



Comhairle Contae Chiarraí  
Kerry County Council

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## FODHLÍTHE REILIGÍ BYE LAWS FOR CEMETERIES

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Déanta ag Comhairle Contae Chiarraí faoi réir ag an Acht Rialtais Áitiúil 2001 maidir le rialachán reiligí i gContae Chiarraí.

Tiocfaidh na Fodhlíthe seo i bhfeidhm ar an gcéad lá de mhí Mheán Fómhair 2010.

### RIALACHÁIN GHINEARÁLTA DO REILIGÍ

#### MÍNIÚ TÉARMAÍ

Ar fud na bhfodhlíthe seo beidh brí mar a leanas leis na téarmaí seo:

Ciallaíonn ‘An Chomhairle’ Comhairle Contae Chiarraí.

Ciallaíonn ‘Reilig’ aon reilig nó láthair adhlaetha gur leis an gComhairle nó atá faoina gcúram.

Ciallaíonn ‘Reilig Fhaiche’ aon reilig nó cuid de reilig ina gcoimeádfar gach áit ina bhfuil ceapacha adhlaetha mar thalamh ar a bhfuil féar ag fás. Ní cheadófar colbhaí ná a leithéid de rud ins na limistéir úd.

Ciallaíonn ‘ceapach’ an chuid sin istigh i reilig ina mbeidh áit d’uaigh amháin, do dhá cheann nó do thrí chinn d’uaigheanna ar a dtabharfar ceapach aonar, ceapach dubailte nó ceapach teaghlaigh.

Ciallaíonn ‘Cláraitheoir’ nó ‘Feighlí’ an Cláraitheoir nó an Feighlí a bheidh ag feidhmiú le linn na haimsire in aon reilig leis an gComhairle nó atá faoina gcúram.

Made by Kerry County Council under the Local Government Act 2001 for the Regulation of Cemeteries in the County of Kerry.

These Bye-Laws shall come into force on the first day of September, 2010.

### GENERAL REGULATIONS FOR CEMETERIES

#### 1 INTERPRETATION OF TERMS

Throughout these byelaws the use of the following terms shall have the following meanings:

‘The Council’ shall mean the Council of the County of Kerry.

‘Cemetery’ shall mean any Cemetery or Burial Ground under the control or in the ownership of the Council.

‘Lawn Cemetery’ shall mean a Cemetery or part of a Cemetery wherein kerbs or other such items shall not be permitted to be placed and where all parts of the Cemetery comprising burial plots shall be maintained as grassed areas.

‘Plot’ shall mean an area of a graveyard consisting of one, two or three grave spaces otherwise described as a single plot, double plot or a family plot.

‘Registrar’ or ‘Caretaker’ shall mean the Registrar or Caretaker at the time being of any Cemetery under the control or in the ownership of the Council.

Ciallaíonn ‘Ball an Teaghlaigh chéanna’ Athair, Máthair, Fear Céile, Bean Chéile, Mac, Iníon, Deirfiúr nó Deartháir leis an duine a cuireadh go deireanach in uaigh faoi leith, nó duine éigin eile a bhí in aontíos buan leis an duine sin ar uair an bháis.

Ciallaíonn ‘An tInnealtóir’ oifigeach a bheadh ainmnithe ag Comhairle Contae Chiarraí.

Ciallaíonn ‘An Clár’ an taifead ar adhlactaí sa láthair adhlactha luaite’.

## **CUR I bhFEIDHM NA bhFODHLITHE**

Beidh na fodhlíthe seo i bhfeidhm ins na Reiligi go léir gur leis an gComhairle nó iontu siúd atá faoina gcúram.

## **DEIREADH LE FODHLÍTHE REATHA**

Ar theacht i bhfeidhm na bhfodhlíthe seo, ní bheidh aon éifeacht a thuilleadh ag na fodhlíthe atá ann faoi láthair maidir le reiligi na Comhairle nó leo siúd atá faoina gcúram.

## **SPÁSANNA UAIGHEANNA**

Roinnfear an limistéar dos na huaigheanna i spásanna uaighe, ar a mbeidh marcanna fé leith ionas gur féidir suíomh gach uaigh a aithint go héasca.

I ngach reilig nua coimeádfaidh an Cláraitheoir agus an Chomhairle léarscáil nó léarscáileanna comhfhreagracha a bheidh ar fáil le scrúdú ag cách. Beidh gach spás uaighe lena marc féin, uimhir agus rannóg, le taispeáint ar léarscáil nó léarscáileanna dá leithéid, sé sin cuid agus uimhir.

## **MÉID SPÁSANNA UAIGHEANNA**

Beidh spás uaighe le duine a chur inti 2.75m ar fhad agus 1.25m ar leithead gan buntomhas bonn coincréite leanúnach san áireamh.

