

Town of Westford



Regulations for Municipal Cemeteries

Board of Cemetery Commissioners

Adopted by Westford Cemetery Commission February 13, 2025

Approved by Select Board February 25, 2025

The Westford Public Works Department, Cemetery Division, manages, maintains, and preserves Westford's five municipal cemeteries and one historic burying ground:

- **Fairview Cemetery** - at Main Street and Tadmuck Road
- **Hillside Cemetery** - at Depot Street and Nutting Road
- **Old Pioneer Burying Ground** - at Carlisle Road and Old Lowell Road
- **Pine Grove Cemetery** - at 68 Forge Village Road
- **Westlawn Cemetery** - at Concord Road (Route 225) and Country Road
- **Wright Cemetery** - on Groton Road (Route 40) near North Street

The Cemetery Division works collaboratively with funeral homes, families, contractors, vendors, volunteers, and researchers to coordinate cemetery operations and maintenance, burials, sale of Burial Spaces, and organization of cemetery events.

The Cemetery Division is committed to serving the community and visitors to our cemeteries. We are dedicated to maintaining and preserving our cemeteries and looking after the final resting places of our beloved departed citizens entrusted to our care. Please contact us for assistance.

Westford Cemetery Division
Office: 68 Forge Village Road
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Town of Westford Regulations for Municipal Cemeteries

In accordance with the authority conferred by Massachusetts General Laws, Chapter 114, Section 23 and the vote taken pursuant Article 21 at the April 27, 2024 Annual Town Meeting, the following regulations have been adopted by the Board of Cemetery Commissioners and approved by the Select Board for the governance of all public cemeteries in the Town of Westford, control of which is entrusted to said Board of Cemetery Commissioners, or Cemetery Commission. The Westford Cemetery Commission consists of five appointed members who hold public meetings, posted on the Town website (www.westfordma.gov).

There may be circumstances when the strict or literal enforcement of these regulations may impose unreasonable hardship. The Cemetery Commission reserves the right to make exceptions, suspensions, or modifications to these regulations without notice whenever necessary.

The terms used herein shall be as defined in Massachusetts General Laws, Chapter 114, Section 1, unless otherwise indicated.

The governance, use, and operation of the Town's cemeteries shall be in accordance with the provisions of G.L. c. 114, §1, et seq. (the "Statute") and other applicable laws, and in the event of a conflict between this Regulation and the Statute, the terms of the Statute will prevail.

OWNERSHIP OF BURIAL RIGHTS

1. The Cemetery Commission may grant a Deed to any person wishing to have their remains or the remains

of any other person placed in a Burial Space within a Town cemetery. For purposes of this Regulation, the term “Burial Space” shall mean any area, structure or container set aside and dedicated for the final disposition of the remains of a deceased person within one of the Town’s cemeteries, including any Columbarium, Crypt, Grave, Lot, Mausoleum, Niche, Tomb, or Urn; and the term “Deed” shall mean “License of Burial” as defined in G.L. c. 114, §1.

2. The License of Burial grants the Bearer, and any other person designated in the License the sole and exclusive right of burial in a specific Burial Space within the cemetery. At no time does said Bearer actually own the property. The Bearer or successor and assigns determine the burial rights for that Burial Space.
3. Burial Spaces will only be sold to individuals who are Westford residents at the time of purchase and former residents who resided in Westford for at least ten (10) years.
4. The Cemetery Commission shall adopt and may amend a schedule of fees for Licenses of Burial, interments, and other services and privileges, which schedule shall be available at the Cemetery Division office and on the Town website (www.westfordma.gov).
5. The Cemetery Commission reserves the right to establish reasonable limits on the quantity of Burial Spaces that may be purchased by one individual or family to promote the availability of lots for all residents of Westford.

6. For each single Grave space purchased, the Cemetery Commission allows up to three cremation (urn) burials, or one conventional (casket) burial and two cremation (urn) burials. In the case of Green Burials, each Grave space allows for one full body burial. No urns are allowed in this section.
7. If two or more persons are entitled to the possession, care, and control of a Burial Space, they shall designate in writing to the Cemetery Commissioners which of their number shall represent the group; and in default of such designation, Cemetery Commissioners shall enter of record which of said persons shall represent the group during such default.
8. The License of Burial is non-transferable except to the Bearer's heirs in accordance with G.L. c. 114, §29 and 31. No Bearer of a License of Burial may sell or transfer the Burial Space, or any portion thereof, to another person without the written consent of the Cemetery Commission and the other persons identified on the License of Burial, if applicable. Only the Cemetery Commission has the option to buy back an unused Burial Space at its original price if the space meets the requirements of the Cemetery Commission. Any Bearer who wishes to sell an unused Burial Space shall advise the Cemetery Commission.
9. The Cemetery Commission allows for the placement of a hold on a Burial Space, without payment, for 60 days. A Burial Space placed on hold must be purchased in full within 60 days or the hold will expire without further notice and the Burial Space will again be available to the public for sale. All Burial Spaces must be purchased in full before any interments take place.

