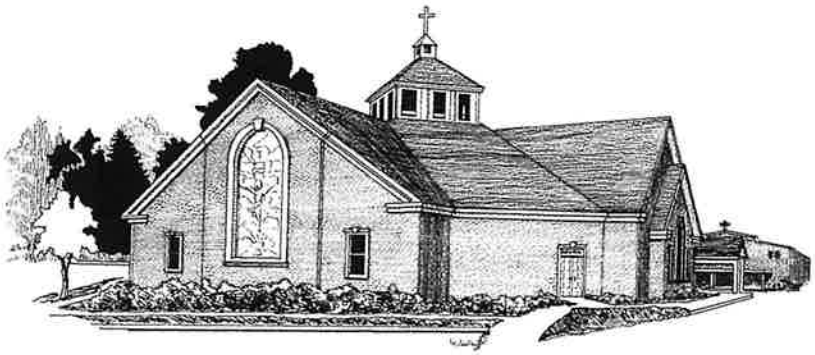
Holy Cross Cemetery



Rules And Regulations

February 1, 1972

Latest Revision: April 20, 2026

Holy Cross Cemetery

Christian Burial is a religious act, a corporal work of mercy.

Holy Cross Cemetery, located in Dover, Delaware, is owned & operated by the Church of the Holy Cross. The Church of the Holy Cross is charged with the performance of Christian burial, a sacred trust. Along with this sacred trust is the responsibility to maintain Holy Cross Cemetery with the same dignity as any deserving function of the Roman Catholic Church.

Catholic cemeteries have been designated, and rightfully so, as "reliquaries of the Saints." To ensure the sacred character of Holy Cross Cemetery and to maintain good order, these rules and regulations have been established.

The Church of the Holy Cross, with recommendations by the Holy Cross Cemetery management, reserves the right to change, amend, alter, repeal, rescind, or add to these rules and regulations. These rules and regulations, along with any amendments, shall be binding and are for the mutual benefit of all certificate holders, their heirs, and assigns.

Holy Cross Cemetery is intended for, but not limited to, the interment of members of the Church of the Holy Cross. The pastor of the Church of the Holy Cross reserves the right to refuse admission to the cemetery and/or refuse the use of any cemetery property to any person or persons as his judgment dictates according to these rules and regulations or Catholic doctrine.

Certain aspects of these Rules and Regulations may extend to visitors and vendors.

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Definitions

Cemetery Management shall mean the person(s) duly appointed by the Pastor of the Church of the Holy Cross for the purpose of overseeing and managing all aspects of cemetery operations and administration.

Columbarium is an above-ground structure consisting of niches for cremation urns.

Certificate Holder applies to one's Right of Interment in a particular interment space within the cemetery. It does not imply any ownership of those spaces which are in fact the property of the Church of the Holy Cross.

Disinterment is the removal of human remains from where it is interred.

Entombment is the placement of human remains in an above ground receptacle known as a mausoleum crypt.

Grave Space shall mean a space of ground that is used, or intended to be used, for the burial of human remains.

Interment is the placing of human remains in an in-ground grave or an above ground mausoleum or columbarium space.

Grave Plot shall apply to multiple adjoining grave spaces.

Mausoleum is an above-ground structure consisting of crypts for caskets and niches for cremation urns.

Memorials and Monuments are permanent settings that adorn a grave space or grave plot and gives testimony as to the person(s) interred in such grave space/plot. The term shall also apply to the inscription on a mausoleum or columbarium memorial.

Perpetual Care includes the ongoing maintenance of the cemetery's grounds, infrastructure, mausoleums and columbariums

General Information

Arrangements and application for Right of Interment must be made at the parish office of the Church of the Holy Cross, 631 South State Street, Dover, Delaware.

All certificate holders, heirs, vendors, and persons visiting the cemetery shall be subject to these rules and regulations, along with all subsequent amendments adopted by the Church of the Holy Cross.