## **AN CHÉAD ADHLACADH**

Bainfear gach uaigh go doimhneacht 1.65m nuair ná beidh ach adhlacadh amháin inti. Aon uaigh go bhfuil sé i gceist dhá adhlacadh a dhéanamh inti, caithfear í a bhaint go doimhneacht 2.45m.

‘Member of the same Family’ shall mean the Father, Mother, Husband, Wife, Son, Daughter, Sister or Brother of the person last interred in a specific grave, or some person who was permanently residing with the person last interred therein, at the time of that person’s death.

‘Engineer’ shall mean the official as may be nominated by Kerry County Council.

‘Register’ shall mean the record of burials in the said burial ground.

## **2 APPLICATION OF BYELAWS**

These byelaws shall apply to all Cemeteries under the control or in the ownership of the Council.

## **3 CESSER OF EXISTING BYELAWS**

On the coming into operation of these byelaws, all existing byelaws, relating to Cemeteries under the control or in the ownership of the Council shall cease to have effect.

## **4 GRAVE SPACES**

The area to be used for graves shall be divided into grave spaces, to be designated by convenient marks, so that the position of each grave space may be readily ascertained. In all new Cemeteries a corresponding map or maps of the Cemetery shall be constantly kept by the Registrar and by the Council and shall be made available for inspection by all persons. On such map or maps every grave space shall be shown with its distinctive mark inscribed thereon, i.e. section and number.

## **5 SIZE OF GRAVE SPACES**

The grave spaces for the burial of persons shall be 2.75m long by 1.25m wide excluding continuous concrete base dimension.

## **6 FIRST INTERMENT**

Each grave, when opened for one and only one interment shall be dug to a depth of 1.65m. Any grave, where it is proposed to open for a second interment shall be dug to a depth of 2.45m.

## **MODH ADHLACTHA**

(i) Ní cheadófar aon adhlacadh in aon Reilig, ná ní ghlacfar le haon mharbhan in aon áit ina nglactar le marbhan roimh adhlacadh, gan an corp a bheith istigh i gcónra adhmaid nó ábhair eile a bheidh sách láidir, sa chás nach adhmaid a bheidh in úsáid, caithfear cead scríofa a fháil ón gComhairle.

(ii) Béarfaidh an t-adhlacóir nó an duine a dhéanann an t-adhlacadh an cartadh agus an t-ábhar breise amach as an reilig lena gcaitheamh amach mar is cóir in áit éigin eile.

(iii) Éascófar adhlacadh luaithreach i ndiaidh créamtha ach dul i dteagmháil leis an gComhairle roimh ré.

## **UAIGHEANNA A OSCAILT**

(i) Ní osclófar aon uaigh atá gan falla go gceann ceithre bliana déag tar éis adhlactha ach amháin chun duine den teaghlach céanna a chur. Sa chás san fágfar sraith ithreach 300m ar a laghad os cionn an chónra atá cheana féin ann, ach ar athoscailt uaigne má aimsítear ithir mí-oiriúnach ní bhainfear léi in aon chor. Ní bhainfear taisí daonna amach as uaigh i gcás ar bith, seachas de réir dlí.

(ii) Ní osclófar aon uaigh ina bhfuil corp curtha, ach amháin le haghaidh adhlactha nó dí-adhlactha, nó chun leac thuama nó leac thuama a chur in airde, gan cead scríofa a fháil ón gComhairle agus a thabhairt don Chláraitheoir roimh ré.

(iii) Is de láimh nó le tochtaltóir beag a dhéanfar an tochtalt ar fad. Ní úsáidfear innealra trom riamh chun uaigh a oscailt. Ní mór don adhlacóir nó oibrí atá i mbun na hoibre réamhchúram a dhéanamh chun na cosáin, colbhaí, leaca agus uaigneanna máguaird a chosaint ó dhíobháil. Caithfear clúdaigh cosanta a leagan ar na cosáin.

## **7 MODE OF BURIAL**

(i) No interment shall be permitted in any Cemetery, nor shall any deceased person be admitted into any place of reception of bodies previous to interment, unless the body be enclosed in a coffin of wood or other sufficiently strong material, in the latter case, subject to the written permission of the Council.

(ii) All spoil and excess material resulting from the excavation of grave shall be collected and removed from the Cemetery for proper disposal elsewhere by the undertaker or person carrying out the burial.

(iii) The interment of ashes following cremation will be facilitated following appropriate consultation with the Council.

