

Longford County Council Byelaws in relation to Cemeteries

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Approved by Longford County Council: 10 September 2025

Revision No.	Date	Details
Rev 00	Mar 2025	LCC Environment Revision of Existing 2011 Version

Byelaws

Prepared by Longford County Council (LCC) under the Local Government Act, 2001 (as amended) for the regulation of cemeteries in the County of Longford, in the operational control and / or ownership of Longford County Council, whether open or enclosed.

Revision period every two years from adoption or as determined by Longford County Council.

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General Regulations for Cemeteries

1. Short Title

These Byelaws may be cited as the Longford County Council (Cemeteries) Byelaws, 2025.

2. Interpretation of Terms / Definitions

In the context of these Byelaws the terms below shall be interpreted as having the listed meanings:

“Agent of the Council” shall mean any employee of the Council, or any person retained by the Council to provide a service to it in respect of cemeteries.

“Ash Plots” shall mean a subdivided portion of the cemetery intended for the burial of up to two (2) urns.

“Authorised person” means a person appointed by the Council to be an authorised person for the purposes of these Byelaws or a member of An Garda Síochána.

“Burial Plot” shall mean an area designated for the burial of persons and where the context so requires shall include a columbarium.

“Burial Rights Owner” shall mean a person who has acquired a right of burial in a burial plot as provided for under these Byelaws.

“Cemetery” shall mean any cemetery or burial ground under the control and / or ownership of the Council.

“Independent Cemetery Contractor” means a person who executes work or seeks to execute work within a cemetery 'for profit' and includes any gravedigger and any erector of monuments or other contractor not employed directly by the Council to execute work in a cemetery.

“Lawn Cemetery” shall mean a cemetery or part of a cemetery in which the installation of kerbs or surrounds is not permitted and where burial plots are maintained as grassed areas.

“Member of the same family” shall mean the Father, Mother, Husband, Wife, Common Law Partner, Son, Daughter, Sister or Brother of the person last interred in a burial plot, or any person who was permanently residing with the person last interred therein, at the time of the person’s death.

“Monument” includes any tomb, monument, vault, headstone, tablet, kerbstone or

permanent structure of any description or material erected or constructed (or intended to be erected or constructed, or with the potential to be erected or constructed) on or at any burial plot or place of burial in a cemetery.

“Caretaker” shall mean the cemetery Caretaker who has been assigned responsibility in respect of the day-to-day management of a cemetery and the recording of information relating to burials that take place in the cemetery.

“Right of Burial” shall mean the right to be interred in a burial plot under these Byelaws or otherwise.

“The Council” means Longford County Council.

3. Application of Byelaws

These Byelaws shall come into force on XXXX and shall apply in respect of the management of all cemeteries under the control of and / or ownership of the Council, whether open or enclosed.

These byelaws do not apply to the Council employees or members of An Garda Síochána in the course of their duty.

4. Cesser of Existing Byelaws

On the coming into operation of these Byelaws, all previous Byelaws, rules, and regulations relating to the management of cemeteries under the control of and / or ownership of the Council shall cease to have effect.

5. Lawn Cemetery

The Council may declare any cemetery or a part of any cemetery to be a lawn cemetery.

The new Section of Aghafin, Edgesworthstown Cemetery is a lawn cemetery.

The installation of grave surrounds is not permitted in lawn cemeteries. An application for permission to erect a memorial headstone must be completed and submitted to: burials@longfordcoco.ie

6. Ash Plots

The Council may declare any cemetery or a part of any cemetery to be a designated area for ash plots.

7. Burial Plot

In all new cemeteries, the area to be used for graves shall be divided into burial plots and designated by convenient marks, so that the position of each burial plot may be readily ascertained.

In all new cemeteries a corresponding map or maps of the cemetery, either in written or electronic format shall be maintained, and where in written form kept at some convenient place. On such map or maps every burial plot shall be shown with its distinctive mark inscribed thereon, for example, section, row, and number.

The designation of areas within a cemetery as being burial plots suitable for any particular mode of burial (including uncoffined burials) is at the discretion of the Council. Where an uncoffined burial is permitted, any reference in these provisions to a coffin includes a reference to the wrappings of the uncoffined body.

The Council reserved the right to determine the capacity of each burial plot and cannot be held responsible for the capacity of any burial plot unless a depth test is carried out.

Only human remains and cremated remains shall be interred in a Cemetery.

