



# Rules & Regulations

*Mount Olivet Cemetery*  
*Frederick, Maryland*

June 1<sup>st</sup>, 2024

I The gates will remain open during the following time periods: The front entrance (South Market Street) and Prospect Street entrance will be open from April 1 to October 1, 8:00 a.m. 'til 7:00 p.m., and from October 1 to April 1, 8:00 a.m. 'til 5:00 p.m. The Broadway gate, north entrance will only be open upon request.

II No auto or vehicle shall be allowed to park on any road where another vehicle cannot pass and no place more than half an hour.

III Automobiles or other vehicles shall not proceed at a greater speed than is safe and proper in grounds of this kind, and in no event a speed greater than 20 miles per hour.

IV Firearms will not be permitted except at military funerals and special events.

V All persons on the premises will be held responsible for any damage done by them.

VI Driving or riding will not be allowed on lots or upon lawns or walks.

VII Visitors are required to keep on the walks, and shall not injure flowers shrubs or trees.

1. Pets allowed on leash only and must be kept under control (and cleaned up after) by a responsible caretaker/handler at all times.
2. The cemetery cannot be held responsible for any damage done by a pet or wild animal.

VIII Children under twelve years of age must be accompanied by a parent, guardian or other proper adult caretaker, who will be responsible for conduct of said child.

IX Sitting and lounging on lots, mounds or ornamental grounds, and sitting or standing on monuments, headstones or tombs is strictly prohibited.

X Irreverent and disrespectful behavior is forbidden, and those offending shall be required to leave the grounds forthwith.

XI Illegal and inappropriate dumping of any kind upon the premises of the cemetery is strictly forbidden.

XII No alcoholic beverages, except at special cemetery-sanctioned events. Narcotics of any kind will not be permitted within the premises.

XIII The following apply to the planting of flowers, placement of artificial flowers or designs. Christmas decorations, urns or vases, or any container used for the placement of flowers.

1. The following rules for planting of flowers in the ground must be followed:
  - A – All Lot Owners (or a legal representative) must fill out a permit which will list all guidelines to be followed in order for a planting to be done.
  - B – The planting must contain annual flowers or plants only (NO PERENNIALS OR SHRUBS/EVERGREENS)
  - C – The planting bed must be kept within the guidelines as indicted on the Permit for planting Annual Plants.
  - D – The planting must be maintained by the lot owner at their time and expense. If the planting becomes unsightly or out of keeping with the beautification of the cemetery, the planting will be removed.
2. No Artificial flowers or Designs will be permitted from May 1 to December 1 that are placed on the ground. Artificial or Silk Flowers will be allowed if placed on top or in vases that are

attached to the base of the monument. Placement of Artificial or Silk Flowers in hanging baskets from shepherd's hooks are allowed provided that only one be placed per each grave site and that they are placed at the side of the monument and in line with the monument. Where only footstones or flat markers are allowed a hanging basket can be placed on a shepherd's hook provided the hook is placed at the side in the center of the width of the footstone or marker.

ALL ARTIFICIAL FLOWERS OR DESIGNS that are placed on the ground will be removed by the employees of said company on or after May 1.

3. All Christmas decorations or designs must be removed by March 1. After and on March 1, the employees will remove and dispose of said decorations.
4. Urns or Vases are permitted but must be maintained by the lot owner.
5. Remembrance lights, solar or any other such items for illumination are allowed provided they are placed close to the base of each monument, headstone, footstone or marker. (*Limit 1 for footstone and 2 for headstone*)
6. Flag Holders for Veterans or any such type of item used to display flags are allowed provided they are placed as close to the base of the monument as possible with only one allowed for each monument, marker or footstone. (*Only one such holder of any type per burial is allowed.*)
7. The cemetery reserves the right, at all times, to remove any planting, flower, artificial flower or design, vase or urn, window box, potted plant, shepherd's hook, remembrance light, flag holder or any such items that have become unsightly or not in keeping with the general plan of beautification.

XIV A concrete liner or vault is required for all graves by the cemetery except in areas designated as Green Burial.

XV All graves for the burial of cremains must be placed in a pre-cast container.

XVI Notice for opening a grave must be received at least 48 hours in advance before the time of the funeral.

1. The purchase price of one grave site must be paid before an interment is made on all new lots, and the entire lot must be paid in full before a second interment is made.
2. The grave opening charge must be paid before an interment is made.
3. Sunday or Holiday funerals will be held at the approval of management. The cost for Sunday and Holiday services is determined by management. Holidays are New Year's Day, Good Friday, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, Black Friday and Christmas Day.