II. INTERMENTS

1. All burials shall be under the charge of the Cemetery Supervisor or designee. No interments shall be made without the following:
 - a) A signed interment order;
 - b) A burial permit or cremation certificate;
 - c) All required fees paid in full.

2. Interment orders shall be signed by the Bearer, the Bearer's heirs, or the Bearer's legal representative and furnished to the Cemetery Supervisor or designee, unless waived by the Cemetery Commission, at least forty-eight (48) hours, exclusive of Saturdays, Sundays, and holidays, before the time of interment. The Order shall include instructions as to the location of the grave within a lot containing multiple graves, if applicable. If such instructions are not received by the Cemetery Supervisor, if they are indefinite, or if for any reason the interment cannot be made where specified, the Cemetery Supervisor may determine the location in the lot for such interment. The Town shall not be liable for obtaining the burial permit, for the accuracy of the contents thereof, or for determining the identity of the person to be interred.

3. The Cemetery Division requires two full business days, not including Saturdays, Sundays, and legal holidays, advance notice to schedule an interment.

4. Interments may be scheduled for the following times:
 - Monday-Friday: 8:30 a.m.-3:30 p.m. (additional fee applies for burials after 2:00 p.m.)
 - Saturday 8:00 a.m.-12:00 p.m. (additional fee applies for Saturday burials)

- No interments shall take place on Sunday or official Town holidays.
5. The Cemetery Commission reserves the right to correct any errors that may occur in association with interment or disinterment. The Town, the Cemetery Commission, and its respective officers and employees thereof shall not be held liable for the failure of any device to operate normally or for conditions beyond their control.
 6. No Burial Space shall be opened for interment or disinterment by any person not employed by the Town of Westford. Disinterment of Green Burial graves will occur only under an order of a Court of competent jurisdiction.
 7. A grave box or vault of sufficient strength and durability to constitute reasonable and permanent support for the weight above it shall be required for all interments except for Green Burials and urns.
 8. Green Burial allows the body to decompose naturally, returning all elements to the earth through environmentally sound practices. Green Burial shall take place in a designated section with minimal disturbance to land and vegetation. Vaults and grave liners are not permitted in the Green Burial section. A request for Green Burial outside the designated section may be considered by the Cemetery Commission on a case-by-case basis.
 9. In the case of Green Burial, no embalming is permitted during body preparation as specified in *Green Burial in Westford: General Information and Guidelines*. Removable medical devices should be removed. Any

clothing, jewelry, or mementos buried with the body must be biodegradable. The Cemetery Division reserves the right to refuse a body that is not properly prepared.

10. Green Burial containers may include caskets or shrouds and must be made from biodegradable and nontoxic/nonhazardous materials as specified in *Green Burial in Westford: General Information and Guidelines*. Shrouded bodies must be entirely wrapped and supported by a solid softwood board, such as pine, which remains in the grave. Plywood and particle boards are not acceptable. The Cemetery Division reserves the right to refuse a body that is not properly contained.
11. Green Burial graves shall be dug to a depth of 3-4 feet.
12. Green Burial graves shall be mounded to accommodate settling and will then be allowed to return to their natural state.

III. PERPETUAL CARE

1. Westford cemeteries are perpetual care cemeteries. The perpetual care trust fund, per G.L. c. 114, is used for the overall care, maintenance and development of the cemeteries necessitated by natural growth and ordinary wear. The perpetual care trust fund principal is set aside for investment and the earned interest thereof is used to provide perpetual care. Please refer to G.L. c. 114 “Cemeteries and Burials.”
2. A portion of the proceeds from the sale of each Burial Space is designated for the perpetual care trust fund, according to the fee schedule adopted by the Cemetery Commission.

3. Perpetual Care funds shall not be used to maintain, repair, or replace any privately owned items including but not limited to monuments, benches, trees, etc. placed upon any grave lot; nor for the planting, cutting, watering, or care of any privately planted flowers, trees, or shrubs.

IV. MONUMENTS AND MARKERS

1. Monuments (headstones), flat markers (except for veteran markers), benches, and related services may be purchased from any desired monument company, not the Cemetery Division.
2. Prior to any monument or marker being installed, removed, cleaned, or repaired, a Monument Permit Application must be submitted to and approved by the Cemetery Supervisor and applicable fees paid. All regulations and required measurements are listed on the Monument Permit Application.
3. Monuments are not permitted on Green Burial lots and flat markers are optional. Markers must be flat, natural, unpolished stone no larger than 1' x 2', and set flush with the ground with no foundation underneath. The Cemetery Division offers memorial benches in the Green Burial area where names can be added for an additional cost.

V. COLUMBARIUM NICHES

1. Each niche in the columbarium located at Pine Grove Cemetery can hold a maximum of two urns. The inside dimensions of a niche are 12" x 12".