8. Surface Dimension of Burial Plots

Burial plots shall be 2.5 metres long by 1.25 metres wide.

Burial plot may be acquired as a single or double burial plot only.

Burial plots for the burial of cremated remains may be of differing sizes and/or internment capacity, as determined by the Council.

9. Right of Burial Application

A Right of Burial application form must be submitted to: burials@longfordcoco.ie in respect of each burial or cremation. A Right of Burial Certificate will only issue on receipt of the applicable fee.

Right of Burial is open to all, without regard to religious persuasion. For an application form please [click here](#)

10. Right of Burial Fees

Fees are set by LCC and are subject to change. All Payments to be made to LCC, aside from cemeteries which are managed by the community.

11. First Interment

Each burial plot, when it is opened for the first interment, shall be sunk, if possible, to a depth of 2.5 metres, below the ordinary level of the surrounding ground. Where this is not possible due to the nature of the soil conditions the grave shall be sunk to a lesser depth with the prior and written agreement of the Caretaker, or the Council.

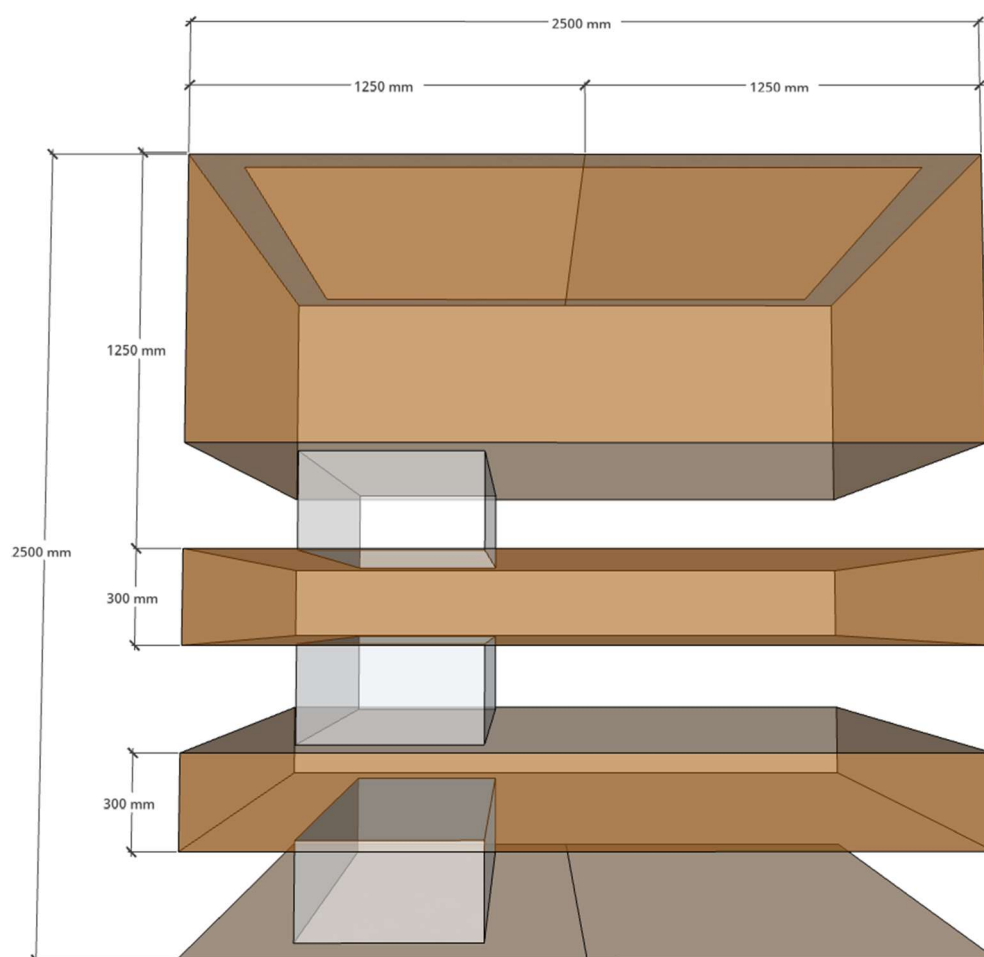


Fig. 1. Double plot of desirable 2.5m depth and 300mm separation distances required.

12. Re-opening of Burial Plots

Burial plots shall be re-opened only for the purposes of burying another member of the same family, for the purpose of burying body parts, or where it is necessary to exhume a body.

