

**BYE-LAWS OF
WEXFORD COUNTY COUNCIL**

FOR

**THE MANAGEMENT OF ALL OPEN BURIAL
GROUNDS WITHIN THE JURISDICTION OF
WEXFORD COUNTY COUNCIL**

BYE-LAWS DRAWN UP BY
WEXFORD COUNTY COUNCIL
FOR
THE MANAGEMENT OF ALL OPEN BURIAL GROUNDS WITHIN ITS
JURISDICTION

COMMENCEMENT:-

These bye-laws shall come into operation on the _____, 2017.

DEFINITIONS:-

In these Bye-Laws, unless the context otherwise requires,

“**The County Council**” means the Council of the County of Wexford

“**Burial Ground**” is as defined in Section 44 of the Local Government (Sanitary Services) Act, 1948.

LAYOUT (Only applicable to new Burial Grounds and extensions to existing Burial Grounds):-

Small groves of trees or groups of shrubs are preferable to geometric rows. Blocks of grave spaces exceeding one acre should be separated by planting preferably to form irregular groves or groups of shrubs.

A 3 metre wide margin should be allowed inside the boundary walls. This area may also be planted.

Main access road should be 3.5 to 4.0 meters wide with a 1 metre grass margin. It should be possible for a hearse to turn within the grounds and facilities for turning should be provided.

Secondary paths should be 1.2 to 1.8 metres wide with similar grass margins.

The layout should be arranged to give access to each grave. A passageway of 1 metre should be left between each double row of grave spaces.

A space of 2.75 X 1.25 metres should be allowed to each grace space and every group of grave spaces should be numbered and permanently marked in the ground.

Boundary fences should be 1.4 to 1.7 metres high and should be adequate to prevent trespass by animals. Fences may be masonry, mass concrete, concrete block or other maintenance free material; and cognisance shall be taken of the impact of the material selected on the local landscape. With block work only the road face should be plastered. A simple coping should be provided for all works.

The approach and entrance should be arranged to eliminate traffic hazards. A wicket gate should be provided in addition to the pair of entrance gates.

Consideration should be given to the elimination of grave kerbstones, at least near the entrance, and graves finished level for ease of grass cutting.

BURIAL PLOTS

The "Right of Burial" in every plot must be purchased before any interment can be permitted.

The dimension of all single plots is 9' 0" X 4' 0".

Plots are constructed in range and are disposed of in consecutive order and no selection is permitted. All plots must be adjacent to some previously occupied plot and no plot in an isolated position will be sold.

A limitation will apply on the number of plots that any individual/organisation shall be allowed to purchase at any one time. No one individual shall be allowed to purchase more than 2 adjoining plots, i.e. a double plot. The exception to this will be St. Ibar's, Crosstown, due to a temporary shortage of space.

No plot is, under any pretext, to be opened for the interment of any person, except by the express authority of such owner, his or her "representative" or "duly authorised agent".

No plot is, under any circumstances, to be registered in the name of more than one person and such person can only be recognised by Wexford County Council as the owner. In cases where the plot is purchased by several persons, only one person, to be decided on by the purchasers, shall be entered on the Register and shall be deemed the owner of such plot.

No general permission for the interment of the members of a family in any plot can be entertained. For each interment there must be a distinct and separate order from the owner.

No plot will be sold nor will any undistinguished plot be reopened unless arrangements are made at time of purchase, or burial, as the case may be, to distinguish same. In the case of a second or subsequent burial, the onus will be on the owner of the plot (or his/her representative) to produce documentary evidence of ownership, in the event of any dispute arising regarding identification of the plot.

No guarantee can be given as to the number of interments that can be effected in any plot in the burial ground. As a general guideline, it shall be understood that, on average, a single plot will accommodate the interment of up to 3 adult persons.

No interment shall be permitted in any grave which will not admit four feet of earth between the top of the coffin last interred and the surface of the ground.

FUNERALS

Interments must be by prior arrangement with the burial ground Registrar/Caretaker.

