



# Town of Sharon New Hampshire

## Cemetery Rules And Regulations

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*Town of Sharon, NH*

*Cemetery Rules and Regulations*

*November 6, 2024*

Introduction

The purpose of rules and regulations is for the protection of the plot holders and the cemetery in general. They are in place to provide guidance and direction for citizens in the selection of memorials and the placing of remembrances (flowers etc.) at existing memorials so as to establish and maintain the dignity, beauty and symmetry of Sharon's cemeteries.

The following Rules and Regulations have been adopted as the Rules and Regulations of the Sharon Town Cemeteries. All plot holders and visitors within the cemeteries and all lots assigned to individuals shall be subject to these Rules and Regulations, and amendments or alterations to these Rules and Regulations can and will be adopted from time to time by the Cemetery Trustees.

General Administration

Trustees: The members of the Select Board for the Town of Sharon are the Trustees of the Cemeteries

"Trustees" shall mean those elected officials who, under State statute RSA 289:7, have the authority to operate and administer the public cemeteries within the Town of Sharon, NH, and whose duties include, but are not limited to:

1. The adoption of the by-laws and regulations for the establishment and management of all municipal cemeteries.
2. Preparation of annual budgets for funding necessary to support and maintain all municipal cemeteries including capital improvements, expansions, and establishment of new cemeteries within the municipality.
3. Expenditures of all monies raised and appropriated by the municipality for cemetery purposes, including income from all trust funds created for cemetery purposes.
4. Appointment of a cemetery superintendent and/or sexton (who is not a Trustee) who shall be responsible to the Trustees for supervising all related activities and work done in the cemeteries.
5. Appointment of other Cemetery employees such as custodian and groundskeeper.

1.

Voted on and Approved by Board of Selectman November 6, 2024

## Superintendent

One member of the Select Board will be selected by the Board to function as the Superintendent for one election year. The term "Superintendent" shall mean the person duly authorized for the administration of the Town Cemetery(s).

Superintendent duties include, but are not limited to:

1. Enforcement of all cemetery rules and regulations.
2. Be available and assist the public for cemetery functions such as plot purchase, interments, and approved work within cemetery grounds.
3. Oversee the maintenance of and the updating of all copies of the cemetery maps and records especially after a purchase is made.
4. Coordinate with the Town Clerk and Town Administrator to assure that the acquisition of a plot is properly recorded. This includes informing the designated vendor to place corner markers in a newly purchased plot and that this vendor's fee is paid once invoiced
5. Oversee that the cemetery grounds and buildings are maintained
6. The maintenance of cemetery grounds and buildings will be the responsibility of the Road Agent

## Sexton

The term "Sexton" shall mean the person duly appointed by the Trustees of the Cemetery to perform the following duties:

1. Be available and assist with the public, funeral directors, and outside contractors for the planning of burials and interments.
2. Attendance, either personally or via an assigned representative, at all burials and interments to assure that burials and interments occur in the proper plot.
3. Assure that the grounds are prepared for any burial and interment and that the grounds are properly restored after any burial or interment.
4. Complete and submit any legal paper work required by the State of New Hampshire.
5. To inform the Superintendent of any actions taken.

## General Supervision

1. Trustees of the Cemetery or Select Board members are empowered and required to enforce all Rules and Regulations and to exclude from the property of the Town Cemeteries any person violating the same. Trustees of the Cemetery shall have supervision and control of all persons within the Cemetery, including the conduct of funerals, traffic and employees working within the cemeteries.
2. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. Trustees of the Cemetery therefore reserve the right, without notice, to make exceptions, suspensions or modifications in any of these Rules and/or Regulations when, in their judgment, the same appears advisable; and such temporary exceptions, suspensions and/or modifications shall in no way be construed as affecting the general applications of such rule.
3. Emergency conditions may necessarily cause a labor, equipment or materials shortage so that certain rules cannot be strictly enforced. To meet these conditions, the rules, where necessary, will be temporarily modified or suspended by the Trustees of the Cemetery. Such temporary modifications or suspension shall in no way be construed as a waiver nor affect the strict enforcement of the rules upon the conclusion of the emergency.
4. The town may, and it hereby expressly reserves the right, at any time, or times to adopt new rules and regulations, or to amend, alter or repeal any rule, regulation or article, section, paragraph or sentence in the Rules and Regulations. All rules formerly adopted which are contrary to these Rules and Regulations are hereby repealed and declared to be no longer in effect.

