

Sanbornton Town Cemetery

Cemetery Rules and Regulations

Effective Date: June 2006

PURPOSE: To establish rules and regulations for the purchase of cemetery plots, interment of the deceased and maintenance of the facilities and grounds.

References: RSA 289 all sections, RSA 290 all sections

Definitions:

Grounds - Refers to all the Town Cemetery plots, gardens, roads and walkways, located at

Town Map # 15, Lot # 101 and the approximate three acres dedicated to for use as the Town of Sanbornton Public Cemetery.

Plot - All full-body Plots are a set size of four feet (4 ft) by eight feet (8 ft). For the purpose of digging adjacent graves, an area shall be added around each Plot, creating a five feet (5 ft) by ten feet (10 ft) area.

Cremation Plots - These plots are located in the special area to the left of the main entrance on Rufus Colby Road. They shall be two and a half feet square.

POLICY:

Activities

Purpose: To create a safe, quiet, respectful, clean and attractive environment within and around the Cemetery Grounds.

1. The Grounds will be open to visitors at sunrise and will be closed at sunset. Visitors will not allowed upon the grounds during the hours of darkness, whether the gates are locked or not.
2. The Grounds' roadways and walkways are not snowplowed.
3. No vehicle shall be operated in any part of the Grounds at any time, except for the purpose of a funeral for which prior approval must have been received in writing from the Cemetery Trustees or Sexton. No personal vehicles, cars, etc. will be on the Grounds but will park in appropriate places on the public roadways.
4. All funeral processions, while within the Grounds, will be subject to the direction of the Cemetery Trustees or Sexton.
5. Only persons with cemetery business are permitted on the Grounds.

6. No dogs or other pets/animals are allowed on the Grounds unless they are part of a funeral and/or Memorial ceremony, and must be leashed at all times. Visitors shall clean up after their animals.
7. No person shall gather flowers, either wild or cultivated, on the premises, or remove, cut, break or mark any tree, shrub or plant other than as a part of maintenance function of the Cemetery.
8. No person shall mark upon, deface or injure any monument or any other structure on the Grounds. No rubbings of headstone information shall be made without compliance with the procedures and permission set forth in RSA 289:22, and prior written approval from the Sanbornton Cemetery Trustees.
9. Firearms shall not be discharged in or near the cemetery, except for salutes at Military funerals, Memorial Day ceremonies or by special permission of the Cemetery Trustees or Sexton. For such events, written permission must be requested from the Cemetery Trustees or Sexton at least 30 days prior to the event to enable the Cemetery Trustees or Sexton to reject or accept the request, and to notify abutters in writing prior to the event.
10. Any person disturbing the quiet or good order of the Grounds and surrounding area, by acts of, but not limited to, intoxication, loud noise, speeding or disorderly conduct, will be subject to complaint and possible arrest by the local Police Department to the greatest degree allowed by law of the law.
11. All headstones, monuments, permanent markers, etc. that have been approved to be placed within the Plot by written consent of the Cemetery Trustees or Sexton, must have a good and sufficient foundation (generally concrete.) Approval must be obtained in writing from the Cemetery Trustees or Sexton for all foundation plans at the same time as the approval for the headstone, monument or permanent marker, etc., prior to any work being started.
12. No stone, wood, metal, wire hedge or other fence material shall be erected or maintained on or around any Plot(s).

Planting

Purpose: To create ease of maintenance in the Grounds, plus a clean and natural appearance.

1. No shrubs, perennials or trees are to be planted on, or around, any Plot(s).
2. If any plant becomes detrimental to a Plot(s), or to the Grounds for any reason, the Cemetery Trustee or Sexton has both the duty and the right to remove any or all of it. Loose items such as

dead plants and flowers, or any other item considered unsightly or hazardous to the mowers and trimmers will be removed during routine maintenance.

3. Bark mulch is not permitted. No fence shall be placed around the perimeter of any Plot or Plots. Perimeter markers shall be flush with the earth so that a mower can clear them without adjustment. Any found too high shall be removed as hazardous at the expense of the owner of the Plot.

4. Any plants, flowers or garden planting shall be planted in a single planned Memorial garden at the north entrance of the Grounds, after written approval from the Cemetery Trustees or Sexton.

Decorations and Maintenance

1. Cut flowers shall be in containers at least eight inches high and placed within the Plot, within one foot of the memorial headstone, after a burial ceremony, and shall be removed within two weeks of the burial. Flowers not removed within such a period shall be removed by the Cemetery maintenance crew or Sexton, and the cost shall be charged to the owner of the Plot.