## **8 OPENING OF GRAVES**

(i) No unwallled grave shall be re-opened within fourteen years after the burial of a person unless to bury another member of the same family, in which case a layer of earth not less than 300mm in depth shall be left undisturbed above the previously buried coffin; but if on re-opening any grave the soil be found to be offensive, such soil shall not be disturbed. In no case shall human remains be removed from the grave, save in accordance with law.

(ii) No grave in which any body has been interred shall be opened save for the purpose of interment or exhumation or the erection of a tombstone or headstone, without the written permission of the Council to be previously produced to and left with the Registrar.

(iii) Excavation of graves shall be carried out by hand or by mini-digger. Under no circumstances shall heavy machinery be used for opening graves. All necessary precautions to protect footpaths, kerbs, monuments and surrounding graves from damage shall be taken by the operative or undertaker carrying out the works. This includes the laying of protective covering on the footpaths.

## **DOIMHNEACHT ADHLACTHA**

Ní chuirfear aon chónra in uaigh atá gan falla mura mbíonn clár uachtar an chónra ar a laghad 1.22m faoi ghnáth leibhéal na talún.

## **CUR ISTEACH AR ADHLACADH**

Éinne a chuireann cosc go mí-dhleathach le duine a adhlacadh i Reilig, nó a chuireann cosc le deasghnátha adhlactha, nó a dhéanann iarracht ar a leithéid de ghníomh a dhéanamh, sáróidh sé na fodhlíthe seo.

## **DÍ-ADHLACADH**

(i) Ní aistreofar corp ná taisí coirp ó áit adhlactha amháin go háit eile ná ní dhéanfar aon dí-adhlacadh gan cead scríofa ón gComhairle roimh ré, agus de réir pé réamhchúraimí a leagfaidh Feidhmeannach na Seirbhíse Sláinte síos mar choinníoll de cheadúnas dá leithéid.

(ii) Éinne a aistreoidh corp nó taisí nó a chabhróidh le haistriú a dhéanamh i gcoinne na Riail, nó éinne nach ndéanfaidh na réamhchúraimí de réir coinníollacha an cheadúnais, sáróidh siad na fodhlíthe.

## **CLÁR ADHLACTHAÍ**

(i) Coimeádfar An Clár ceart i gcónaí (ar a nglaofar An Clár as seo amach) ag áit chónaithe an Chláraitheora agus feadfaidh éinne féachaint air ag gach am réasúnta.

(ii) Ní bheidh cead ag éinne seachas an Cláraitheoir scríobh sa Chlár úd ach amháin mar a mhíneofar anso thíos.

(iii) Beidh cóip des na Fodhlíthe seo ceangailte i gcónaí leis an gClár.

## **CLÁRÚ**

(i) Sula gcuirfear éinne i Reilig gheobhaidh an Cláraitheoir na fíricí ó ghaol éigin leis an duine marbh, nó ón duine a bheidh ag stiúradh an adhlactha, agus scríobhfar iad sa Chlár, i litreacha a bheidh soiléir so-léite,

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## **DEPTH OF BURIAL**

No coffin shall be buried in any unwallled grave unless the lid or upper surface thereof shall be sunk to a depth of at least 1.22m below the ordinary level of the ground.

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## **INTERRUPTION OF INTERMENT**

Any person unlawfully preventing or attempting to prevent the interment of any person in a Cemetery or unlawfully preventing or disturbing the celebration of funeral rites over any person shall be in breach of these byelaws.

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## **EXHUMATION**

(i) No body, nor the remains of any body, shall be removed from one place of burial to another, or exhumed without the prior written consent of the Council, and with such precautions as the Health Service Executive may prescribe as the condition of such Licence.

(ii) Any person who shall remove or assist in removing any such body or remains contrary to this Rule, or who shall neglect to observe the precautions prescribed as the condition of the Licence for removal, shall be in breach of these byelaws.

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## **REGISTER OF BURIALS**

(i) The proper Register (hereinafter referred to as the Register) shall be constantly kept at the place of residence of the Registrar and shall be open for inspection at all reasonable times.

(ii) No person except the Registrar shall be permitted to write in the Register save as hereinafter mentioned.

(iii) A printed copy of these Bye Laws shall be kept constantly affixed to the Register.

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## **ENTRIES IN REGISTER**

(i) Before the interment of any person in a Cemetery, the Registrar shall, after due enquiry as to the facts from some relative of the deceased, or from the person having the direction and management of the interment,

faoi gach aon cheannteideal mar is cóir. Beidh an t-eolas seo a leanas sa Chlár maidir leis an duine marbh, Ainm Baiste, Sloinne, uair an bháis, gnéas, aois, creideamh, céim nó slí beatha, mar aon le háit chónaithe is déanaí, agus stádas más 'pósta', 'singil', 'dealaithe', 'baintreach fir' 'baintreach' nó 'páiste A.B.', 7rl.