## Acquisition and Ownership of Plots

1. To purchase a plot one must be a resident, prior resident, land owner or a family member of a current resident. Any request to purchase a plot by someone who does not fall under these categories, an exception can be requested from the Cemetery Trustees.
2. A plot holder is the purchaser and owner of a right of interment in a specified burial site. The plot holder does not own the land in question in the usual sense of the word.
3. Eligible persons wishing to purchase a cemetery plot will:
  - Request form entitled Request to Purchase Burial Plot from Town Clerk
  - Contact the Town Administrator at [sharon03458@gmail.com](mailto:sharon03458@gmail.com) to arrange a meeting with Cemetery Superintendent regarding plot purchase. Meeting at the cemetery with the Superintendent is required so as to reduce the possibility of any confusion when selecting a plot.
  - Town Administrator will inform the Cemetery Superintendent who will then contact the interested party to arrange a time to meet at the cemetery to discuss available plots and the cemetery rules and regulations. This meeting is required so as to reduce any confusion around the selection of a plot.
  - Cemetery Superintendent will inform the Town Clerk of the intent to purchase identifying the person and the chosen plot row and plot number which is to be entered in the Cemetery Plot Certificate when the plot purchaser comes to pay the fees.
4. Once a plot has been selected the purchaser shall remit to the Town Clerk the required fee of \$350.00 for a full burial plot or \$175.00 for a cremation plot. The purchaser will also pay, at the same time and with a separate check, the fee of \$250.00 for four corner markers to be prepared and installed by the approved vendor.

Three corner markers will have the first initial of the purchaser's last name and one corner marker will indicate the row and plot in addition to the first initial of the last name.

5. Upon completion of payment, the Town Clerk will deliver to the plot holder a Cemetery Plot Certificate (Deed) that describes the designated plot and payment. The Town Clerk will file the completed Request to Purchase a Plot in the provided 3 ring binder labeled McCoy Road Cemetery Registry.
6. The Town Clerk will inform the Town Administrator of the plot purchase and forward the two payments to the Town Administrator for processing. The Town Administrator will email the designated vendor the necessary information to prepare the corner markers as well as forward the check to the vendor.
7. The vendor will notify the Superintendent when corner markers are ready to be installed and will be present when these markers are installed. The Cemetery Superintendent will inform the plot owner of the date and time of installation of the markers in the event that the owner chooses to be present to avoid any confusion of plot location.
8. The Town Clerk will update the wall copy of the cemetery map; the Superintendent will update the Master copy and will inform the Sexton so that the Sexton can update her/his copy of the cemetery map. Cemetery Superintendent will confirm that all three (3) cemetery maps are updated so as to assure accuracy.
9. It shall be the duty of the plot owner to notify the Town Administrator of any change to the plot owner's mailing address, phone number and email address.
10. When informed of changes to contact information, the Town Administrator will update records in the main burial register.

11. Once a burial has occurred, the Town Administrator will record the location, the name of the person buried, and date of burial on the Application to Purchase a Burial Plot located in the main burial register. The Sexton and Cemetery Superintendent will provide this information to the Town Administrator.

### Transfer of Ownership of Plots

1. Purchased plots can be transferred back to the town. The owner needs to demonstrate legal ownership of the plot.
2. The Town shall compensate the plot owner of record in an amount equal to the sum originally paid to the town minus any indebtedness to the Town. A nominal charge will be paid to the Town for the recording of the transfer.
3. No sale, assignment, or transfer of any plot by a plot owner to any individual or entity other than the Town is permitted.
4. The subdivision of plots is not permitted, and no one shall be interred in any plot not having an interest therein, except by written consent of the owner and approved by the Trustees. A relative of any owners of record may be buried in said plot, provided such authorization is provided in writing by the plot owner.

### Interments and Disinterments

1. No interments or disinterments are allowed on Sundays or holidays unless approved by the Trustees of the Cemetery.
2. All interments and disinterments shall be made in accordance with and subject to orders by duly constituted authorities of Town, County or State of New Hampshire
3. The Trustees reserve the right to refuse interment in any plot if in the Superintendent's judgment there is a question as to ownership or right of interment.