No un-walled grave shall be re-opened within fourteen years of the burial of a person above twelve years of age, or within eight years of the burial of a person under twelve years of age, unless to bury a member of the same family, in which case a layer of earth not less than 300mm shall be left undisturbed above the previous coffin. If on re-opening any grave, the soil is offensive, such soil shall not be disturbed and in no case shall human remains be disturbed.

13. Depth of Subsequent Burial

For subsequent burials, a coffin or body shall be buried in a burial plot, only at a depth of at least 1.25m cover below the ordinary level of the surrounding ground.

14. Cremated Human Remains (Cremated Remains)

Cremated human remains may be interred in an urn, small casket, or other containers pre-approved by the Council, in a conventional burial plot, burial plots designated solely for cremated remains, those placed in a Columbarium Wall, or other facility where provided.

The following provisions shall apply in relation to burials in a conventional burial plot where it is proposed to inter both remains and cremated remains.

Where at the time of making of these Byelaws, cremated remains have already been interred, any subsequent interments shall maintain 300mm between existing urns, caskets, or coffins, and treated as if it was a burial of remains.

Where no interment has taken place, the first cremated remains interred in a conventional burial plot must be interred immediately adjacent to the headstone, the proposed location of the headstone, or as close thereto as is practicable.

The maximum number of interments of cremated remains that will be allowed in a conventional burial plot shall be determined by the following requirements:

- a. Interments must be to a depth to allow for a minimum of 300mm between the top of the urn or casket and the top of the beam or foundation.
- b. The surface scattering of cremated remains is not permitted.

15. 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.

16. Exhumation

No body or other human remains shall purposely be removed from a place of burial except by prior and written consent of the Council, or under the conditions set out in an Exhumation Order that is granted by Ministerial Order.

It shall be an offence to remove, (or assist), any such body or remains contrary to this Byelaw, or to neglect or observe the conditions prescribed in the Licence for the removal.

17. Register of Burials

A Register of Burials shall be permanently kept in some convenient place at or near a cemetery, or at the place of residence of the Caretaker for cemetery. A Register of Burials shall contain sufficient details to provide a record of the persons interred in the cemetery. A Register of Burials shall be open for inspection at all reasonable times. Only the Caretaker of a cemetery, or another person who is authorised by the Council, shall be permitted to write in a Register of Burials.

18. Entries in a Register of Burials

The Undertaker officiating at the burial shall be responsible for ensuring that each burial is submitted to the Caretaker for entry in the Register of Burials in a timely manner. Where an Undertaker is not contracted, the next of kin is responsible. The following provisions shall apply with regard to the making of entries in a Register of Burials:

- a. The Caretaker shall be responsible for the making of the relevant entries in the Register of Burials. Where no Caretaker is in place, entry in the Register of Burials shall be made by the Council.
- b. Information relating to the deceased person and the burial space that is used shall be recorded in the Register of Burials when a body is buried in a cemetery, or when any receptacle containing the ashes of a deceased person is buried in a cemetery.

The entry shall provide details with regard to the first name and surname, time of death, sex, age, religious persuasion, and occupation or rank in life of the deceased person. Details of the last place of residence of the deceased person, and details as to whether or not the deceased person was “married”, “single”, “divorced”, “separated”, “widower” or “widow” or the “child of A.B”, etc. shall also be entered in the Register. These details shall be obtained from a relative of the deceased person, or from the person having responsibility for the direction and management of the interment of the deceased person.

The entry shall accurately identify the burial plot in which the deceased person has been buried.

The signature of the person having responsibility for the direction and management of the burial and the signature of the Caretaker shall be entered in the Register of Burials in order to confirm the accuracy of the entry that has been made in the Register.

