniform and shall be furnished by the Cemetery in the shape of a Cross.
9. **Section 9:** Marker is 56"x 16" bronze mounted on a granite base and is designed for dual inscription. Single Marker is 24" x 16" bronze mounted on a granite base. These Markers may only be provided by the Cemetery as part of the Interment package. Flower vase, if desired, must be incorporated into the Marker.
10. **Section 28 Lawn Crypt:** Lawn Crypt Marker is 16" x 24" bronze mounted on a granite base 20" x 28". 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. **Section 28 Traditional Adult Garden:** Burial Rights within these sections are sold primarily as a pre-packaged unit of Burial Right, 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.
12. **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.
13. **Section 28 Veterans' 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.
14. **Section 35:** Marker designed for use in the Glass-front Niches is a plaque on stone, with the standards determined by the Cemetery Authorities.
15. **Mausoleum and Columbarium:** All Markers will be either a bronze Marker or engraving, with the standards determined by the Cemetery

## Authorities.

- B. **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.
- C. **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.
- D. **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.
- E. **MARKERS NOT PURCHASED FROM THE CEMETERY:** 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.

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

- A. **VASES:** Flower vase, if desired, can be incorporated into the Marker, except in the Veterans' Garden, or can be a freestanding vase designed for Cemetery use.
- 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. All monuments must be approved by the Cemetery.
- C. **SHRINES:** Shrines constructed on shrine lots shall be per Cemetery design; and carved from granite or marble, composite materials are unacceptable. 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 by the Cemetery.

## **18. 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, unless otherwise agreed by contract, 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.

## **19. 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 urns specifically designed for human cremated remains to be placed in the Glass Front Niches. An urn can be bronze, ceramic, marble, or granite. No wooden urns are permitted in the Glass Front Niches. The dimensions of the urns is dependent upon the size of Glass Front Niche purchased. The maximum height of the urn is 11", other than those in the Feature Glass Front Niches.

In compliance with the canons of the Roman Catholic Church relating to this subject, the Cemetery cannot permit companion urns in a Glass Front Niche (i.e. one urn in which the cremated remains of two persons are placed together).

- B. **PERSONAL ITEMS:** Each Glass Front Niche may contain personal items in addition to the Urn and Memorial 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 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 items.

- C. **VASES AND FLOWERS:** The Cemetery has contracted for a flower placement program available for a 5-year, renewable term.

### **D. FRAMED ITEMS:**

1. Single and Companion Glass Front Niches may hold 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 4" x 6" in a 5" x 7" frame.
    - i. In a companion Glass Front Niche, the picture can be that of the individuals inurned in the niche.
    - 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 than 5" x 7".



- b. Photo in a frame must be a photo no larger than 4" x 6" in a 5" x 7" frame.
      - i. In a Deluxe Glass Front Niche, the picture can be that of the individuals inurned in the niche.
      - ii. No photos with pets are allowed.
  3. Feature Glass Front Niches are 24" x 24" 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 outside of business hours. Replacement key fobs can be obtained for \$75.00.

