

Immaculate Heart of Mary Cemetery

Rules and Regulations
Revised January 2019

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IF YOU HAVE ANY QUESTIONS PERTAINING TO THESE RULES,
PLEASE CALL THE PARISH OFFICE AT 636-398-5270

PREAMBLE

The chief responsibility of the Cemetery Committee of Immaculate Heart of Mary (hereafter IHM) parish is to direct the management of IHM Cemetery to provide the people with places of burial that are representative of the Church's reverence for the remains of the faithful departed and its hope in the resurrection. Its goals are both spiritual and temporal.

The spiritual goals are that the Catholic cemetery be a place of comfort on the day of a funeral and the years that follow. To do so the cemetery is to be conducive to the funeral liturgy, and its personnel helpful in providing sound counsel in the selection of a family plot or niche responsive to family needs. We bury our dear ones with love. Love reaches far into the future, expressing itself in caring for the place of burial and the beauty of the surrounding cemetery grounds.

The temporal concerns are to make the spiritual goals possible by sound management, which require that a fair wage be paid to the men and women who make everything happen in the cemetery and the best interment facilities and techniques available be adopted. Since the Church's love is widely defined as to time and place, burial grounds must be looked after and new facilities developed as the population shifts and grows.

The Cemetery Committee was re-organized in 2019, and established the Perpetual Care Fund at that time. The interest earned on the investment of the Perpetual Care Fund principal provides an essential portion of the Cemetery's operating income.

PURPOSE OF THE RULES

The purpose of the rules of the Immaculate Heart of Mary (IHM) Catholic Cemetery is to promote the ideals of Christian Burial, the continuing welfare of the Cemetery, and the well-being of Purchasers and visitors. The rules are not arbitrary, but developed over decades of experience of what promotes the common good. These rules are subject to change as circumstances warrant. The Pastor of IHM, in consultation with the Parish Cemetery Committee, reserves the right to change, edit, or rescind rules or parts thereof. The guidance of the Archdiocese of St. Louis has been invaluable in formulating these guidelines.

PERPETUAL CARE FUND OF IHM CEMETERY

The beauty and care of the cemetery, present and future, is entirely dependent upon the Perpetual Care Fund. The Cemetery has these sources of income: the sale of lots and niches, and income generated by the Perpetual Care Fund. As the cemetery grows older, the sale of lots and niches fall off, leaving the burden of caring for the burial grounds and cemetery infrastructure more and more dependent upon income generated by the Perpetual Care Fund investments.

The Cemetery Committee established the Perpetual Care Fund in 2019. A portion of every lot or niche sale is dedicated to the Perpetual Care Fund. Hundreds of existing graves are being maintained as part of the price of a newly purchased lot or niche. The guiding principle of these Cemetery rules is that each of the burial grounds that make up IHM Cemetery always be maintained as befits the reliquary of the saints. The Perpetual Care Fund is, therefore, key to our thinking and regulations.

The principle of the Fund is not to be spent on providing care and maintenance of the cemetery, but is to be invested so that its annual income will be used for such purposes.

DEFINITIONS

Burial: interment of human remains in the earth

Burial vault: a container made of concrete, stainless steel, galvanized steel, copper, bronze, plastic, or fiberglass that completely houses a casket or urn when it is buried

Cemetery: a place dedicated by the Pastor of IHM for the burial of the faithful and others for the religious and charitable purposes of the Church. Included in this definition of a “cemetery” are the grounds, facilities and personnel involved in the interment and memorialization of the dead

Columbarium: a structure of multiple niches meant to be the final resting place for cremated remains

Cremains: a person’s cremated remains

Cremation: the process of reducing the body to ashes and bone fragments through the use of intense heat

Double deep burial: the burial of two caskets, with their vaults, stacked one on top of the other in one lot; the lot must be dug double deep for the first burial to be placed in the lower position, and the grave is opened a second time for the second burial to be placed in the upper position