4. When the location of an interment space in a plot cannot be determined, is indefinite or is otherwise unclear, or if for any other reason an interment space cannot be opened, another space may be opened in such location as deemed proper. In such cases neither the Superintendent nor the Town shall be liable for any damages for this or any other error.
5. To prepare for an interment or disinterment the Sexton shall be given written detailed instructions by the plot owner or funeral director. Neither the Sexton nor Town shall be held responsible for any errors resulting in any order given verbally or by telephone or for any mistake occurring from the lack of precise written instructions.
6. No interment of anybody or the cremated remains of anybody other than of a human body shall be permitted.
7. Containers for full earth burials or cremated remains must be enclosed in a permanent vault. Vaults need to be at least 6 inches below grade.
8. It is prohibited to remove a body or cremated remains so that a lot may be resold.
9. A body or cremated remains may be removed with proper permits from its original grave to a different grave within the same plot or to another plot in the same or another cemetery. In such cases the Town will assume no liability for damages resulting to any casket, urn, burial case, memorial, vault or body.
10. Funeral Directors upon arrival in a cemetery must present all necessary burial documents to the Sexton.
11. No cremains shall be independently and privately buried in the cemetery by individuals. All burial shall be under the supervision of the funeral director, the sexton or the Town of Sharon.
12. If the burial is not done through a funeral director, the Sexton and/or Superintendent must be present to verify placement of ashes and to sign any required permit. In a full grave plot (5 feet by 10 feet) up to six (6) individual containers of cremains may be buried.

7.

The ashes of more than one person may be comingled in one individual container.

13. In a cremation plot (5 feet by 5 feet) up to four (4) individual containers of cremains may be buried. The ashes of more than one person may be comingled in one individual container.
14. The location and the date of each container buried shall be reported to the Superintendent and the Sexton for recording purposes. The Town Administrator will record this information in the main burial register located in the Town Clerk's office.

#### Additional Rules and Regulations:

##### Vehicular Traffic

1. Motor Vehicles shall not be driven through the grounds at a greater speed than five miles per hour. Motor Vehicles are not allowed to park or come to a full stop in front of an open grave unless such automobiles are in attendance at a funeral.
2. No motor vehicles or animals shall be driven across or upon any grave, lot or lawn, nor parked or left thereon. It is prohibited to park or leave any motor vehicle on any roadway in such a position as to prevent any other car or vehicle from passing the same, and if so parked or left, such motor vehicle will be removed and the cost of removal borne by the owner.
3. No bicycles, motorcycles or off highway recreational vehicles shall be admitted to the Cemetery.

##### Personal Conduct

1. Persons within the Cemetery grounds shall use only the pathways. Any person injured while walking on the grass, or any portion of the Cemetery pathways, shall in no way hold the Town liable from any injuries.
2. All persons are prohibited from gathering flowers, either wild or cultivated, breaking or cutting trees, shrubbery or plants, defacing or otherwise damaging monuments or structures, or disturbing the birds or animal life.

3. No waste material shall be left within the cemeteries.
4. Dogs shall not be allowed on the Cemetery grounds unless leashed and quieted. Owners shall be responsible for the removal of any animal waste or destruction of grass, plants or shrubs caused by the animals.
5. No loud talking shall be permitted on the cemetery grounds within hearing distance of funeral services.
6. No signs or notices of any kind, including advertisements, shall be allowed in the cemeteries unless placed by the Members of Select Board or the Trustees of the Cemetery.

#### Control of Work in the Cemeteries

1. All grading, landscaping and improvements of any kind, all care of plots, all trees and shrubs and herbage planted, trimmed, cut or removed and all opening and closing of plots shall be done by the Trustees of the Cemetery, Cemetery Superintendent or their designee.
2. All improvements or alterations of individual plots in the Cemetery shall need approval of the Trustees of the Cemetery. They shall have the right to remove, alter or change such improvements or alterations.
3. If any trees or shrubs, situated on any plot shall, by means of their roots or branches, become detrimental to the adjacent plots, or unsightly or inconvenient to the proper and timely maintenance of any plot, the Town shall have the right to enter said plot and remove said trees or shrubs.

#### Decoration of Plots

1. No flower receptacles may be placed on any plot unless they meet the approval of the Cemetery Superintendent. The Town shall have the authority to remove all floral design, flowers, weed, trees, shrubs, plants or herbage of any kind, from the cemetery as soon as, in the judgment of the Cemetery Supervisor they become unsightly, dangerous, detrimental or diseased.
2. Town shall not be liable for floral pieces, baskets, or frames in which or to which such floral pieces are attached beyond the acceptance of such floral pieces for funeral service held in a cemetery.