2. The placing of artificial flowers, signs or glass containers is not permitted. Plants (authorized only in the memorial garden) must be watered and maintained in a fresh state by those who emplaced them. Any such flower that is unsightly due to lack of water, or any other reason will be disposed of during routine maintenance.

3. All work done within the Grounds by Plot owners, their aides or employees will be subject to review and approval by the Cemetery Trustees or Sexton prior to commencement of the work.

4. The owners, aides or employees doing the work will remove from the Grounds, all rubbish and waste resulting from this work.

5. If, as the result of work done, the good appearance of the Grounds and surrounding property is adversely affected in the opinion of the Cemetery Trustees or Sexton, the Plot(s) and/or the Grounds affected will be put in order at the expense of the owner.

6. The placing of small flags or other Veteran markers on graves is allowed, with the understanding that the Cemetery Trustees or Sexton have the right to remove them at any time, if necessary. Such flags may only be in pre-drilled flag-holes located on or within the headstone of any Plot(s).

7. Christmas wreaths and other wintertime decorations may be placed on, or immediately in front of the headstone, and secured in such a way as not to be blown away by wind or weather. The owners shall remove all Christmas decorations before March 1st of each year, or Plot owners will be charged with the removal costs.

8. A flagpole has been constructed in the memorial Gardens for use only by the Cemetery Trustees or Sexton.

Interments

1. The Cemetery is closed to interments from November 1st to April 15th of each year unless the weather justifies an adjustment to the schedule by the Cemetery Trustees or Sexton.
2. Only **human remains**, whether cremated or otherwise, shall be interred in the Grounds.
3. Before any interment, the Cemetery Trustees or Sexton shall be furnished with a permit, such as may be required by the ordinance of the Town of Sanbornton or by the laws of the State of New Hampshire, together with an order from the legal owner, or the legal representative of the right of burial in the Plot in which the interment is to be made.
4. All interments shall be enclosed in a container that has been approved by the State of New Hampshire for such use. Cremations shall require an urn or other vessel as approved by the state of New Hampshire for such purposes.

Cemetery Plots

1. The Cemetery Trustees shall create a Cemetery Master Plan designating the order in which Plots may be sold. Said Master Plan shall list any and all family Plots, and Plots of single graves, and cremation Plots, as the Cemetery Trustees determine to be appropriate. Plots sold will be in strict order and the Cemetery Trustees or Sexton shall create a registry of all Plots sold indexed by both Plot number and Owner name.
2. The Cemetery Trustees or Sexton shall maintain a current map showing all Plots that are available for purchase in accordance with the cemetery Master Plan, and a current schedule of fees.
3. The Plots shall be offered for sale as family Plots (blocks of two, four or six contiguous Plots/gravesites) and as single Plots/gravesites.
4. The breaking up of surveyed Plots shall not be permitted.
5. Plots that are designated for the interment of cremations only, if there are Plots so designated, shall be sold subject to availability. Such Plots have been authorized in an area to the left of the north entrance. One small flat marker (i.e., no standard size headstones) will be allowed for these cremation Plots.
6. Only one un-cremated body shall be buried in each Plot. Up to two cremated bodies may be

interred in a full-body Plot so long as the Plot does not contain an un-cremated body. For the first cremation interment in a full-body Plot, the Plot must be purchased at the standard rate for a full-body Plot.

7. The owners of rights of burial, or their heirs, shall not grant, sell, alienate or convey, the said exclusive right of burial, to any person or persons, without having first obtained written approval and consent of the Cemetery Trustees and have paid any additional fees for the Plot as determined by the Cemetery Trustees.

8. Pursuant to the provision of RSA 289:18, the Town of Sanbornton shall have the right of forfeiture and/or repossess any Plot(s) that remain unused as a grave for fifty (50) years and the owner has not improved the Plot(s) by causing a monument, gravestone or other approved appurtenance to be placed on the Plot(s). Notice of restriction shall be included in the deeds to all Plots. Any potential repurchase price for the Plot(s) shall be limited to the amount the owner paid for the Plot(s), but shall not include any portion of the original price that was specified for inclusion in a perpetual Care trust fund, less any ongoing maintenance fees outstanding at the time.

Cemetery Fees and Charges

1. Plots will only be sold on a first come first served basis to
 - (a) current residents whose names appear on the current Tax Role (they pay taxes to the Town of Sanbornton) and/or are on the Voter Checklist, and their legal children,
 - (b) all former residents whose names appeared on the Town of Sanbornton Tax Role (they paid taxes to the Town of Sanbornton) may also purchase Plot(s) at the resident rate, and
 - (c) all non-residents who will purchase at the non-resident rate as listed.