(ii) Tar éis an adhlactha déanfar marc fé leith na huaighe a chlárú fén cheannteideal ceart; agus beidh síniú an duine atá os cionn an adhlactha sa tarna cholún deireanach mar chomhartha gur cruinn ceart iad na ráitis thuasluaite; agus fianófar síniú dá leithéid le síniú an Chláraitheora sa cholún deireanach.

(iii) Sáróidh éinne na fodhlíthe seo má dhiúltaíonn siad d'aon ghnó an t-eolas mar atá mínithe thuas a thabhairt don Chláraitheoir, nó a dhiúltaíonn síniú a dhéanamh dá réir.

## **CEART ADHLACHTA A CHEANNACH**

(i) Caithfear ceart adhlactha i gceapach uaighe a cheannach nuair atá duine le cur. Níl cead ceapach a cheannach roimh ré.

(ii) Caithfear cead a lorg ón gComhairle ceart adhlactha a fháil i gceapach uaighe in aon Reilig. Cuirfidh ainm agus seoladh le dóthain sonraí leis an iarratas sa tslí gur féidir iad a aithint sa Chlár amach anso, agus an táille sonraithe a íoc.

(iii) Má bhíonn dóthain ceapacha fós ar fáil in aon Reilig, féachfar ar adhlactha a ligean in iolcheapacha ina mbeidh dhá nó trí chinn d'uaigheanna.

(iv) Is í an admháil ar an iarratas a bhunaíonn ceart adhlactha an iarrthóra. Leanfar na sonraí a thugtar agus dá bharr ní bheidh an Chomhairle freagrach as earráidí.

cause an entry to be made in the Register, in plain and legible characters, under its proper headings, and in numerical order, of the First Name and Surname, time of death, sex, age, religious persuasion, and occupation or rank in life of the deceased, together with his or her last place of residence, and condition, as whether 'married, single, divorced, widower' or 'widow', or 'the child of A.B.' etc.

(ii) After the interment due entry shall be made under its proper heading of the distinctive mark of the grave; and the signature of the person having the management of the interment shall be affixed in the last column but one, in token of the accuracy of the foregoing statements; and such signature shall be attested by the signature of the Registrar, in the last column.

(iii) Any such person wilfully refusing to give to the Registrar information as to the matters aforesaid, or to affix his signature as aforesaid, shall be in breach of these byelaws.

## **14 PURCHASE OF RIGHT OF BURIAL**

(i) The purchase of right of burial in a grave plot shall only be allowed at the time of burial. Pre-purchase of plots shall not be permitted.

(ii) Application to acquire a right of burial in a grave plot in any Cemetery shall be made to the Council. The application shall include the name and address in sufficient detail to ensure future identification against the Register, and also the specified fee.

(iii) Where sufficient plots are still remaining in any Cemetery, the purchase of right of burial in multiple plots of two or three graves will be considered.

(iv) The receipt issued in response to the application constitutes the applicants right of burial. As the details depend on the accuracy of the information supplied, the Council shall not be liable for any errors.



(v) Ní thugann an admháil cheart adhlactha cead chun leac thuama a chur in airde gan iarratas ar leith a dhéanamh ar an gComhairle (féach fodhlí 20).

(vi) Ní cheadaítear ceapach uaighe a dhíol le héinne eile. Sin ráite, tá an Chomhairle sásta cabhrú leo siúd gur mian leo úinéireacht a chur ar ais go 'n Chomhairle.

## **CUAIRTEOIRÍ**

(i) Rachaidh cuairteoirí isteach agus amach ón Reilig tríd an bealach isteach amháin.

(ii) Siúlfaidh cuairteoirí sa Reilig ar na cosáin agus na h-ascaillí cuí; ní shiúlfar ar na rosáin, na huaigheanna ná ar aon imfhalú.

(iii) Ní bhainfidh cuairteoirí reilige leis na tuamaí, na séadchomharthaí, na leaca cuimhneacháin, ná le bláthanna, toir ná le fleasca sa Reilig.

(iv) Ní scaoilfear madraí ná ainmhithe eile isteach sa Reilig agus dúnfaidh cuairteoirí an geata ina ndiaidh, chun ainmhithe ar seachrán a choimeád amuigh. Ceadófar madraí treorach isteach.

## **MÍ-IOMPAR**

Beidh an Cláraitheoir nó gníomhaire eile de chuid na Comhairle, nó Garda Síochána, i gcónaí i dteideal duine a bhíonn ciontach as mí-iompar sa Reilig a chur amach agus cosc a chur ar dhaoine dul isteach sa Reilig ag amanna coiscthe.