Foundation: a concrete slab supporting the monument

Grave: the basic, below-ground burial place

Interment: the committal of human remains in their final resting place

Inurnment: placing cremated remains in a container

Lot: a burial plot of one or more graves

Marker: a temporary grave marker

Memorial Work: a marker, memorial, or monument set on a foundation with a 4” apron around it on all 4 sides

Memorial: a flat-faced stone or a metal commemorative plaque set at lawn level, flush with the level of the ground so as to be able to be mowed over

Memorial Plaque: the niche faceplate which contains the name(s) and dates of birth and death of the individual(s) whose cremains are interred within

Monument: a free-standing, upright memorial, a maximum of 36” in height

Niche: a small crypt for inurned remains

Perpetual Care: a fund established into which a determined portion of lot and niche sales are deposited, whose interest is to be used for the care of lots and a pro-rated share for the upkeep of the general facilities of the Cemetery

Purchase Agreement: the official form used by the parish to record the death and burial of individuals who have purchased a lot or niche

Purchaser: the person or persons who signed the original purchase contract and their heirs-in-law who have the legal right to authorize interment

Right of Sepulture: the legal authority to order an interment in a particular burial place

Section: designated area of cemetery land

Single burial: the burial of one casket in a lot at a regulated depth

CEMETERY BEHAVIOR

The Cemetery is a sacred place and is due all the honor and respect given to a church itself. It is God's Acre. No alcoholic beverages are permitted in the Cemetery. Unbecoming behavior, dress and language are not to be tolerated. Picnicking or similar gatherings are also inappropriate for the sacred character of cemetery grounds. Loitering and boisterous demonstrations or improper assemblages are not permitted within the Cemetery. Pets may not be brought into, or buried in, the Cemetery.

PURCHASING LOTS AND NICHEs

When this document refers to the purchase of a lot or niche, this is a reference to the transferal of the right to authorize interment in a purchased lot or niche, not the transferal of ownership of property. The Parish requires those wishing to purchase a lot or niche or those arranging for interment of a loved one to come in person to the Parish Office to fill out the appropriate paperwork and to pay for the lot or niche. The Parish shall not honor any requests for lots made by telephone, email or text messaging.

Only registered, active members of IHM are privileged to purchase cemetery lots and niches. Deviation of this rule can only be made by the Pastor after consultation with the Parish Cemetery Committee.

As of January 1, 2019, the cost of a cemetery lot or niche is:

	<u>Parishioner</u>	<u>Non-Parishioner</u>
Cemetery Lot	\$1000	\$1500
Single niche	\$1500	\$2250
Double niche	\$1750	\$2500

These costs may be adjusted by the Pastor after consultation with the Parish Cemetery Committee.

RIGHT OF SEPULTURE

Upon paying the full amount requested for a lot or niche, the Purchaser is entitled to the Certificate of the Right of Sepulture and becomes known as a Purchaser. The right to authorize an interment is exercised at the Purchaser's discretion. Those who inherit the Right do so, on an equal basis with all those of the same class, as enumerated below.

The Pastor or the Parish Cemetery Committee will not become a party to family disputes.

Persons authorized to order an interment:

1. Original Purchaser, if deceased, then:
2. Party to whom lot or niche is willed by a specific device. If not willed, then:
3. Spouse of the deceased Purchaser. If no spouse, or if spouse is deceased, then:
4. Children or descendants of the Purchaser. If no children, then:
5. Father or mother of the deceased Purchaser, brothers or sisters of the deceased Purchaser (an adopted child shares with equal capacity as a natural child) or their descendants. If all are deceased, then:
6. Grandparents or uncles or aunts of the Purchaser
7. If none of the above classes of persons remain, the personal representative of the estate of a deceased Purchaser or his descendant as described above may sign.
8. Person of collateral relationship to Purchaser or his/her descendants as described above who has approval in writing (signature) of a person with authorization to order interments.

