



Carrickfergus Borough

CARRICKFERGUS BOROUGH COUNCIL  
MANAGEMENT, REGULATION AND CONTROL  
OF  
BURIAL GROUNDS

**CARRICKFERGUS BOROUGH COUNCIL  
MANAGEMENT, REGULATION AND CONTROL OF BURIAL GROUNDS**

These rules and regulations concern the general management, regulation and control of all Council Cemetery facilities operated and managed by Carrickfergus Borough Council (presently Victoria and North Road Cemeteries) only. In the event of changes to legislation the regulations will be updated without notice.

**Cemetery Administrator's Office Opening Hours**

The Cemetery Administrator's Office is located at the Museum & Civic Centre, Antrim Street, Carrickfergus. Tel: 028 9335 8000

Monday to Friday: 9.00 am – 1.00 pm and 1.45 pm – 5.00 pm, except Public Holidays.

**Interment Arrival Times**

The latest time for interments to take place shall be:

Each Day: 3.30 pm, March to October.

Each Day: 3.00 pm, November to February.

## **MANAGEMENT, REGULATION AND CONTROL OF BURIAL GROUNDS**

These rules and regulations have been made by Carrickfergus Borough Council under Section 177 of the Public Health (Ireland) Act 1878 for the general management, regulation and control of the Burial Grounds provided by the Council and prescribing the Restrictions and Conditions under which the exclusive Right of Burial may be purchased.

These rules and regulations concern the general management, regulation and control of all Council Cemetery facilities operated and managed by Carrickfergus Borough Council (presently Victoria and North Road Cemeteries) only.

### **DEFINITIONS**

In these Rules and Regulations:

- (a) “the Borough” means the Borough of Carrickfergus.
- (b) “the Council” means the Carrickfergus Borough Council.
- (c) “the Director” shall be the Director of Development Services, Carrickfergus Borough Council.
- (d) “Cemetery Administrator” shall be the employee(s) authorized by the Director of Support Services, Carrickfergus Borough Council.
- (e) “Registrar of Births and Deaths” shall be the employee(s) authorized by the Director of Support Services, Carrickfergus Borough Council.
- (f) “the Cemetery Supervisor” shall be the employee(s) authorized by the Director of Development Services, Carrickfergus Borough Council.

### **PURCHASE OF EXCLUSIVE BURIAL RIGHTS**

1. The burial ground shall be divided into sections and proprietary grave plots. These plots shall be allocated for purchase of exclusive Right of Burial as and when demanded.
2. For the purchase of exclusive Burial Rights or when an interment takes place, the Council may differentiate in the scale of charges between a resident of the Borough of Carrickfergus and others. For this purpose the following definition applies: A resident is a person who resides in the Borough at the time of purchase of the Burial Rights. For the purpose of an interment, a resident shall be a person whose residence was in the Borough at the time of death or who has lived in the Borough for a period not less than 20 years. The Council may wish to use its discretion in special circumstances.
3. A ground plan of the cemetery, showing the sections and the grave plots properly numbered and lettered shall be kept in the Cemetery

Administrator's Office, Museum & Civic Centre, Antrim Street,  
Carrickfergus.

4. A person desiring to purchase the exclusive right of burial in a grave shall sign an application binding themselves, their successors and assigns to take responsibility for the maintenance of the plot, and to conform to all rules and regulations in force or thereafter made by the Carrickfergus Borough Council. Following payment of the prescribed charge, the grant shall be issued to the purchaser in due course. Duplicate copies can be issued on payment of the prescribed fee. Ownership of an Exclusive Right of Burial for a grave does not give any ownership whatsoever in respect of actual land.
5. An entry of the date of each grant of an exclusive right of burial and of the purchaser's name and address, the purchase price and the plan number of the grave in respect of which the right of burial has been purchased, shall, upon the execution of each grant, be made in the Register. The Register may be examined at all reasonable times by a grantee or assignee of any such right.
6. The exclusive right of burial in respect of more than three graves in the proprietary ground shall not be sold to or vested in any one person and no sub-division of any lot purchased shall take place without the written consent of the Council having been first obtained.
7. In exceptional circumstances proprietors wishing to dispose of their right, may contact the Council, through the Cemetery Administrator's Office, and offer it for purchase at the price originally paid for the same. Sale to any party other than the Council is not permitted.
8. One person only shall be registered as the proprietor of a right of burial in a grave; joint ownership is not permitted.
9. On purchase, the exclusive right of burial shall be granted in perpetuity to the purchasers thereof, their successors and assigns, and shall confer upon the grantees, their successors and assigns the right to erect memorial stones or other memorials subject to the conditions set out later in this document. (See All Sections Rules 23-29).
10. No refund will be made to any purchaser whose plot has limited capacity owing to the existence of rock, or other obstructions found, nor does the Council guarantee more than one interment in any one grave.
11. No person claiming to be entitled to a right of burial in any plot under a transfer or bequest of such right, or as the heir-at-law of a proprietor who has died intestate, shall be entitled to have such claim recognised, or the

name of such person entered in the Register as proprietor thereof, until the transfer or probate under which such person claims to be entitled, or particulars of the intestacy and succession, and the grant made to the original proprietor shall have been produced to the Council, and such further or other evidence of the claim produced as the Council may require of the right thereto of the person claiming. Upon production of such documents, particulars and evidence, and the claim being duly proved to the satisfaction of the Council and upon payment by the claimant of the prescribed fee, an entry thereof shall be made in the Register. Until such entry shall be made, no right of burial shall be acquired under any such transfer, probate or intestacy and no transfer by an inter-vivos deed shall have any strength of effect unless sanctioned by the Council, who shall have the right of pre-emption.