19. Purchase of Certificate of Right of Burial

- a. An application to acquire a Right of Burial in a burial plot in a cemetery shall be made to the Caretaker or the Council.
- b. To provide for the proper and orderly management of cemeteries the advance purchase and reservation of Rights of Burial will not be permitted.
- c. Prior to the enactment of these new Byelaws, the acknowledgement issued in respect of a valid application for a Right of Burial constitutes the Right of Burial. From the enactment of those Byelaws, a Certificate of Right of Burial shall issue on receipt of a Right of Burial Application subject to (d) below.
- d. A Certificate of Right of Burial shall be issued to the payee only on receipt of remittance of the relevant burial plot fee. For an application form please [click here](#)
- e. As the recording of details relating to a Right of Burial depend on the accuracy of the information supplied, the Council shall not be liable for difficulties that arise as a result of any inaccuracy in the information that is provided in an application to purchase a Right of Burial.
- f. The selling or transfer of a burial plot to a third party is not permitted. However, the Council will facilitate those wishing to return the burial plot to the Council. A right of burial may be transferred to a member of the same family.
- g. Up to a maximum of three coffin burials will be permitted in a single grave unless otherwise determined by the Council. The grant of any place of burial shall vest in the grantee a right of burial only.

20. Erection of Headstones, Kerbs and other Permanent Structures.

- a. Headstones may only be erected on a place of burial in a cemetery with the prior and written approval of the Caretaker or the Council. For an application form please [click here](#)
- b. All headstones shall be placed at the top of the burial plot.
- c. The height of any headstone that is erected on a place of burial shall not exceed 1.2 meters above the ordinary level of the surrounding ground. An exception in this regard will be allowed where it is proposed to erect a standalone Celtic Cross as a substitute to a headstone. Where a standalone Celtic Cross is to be erected it shall not exceed 2.5 meters above the ordinary level of the surrounding.
- d. The width of any headstone that is erected on a place of burial shall not exceed 1.2 meters.

- e. The height of any curbs shall not exceed 150mm from the level of the footpath. All kerbs must be within the boundary of the burial plot and run parallel with adjoining curbs.
- f. No additional monuments, seats or benches shall be permitted within the burial plot.
- g. Headstones and kerbs to be kept within the burial plot and in line with adjoining tombstones.
- h. Embossed photographs of the deceased may be permitted to be affixed to the front of the Headstone, provided the dimensions do not exceed 100mm x 75mm.
- i. No electronic devices shall be permitted in the confines of a burial plot.
- j. It shall be the responsibility of the person erecting a headstone to ensure that the structure does not pose any danger to others.
- k. When a cemetery or part of a cemetery has been designated as a 'Lawn Cemetery' the installation of kerbs shall not be permitted.
- l. In a cemetery, other than a 'Lawn Cemetery', the Council may specify standards and conditions that must be complied with regarding the erection of headstones and kerbs.
- m. The erection or placing of seats, benches or any other object outside the immediate burial plot is prohibited.
- n. Anyone who fails to comply with restrictions as outlined above, will be required to remove the structure. Failure to remove the structure within a timeframe specified by the Council will result in the Council arranging for its removal.

Where it becomes necessary to undertake work in this regard, the Council will seek to recover the cost of carrying out the work from the Monumental mason, or the person(s) who erected the structure.

- o. On completion of works all waste material must be removed from the cemetery and brought to an appropriate facility for disposal.
- p. No wording considered offensive by the Council shall be displayed within the burial plot or on its associated structures.

21. Maintenance of Headstones and Kerbs

- a. The maintenance of headstones, kerbs and burial plot shall be the responsibility of the deceased person's next of kin or representatives.

- b. The removal of damaged headstones that pose a danger to persons in a cemetery shall be the responsibility of the deceased person's next of kin or representatives.
- c. The Council may remove any headstone, kerb, or any other object which may have been placed at any time within a cemetery, either with or without approval from the Council, where it has fallen into decay, or where it has become a danger, obstruction, or health and safety risk to persons in a cemetery.
- d. Where it becomes necessary to undertake work with regard to the making safe of burial plots, the Council may seek to recover the cost of carrying out the work from the next of kin or representatives of the deceased person.

The Council will not accept responsibility for any loss or damage to memorials, etc, occasioned by third parties, or by storm, wind, lightening, subsidence, or other cause.

22. Damage to Headstones or Other Property

- a. No person shall willfully deface, destroy, or damage any headstone, monument, building, columbarium, wall, fence, notice board or any other article which belongs to any person or the Council that is in a cemetery.
- b. No person shall erect any bill or notice in a cemetery or on any wall surrounding or within the confines of any cemetery.
- c. Any damage to lawns, burial plots, walls, drives, trees, shrubs, or other property by non-cemetery workers must be repaired by those persons causing such damage.