More often than not, the Purchaser is the person who will be buried in the lot. In other cases, the Purchaser may have purchased any number of lots intended for other members of his/her family, and thus has the authority to make the decision as to who may be buried in these lots as well.

The Certificate of the Right of Sepulture on an unneeded lot may **not** be transferred by a private party to anyone other than the Parish, nor shall Purchasers allow an interment on their lot for remuneration. Purchasers with no prospective need are encouraged to donate the lots back to the Parish for charity burials at their fair market value. Such gifts may be considered as a charitable gift to the Church. If a Purchaser does not choose to

donate the unneeded lots back to the Parish, the Parish may refund the original purchase price of a previously purchased lot to a Purchaser; however, a change of records fee may be deducted from the purchase price returned.

Three copies of the Certificate of the Right of Sepulture will be made. One copy will be kept on file in the Parish Office, and the other two copies will be mailed to the Purchaser. It is advisable that a Purchaser's next of kin be given one of these two copies for safe keeping.

After a period of 75 years since the last recorded activity on a burial site, after a reasonable search for heirs, the Right of Sepulture reverts back to the IHM Cemetery in regard to any unused lots. If persons with a legitimate claim present themselves after the lots have been used, their claim shall be settled by providing them with an equal number of lots in an alternate location in the Cemetery. If no lots are available, original purchase price will be refunded.

INTERMENT ISSUES

In the event of an error in an interment or other matter:

1. If the Parish erred, it reserves the right to correct its error at its cost with no further liability to any other party.
2. If the error resulted from the order or action of a funeral director, monument dealer, or other party, the cost of rectifying the error and all other liability will be that of the one who caused the error with no liability upon the part of the Parish.
3. If the Purchaser was in error, he/she bears the full responsibility with no liability upon the part of the Parish.
4. If another person orders an erroneous interment through error or deceit, he/she must bear full responsibility with no liability upon the Parish.

5. The disinterment of the dead will only be allowed for the most pressing reasons and only upon written consent of the Pastor of IHM.
6. All disinterment, removal and re-interment costs are to be borne by Purchaser, with proper authorization forms signed and on file with the Parish.

IN-GROUND BURIAL SPECIFICATIONS

Burials in the Cemetery may be one of two kinds: a casket burial or an urn burial. All casket burials must have a burial vault. These containers protect the casket from deterioration and from the weight of the earth and the lawn equipment, and they also help to eliminate soil settlement, thus maintaining the beauty of the Cemetery and reducing the cost of maintenance of leveling the ground. Burials of urns do not require a vault, though one may be used if so desired. The burial of cremains not contained in an urn is not permitted.

A standard cemetery lot in IHM Cemetery is 4 feet by 10 feet. There are a couple exceptions to this size, but they are noted on our cemetery map. Part of this area is used for the placement of memorial work. The memorial work must list the names of all people whose remains are interred in the grave. The rest of this area is used to accommodate the burial of the human remains. The following configurations are permissible ways in which the lots may be used. Any requests to deviate from these configurations must go before the Pastor and the Parish Cemetery Committee for a final decision.

1. If specified as a single-deep lot, any of the following configurations for burial are permissible:
 - a. One full-sized casket with vault
 - b. One infant or child-sized casket with vault centered in the middle of the grave

- c. Up to four vaulted or un-vaulted urns may be buried in a single lot.
- 2. If specified as a double-deep lot:
 - a. One full-sized casket with a reinforced vault (no concrete boxes) in the lower position ONLY. No urns, vaulted or not, will be placed in the lower position due to weight-bearing and settling issues once the upper position is occupied.
 - b. The upper position may be opened for any of the configurations listed for a single-deep lot.

Regardless of the way the lot is used, the cost of the lot is the same. The cost of the lot does **not** include the fees for opening the grave. Fees for opening the grave for these different types of burials vary depending on how the lot is to be used. The graves in the Cemetery are opened by a contracted party whose fees are inflationary in nature and paid at the time of burial through the arrangements by the funeral director.