Holy Cross Cemetery and its management disclaim all responsibility beyond its reasonable control for loss or damage within the Holy Cross Cemetery. This includes any damage caused by war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandals, malicious mischief makers, explosions, unavoidable accidents or an act of God, such as the elements, floods, tornadoes, hurricanes, or earthquakes.

All personal/individual mausoleums and monuments must be kept in good condition by the certificate holder. All repairs must be professionally done according to the professional standards of the industry. In the event it becomes necessary to reconstruct or repair any damage to monuments, memorials, mausoleums, or graves, the cemetery management may direct repairs be made and charge the expense for such repairs against the interment space certificate holder, their heirs, or assigns.

The cemetery management, employees, and other persons reasonably entitled thereto shall have a perpetual and uninterruptible right to pass over any grave in order to access other graves to which no other means of access is available.

Any work performed in Holy Cross Cemetery shall only be carried out after authorization has been obtained from the Holy Cross cemetery management.

Holy Cross cemetery management reserves, and shall have, the right to correct any errors made in arranging interments, disinterments, or the placement of monuments and memorials.

The Church of the Holy Cross, with recommendations of Holy Cross cemetery management, reserves the right to specify the terms for obtaining all interment rights, the manner in which said rights shall be held or exercised, and the fees for the various services. Said fees shall be published separately and are available through the parish office of the Church of the Holy Cross.

Death of Original Certificate Holder(s)

In the event of death of one of the Original Certificate Holders of a jointly held interment space, any and all privileges of the interment space shall pass to the surviving Original Certificate Holder(s).

In the event there are no surviving Original Certificate Holders, any and all privileges of the Original Certificate Holder, shall pass to the Original Certificate Holder's heirs in the following manner:

1. The surviving spouse of the Original Certificate Holder whose name does not appear on the Certificate has a vested right of interment in one interment space. This right may be voluntarily forfeited at any time. Otherwise, it will terminate upon the death or remarriage of said surviving spouse.
2. If the Original Certificate Holder shall have filed written instructions at the parish office of the Church of the Holy Cross as to which member (s)) of his/her family shall succeed to the rights of said interment space, the cemetery management will recognize and follow the instructions if such instructions are definite, reasonable, and practical, subject to the vested right of interment of the surviving spouse.
3. If no valid or sufficient written instructions shall have been filed, all remaining rights and privileges of the interment space descend from the intestate Original Certificate Holder in the following manner:
    a. To the children of the Original Certificate Holder.
    b. If none of the Original Certificate Holder's children are alive, then to the grandchildren of the Original Certificate Holder.
    c. If there were no children or grandchildren, then to the father or mother, or both, of the Original Certificate Holder.
    d. If there is no one living of the first three classifications, then to the living brothers and sisters of the Original Certificate Holder.
    e. If there are no living brothers or sisters of the Original Certificate Holder, then to the nephews and nieces of the Original Certificate Holder.
    f. If there are no living nephews or nieces of the Original Certificate Holder, then to the grandparents of the Original Certificate Holder.
    g. If there are no living grandparents of the Original Certificate Holder, then to the uncles and aunts of the Original Certificate Holder.

    When there is no longer any living person who could be classified in any of these seven groups, the interment rights will terminate.

Each qualified heir shares equally and jointly in the interment rights while vacant interment spaces remain. The heir's individual rights cannot be determined until the time of the heir's own death, which automatically gives the heir the right if the heir qualifies in the sequence of inheritance.

Any qualified heir may release his/her right at any time. However, the heir

cannot assign or transfer this right to any one individual, but to the other qualified heirs jointly.

When all interment spaces are occupied, the interment rights will terminate.

Perpetual Care Fee

A one-time perpetual care fee will be charged at the time of interment unless the fee was paid at the time the interment space was purchased.

Interments

All in-ground and above-ground openings for casket interments require a permit issued by the State of Delaware. All permits shall be completed and signed by the funeral director in charge and submitted to the cemetery management along with the required fees when an opening is requested. Unauthorized diggings are not permitted.