## **20. GRAVE DECORATIONS**

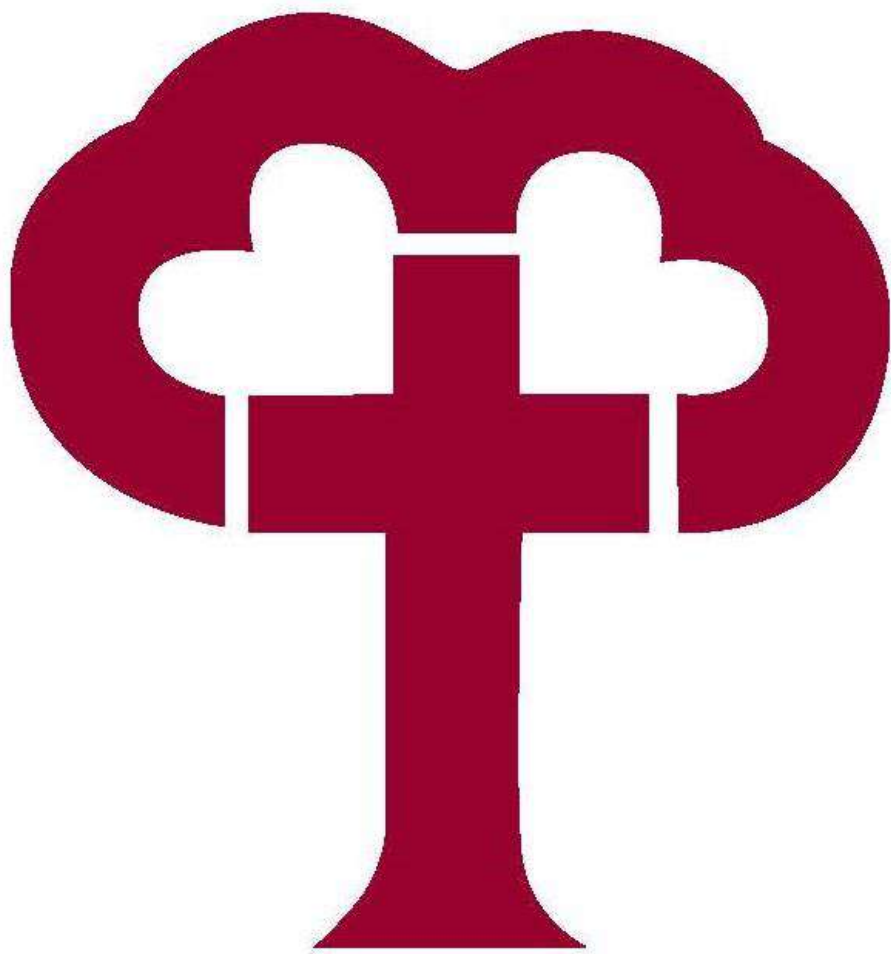
- A. All Grave, mausoleum and columbarium floral decorations are to be of natural cut flowers or artificial flowers only. Potted plants, glass, or pottery containers and rocks are strictly prohibited. Only that type of permanent vase is permissible which, when not in use, may be inverted and sunk in 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) except in areas designated by the Cemetery for long-term vase and flower placement. 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 may, at its discretion, 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.

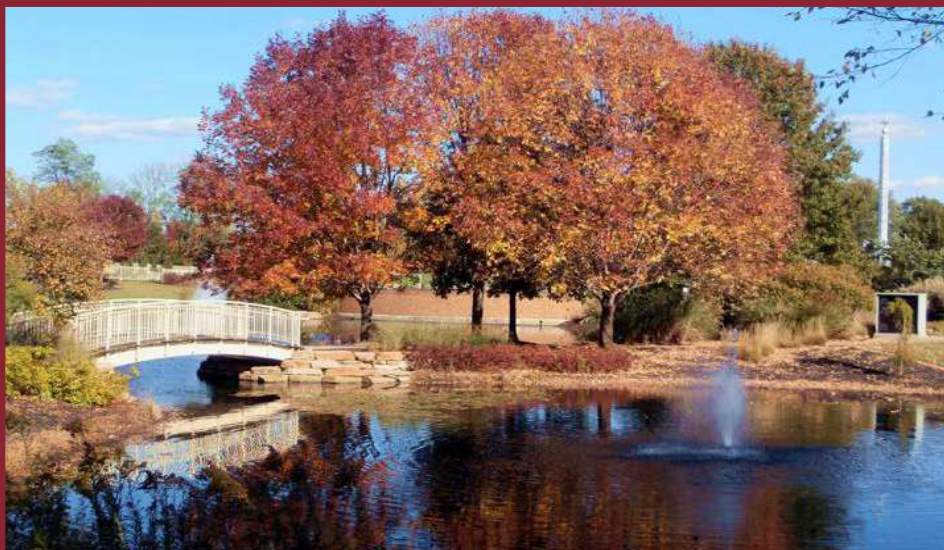
## **21. IN GENERAL**

- 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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