The decision for a lot to be used as a double deep lot must be stated at the time of purchase. A lot-owner may not decide after a single deep burial has taken place that he/she wants to use the lot for more than one person, because once a body has been buried, disinterment of the dead is not permissible except for the most pressing of reasons and only upon the written consent of the Pastor.

Burials of urns do not require a vault, though one may be used if so desired. However, if an urn is to be lifted to inter a casket later, the urn **MUST** be in vault so as to facilitate location at the time of lifting and to prevent any disruption of the urn, which could be in a fragile state due to its time spent underground. The burial of cremains not contained in an urn is **NOT** permitted.

BURIAL OF CREMATED REMAINS

The ashes, or cremains, are to be treated with immense respect. These are still human remains, the remains of the body that was the temple of the Holy Spirit in life. “The cremated remains of a body should be treated with the same respect given to the human body from which they come. This includes the use of a worthy vessel to contain the ashes, the manner in which they are carried, and the care of attention to appropriate placement and transport, and the final disposition.” (Order of Christian Funerals #417).

Cremation should take place within a few days of the Funeral Mass. Since the human body has an eternal destiny in any form, the Church requires that cremated remains of a body be buried or entombed in the same timely manner as a body. This should occur as soon as possible after cremation. Cremated remains should not be kept in a family’s home any longer than absolutely necessary as the burial of a loved one is not complete until cremated remains are properly interred. Cremated remains of a loved one are not to be scattered, kept at home or divided into other vessels among family members, just as it is clear that these practices would desecrate a body in a casket. The Church allows for burial at sea, providing that the cremated remains of the body are buried in a heavy container and not scattered.

COLUMBARIUM BURIAL

The only purpose for which the Columbarium may be used is the interment of the ashes of a deceased person. All ashes interred in the Columbarium must be in urns, and the material, design, construction, type, shape, and a character of such urns shall be subject to the control of the Pastor of IHM. Urns must be of a size determined by the interior dimensions, which are 10¼” height and width, with single niches being 10¼” depth and double niches 22” in depth. The Purchaser is responsible for the cost of the urn. It is not included in the purchase price of the niche.

(see Addendum II, page 20 for niche plaque layout)

The niche should be opened only for the placement of the urn containing the ashes of a deceased person. The cost of any opening and closing of the Purchaser's niche during regular business hours shall be included under the terms of the purchase agreement.

RIGHTS AND RESPONSIBILITIES OF THE PARISH

The following is a list of what constitutes the rights and responsibilities of Immaculate Heart of Mary Parish in regard to the Cemetery:

1. The grade of its cemetery sections, roads, fences, or other features of the Cemetery shall be determined by the Parish and may be altered when deemed necessary at the expense of the Parish.
2. Aisles, walks, roads, and other areas may be converted to burial ground as determined by the Parish Cemetery Committee.
3. All routine lawn maintenance will be the responsibility of the Parish.
4. Seeding of new grass and leveling of a newly opened grave will be the responsibility of the Parish. After a new interment, please be patient while the grave is filled, leveled, seeded and the grass is established.
5. Maintenance of landscaping in the common grounds of the Cemetery will be the responsibility of the Parish.
6. The Parish reserves the right to remove and discard excessive decorations or plantings of live materials around a grave for the overall maintenance and appearance of the Cemetery.
7. The Parish disclaims all responsibility for damage or injury to memorial work; although, it will exercise all reasonable care to protect them. Normal wear and tear due to Cemetery operations is to be expected and causes no liability to the Parish.

8. In the event of an error on the part of the Parish, it has no other liability than to correct its error at its expense. All other errors are the liability of those responsible.
9. The Parish reserves the right to remove any monument, structure, or planting on a lot that is deemed dangerous to persons in the Cemetery or is a detriment to adjoining lots or passageways, at the expense of the Purchaser.
10. The Parish reserves the right to ask anyone visiting or working in the Cemetery to leave the premises if he/she displays or uses inappropriate behavior, language and/or dress attire.