12. In the case of Assignment of Exclusive Right of Burial, the original grant should be produced whenever possible, or right of Assignment otherwise established to the satisfaction of the Council. The approved form of Assignment together with the prescribed fee must be entered in the Register and certified by the Cemetery Administrator before any right of burial shall be acquired under the Assignment.

#### **OPENING OF GRAVES FOR INTERMENTS**

13. No grave wherein the exclusive right of burial shall have been granted shall be opened for interment except on the application in writing of the registered owner thereof, or of some person purporting to act on the registered owner's behalf, and producing the Grant to the Cemetery Administrator or satisfying the Cemetery Administrator that the grave should be opened without production of the Grant.
14. A person requiring to have an interment made in any grave, shall sign an application which may be obtained from the Cemetery Administrator for that purpose, giving the following particulars for registration, namely: The forename(s) and surname, date of death, cause of death, sex, age, religious persuasion, occupation, last place of residence, and status (as whether "married" or "Civil Partnership" or "single" or "widower" or "widow" or "divorced" or "the child of") of the person to be buried and stating the time at which the funeral will arrive at the cemetery and the name and address of the person having the management of the interment. In the case of proprietary ground, the application shall give the plot number of the grave required to be opened.
15. An application for interment shall be accompanied by the Certificate of Registry or Notification of Death (GRO Form 21) issued by the Registrar of Births and Deaths, or the statutory order for burial from a Coroner. The

certificate or order is by law required to be delivered up at the time of burial.

16. On proper application for interment being made to the Cemetery Administrator and upon payment of the prescribed fees, an order for burial shall be issued from the Cemetery Administrator's Office to the Cemetery Supervisor at least 48 hours before the interment is to take place. This time regulation maybe waived at the discretion of Council given religious sensitivities.
  - (a) In the case of a double interment (two burials at the same time in the same single plot) only the fee for a single interment shall be payable, provided if in either case any additional fee is payable by reason of the deceased having resided outside the Borough the higher fee shall be payable.
  - (b) A supplementary charge to the prescribed fee for interments may be made where a funeral arranged to take place within the fixed working hours does not arrive on time to enable the interment to be completed within the fixed working hours. An additional charge will be made for burials which take place on Bank Holidays and week-ends.
  - (c) Interments shall not take place outside the times fixed by the Council except by special arrangement agreed with the Director and payment of additional fees as may be prescribed.
  - (d) Only persons authorised in writing by the Council shall be permitted to open or prepare any plot for an interment. At least two employee of the council cemetery staff must be in attendance at the grave side at the time of interment.
17. In the event of the Borough being visited by an epidemic of disease, the Council may make special orders regulating the order of interments, and the period of notice required.
18. The depth for a first opening of a grave shall be 2.65 metres.
19. No coffin shall be laid in any grave nearer to the surface of the ground than 1.00 metres, measured from the upper surface of the coffin.
20. The person having management of the interment shall sign the Registry Book, as required by law, were possible, before the interment takes place.

## **EXHUMATION**

21. Save as specially provided for in these Rules, no grave shall be opened nor shall any body nor the remains of any body be removed from a grave nor transferred from one place of burial to another, nor exhumed, except under the circumstances and subject to the conditions specially provided by law in that behalf, and except with the prior written consent of the Council and upon payment of the prescribed fees.

## **LAWN LAY-OUT**

22. Sections N, L, S, T, U, V and Z in Victoria Cemetery are laid out in a "Lawn System", which provides for a space at the head of each grave 1.1 metres wide by 0.6 metres from the head of the grave, for the placing of flowers or the erection of a memorial stone. The remaining portion of each grave shall be sown or planted with grass, which shall be left clear (for cutting) of any vases, holders, or other additions.

## **ALL SECTIONS**

23. All memorial stones or other erections on graves shall be on the space provided at the head of each grave which is the only area reserved for such erections and/or the placing of flowers. All such additions or erections including the design and material of the same shall be subject to the approval of the Council, and shall be subject to the following conditions:-
  - (a) All such erections shall be of stone or other non-perishable material, and shall be placed on a solid foundation.
  - (b) No railings, chains, plinths or other enclosures will be permitted.
  - (c) Memorial stones must not exceed 1.1 metres in height, measured from the surrounding ground.
  - (d) Every erection placed on a grave shall bear the grave section and number of the grave carved or marked in clear characters.
  - (e) No glass wreath housings shall be permitted on any grave.
  - (f) The approval of the Council for any erection shall remain valid for one year.
  - (g) All concrete foundations shall be securely attached and pinned to the adjoining foundations to the satisfaction of the Director.