No interment will take place in Crosstown, Wexford or Enniscorthy on a Sunday, unless by special arrangement.

Excavation of burial plots shall be carried out and back filled in a safe manner, with due regard for adjoining plots.

All orders for burials must be given, preferably, 2 days prior to the interment, but not later than 9.30 a.m. on the day preceding interment. The undertaker booking the burial is obliged to notify the Registrar/Caretaker of the burial ground. Where an interment is to take place in Crosstown, Wexford, following a weekend, same must be booked not later than 3.00 p.m. on the previous Friday.

A standard form, e.g. Notice of Interment or Acceptance of Burial Fees form, giving particulars of the deceased, must be completed by the Undertaker handling the interment and forwarded to the Registrar of the burial ground, in advance of burial taking place.

The arrival of all funerals must be regulated as not to interfere with previous engagements and no funeral is to be booked to arrive at the gate after 2 p.m., except in the case of special arrangements.

Funerals inside the burial ground are conducted under the immediate personal control and management of the Caretaker, who is alone authorised to give orders to the attendants and labourers appointed for this duty, and from whom they are to take directions.

Remains for interment must be transported to the burial ground in a coffin of wood or some other sufficiently strong material.

HEADSTONES

No headstone of any kind is permitted on any grave, unless the "Right of Burial" has been purchased.

No headstone or cross will be allowed to be erected which is less than 65mm in thickness.

Headstones shall be constructed to the following maximum dimensions:-
300mm depth x 915mm width x 1300mm height, including base & sub-base.
Celtic crosses may be up to 1800mm in height, including base & sub-base.

Wexford County Council will only consider applications for headstones of greater dimensions in very exceptional circumstances.

A statue may be permitted beside the headstone, provided it is affixed securely to the base with stainless steel dowels and enclosed in a stone grotto, which must have a top, back & outer side. The grotto must be joined securely to the straight side of the headstone. The total overall dimensions must not exceed 300mm depth x 915mm width x 1300mm height, including base & sub-base.

Copper or brass clamps only are permitted to be used in the erection of headstones, tablets etc.

No headstone supported by balls, blocks or pedestals will be allowed in the burial ground,

No headstone shall be permitted on any plot in the burial ground that could interfere with the future use of capacity of such plot, or adjoining plot, as a place of burial.

No inscription is to be cut, altered, or erased, or any foundation built, or any headstone erected, renovated, altered or removed, except by the authority of the owner of the plot & Wexford County Council.

No hewing dressing or fitting of stones is permitted in the grounds. All rough work of this nature must be executed at the quarries or workshops, and the material only brought to the burial ground for erection, when all is completed, including inscription and number of plot.

The erection of headstones is to be carried on continuously, and completed with reasonable expedition. Intermittent labour on any headstone cannot be permitted.

No monumental material will be admitted during funeral hours. Lorries or trucks which may have been admitted are prohibited from remaining longer in the burial ground than is absolutely necessary. They should unload on the main walk nearest to the site of erection. Under no circumstances are lorries or trucks to be taken on the grass or over the graves.

Kerbs may extend to cover the allotted space of each plot upon which they may be erected and, under no circumstances, is such space to be exceeded. The kerbs on all double plots must be numbered from left to right so as to indicate the relative position of each grave. The exception to this is lawn cemeteries, where kerbs are prohibited.

Tombs & covering stones are disallowed. These structures are dangerous and entail the additional cost of extra foundation and extra cost to remove and reset after each interment. They are also liable to displacement, consequent on the subsidence of the ground and to fracture and deterioration from the weather.

The following are disallowed: tombs, covering stones, iron railings, chains, metal structures, brick or crockery borders etc.

Plaques, or any other items, may not be placed on plots in lawn cemeteries; the plot must be kept completely clear.

Structures of perishable material are not permitted. The erection of wooden palings or edging boards may be permitted, pending the erection of permanent kerbing. The exception to this is lawn cemeteries, where kerbs are prohibited.

Seats or benches may not be placed on, or adjacent to, burial ground plots.