RULES FOR MEMORIAL WORK – Cemetery Lots

We advise all families to read this section carefully prior to placing an order for any kind of memorial work. We also ask that you give a copy of these rules to the monument company to ensure that our specifications are met.

The purpose of memorial work is to accurately identify the final resting place of a person's remains for an indefinite amount of time. Monuments or markers need to be durable enough to withstand climatic elements that can weather them over time. If they are not durable, they become illegible, deteriorate to the point of breaking, or become a safety hazard. We must also remember that this is a Catholic cemetery, and it serves as a witness of the Church's compassion for the living and reverence for the dead. Keep this in mind as you design a piece of memorial work. For these reasons we have established the following rules regarding the memorial work placed in the Cemetery.

GENERAL MEMORIAL WORK RULES

We require an employee from the monument company to contact the Parish Office at 636-398-5270 prior to installation so our Grave Marker can make sure the location for the monument

is accurately marked. We also ask that they check in with the Parish Office upon arrival in order for a representative of our Parish Cemetery Committee to inspect the stone before it is installed.

1. The Parish Cemetery Committee asks that all graves be marked with some type of permanent marker, memorial plaque or monument within 12 months of a burial. If this creates a hardship, please contact the Parish Office to discuss this with the Pastor.
2. The Parish reserves the right at all times to prescribe the kind, design, size, symbolism, quality and material of all inscriptions, plaques, memorials, monuments, or markers placed in the Cemetery. All memorials are subject to approval by the Pastor and the Parish Cemetery Committee.
3. A drawing with all designs and inscriptions on the stone, including art work, must be submitted to the Pastor and the Parish Cemetery Committee with proof that foundation work has been ordered.
4. Every piece of memorial work must have a foundation (with piers if necessary) adequate for supporting the weight of the monument.
5. Permission must be obtained from the Parish Office for each piece of memorial work to be installed, removed or altered in any manner other than lettering in the Cemetery.
6. No memorial work may be installed in the Cemetery until it has been inspected and approved by the Parish Cemetery Committee to determine if the conditions and specifications have been fulfilled and the stone is a faithful execution of the design submitted.
7. The placement of a memorial will not be allowed for a period of six months following a single depth burial or

- nine months following a double deep burial to allow the ground to settle. For the burial of an infant, child, or cremains, the foundation orders may be processed any time. There is no wait.
8. The Parish cannot accept memorials for safekeeping before installation. All memorials must be installed upon delivery to the Cemetery.
 9. All workmen employed by others in the erection, installation, addition or maintenance of a memorial or vault are subject to the control and direction of the Parish Office. All such workmen must provide current proof of coverage for Workmen's Comp and General Liability.
 10. Improperly set or misaligned memorial work or memorial work set without permission will be removed at the expense of the Purchaser or his/her heirs. We require that Purchasers and monument dealers deal fairly and follow all pertinent rules.
 11. Any damage made by workmen to a lot, the section or the Cemetery while working on a memorial must be repaired at the expense of the contractor.
 12. Damage to the personal property of others must be reported to the Parish Office, and the cost of the repairs is to be borne by the agent who caused the damage.
 13. It is the responsibility of the Purchaser or his/her heirs to maintain all memorial work in a solid, non-hazardous condition. Any damage resulting from a misalignment or loose condition of a memorial is the liability of the Purchaser or his/her heirs. The family should inspect the memorial work from time to time since stones are affected by weather, heaving due to frost, and natural settling of the ground.