- (h) Payment of such fees as may be approved by the Council from time to time shall accompany each application to erect a memorial.
  - (i) Every application to erect a memorial shall be made to the Cemetery Administrator's Office of the Council and must be accompanied by a plan and detailed particulars of the memorial, including proposed inscription. Each drawing submitted must specify the grave plot number, the name and address of the proprietor. See Rule 23(h) regarding prior payment of approval fee.
  - (j) All erections shall be centrally placed on the space reserved for memorials or on such other positions, as may be determined by the Council having regard to the placement and size of adjoining memorials.
  - (k) All sculptors must report at the cemetery gatehouse and sign the Monumental Register before proceeding to do any work in the cemetery.
24. Each purchaser of the right of burial in any plot must keep any memorial stone thereon in good order and repair, to the satisfaction of the Council. Should anyone fail to do so, the Council may have same put in order and repaired at the expense of the purchaser and may refuse to permit the grave to be opened until costs of such repairs or removal shall have been paid. The Council may have any memorial stone or inscription which has been placed or erected in the cemetery without their authority taken down and removed and the cost in either case shall be a debt from the registered owner of the burial rights for that grave to the Council and recoverable as such. Where such a debt is unpaid the Council may refuse permission for opening of the plot in question.
25. A person placing any erection on or around a grave, or tending a grave, shall cause as little refuse as possible, and shall take away such refuse immediately when finished, and shall not on any account allow it to fall or collect upon an adjoining grave or injure or disturb an adjoining grave, or any other grave, or any erection, shrub, flower or plant thereon.
- If any default shall be made in observing this Rule the Council will have the default remedied and the expense thereof shall be a debt from the registered owner of the grave to the Council and recoverable accordingly.
26. The Council will not be responsible for any loss, injury or damage which may happen to memorial stones, wreaths, flowers or other mementos at or upon any grave.
27. No person shall plant any tree or shrub on a grave, nor cut, break nor in any way interfere with any tree or shrub hitherto planted, without the permission of the Director. Neither shall any person break or dig up the

grass or lawn on any grave except in the space at the head of each grave reserved for the placing of flowers in any section in which lawn lay-out has been prescribed. (See Rule 23).

28. The Director shall be at liberty from time to time to remove or prune any shrub, flower or other plant growing on a grave if he is of the opinion that the same is detrimental to the appearance of the Cemetery, or is likely to cause injury to any person, or damage any material or erection in the Cemetery, or to interfere in any way with interments either in the plot where it is growing or in a neighbouring plot.

## **BEHAVIOUR IN CEMETERIES**

29. Visitors can access the cemetery from dawn to dusk on any day, vehicular access is only available from 8am to 4.30pm. Visitors must confine themselves to the walks and on no account trespass on the grave plots, or grass and must not damage any tree, plant, shrub, or flower; or interfere with any wreath or memorial stones.
  - (a) No inebriated or riotous person shall be permitted to enter the grounds. Trespassers shall be liable to prosecution for infringement of these regulations.
  - (b) No dogs or other animals shall be admitted on any pretence whatsoever, except guide dogs or where previously agreed in writing by the Council.
  - (c) Children under twelve years must be accompanied by a parent or guardian.
30. The Cemetery Supervisor may remove from the cemetery any person who behaves improperly and may prevent any person from entering the cemetery during prohibited hours.

## **GENERAL**

31. The charges and fees for grants of the exclusive right of burial and the opening, re-opening and closing of graves, and the erection of memorials shall respectively be of the amount stated in the scale of charges, or as fixed by the Council from time to time. No ground shall be opened or burial permitted until the charges and fees payable in respect thereof, and all sums due to the Council by the proprietor, have been paid.
32. The earliest time for interments to take place shall be 11am. The latest time for interments to take place shall be 3.30pm, except November to February when the latest time for interments to take place shall be 3.00pm.

33. Opening hours for the Cemetery Administrator's Office shall be Monday to Friday 9.00am. – 1.00pm and 1.45pm. – 5.00pm, except Public Holidays.
  - (a) Interments for Monday morning should whenever possible be lodged with the Cemetery Administrator's Office before 5.00pm, on Friday.
34. All fees and payments stated in the foregoing Rules to be "prescribed" shall be fixed from time to time by the Council.
35. The foregoing Rules and Regulations shall remain in force and be binding on all proprietors of the exclusive right of burial in the Cemetery, and all other persons, until they be altered by the Council.
36. All previous rules and regulations for Victoria and North Road Cemeteries are hereby repealed.

Adopted by Carrickfergus Borough Council  
on 9<sup>th</sup> January 2006.

A. A. C. CARDWELL  
Town Clerk & Chief Executive