23. Shrubs and Flowers

- a. The planting or placing of shrubs, flowers, or wreaths on burial plots in 'Lawn Cemeteries' shall not be permitted.
- b. In cemeteries other than Lawn Cemeteries the planting of shrubs and flowers on burial plots of association shall be permitted.
- c. Shrubs and flowers that are planted on burial plots must be properly managed, pruned and maintained.
- d. Flowers or wreaths placed on burial plots after burials shall be removed from burial plots when they are withered.
- e. All waste including, withered flowers, wreaths, containers, potting compost, and general litter shall be deposited in receptacles where provided. Otherwise, all waste shall be removed from the cemetery and disposed of appropriately.

24. Trees

The planting of trees on burial plots or in other parts of cemeteries by persons other than those who have been authorised by the Council is prohibited.

25. Visitors

- a. Visitors to a cemetery shall enter and leave the cemetery only by means of the entrance and shall close and re-secure any gate he/she opens at a cemetery.
- b. Within reason, visitors shall not walk on any shrubberies, burial plots, or enclosures, and shall confine themselves to the paths or avenues provided in a cemetery. In this regard visitors to cemeteries should observe the dignity of the deceased and the sensitivities of the next of kin of deceased persons.
- c. Visitors shall not interfere with any flowers, shrubs, or wreaths within a cemetery.
- d. Visitors shall not interfere with headstones, monuments, buildings, walls, fences, notice boards or any other article in a cemetery.
- e. Visitors to a cemetery who are accompanied by dogs must keep them on a lead and under control. The owner must remove and responsibly dispose of any dog foul generated by their dogs.

26. Misconduct

- a. The Caretaker or any Agent of the Council shall be entitled to request a person who may be guilty of misconduct or who is behaving unacceptably to leave the cemetery.
- b. For the purposes of this Byelaw, “misconduct” includes: Any contravention of these Byelaws, any behavior of a criminal, immoral, lewd, or offensive nature: or creating a nuisance: and the consumption of alcoholic drinks or controlled drugs as defined by the Misuse of Drugs Act 1977 (as amended).
- c. The Caretaker or any Agent of the Council shall be entitled to prevent any person from entering a cemetery who has been removed from a cemetery for reasons relating to conduct.

27. Waste

Any person creating waste in a cemetery shall arrange for its prompt removal from the cemetery.

28. Health and Safety Legislation

All persons carrying out work within a cemetery shall have due regard to and shall comply with all concerning safe working practices and procedures relevant to task and location.

29. Non-Cemetery Workers

Funeral Directors and cemetery contractors shall operate as independent contractors and shall abide by all rules and regulations of the cemetery they are working in.

30. Independent Cemetery Contractors

- a. No independent cemetery contractor shall erect any monument in a Council cemetery or carry out other construction or maintenance work on a monument in a Council cemetery after a period of three months from the adoption of these byelaws unless they are entered on a Register of Independent Cemetery Contractors maintained by the Council.
- b. All persons carrying out work within a cemetery for profit shall be required to maintain adequate public and employers' liability insurance (if applicable), to a level as determined by the Council from time to time, and shall produce a copy of the relevant insurance policies upon request.
- c. The Council may from time to time set conditions for admission to its Register of Independent Cemetery Contractors and conditions for maintaining an entry in the Register of Independent Cemetery Contractors.
- d. The Council may set conditions in respect of:
 - a. Insurances to be held by Independent Cemetery Contractors,
 - b. Competence and work record of Independent Cemetery Contractors,
 - c. Construction standards or other standards to be observed by Independent Cemetery Contractors within a cemetery,
 - d. Other matters relevant to the proper execution of work at a cemetery.
- ii. The Council may remove an Independent Cemetery Contractor from the Register of Independent Cemetery Contractors if:
 - a. The Independent Cemetery Contractor erects, or assists in the erection of a monument, in a Council cemetery where the erection of such monument has not been authorised in writing by the Council, or
 - b. The Independent Cemetery Contractor fails in the opinion of the Council to

work in a tidy manner within the cemetery, or

- c. Otherwise, does not abide by these byelaws.

If unhappy with the decision of the Council, a decision can be appealed. An appeal must be made in writing to the Senior Executive Officer, Environment Section, Longford County Council, Great Water St., Longford, within 21 working days of the date of the Council's decision. You can expect a response to your appeal in no more than 15 working days after it is received.