MEMORIAL WORK SPECIFICATIONS

1. Purchasers who have placed monuments in the Cemetery prior to November 2013 may have monuments that do not meet the following rules for size or foundation work. These monuments are grand-fathered in, but any new memorial work done must follow these rules.
2. The Parish reserves the right to determine the location of a monument or any memorial work on a lot when it is delivered.
3. Foundations for memorial work may be installed only after the location has been marked by a representative of the Parish Cemetery Committee and only according to their specifications.
4. Memorial work shall be centered on the back line of the lot. Lawn level markers, including any plaques, may be placed at the head or foot.
5. A foundation is required around any piece of memorial work at grade level, 4 inches wider on all four sides than the monument base.
6. All lawn-level markers are to be set in a foundation, and the top of the markers are to be at ground level and placed with the contour of the adjacent ground. All monuments or markers set above the surface of the ground must be plumb and level.
7. Only one family monument will be allowed on a lot and should contain the names of all who are buried in the lot.
8. Inscriptions for the interments in a grave should be placed on the face of the monument. If they will not all fit there, they may be placed on the base of the monument.
9. A lot with an existing monument that will not accommodate the names of all those buried there may have only lawn level markers following the existing rules for lawn level markers, and they may only be placed after going through

the same procedures as one would for placing the first piece of memorial work.

10. All free-standing monuments should be no taller than 3 feet in height from ground line to top of the monument.
11. If a monument is being placed on a single grave, the foundation may be no more than 3 feet across and the base of the monument no more than 2 feet 4 inches across.
Exceptions to this rule: Lots 2B31, 2E28 and 2G24 are only 2' 0" wide and the foundation may not exceed 1' 8" and the base of the monument may not exceed 1' 0".
12. If a monument is being centered across 2 graves, the foundation may be no more than 6 feet across and the base of the monument no more than 5 feet 4 inches across.
13. The thickness, from front to back, of the base of a monument should be no less than six inches so as to minimize tipping unless design consideration approved by the Parish would suggest otherwise.
*(See Addendum I, page 19,
for an example of size requirements)*
14. Memorials may be made of granite, hard marble, and/or bronze.
15. No benches will be permitted on the lots due to problems with mowing.

RULES FOR GRAVE DECORATIONS

The following rules are designed to maintain the appearance of the Cemetery and to make your visits more pleasant.

1. No more than two tasteful decorations per grave. Please be aware of the sensitivity of others when decorating the grave of a loved one. Materials used should have a religious motif in keeping with the sacred nature of the Cemetery. The

parish reserves the right to remove and discard any excess for the overall maintenance of the Cemetery.

2. The planting of shrubs and flowers around the grounds is carefully planned for the general appearance of the Cemetery. The Parish plants and cares for the natural landscaping planted in the sections. Planting is not permitted on private lots and will be removed at the Purchaser's expense.
3. Flowers and all grave decorations will be picked up periodically for the general appearance of the Cemetery.
4. Please do not bring flower arrangements in glass, plastic, ceramic or sheet metal holders as they are hazardous for the workmen and visitors.
5. Please do not bring foam or plastic packing into the Cemetery in a flower arrangement. It is not bio-degradable and is a soil pollutant that hampers the growth of grass and other plants.
6. The Parish Cemetery Committee does not approve of permanent in-ground metal flower vases, nor will it accept any liability for their loss or damage under any circumstances. It is the responsibility of the Purchaser to return the vases to their holders so that they will not damage the mowing equipment.
7. The installation of stone vases on a monument is discouraged as they are fragile. The Parish is not liable for the condition of vases or any damage to them. If a stone vase is used, it must have a drainage hole.
8. The quality and disposition of funeral flowers on new graves is to be determined by the Pastor and the Parish Cemetery Committee. Funeral flowers will be removed when they become faded and unsightly.

A Christmas wreath or grave covering of natural material is permitted on a lot from Thanksgiving to the end of February.

RULES FOR MEMORIAL WORK – Columbarium niches

A bronze memorial plaque of a pre-determined size and design may be placed on the outside of the niche where the ashes repose; it shall be of uniform size and contain only the name and dates of birth and death. Cost of plaque is included in the cost of niche, and will be mounted within 45 days after purchase. Date of death will be added shortly after interment.