## **DÍOBHÁIL DO LEAC THUAMA**

Níl cead díobháil a dhéanamh d'aon ghnó d'fhoirgneamh, falla, claí, séadchomhartha, leac thuama, táibléad, clár fógraíochta ná aon rud eile sa reilig, ná iad a scrios ná a mhilleadh, ná aon chrann, tor ná bláth ann a bhaint, ná póstaer ná fógra a chur ar aon fhalla, ná cluiche ná spórt a imirt, ná cur isteach go mí-dhleathach ar dhaoine bailithe sa Reilig ar ócáid adhlactha ná nús a dhéanamh sa Reilig.

(v) The right to burial receipt does not allow the erection of a headstone without a separate application being made to the Council (see byelaw 20).

(vi) The selling of a grave plot to a third party is not permitted. However, the Council will facilitate those wishing to return ownership to the Council.

## **15 VISITORS**

(i) Visitors to the Cemetery shall enter or leave the Cemetery only by means of the entrance.

(ii) Visitors to the Cemetery shall not walk on any of the shrubberies, graves or enclosures, but shall confine themselves to the paths or avenues therein.

(iii) Visitors to the Cemetery shall not interfere with any of the tombs or monuments or headstones or with any flowers, shrubs or wreaths within the Cemetery.

(iv) No dogs or other animals shall be allowed into the Cemetery and visitors shall close the gate after entering and leaving to prevent trespass by stray animals. Guide dogs shall be permitted.

## **16 MISCONDUCT**

The Registrar or any agent of the Council or member of the Garda Síochána shall at all times be entitled and at liberty to remove from the Cemetery any person who may be guilty of misconduct therein, and to prevent any person from entering the Cemetery at prohibited times.

## **17 DAMAGE TO HEADSTONES**

No person shall willfully deface, destroy or damage any building, wall, fence, monument, headstone, tablet, notice board or any other article within the cemetery, or pull up any tree, shrub or flower therein, or put up any bill or notice on any wall, or play any game or sport therein or unlawfully disturb any persons assembled in the Cemetery for a burial, nor shall commit any nuisance within the Cemetery.

## **CRAINN**

Ní chuirfear crainn in aon spás uaighe sa Reilig.

## **TOIR AGUS BLÁTHANNA**

(i) Níl cead toir ná bláthanna a chur i Reiligí faiche. Ní chuirfear toir ná bláthanna i seana-reiligí ach amháin sna ceapaigh sin ata timpeallaithe ag colbhaí.

(ii) Caithfidh ceannaitheoir an cheart adhlaitha nó ionadaí an cheannaitheora bláthanna agus fleascanna a bhaint des na huaigheanna laistigh de dhá mhí tar éis adhlaitha. Tabharfar ar shiúl iad chun ón Reilig chun iad a dhiúscairt in áit éigin eile.

(iii) Ceadófar bláthanna cuimhneacháin ach iad a bheith curtha ar bhonn coincreíte an leaca chinn.

## **LEACHTANNA Á dtÓGAINT**

(i) Níl cead tuama, séadchomhartha, leac thuama, táibléad nó struchtúr buan d'aon saghas a thógaint nó a chur ar aon láthair adhlaitha sa Reilig gan cead scríofa a fháil, i bhfoirm Teastas Ceadúnais ó Innealtóir, nó ó Oifigeach eile mar a cheapfaidh an Chomhairle don chúram seo.

(ii) Caithfear cur síos a sholáthar i scríbhinn ar a bhfuil molta, mar aon le léaráid toisithe ar scála nach mbeidh níos lú ná 1 go 25 a chur le gach iarratas ar chead dá leithead.

(iii) Déanfar an leac nó an séadchomhartha de chloch nádúrtha amháin m.sh. marmar, aolchloch nó eibhear agus socrófar iad seo ar bhonn oiriúnach coincreíte a bheidh ar 600mm doimhin. Caithfidh an leac nó séadchomhartha cloí le dearadh agus críoch traidisiúnta agus luí isteach go nádúrtha leis na leaca uaighe atá ann cheana féin.

(iv) Ní bheidh an leac thuama ná

## **18 TREES**

No trees shall be planted on any grave space in the Cemetery.

## **19 SHRUBS AND FLOWERS**

(i) The planting of shrubs and flowers in lawn Cemeteries is not permitted. In older Cemeteries the planting of shrubs and flowers on grave plots shall only take place where the plots are enclosed by kerbs.

(ii) Any flowers or wreaths placed on graves after burials have taken place shall be removed by the purchaser of the right of burial or their representatives within two months. These shall be taken away from the Cemetery for disposal elsewhere.

(iii) Memorial flowers shall be permitted only when placed on the headstone continuous concrete base.