31. Contravention of Byelaws

A person who contravenes a provision of these byelaws shall be guilty of an offence and shall be liable, on Summary Conviction in the District Court, to a fine pursuant to the provisions of Section 204 of the Local Government Act 2001 (as amended) by Fines Act 2010 (8/2010), SS. 3, 6(2) and table ref. no. 1, S.I. No. 662 of 2010.

32. Fixed Payment Notice

If an authorised person has reasonable grounds for believing that a person is committing a contravention or has committed a contravention of a provision of these byelaws the authorised person may give to the person a fixed payment notice, as prescribed by the Local Government Act, 2001 (as amended).

33. Filming / Photography

The use of still, cine, and television cameras or other recording devices is strictly prohibited at or near any burial plot before, during, or after an interment. Such equipment shall not be used to photograph mourners or any part of the funeral cortege within the Cemetery without the prior and written consent of the Council.

34. Selling Articles

No person shall sell, offer, or expose for sale any articles, commodity, or product of any kind whatsoever, or solicit for orders for same within the Cemetery.

Any person soliciting orders within a Cemetery or Cemeteries for the erection of repairs or memorials will be required to leave the Cemetery and will not be admitted again without the permission of the Council.

35. Columbarium Walls

The Council reserves the right to determine the number and type of receptacle in each standard niche in a columbarium wall. Typically, a niche will cater for two standard receptacles.

Ashes must be contained in standard receptacles as specified by the Council.

Only Council personnel will be authorised to open a niche in the columbarium.

An application to acquire a niche in a columbarium wall must be made to, and approved by, an authorised person of the Council prior to ashes being placed in any niche.

The granting of a licence of a niche in a columbarium wall shall be subject to a fee as specified by the Council.

The grant of a licence of a niche in a columbarium wall shall vest in the grantee a right to place ashes therein only.

The placing of ashes in a columbarium wall niche must be carried out under the supervision of the Caretaker. The placing of any ashes in a columbarium wall must be recorded in the Register of Burials.

36. Memorial Wall

An application to erect a memorial plaque on any designated Memorial Wall must be made to, and approved by, an authorised person of the Council prior to the erection of a memorial plaque.

Plaques available for inscription are only those that are preinstalled. The font will be in gold leaf colour & standard format as per the agreement between the Council and the supplier.

The erection of a memorial plaque shall be subject to a fee as specified by the Council. The cost of 'removal, inscription and erection' of a memorial plaque shall be paid directly to the nominated contractor, as outlined in the written approval by an authorised person of the Council.

37. Footpaths

The Council staff are responsible for the provision and maintenance of footpaths within its cemeteries. New footpaths to be 1.5 meters wide, except where this is not possible due to existing conditions on site, as determined by the Council.

Prior approval from the Council is required in all instances where community groups wish to carry out works within the cemetery.

Draft Longford County Council Cemetery Byelaws

MADE and **ADOPTED** under the Common Seal of
Longford County Council of the County of Longford

Councillor

Cathaoirleach of Longford County Council

Director of Services

Dated this _____ **day of** _____ **2025**

Appendices

Appendix A: Longford County Council Owned Burial Grounds

Abbeyderg	Cashel (Newtown)	Lamagh, (Newtownforbes)
Abbeyshrute	Corboy	Legga/Dromard
Aghaboy, Killoe	Drumeel/Clonbroney	Lismoy (part closed) (Newtownforbes)
Agharra	Edgeworthstown	Moydow
Ardagh	Forgney	Mullaghavourneen (Ballymacormack)
Ballinakill (Kilashee)	Foxhall	Rathcline
Ballinroey (Purth)	Granardkille	Saint's Island
*Barraghmore (Drumlish)	Kilglass	Shrule (New) (Ballymahon)
Bawn (Moydow)	Kileendowd	Taghsheenod
*Ballinalee (St Eimear's)	*Kilmahon (Drumlish)	Templeton Glebe
Clonbonny (Lanesboro)	Kiltycreevagh (Ballinamuck)	Tubberpatrick
Coolamber (Part Closed)	* Kilcommock, Kenagh	Legan

* Community managed cemetery

Please note the above cemeteries all have available plots and 24-hour pedestrian access.

Appendix B: Burial Ground Fee's

Category	Inc 13.5% Vat
Single Plot	€450.00
Double Plot	€800.00
Plaque On Columbarium Wall	€1,000.00
Plaque On Memorial Wall	€351.85
Exhumation Fee	€300.00
Exhumation Fee (headstone removal)	€1,000.00 deposit

Fees are subject to change.