2. The Town of Sanbornton has no obligation to sell Plots to any person or persons, but has the right to do so at the established price subject to the approval of the Cemetery Trustees.

CEMETERY PLOT SALE PRICES

	RESIDENTS	NON-RESIDENTS
Plot Type		
Single Full Body	\$550	\$825
Family Plot (2 Plots)	\$1,100	\$1,650
Family Plot (4 Plots)	\$2,200	\$3,300
Family Plot (6 Plots)	\$3,300	\$4,950
Family Plot (8 Plots)	\$4,000	\$6,000
Cremation Grave	\$250	\$375

The above rates are subject to change without notice by the Cemetery Trustees, but generally on an annual basis. They will increase so that the growth of the perpetual Care Trust Funds shall be guaranteed to generate enough interest each year to maintain the Town Public Cemetery, making it self-sufficient.

1. Owners may wish to open their own Trust Fund in the name of each Plot(s) purchased. This should be deposited directly with the Town of Sanbornton Trustees of the Trust Funds, the interest of which shall be transferred to the Cemetery Trustees each year to maintain the Town Public Cemetery.
2. The funds from the sale of the Plots shall go in total to a separate Town Cemetery Trustees expendable account for use in the initial creation of this Public Cemetery, with the majority of it being transferred to the Perpetual Care Trust Fund each year at the annual town meeting, per State procedure.
3. For cremation burials in a full-body Plot area, the Plot shall be at the price of a Single Full Body Plot, e.g. \$550. Up to two (2) cremation burials may be in the same full-body Plot, at no extra charge for the second burial. Service fees shall be charged at the Services Price, of course.
4. The cremation grave Plot Prices stated above and the cremation Service Fees are for cremation burials in the Cremation Area only. Cremation burials in the full-body burial sections of the Grounds are as described as above.

CEMETERY SERVICE FEES

The following charges are for the time for the Cemetery Trustees or Sexton to ensure that the correct site is used for the burial, and to be present as necessary to assist with other issues at the funeral.

	RESIDENT	NON-RESIDENT
Full-body Plot opening	\$100	\$150
Overtime Rate	\$150	\$225
Cremation Grave Opening	\$100	\$150
Overtime Rate	\$150	\$225
Disinterment	\$250	\$375

The owner has the responsibility of, in addition to Cemetery Fees, all funeral costs including the opening and closing of the approved gravesite, the approved chamber and any other costs incurred. All funerals must be pre-approved by the Cemetery Trustees or Sexton in writing after receiving the correct documents for burial from the owner, or his/her legal representative. ALL

fees to the Town of Sanbornton Cemetery Trustees must be received prior to any interment taking place at the Town's Public Cemetery.

Maintenance and Perpetual Care

1. The Cemetery Trustees may appoint a cemetery custodian or Sexton who shall not be a trustee, and who shall be responsible to the Cemetery Trustees for supervising work done in the Grounds. RSA 289:7 (II). He/she will maintain the Grounds to standards set by the Cemetery Trustees, and report monthly, or at the Trustees' request, as to the status of the Cemetery, including the financial report.
2. The Cemetery Trustees are the agents for managing and investing the new Town of Sanbornton Public Cemetery Expendable Account Funds, as per RSA 289:7.
3. The Trustees of the Trust Funds are the agents for managing any Trust Funds that an owner wishes to set up. These trust funds shall only be used for the Town of Sanbornton Public Cemetery perpetual care and not for other private burial grounds under the management of churches or associations.
4. As per State regulations, the Cemetery Trustees may transfer funds from the Expendable Account(s) under their management, to the Trustees of the Trust Funds. The funds are to be voted as acceptable to be managed by the Trustees of the Trust Funds by the voting residents at the Annual Town Meeting.
5. A single perpetual Care Trust Fund shall be created by the Trustees of the Trust Funds for the Perpetual Care of the Town Public Cemetery. This Trust Fund shall not be in the individual names of the owners of the Plots. The interest generated from this Perpetual Care Fund shall be transferred to the Cemetery Trustees as requested by vouchers.

No other Private Burial Grounds, Church and/or Association cemeteries/graveyards come under these Trustees, including the Trust Funds under the control of the Trustees of the Trust Funds who will continue to deal directly with those individuals or groups who maintain them.

The Cemetery Board of Trustees

Mildred Shaw
Earl Leighton
Peter Hibberd

Dated April 27th 2006