XVII The erection of any monument, headstone, marker or footstone or any other device is subject in all cases to the Special Rules governing each area or section as determined by the layout on the Lot Record Card of each lot. This determination made when each section was developed with the purpose of conformity and appearance. The size of each lot determines the size allowed for each monument, memorial or headstone.

On all areas from "LL", "AA" and "BB" to the north, monuments, memorials or headstones can be placed on lots provided they do not exceed the size and do not infringe on other lots, pathways or roadways and must conform to the historical guidelines of the historic district sections of the cemetery.

Mount Olivet Cemetery's Management does not designate the lettering, carving or inscriptions on any monument, memorial, headstone, marker or footstone or any device of such nature. This is the responsibility of the lot owner and the monument or memorial dealer in determining what is to be engraved and the exact placement on the monument or marker. Mount Olivet's Management will continue as in the past to render such information as necessary to the placement of the memorial, headstone, monument, marker or footstone on the lot as stated in these Rules and Regulations.

XVIII Memorial dealers, contractors and their employees will be held responsible for any damage done on the premises while at work there. Any damage done to the sod, trees or shrubbery will, where possible be repaired by the Company at the expense of the contractor. Further, all Memorial Dealers or any contractor must present a Certificate of Insurance listing the require amount of liability coverage, proof of Workmen's Compensation for their employees, and a copy of their License to operate as required by the Department of Labor Licensing and Regulation for the State of Maryland. (Office of Cemetery Oversight)

1. Memorial dealers, masons and stonecutters will not be permitted to bring on the premises material in large quantities in advance of its immediate use, nor in an unprepared condition. Blocks of stone or marble must be dressed to the design and dimensions ready for setting. All chips and rubbish must be gathered up and carried to places of deposit, as designated by management of the cemetery.
2. Material for monuments, headstones, markers or footstones must be moved to the lots where it is to be erected via pathways if possible, and over planks if necessary when ground is soft, and not over the adjoining lots, and when trees or shrubbery are in the way of contemplated improvements, notice must be given management of the cemetery at the office previous to commencing work, for approval.
3. Obstructions to avenues and walks must be held to a minimum and no unnecessary delays will be permitted after the work has been started.
4. Contractors and their workmen while employed in the cemetery are under the supervision of the management of the cemetery.
5. Contractors and their employees will not be permitted to work in the cemetery on Sundays unless approval is given by management.
6. Stonework or any other material shall not be brought into the cemetery when the ground is not in a suitable condition or when the proper foundation has not been prepared.
7. No monument, headstone, marker or footstone shall be placed in the cemetery unless a foundation cost has been paid to the company.
8. Prices of foundations will be furnish on request as well as prices for special work.
9. The Company shall suspend work immediately whenever there is a failure by the contractor to conform to the Rules and Regulations prescribed.
10. A foundation order must be submitted to the cemetery for any monument, headstone, marker, or footstone and must be signed by the contractor or lot owner. The cemetery will reject any order that is not in keeping with the Rules and Regulations.
11. All foundations are placed by the cemetery, and will be done as soon as possible, weather permitting and provided there are an ample number of orders received to justify the employees of the cemetery to start work.
12. Any soil, sod or earth that is removed in the setting of any monument, memorial, marker or footstone, must be disposed of at the designated location for such items, and it is the responsibility of the contractor, memorial dealer, or any firm to put back in good order and condition the lot as it was before work started.
13. All temporary markers that are placed to mark any grave, whether by individual, funeral home, memorial dealer, etc., are allowed, but must be removed once a permanent marker is placed or however not to exceed one year from the date of burial. Mount Olivet Cemetery accepts no responsibility for the care and replacement of temporary markers. If any temporary marker becomes unsightly or damaged, Mount Olivet Cemetery will remove and dispose of said marker in the manner as previously stated in these Rules and Regulations regarding such items of such nature.

XIV If any monument, effigy or any structure whatever, or any inscription placed in or upon any lot shall be determined by the cemetery authorities to be offensive or improper or injurious to the appearance of the surrounding lots or grounds, they shall have the right, and shall be their duty, to enter upon said lot and remove the said offensive or improper object, at the cost of the lot owner.

XX The cemetery reserves the right to prohibit the erection of any vault, monument, headstone, footstone or marker that may be considered inappropriate, either in material, design, workmanship or location, or which might interfere with the general effect of the surrounding grounds.

1. Special consideration will be given to the Historic Section or District of the cemetery from the South Market Street front gate south to Areas MM and T, U, S. The desire is to keep in style with the contextual surroundings of the original cemetery of the 19<sup>th</sup> century.

XXI The cemetery reserves the right to remove all objectionable articles from the lot without notice to the lot holder.