No kerbing or headstone is to be reset on any plot within eight weeks of any interment. Old headstones having no support cannot be reset until a foundation is built.

Under no circumstances can Wexford County Council guarantee the preservation of any headstone, nor can they undertake any responsibility in regard to any damage or accident thereto resulting from natural causes or circumstances beyond their control.

Prior to erecting any headstone, the plan and elevations, which must be drawn to a uniform scale, specification of the materials and the draft inscription, together with the name and address of the owner of the plot, must be submitted to the following:-

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|----------------------------------|---|
| St. Ibar's, Crosstown | Borough District of Wexford |
| St. Stephen's | New Ross Municipal District |
| All other Council Burial Grounds | Community Section, Wexford County Council. |

Any alteration it may subsequently be desired to make in any design which has been approved must again be submitted. The Registered Number of the plot to be engraved must be stated on the design.

No foundation shall be built until the design of the headstone it is intended to erect had been submitted to Wexford County Council.

Every inscription must contain the name, date of death or burial of the deceased and, if interred elsewhere, the place of such interment. The date of death must in all cases coincide with the entry in the Register of Interments.

COLUMBARIUM WALLS

While there is no columbarium wall in any Wexford County Council burial ground at present, the storage of ashes in a columbarium wall may be facilitated in the future.

GENERAL

No order for interment, purchase of ground, etc. can be entertained without prepayment of the established fees and charges.

After an Order for Burial has been booked, and arrangements made for the funeral, no fees will be refunded nor can Wexford County Council entertain an application for the surrender of ground, the Right of Burial in which has been purchased.

Any company, contractor or other individual operating within the curtilage of the burial ground is required to have and maintain in force a Public Liability Insurance Policy in the amount of at least €6.4m, or such other amount as may be required by Wexford County Council. A copy of the Insurance Policy indemnifying Wexford County Council and Safe Work Policy must be submitted on the request of the County Council.

No work of any description will be permitted to interrupt the funeral processions or burial services, the orderly management and solemnity of which must be maintained to the exclusion of every other consideration.

No vehicle, other than a hearse, will be admitted beyond official car parking areas during funerals. Cars are restricted to the main roadways within the burial ground and parking is permitted in the authorised car park only. Wexford County Council reserves the right to restrict access to all traffic, beyond official car parking areas at any time and particularly at such times as the Caretaker is not on duty in the burial ground.

Children under 10 years are not admitted, unless accompanied by an adult.

Dogs are not admitted, with the exception of guide dogs.

Wexford County Council will not be responsible for the care or safety of any headstone, wreaths, glass shades, or other fragile mementoes that may be placed on any grave in the burial ground. All broken shades, wreaths, etc. shall be immediately removed.

The planting of flowers, shrubs etc. must be strictly confined to the superficial surface of the plot. Only dwarf shrubs and flowers may be planted. Shrubs, ivy or other creeper, which may obscure the inscription of any headstone in the burial ground, are not allowed. Trees or coarse growing shrubs that have been planted on burial ground plots may be removed. The exception to this is lawn cemeteries, where planting is prohibited.

No plants, shrubs or flowers are allowed to be removed from the burial ground by anyone unless authorised by Wexford County Council.

Wexford County Council reserves the right to deal with special or unique cases, as they arise.

GENERAL INFORMATION - Persons requiring information relative to the purchase of graves, the erection of headstones, foundations, etc. are requested to apply personally to:-

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| St. Ibar's, Crosstown | Borough District of Wexford |
| St. Stephen's | New Ross Municipal District |
| All other Council Burial Grounds | Community Section, Wexford County Council. |

Wexford County Council shall remove any item which has been erected without permission, or which has been erected contrary to the terms & conditions of these Bye-Laws.

**MADE AND ADOPTED UNDER THE COMMON SEAL OF THE COUNCIL
ON THIS DAY OF 2017.**

**PRESENT WHEN THE COMMON SEAL OF THE COUNCIL WAS AFFIXED
HERETO.**

CHAIRMAN

DIRECTOR OF SERVICES

COUNTY SECRETARY