## **20 ERECTION OF MONUMENTS**

(i) No tomb, monument, vault, headstone, tablet or permanent structure of any description or material shall be erected or constructed on any place of burial in the Cemetery, unless and until the structure has been approved of, in writing, in the form of a Certificate of Permission by the Engineer, or such other Officer as the Council shall appoint for this purpose.

(ii) A descriptive statement of what is proposed, together with a dimensioned drawing to a scale of not less than 1 is to 25 shall accompany all such requests for approval.

(iii) The headstone or monument shall be of natural stone only viz., marble, limestone or granite and shall be erected on a suitable concrete foundation at a normal depth of 600mm. The monument or headstone shall be of traditional design and finish and shall be in keeping with the existing headstones in the area.

(iv) The headstone or monument, including

séadchomhartha, an bonn san áireamh, níos airde ná 1.5m ná níos faide ná 1.0m (1.5m i gcás iolcheapacha). Luafar eisceachtaí áirithe anso thíos áfach. Déanfar na toisí a thomhas ón mbonn coincreíte leanúnach nó ó ghnáthleibhéal talún an chosáin/bhóthair taobh leis an gceapach. Ní cheadófar leaca tánaisteacha i dteannta leaca uaigne ar nós dealbh ainmhithe srl.. I gcás reilige fhaiche, ní bheidh an airde os cionn 1.2m.

(v) Ní bheidh Cros Ceilteach ná Cros Laidine den déanamh traidisiúnta níos airde ná 1.8m ná ní bheidh sé níos leithne ná 1.0m.

(vi) Déanfar na hoibreacha go léir laistigh den cheapach adhlactha. Ní chuirfidh an obair isteach ar cheapacha cóngaracha ná ar na cosáin.

(vii) Sa chás go bhfuil Reilig curtha ar fáil agus forbartha mar Reilig Fhaiche, ní cheadófar colbhaí ná cóipeáil ar bith. I reiligi faiche ní cheadófar sliseoga a chur ar na h-uaigneanna.

(viii) I sean-reiligi nach reiligi faiche iad ní bheidh colbhaí ná cóipeáil níos airde ná 150mm agus beidh siad seo suite ar dhúsraith daingean a bheidh ar a laghad 150mm faoi bhun leibhéal na talún. Ní bheidh cuailí cúinne níos airde ná 250mm.

(ix) Ní chuirfear séadchomhartha na cóipeáil ar aon uaigh ná ceapach gan fógra a thabhairt don Chláraitheoir Reilige roimh ré fé dháta tosaigh na hoibre.

(x) Beidh an duine nó an conraitheoir a chuireann séadchomhartha nó cóipeáil ar uaigh freagrach as an cartadh agus an t-ábhar breise a bhailiú agus a bhreith amach as an Reilig.

(xi) Tá de cheart ag an gComhairle ordú a dhéanamh chun aon séadchomhartha, leac

base, other than the specific exception mentioned herein, shall not exceed 1.5 m in height and shall have a maximum length of 1.0m (1.5m in the case of multiple plots). All heights are measured from the continuous concrete base or from ordinary ground level of the footpath/roadway contiguous with the plot. Secondary monuments, additional to the headstone, such as statues including those of animals etc. shall not be permitted. In the case of a lawn style burial ground, the height shall not exceed 1.2m.

(v) In the case of a Celtic or Latin cross of traditional design, the height shall not exceed 1.8 m and the width shall not be greater than 1.0 m

(vi) All works shall be kept within the confines of the burial plot. Work shall not encroach onto adjacent plots or onto footpaths.

(vii) Where any Cemetery has been provided and developed as a lawn type Cemetery, no kerb or coping of any description shall be permitted. In lawn type cemeteries no chippings shall be permitted to be laid over graves.

(viii) In older non lawn type Cemeteries kerb or coping shall not exceed 150mm in height, and shall be placed on a solid foundation sunk at least 150mm below ground level. Corner posts shall not exceed 250mm in height.

(ix) No monument or coping shall be placed on any grave space or plot unless notice has been first given to the Burial Ground Registrar of the date on which it is proposed to proceed with same.

(x) All spoil and excess material resulting from the preparation for, and erection of, a monument or coping to a grave shall be collected and removed by the person or contractor erecting the monument or coping.

(xi) The Council reserves the right to direct the removal of any monument, headstone or



thuama nó cóipeáil a bhaint má cheapann siad go mbíonn cruth agus deilbh a leithéid de shéadchomhartha, leac thuama, cóipeáil nó struchtúr déistíneach nó go bhfuil sé in aghaidh prionsabal deá-chleachtais nó sa chás nár cloígh leis an Teastas Ceadúnais a d'eisigh an Chomhairle.