2. Niche Bearers may purchase a 10” x 10” bronze plaque meeting the requirements of the Cemetery Division to be installed by Cemetery Division personnel.
A Monument Permit Application must be submitted to and approved by the Cemetery Supervisor and applicable fees paid.
3. Decorative items including but not limited to artificial flowers, solar lights, flags, and other items are not permitted to be attached to the columbarium or placed in the surrounding area and may be removed without notice by Cemetery Division personnel.

VI. PROFESSIONAL WORK

1. Any work to be done in a Town cemetery by anyone other than a Town employee requires approval from the Cemetery Supervisor before work commences, and the Cemetery Supervisor must be notified upon completion of approved work.
2. No materials of any kind will be provided by the Cemetery Division to any outside party.
3. No soliciting for work of any kind will be allowed in the Town’s cemeteries.
4. Immediately upon completion of any work, all surplus material will be removed by permittee. Avenues or lots other than those impacted by work being done must be accessible at all times.

VII. GENERAL CARE AND CEMETERY ETIQUETTE

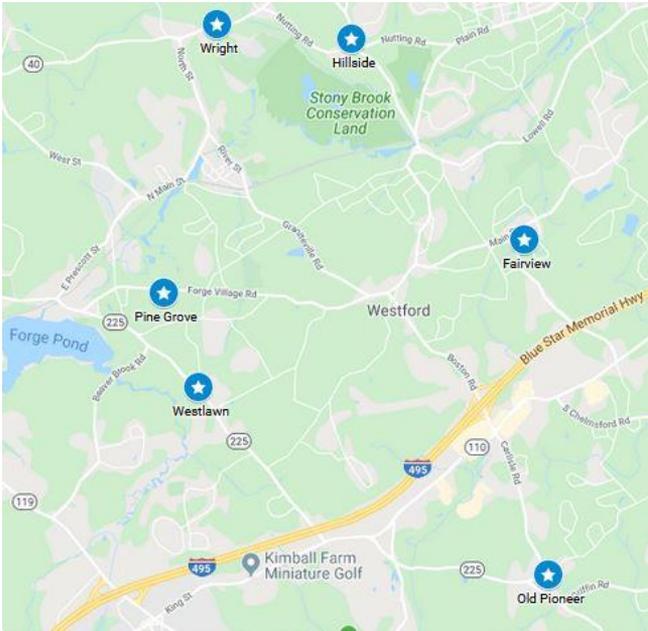
1. Under the oversight of the Director of Public Works, the Cemetery Supervisor is responsible for the care of

all Town cemeteries and is authorized by the Cemetery Commission to enforce these regulations.

2. Cemetery Division personnel will take all reasonable care while maintaining the grounds but shall not be held responsible for accidental damage to private property placed on grave lots.
3. No pets or disrespectful conduct are allowed in the Town's cemeteries.
4. No person shall mark, deface, or damage any monument, building, bench, or other structure within a cemetery. Rubbings of monuments and markers are not allowed without owner permission.
5. Artificial flowers, wreaths, sprays, potted plants, and decorations are prohibited during mowing season. These items are allowed November 1-April 1.
6. The Green Burial area will be maintained with minimal interference and maximum effort to preserve the natural environment. Cut flowers may be placed on top of a recent burial. No other decorations or plantings of any kind are permitted in this section.
7. Grave decorations such as boxes, shells, seats, vases, lights, balloons, fences, and items left in a cemetery that are inconsistent with the proper keeping of cemetery grounds will be removed by the Cemetery Supervisor and disposed of without notice. Such decorations may be stored behind the Cemetery Division office and will be periodically disposed of at the discretion of Cemetery personnel. The Cemetery Division shall not be responsible for any discarded, lost, or damaged items.

8. Only one flower bed is permitted per lot: such bed shall be located in front of the monument, not to exceed the width of the monument's base and no more than one foot from the base of the monument.
9. Planting of annuals is allowed provided the lot Bearer waters and weeds the plantings once a week and removes the plantings at the end of the growing season. Neglected plantings will be removed by Cemetery Division personnel.
10. Evergreen shrub plantings are allowed on 2-grave or larger monument lots only, with permission from the Cemetery Supervisor. The Cemetery Division is not responsible for pruning and maintaining the plantings.
11. Plantings that exceed the height of the monument, outgrow locations or become unsightly may be trimmed or removed without notice.
12. The removal of any trees, shrubs, or flowers, either wild or cultivated, requires permission from the Cemetery Supervisor.
13. Cut flowers, floral frames or baskets, or any other personal mementos not removed from the gravesite within one week after an interment will be removed and disposed of by Cemetery Division personnel. Such decorations may be stored behind the Cemetery Division office and periodically disposed of at the discretion of Cemetery personnel. The Cemetery Division shall not be responsible for any discarded, lost, or damaged items.

14. All Memorial Day potted plants and decorations, with the exception of flags marking the graves of veterans and public safety personnel, will be removed approximately one week after the holiday. Flags will remain until Veterans Day.



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