Openings for cremated remains require a copy of the "Cremation Certificate" be submitted to cemetery management along with the required cemetery fees. Unauthorized diggings are not permitted.

Disinterments

No disinterment or removal shall be allowed without the consent of the cemetery management and the certificate holder or their heirs.

The disinterment of casketed remains require a permit issued by the State of Delaware if the remains are to be removed from Holy Cross Cemetery. All permits shall be completed and signed by the funeral director in charge and submitted to the cemetery management along with the required fees when a disinterment is requested.

When casketed remains are to be moved from one interment space to another within Holy Cross Cemetery, a State permit is not required. A "Request for Disinterment" form must be signed by the next of kin along with the required fees.

The disinterment of cremated remains do not require a State issued permit.

Unauthorized diggings are not permitted. The required fee will be the same as the current grave opening fee.

Funeral Floral Arrangements

One week after burial, the caretaker shall remove flowers placed at the time of interment.

General Clean-Up

A general clean-up of the cemetery will be conducted as outlined below. Families are responsible and encouraged to remove items they wish to keep in advance of the scheduled clean-up.

- Post-Christmas clean-up – the 1st weekend of March (includes all Christmas decorations except artificial flowers)
- Post-Holiday clean-up – 2 weekends after Easter, Mother's Day, Memorial Day and Father's Day (includes decorations and potted plants)
- Pre-Christmas clean-up – the 1st weekend of December

Clean-up notices will be posted in the parish bulletin. Periodically, unannounced policing of the cemetery will take place to ensure conformance to these rules and regulations.

Items Removed, Lost or Stolen

The Church of the Holy Cross and Holy Cross Cemetery management are not responsible for items removed, lost or stolen.

Vendors

For the sake of uniformity, cemetery management will select the vendor for all interment space openings/ placement of corner markers, and the setting of monument foundations.

Monument dealers are authorized to place monuments and memorials.

The payment of fees for these services shall be the responsibility of the person(s) arranging for such services.

Visitors

Visitors are welcomed and encouraged to visit the cemetery between the hours of sunrise and sunset. All visitors should park their vehicles on the street when a funeral service is in progress.

Recreational Activities

Dog walking, bike riding, and other recreational activities are prohibited and are considered trespassing. Violators will be reported to the police for possible prosecution.

Specific to Mausoleum and Columbariums

Holy Cross takes great pride in the mausoleum-columbarium complex, and places great emphasis on the care and maintenance of the complex. To properly maintain the care and appearance of the mausoleum and columbariums (i.e. the facilities), the following Rules and Regulations are strictly enforced.

Space accommodations and limitations.

- Niches are for urns containing cremated remains. A niche can accommodate one or two urns. The interior dimensions are: 12x12x12.
- Crypts are for interment of casketed remains. A single crypt can accommodate one casket and a single urn. A double (i.e. companion) crypt accommodates two caskets. Caskets must not exceed 31" high and 25" wide.
- Niches and crypts are for the interment of human remains only.

Decorations.

- Decorations or loose items of any kind may not be placed on the front of the facilities
- Decorations of any kind may not be placed on the concrete or grassy area surrounding the facilities.
- Glass of any kind is strictly prohibited.

Liability.

- Damage due to violations are not covered under the Perpetual Care Program and will be billed to the Right of Interment certificate holder or his/her heirs.
- Cemetery management reserves the right to periodically inspect crypt and niche chambers in order to perform necessary maintenance.

Specific to In-Ground Graves

In order to preserve and maintain the condition, appearance and safety of our sacred ground, the following additional Rules and Regulations are strictly enforced.

Grave space accommodations and limitations.