3. The Town shall not be liable for lost, misplaced or broken flower vases. The Town shall not be responsible for frozen plants or herbage of any kind, or for plantings damaged by the elements, thieves, vandals or by other causes beyond its control.
4. For cut flowers, use of a sunken vase of heavy metal with a removable inner container is recommended. The submerged vase keeps the water cooler and thus helps to prolong the freshness of flowers.
5. The use of glass or ceramic jars, tin cans, or other than approved metal or plastic vases is prohibited. Any unapproved items will be removed.
6. No fences or wire enclosures for flower beds may be placed on any lot and no wires or other means of support may be used for flower containers unless approved by the Cemetery Superintendent.
7. *Any offensive or inappropriate fittings, adornments, urns, inscriptions and arrangements that are deemed offensive and/or inappropriate by the Trustees, will be removed.*
8. As a special mark of respect to those who have served our country, the American flag shall be displayed on the graves of those persons who have honorably served in the armed forces of the United States of America. These flags shall be removed without notice when they become soiled, faded, torn or otherwise unsightly, even though a special permit shall have been granted to maintain them.

#### Changes in Grade and Replanting

1. The right to enlarge, reduce, replant or change the boundaries or grading of the Cemetery or of a section or sections, from time to time, including the right to modify or change the location or remove or re-grade roads, drives or walks, or any part thereof is hereby expressly reserved for the Town.
2. No easement or right of interment is granted to any plot holder in any road or path within the Cemetery; but such road or path may be used as a means of access to the cemetery as long as the Cemetery Superintendent devotes it to that purpose.

3. Also expressly reserved for the Town is the right to use cemetery property, not assigned to plot owners, for cemetery purposes including the interring and preparing for interment of dead human bodies, or for anything necessary, itself, and to those lawfully entitled, a perpetual right of ingress and egress over plots for the purpose of passage to and from other plots.

#### Care of Cemetery and Plots

1. The Town is responsible for the care and maintenance of the grounds. This includes the cutting of grass upon the plots at reasonable intervals as well as the raking and cleaning of any plot, but shall not include maintenance or repair of any monuments or wall, nor plantings or care of flowers or shrubs.
2. Care of plots shall in no case be construed as meaning the maintenance, repair or replacement of any memorial tomb placed or erected upon plots; not the planting of flowers or ornamental plants; nor watering or sprinkling of plots; not the doing of any special or unusual work in the cemetery, including work caused by impoverishment of the soil nor does it mean the reconstruction of any marble, granite, bronze or concrete work on any section or plot or any portion or portions thereof in the cemetery, cause by the elements, an act of God, and/or malicious mischief makers.

#### Monuments and Markers

1. Bases and monuments shall be of the same or complementary materials acceptable to the Superintendent.
2. All monuments shall be constructed of first quality natural stone. Boulders or rocks may be allowed. So as to assure that the selection is worthy of inscription and a quality fit on a base, selected boulders and rocks need to be approved by the superintendent. Such materials shall be free of sap and components that cause rust stains and from natural faults that may cause cracks. The use of cement, artificial stone, composition, wood, tin, iron or other metal shall not be permitted for any monument. The Superintendent reserves the right to reject any materials.

3. Corner markers:
  - a. Shall be of first quality stone placed flush with the grade; lettering to be incised, not raised.
  - b. Require no foundation.
  - c. Shall be six inches square on their face and shall be a minimum of eight inches in depth.
  - d. Shall be set at the extreme corners of the plot and square within the bounds of the plot.
  - e. Shall be set flush and level with the grade.
  - f. Three (3) of the corner markers shall be incised with family initial.
  - g. The fourth corner marker shall denote the row and plot location with initial.
4. Letters and numbers on all monuments and markers shall be hand carved or sandblasted. If plaques are attached to stone monuments they shall only be made of bronze or aluminum.
5. No coping, curbing, fencing hedging, grave mounds, borders or enclosures of any kind shall be allowed around any plot without the expressed permission of the Superintendent. No walks of brick, cinders, tile, stone, marble, terracotta, sand, cement, gravel or wood shall be allowed on any plot. The Superintendent reserves the right to remove if so erected, planted or placed.
6. The Superintendent reserves the right to stop all work of any nature whenever in the Superintendent's opinion, proper preparations have not been made or when tools and machinery are insufficient or defective or when work is being executed in such a manner as to threaten life or property or when the monument dealer has been guilty of misrepresentation or when any reasonable request on the part of the Superintendent has been disregarded and when work is not being executed according to specifications or in violation of the provisions of these rules and regulations.
7. The making of stone rubbings is allowed for monument professionals and can be done without permission however a courtesy call to the Superintendent is appreciated. Stone rubbing by anyone else is allowed only with the permission of the Superintendent. The use of lithichrome to enhance the visibility of incised lettering is permitted provided permission is given.