(xii) Ní mór don Teastas Ceadúnais a bheith ar fáil ar éileamh ó Oifigeach Comhairle ar bith.

(xiii) Aithneofar uimhir gach aon spás uaighe go soiléir ar an leac thuama.

## **ÁBHAIR MHEATACH IS MHÍ-OIRIÚNACHA**

(i) Ní cheadófar ábhair mheatach ar nós adhmaid, obair iarainn, nó á leithéid, mar chuid de séadchomhartha ná struchtúr in aon Reilig, ach amháin má chuirtear séadchomhartha sealadach in airde.

(ii) Ní cheadófar ábhair mheatach (ar nós adhmaid nó obair iarainn nach bhfuil galbhánaithe), mar chuid de struchtúr ná séadchomhartha sa Reilig. Caithfear cead scríofa speisialta a fháil roimh ré ó Innealtóir chun plaisteach nó ábhar de dhéantús duine (tacair) a úsáid.

## **BUNCHLOCHA LE BOINN COINCRÉITE LEANÚNACHA**

(i) In aon Reilig ina bhfuil nó ina mbeidh boinn coinchréite leanúnacha, caithfear an bonn cuí leanúnach coinchréite a úsáid mar bhunchloch don leac thuama nó d'aon saghas séadchomhartha eile atá molta.

(ii) Ní bheidh aon ábhar mar choincréit, moirtéal ná a leithéid ag síneadh thar bharr an bhoinn coinchréite leanúnach, agus is é an duine atá freagrach as an séadchomhartha a thógaint a chaithfidh an t-ábhar breise ar fad a thógaint amach as an Reilig.

(iii) Ní cheadófar colbhaí timpeall ar spás

coping if in the opinion of the Council such monument, headstone, coping or erection is in its general appearance offensive or contradictory to good practice principles or where there has been failure to comply with Certificate of Permission issued by Kerry County Council.

(xii) The Certificate of Permission must be available on demand by any Council Official.

(xiii) The number of grave space shall be clearly identified on the headstone.

## **PERISHABLE AND UNSUITABLE MATERIALS**

(i) The use of materials of a perishable nature such as timber, ironwork or the like as part of any monument or structure in any Cemetery will not be permitted, except in cases of the erection of a temporary monument.

(ii) Use of materials of a perishable nature (such as timber or non-galvanised iron work) as part of any monument or structure in the Cemetery shall not be permitted. Special permission must be obtained in writing in advance from the Engineer in regard to the use of plastic or man-made (synthetic) materials.

## **FOUNDATIONS USING CONTINUOUS CONCRETE BASES**

(i) In any Cemetery where continuous concrete bases have been or will be provided, the headstone or any other type of monument being proposed shall be erected using the appropriate headstone continuous concrete base as the foundation.

(ii) Any material such as concrete, mortar or the like used in the erection of the monument shall not be allowed to extend outside the top of the continuous concrete base, and all surplus material shall be removed from the Cemetery by the person in charge of the erection of the monument.

(iii) No kerbs will be permitted in this case and

uaighe sa chás seo ná ní bheidh gá le bunchloch ar an dá chliathán fhada.

## **BUNCHLOCHA GAN BOINN COINCÉITE 23 LEANÚNACHA**

(Baineann an méid seo le sean-reiligi).

Caithfear na sonraí maidir leis an mbonn coincéite leanúnach a aontú leis an gComhairle sula dtosnaítear ar an obair.

## **MAOIRSEACHT OIBREACHA**

(i) Na hoibreacha ar fad a bhaineann le leaca a thógaint agus a leithéidí sa Reilig beidh siad faoi smacht agus faoi réir ag an Innealtóir nó ag ionadaí dá chuid.

(ii) Ní cheadófar gaineamh, gairbhéal ná stroighin a chur ná a mheascadh ar chosáin ná ar thalamh gan chosaint, caithfear ardán inaistrithe a úsáid chuige sin.

(iii) Caithfear aon ábhair bhreise a bhailiú agus a bhreith amach as an Reilig tar éis na hoibre a chríochnú.

## **LEACHTANNA BRISTE AGUS EILE A 25 THÓGAINN ÓN REILIG**

(i) Is é ceannaitheoir an cheart adhlactha atá freagrach as séadchomharthaí briste agus eile a thógaint amach as an Reilig. Tabharfaidh an Chomhairle fógra coicise go dtógfaí anuas aon séadchomhartha, leac thuama, colbhaí, táibléad nó aon rud eile a chuireadh sa Reilig ag am ar bith agus atá ag meath, pé acu ceadaithe nó a mhalairt, agus go dtógfaí ón Reilig iad, má cheapann an Chomhairle nach bhfuil caoi á cur air nó go bhfuil sé mar núis nó mar bhaol don ghnáthphobal a úsáideann an Reilig.