RULES FOR NICHE DECORATIONS

Complete control of the Columbarium and all parts thereof, including landscaping and planting, but not limited thereto, shall remain with IHM. No planting or other external decoration shall be placed upon or around the Columbarium by any Purchaser.

No liability of any kind or character whatsoever is assumed by IHM for the maintenance or preservation of the ashes of any person interred, or for any loss or damage to urns or ashes.

CONTRACTING THROUGH A FUNERAL DIRECTOR

IMPORTANCE NOTICE:

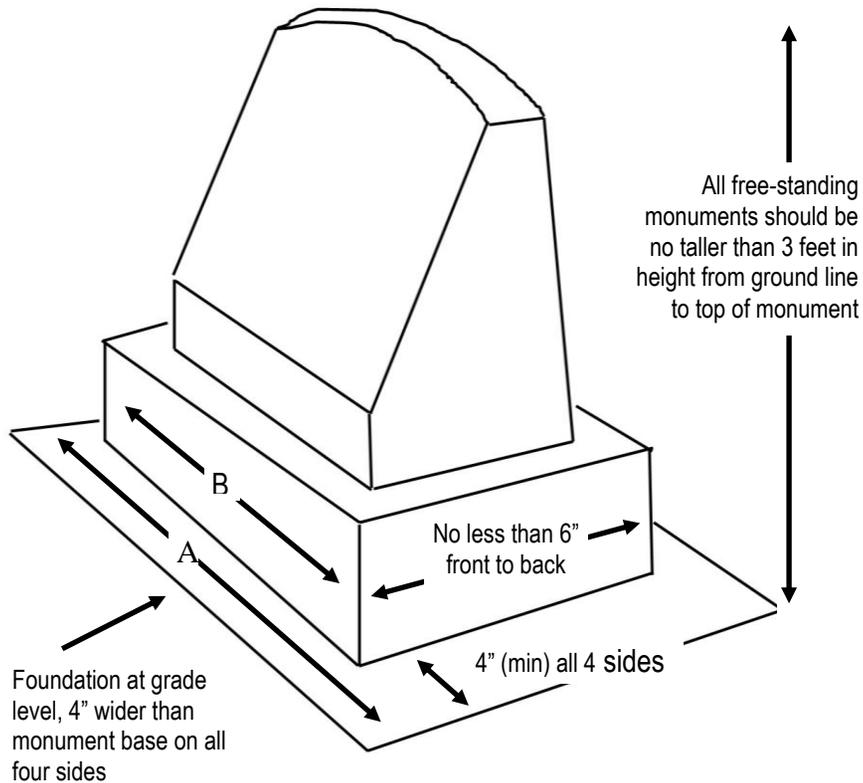
**All funerals and visitations to be held at
Immaculate Heart of Mary Parish
MUST be arranged through a
reputable funeral services provider.**

Addendum I

Graves to be marked with marker, plaque or monument within 12 months of burial.

Memorial work shall be centered on the back line of the lot, the location of which will be marked by a parish representative.

Memorials may be placed after 6 months for a single depth burial, 9 months for a double deep burial.



Foundation and monument width:

Single grave: foundation (A) no more than 3', monument (B) no more than 2'4"

Double grave: foundation (A) no more than 6', monument (B) no more than 5'4"

Drawings of all memorial work must be submitted to the Pastor and the Parish Cemetery Committee, with proof that the foundation work has been ordered.

Addendum 2

Urns must be of a size determined by the interior dimensions. All niches have interior dimensions of 10 $\frac{1}{4}$ " in height and width, single niches being 10 $\frac{1}{4}$ " in depth and double niches 22" in depth.

The all-bronze niche plaques measure 10" square, will have polished raised borders and lettering on a brown field.

For benches, in the top of each leg there will be a 6" diameter hole that is 8 $\frac{1}{2}$ " deep, typically not meant for an urn.