8. It is necessary that persons erecting, cleaning or repairing monuments give advance notice of their intentions to the Superintendent and comply with these rules and regulations. Persons performing such services or those who are engaged in the erecting monuments are prohibited from attaching ropes to other monuments trees, shrubs, or from scattering their materials over adjoining plots. They must do as little injury to the grass, trees, and shrubs as possible and shall restore grounds to their original condition thereafter.
9. Damage done to plots, walks, drives, trees, shrubs or other property by dealers, contractors, vendors, funeral directors, if not repaired by the responsible party, the necessary repairs will be done by the town and the cost of such repairs shall be charged to the responsible parties.
10. When a funeral or interment is being conducted nearby, all work of any description shall cease.

#### Size of Monuments and Markers:

1. The size of the upright monument shall be governed according to the ratio by its face area (length multiplied by height) to the total area of the plot and its relation to its length (greatest horizontal dimension) to the average width of the plot. The face area of the monument shall not exceed 15% of the total area of the plot and its length shall not exceed 60% of the average width of the plot. All monuments shall be at least six (6) inches thick; slate monuments which shall be a minimum of two inches thick.
2. A marker (a monument flush with the ground or slant) shall not exceed a total of four square feet and shall be a minimum of four inches thick. It shall be made of granite or similar hard stone so as to accommodate the weight of mowing equipment.
3. Markers, unlike a monument, shall be a minimum of one foot wide by two foot long and can be slant or bevel. Such can be distributed within the 5 X 5 or 5 X 10 plots and are not intended to be a head stone.

4. There shall be no more than one upright monument per plot.
5. Plot owners and their descendants shall be responsible for the maintenance and repair of the monuments on their plot. In instances where no plot owners or their descendants can be found, the Town may undertake any necessary repairs although at no time shall the Town become liable for the replacement or repair of monuments.
6. The use of bronze or aluminum is allowed for any tablets when attached to monuments of natural stone.
7. Foundations and Settings:
  - a. As a grantee of good work and as a protection to all plot owners, the Town reserves the right to oversee, inspect and approve all excavations for the building of foundations, the setting of all markers and monuments, and to regulate all work done in the cemetery.
  - b. No foundation shall be built when the weather is such that injury from frost may occur. No heavy stone work may be set in inclement weather or until the concrete in the foundation has had time to cure thoroughly.
  - c. Foundations shall be of concrete.
  - d. Foundations shall be made at least as large as the bottom base.
  - e. Town reserves the right to require a larger foundation when, in its opinion, the weight of the structure requires it.
  - f. Foundations shall be of a depth of 3.5 to 4 feet
  - g. The foundation shall be constructed so as to not impact abutting plots.
8. Should any marker or monument become unsightly, dilapidated, the Town shall have the right either to correct the condition or to remove same at the expense of the owner.
9. No monuments or markers shall be relocated within or removed from a cemetery except by the Town unless the written order of the plot owner is presented and the permission granted by the superintendent.



## Protection from Loss or Damage

The Town shall take reasonable precautions to protect the plot owners, within the cemetery, from loss or damage; but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and, especially from damage caused by the elements, an act of God, thieves, malicious mischief makers, and unavoidable accidents, whether the damage be direct or collateral, other than as herein provided.

## Sole Agreement

The Deed and these Rules and Regulations of the Town of Sharon and any amendments thereto shall constitute the sole agreement between the Town and the plot owner. The statement of any employee or agent, unless confirmed in writing by the Superintendent, shall in no way bind the Town of Sharon.

## Burial Plot Sizes and Prices:

Single Grave Plot      Five (5) feet by Ten (10) feet      \$350.00

Check to be made out to NHPDIP

*Cremation Plot\**      *Five (5) feet by Five (5) feet*      *\$175.00*

*\* At this time only single grave plots are available for purchase (09-09-2024)*

Corner Markers (4)      \$250.00 (Includes setting the corner markers)

Check to be made out to Peterborough Marble & Granite Works, LLC

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Policy Manual Reviewed and Approved:      Date: November 6, 2024

Cemetery Trustees:

Chester Bowles      Signature on File

Jonathan Shomody      Signature on File

Richard Dufresne      Signature on File