(ii) Sa chás nach freagraíonn ceannaitheoir an cheart adhlactha an fógra tugtha i 25(i) thig leis an gComhairle costas na hoibre a ghearradh ar an gceannaitheoir sin mar fhiach faoi réir chonradh simplí.

foundations are not required at either of the long sides of the grave space.

## **FOUNDATIONS WHERE CONTINUOUS CONCRETE BASES ARE NOT AVAILABLE**

(This relates to older type Cemeteries)

Full details of construction of continuous concrete base should be agreed with the Council before commencement of work.

## **24 SUPERVISION OF WORKS**

(i) All works in erecting monuments or the like carried out in the Cemetery is subject to supervision and control of the Engineer or his representative.

(ii) The dumping and mixing of sand gravel and cement for making concrete will not be permitted on paths or unprotected ground, and must be carried out on portable platforms.

(iii) All surplus materials left over when the work has been completed must be removed from within the confines of the Cemetery at the time of the completion of the works.

## **REMOVAL OF BROKEN OR OTHER MONUMENTS**

(i) The removal of broken or other monuments is the responsibility of the purchaser of the right of burial. The Council shall give two weeks notice of its intention to take down and remove any monument, headstone, kerb, tablet or any other object which may have been placed at any time within the Cemetery, either with or without authority, which may have fallen into decay, or which in the opinion of the Council is not being maintained or has become a nuisance or a danger to ordinary users of the Cemetery.

(ii) In the event that the purchaser of the right of burial fails to respond to the notice given in 25(i) above, the Council may recover the cost of any such removal from the purchaser of the right of burial by a simple contract debt.

## **ÁBHAR BREISE AGUS GAN ÚSÁID A THÓGAINT ÓN REILIG**

(i) Chomh luath is a bheidh an obair déanta caithfidh conraitheoir nó ceannaitheoir an cheart adhlactha gach ábhar breise agus fuílleach a thógaint ón Reilig. San áireamh beidh fuílleach tochailte, coincreít nár úsáideadh, comhlaí srl. agus bláthanna cuimhneacháin atá caite ar leataobh (bídís nádúrtha nó bréige).

(ii) Ní bhainfidh na hoibrithe úsáid as an Reilig mar áis stórais d'aon ábhar, comhlaí ná uirlisí, go sealadach ná go fadtréimhseach.

## **PÁIRCEÁIL**

Beidh cosc ar pháirceáil lasmuigh den reilig ach amháin dóibh siúd a bheidh ag freastal ar adhlactaí agus ag tabhairt cuairt ar uaigneanna.

## **PIONÓIS AR NA FODHLÍTHE A SHÁRÚ**

(i) Is féidir le h-údarás áitiúil a ndéanta an dlí a chur ar éinne a sháraíonn na Fodhlíthe seo, mar aon le h-aon údarás eile nó duine de na Garda Síochána a bheidh ag gníomhú thar a cheann.

(ii) Beidh coir déanta ag éinne a sháraíonn coinníoll fodhlí ar bith agus féadfar fineáil €1,500 ar a mhéid a chur air tar éis ciontú achomair.

(iii) Má leantar arís de choinníoll aon fhodhlí a shárú tar éis ciontú, beidh an duine ciontach as coir amháin in aghaidh an lae fad a leanann an sárú agus féadfar fineáil €100 ar a mhéid a chur air in aghaidh an lae.

## **26 REMOVAL OF SURPLUS AND UNUSED MATERIAL FROM CEMETERY**

(i) All surplus materials left over when the works on graves has been completed shall be removed from within the confines of the Cemetery by the contractor or the purchaser of the right of burial at the time of the completion of the works. This includes surplus excavated material, unused concrete, shuttering etc. and discarded floral monuments (natural or artificial).

(ii) The cemetery shall not be used as a temporary or long-term storage area for any material, shuttering or tools by operatives carrying out works in the cemetery.

## **27 PARKING**

Parking outside the Cemetery shall be limited to the vehicles used by persons attending burials and visiting graves. No overnight or long term parking shall be permitted.

## **28 PENALTIES FOR OFFENCES**

(i) An offence under these Bye-Laws may be prosecuted by the local authority which made the relevant bye-law, by any other local authority acting on its behalf or by a member of the Garda Síochána.

(ii) A person who contravenes a provision of any bye-law is guilty of an offence and is liable on summary conviction to a fine not exceeding €1,500.

(iii) If the contravention of a provision of a bye-law is continued after conviction, the person causing the contravention is guilty of an offence on each day on which that contravention continues and is liable on summary conviction for each such offence to a fine not exceeding €100.