XXII No worker except those employed in the erection of stone work will be allowed to work on the premises except by special permit from the cemetery management.

XXIII No signs, indicating that a lot or vault is "*For Sale*" except those by the Mount Olivet Cemetery corporation are permitted on the premises. This also includes signs, cards or advertisements of stone cutters, memorial dealers, undertakers, or any person or persons. Soliciting work on the premises is also not permitted. All orders taken for work are subject to the *Rules and Regulations* of the cemetery.

XXIV Corner markers, other than those placed by the cemetery in the layout of lots and sections, are permitted provided they do not exceed 6 inches by 6 inches and kept level with surface of the ground and are placed at each corner on the total number of lots as designated by such boundaries and cannot exceed the total of four. No corner markers will be allowed on single graves. Also provided that they not be cemented in place due their removal in opening and closing of graves. Mount Olivet Cemetery allows such corner markers but accepts no responsibility for their upkeep.

XXV No curbing, fencing, hedge or any other mode of enclosure will be permitted to be placed around or enclose any lot or lots in Mount Olivet Cemetery, unless approved by the management of the cemetery.

XXVI Planting of shrubbery shall not be permitted except under the following conditions:

1. All lots upon which plantings are proposed shall first be known and designated as "Endowed Lots" as defined by *Articles of Agreement*.
2. Plans for such planting and beautifying, must first be submitted in detail and approved by management. Should management reject the proposed plan, the lot owner or owners may, if they elect, submit new plans and proceed as if there had been no rejection.
3. After the approval of the proposed plan by management, an *Article of Agreement* establishing a sum of money, the income from which shall be ample to provide for care, maintenance, and replacement of said plan.
4. The planting shall be done by the employees of the cemetery, and under the direct supervision of management.

XXVII If any tree or shrub in any lot shall become detrimental to the adjacent lots or avenues, or become unsightly, or inconvenience for visitors, it shall be the duty of the management to remove said tree or shrubs or such plants thereof as they shall determine to be objectionable.

XXVIII To guard against complaints of theft, no one, whether lot holder, or holder of grave receipt or any person or persons, shall be allowed to pluck and flower, break any limb or remove or plant any tree or plant without special permission from management of the cemetery. If such permission is given, work must be done by employees of the cemetery for which a charge will be made.

XXIX No one other than employees will be allowed to take care of lots, including but not limited to the mowing, trimming and watering of the grass on their lots.

XXX The sale or transfer of any lot or part of a lot is subject to the approval of the company, and said sale or transfer must be made or sent to the office of the cemetery in order to change all lot records as to ownership. A charge will be made for this service and must be paid before a new deed is given.

Mount Olivet will not be responsible for any sale, or transfer of lots that have been made without the appropriate signed forms and the recording of such sale or transfer on the records of the company.

XXXI Any church, corporation or other cemetery, wishing to remove decedent remains to Mount Olivet Cemetery, must make it wishes known in writing to management for its approval or disapproval.

XXXII The cemetery authorities may, from time to time, lay out or alter walks, and make such *Rules and Regulations* for the government of the grounds as they deem requisite and proper to secure and promote the general good of the cemetery.

XXXIII Any activity or discourtesy on the part of any employee or complaints regarding work shall be reported at once to the management for their attention and appropriate action.

XXXIV The management of Mount Olivet Cemetery shall have the right to exclude from the grounds any person or persons who persist in disobeying any these rules. They shall have the right to refuse admittance to persons or firms whose work is not satisfactory. All persons are asked to remember that these grounds are sacredly devoted to the interment of the dead, and that all who violate these *Rules and Regulations* will be excluded from the cemetery. Any person who injures or disturbs any monumental work, tree, shrub, plant, memorial or anything in the cemetery is punishable under the provision of the law.

A – An act passed by the Maryland Legislature, May 11, 1852, incorporating cemetery companies reads as follows:

Section 4: And be it enacted, that any person who shall willfully destroy, mutilate, deface, injure or remove any tomb, monument, grave stone, or other structure, placed in said cemetery, or any fence, railing or other work for the protection or ornament of said cemetery; or shall willfully destroy or remove any tree, plant or shrub within the limits shall be considered guilty of misdemeanor, and upon conviction thereof, before any Justice of the Peace, shall be punished by fine, in the discretion of the Justice, according to Maryland State Law, Article CR Section 10-404 Criminal Law, Cemetery – Destroying funerary objects, indecent conduct if convicted – subject up to 5 years imprisonment or a fine up to \$10,000.00 or both.

XXXV Management is charged with the enforcement of these *Rules and Regulations*.

XXXVI Any situation not covered in these Rules and Regulations must be presented for review by the Board of Directors of Mount Olivet Cemetery.