- Casketed burial graves may be single-depth or double-depth. The size of the grave space in the newer sections of the cemetery is 10' long by 40" wide; the size is smaller and varies in the older sections of the cemetery.
- A full size grave space can accommodate up to three (3) remains. Possibilities include: 1 casket and 1 or 2 urns, 2 caskets, 2 caskets and 1 urn, or 1 to 3 urns.

Cremated human remains.

- Separate grave spaces are available for the interment of cremated remains. The grave size is 3' long by 2' wide.
- The right to bury cremated remains above an existing burial must be requested and cannot be assumed. Once approved by cemetery management, an additional Right of Burial fee will be charged.
- Cremated remains must be enclosed in a non-biodegradable urn vault. This is to ensure the preservation of the remains and to facilitate permanent or temporary removal in the future. Vaults are obtained through the funeral director.

Personal above-ground interment facilities.

Holy Cross' mausoleum and columbariums facilitate above-ground interments. No additional personal above-ground facilities are permitted.

Burial vaults.

All casketed remains shall be placed in a burial receptacle (burial vault) suitable for maintaining the integrity of the grave space. Vaults are obtained through the funeral director.

Grave decorations.

- **Artificial and fresh-cut flowers** are to be placed in vases attached to the monument or in plastic vases placed close to the monument. Fresh flowers should be removed in one week by the individual who placed them. Artificial flowers should be replaced seasonally. Artificial flowers that become tattered and/or faded should be replaced by the individual who placed them.
- **Potted plants** are only permitted one week before and two weeks after Easter, Mother's Day and Father's Day. Potted plants should be removed by the individual placing them.
- **Christmas decorations** including wreaths, blankets, artificial flowers, poinsettias and potted plants, are permitted from December 1st through March 1st. All decorations, except artificial flowers should be removed by March 1st by the individual placing them.
- **Landscaping, plantings and decorative items** of any kind are not permitted. This includes, but is not limited to, borders, shrubs, trees, planted flowers/plants, wreaths, candles and solar lights, benches, statues and ornaments/figurines of any kind. **American flags and organization flags**, such as VFW and fire companies, are permitted. Decorative flags are not permitted. Flags must not exceed 12 by 18 inches in size, and should be removed or replaced when tattered or discolored by the individual placing them.

- **Glass of any kind** is strictly prohibited.
- **Loose items of any kind** placed on or around the monument are strictly prohibited.
- ***Items not removed when appropriate will be removed by cemetery management.***

Corner Markers and Monument Foundations

Only the authorized caretaker shall place corner markers and monument/ memorial foundations. The fees for placement shall be on file at the parish office of the Church of the Holy Cross. Fees for monument foundations are based upon the square inches involved.

Monuments and Memorials

All monument dealers shall file for a permit at the parish office of the Church of the Holy Cross for the placement of all monuments and memorials. Each grave space is permitted only one monument or memorial, which is to be located at the head end of the grave space. The exception is when an existing family plot contains a monument with the family name and foot stones for each individual grave. In addition, one government issued marker may be located at the foot end of the grave space.

All monuments and memorials must be made of materials approved by the cemetery management and shall be consistent with those that are common to the cemetery industry. Only symbols and inscriptions deemed appropriate to a Christian cemetery are acceptable. There must be at least one Christian symbol included. The pastor of the Church of the Holy Cross, with the recommendations of the cemetery management, shall pass final judgment as to the appropriateness of any designs and inscriptions.

Separate monument and memorials are not allowed for cremated human remains that are placed on top of a previous interment. Information about the remains will have to be placed on the existing monument or memorial located at the head end of the grave space.

A temporary identifying marker shall be placed at the grave space by the funeral director within one week of burial/interment. A permanent monument or memorial is required at the grave space within six (6) months of burial/ interment.

Monuments and memorials are owned by the family. Holy Cross is not responsible for damages. However, Holy Cross cemetery management reserves the right to make repairs to monuments, memorials and foundations if they feel it to be appropriate.

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Holy Cross Cemetery

Clara Street and North New Street
Dover, DE 19904

Church of the Holy Cross

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