

**CEMETERY POLICY  
TOWN OF JEFFERSON NEW HAMPSHIRE**

**Section I Purpose**

These regulations are established for the mutual protection of cemetery lot owners, the Town of Jefferson and those visiting our cemeteries as well as to maintain Jefferson cemeteries as a peaceful, dignified, safe and reverent symbol of the respect for the dead and a valuable link to our communities' past.

**Section II CEMETERIES**

The Town maintains the following cemeteries, but is only selling lots to the public in those cemeteries labeled as 'active'.

Kilkenny View Cemetery	Active		
Hillside Cemetery	Inactive	Applebee Cemetery	Inactive
Starr King Cemetery	Inactive	Wentworth-Reed Cemetery	Inactive
Riverton Cemetery	Inactive	Indian Cemetery	Inactive
Forest Vale Cemetery	Inactive		

**Section III General**

**Authority:** These regulations are established by the Board of Selectmen in accordance with RSA 289:2, as amended, and may from time to time be amended for the operation and maintenance of all cemeteries and burial sites owned and maintained by the Town of Jefferson.

**Cemetery Trustees:** The Board of Selectmen serves as Cemetery Trustees for the Town of Jefferson.

**Hours:** Cemeteries shall normally be open to the public seven days a week during daylight hours. Cemeteries are not maintained for public use during the winter hours.

**Limits of Municipal Liability:** The Town shall take reasonable precautions to protect Lot owners within cemeteries from loss or damage, but disclaim all responsibility for loss or damage from causes beyond their reasonable control, and especially damage caused by the elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions or unavoidable accidents, whether damage be direct or collateral, other than as herein provided.

**Loss or Damage:** Damage done by lot owners, funeral directors, next of kin, designated agents, contractors and others shall be repaired by same.

**Lot Size:** A cemetery lot measures 8 feet x 10 feet.

**Cemetery Rates:**

Jefferson residents - \$ 400.00 (\$400 plus \$200 for (4) corner stones)

Non-Residents - \$1,000.00 (\$1,000 plus \$200 for (4) corner stones)

**Maintenance:** All lots and non-lot areas within the cemeteries are maintained by the Town. Perpetual and General Care maintenance is limited to raking, mowing, and seeding lots when necessary, including reasonable and practical care of the unsold areas of the cemetery. In no case is the Town responsible to maintain, repair, or replace any memorial, tomb, or mausoleum erected or placed upon a lot, or perform any special or unusual work in the cemetery.

**Personal conduct:** All persons within cemeteries shall conduct themselves in a manner in keeping with a hallowed space. Indecorous behavior is prohibited; persons violating reasonable standards of behavior will be subject to removal.

**Sole Agreement:** These regulations, including amendments thereto, constitute the sole agreement between the Town and the Lot owners. The statement of any employee or agent, unless confirmed in writing by the Town shall in no way bind the Town of Jefferson.

**Vehicles/Equipment:** No vehicle, except those allowed for maintenance or grave-site preparation and those with appropriate purpose relating to cemetery, are allowed in Jefferson cemeteries.

**Section IV Prohibitions**

Persons are prohibited from picking wild or cultivated flowers, breaking or injuring any tree, shrub or plant, or from writing upon, defacing or damaging any memorial, gate, fence or other structure within the grounds of any cemetery.

1. No agricultural animals are permitted in the cemeteries. Domestic pets are allowed in the cemeteries provided they are on a leash and persons responsible for the pets clean up after them.
2. Discharge of weapons is prohibited except for military services.
3. All hunting is prohibited
4. No person shall be noisy or disorderly within the cemeteries, or otherwise conduct themselves as to desecrate the cemetery.
5. Recreational vehicle motorized or manual, horses, and any other such type of entertainment transportation are prohibited in the cemeteries, except when part of the actual funeral service.
6. The disposal of trash, flowers, containers or any other debris is prohibited within or adjacent to cemeteries
7. Alcoholic beverages are prohibited
8. Gravestone rubbing is prohibited

## **Section V Lot Sales and Ownership**

1. Persons seeking to purchase a burial lot shall pay costs established by vote of the Jefferson Selectboard.
2. No interment may occur and no foundations, markers, stones may be placed upon a lot until it is paid in full.
  - One lot site is limited to:
    - 1) Two full burial, or
    - 2) One full burial plus two infant burials, or
    - 3) One full burial plus cremation burials(number at the discretion of Selectboard) or
    - 4) Cremation burials(number per at the discretion of Selectboard)
3. Only persons in possession of a duly executed deed who are able to demonstrate that they are the rightful owner of such deed shall be considered the rightful owner of a cemetery lot. RSA 290:24 and other applicable laws of the State of New Hampshire govern the descent of title for cemetery lots, as well as other matters relating to their ownership.
4. The owners of the cemetery lot, or their heirs, shall not grant, sell, or convey said lot to any person other than the Town of Jefferson, resale of cemetery lots to the Town shall be for the same sale amount as originally paid for same.
5. When a cemetery lot is resold to the Town, the original sale amount shall be returned to the owner. The original care monies, all income, the original cost of recording and corner post purchase and installation are not refundable.
6. After completing the noticing requirement of RSA 289:18 as amended the Town may declare forfeiture of unused lots meeting the stated conditions. Lots so forfeited may be resold.

## **Section VI Internments**

1. The Town does not provide internment, disinterment, ceremonial services, monument or foundation installation, repair and maintenance. All burial services, including grave opening/closing, lowering devices, and any other materials, associated materials and equipment shall be provided by funeral director, next of kin or other designated agent.
2. The cemetery is open for interments only upon appointment. A minimum of 24 hours notice shall be given for an internment. The Town reserves the right to postpone interment time due to acts of God, nature, weather and emergency.
3. All internments shall be done under the supervision of the Cemetery Sexton.
4. The funeral director, next of kin or designated agent shall present all burial documents upon arrival at the cemetery.
5. The Town is not liable for any delay in the interment of a body where a protest to the interment has been made, or when the Policies have not been complied with.

## **Section VII Minimum Standards**

1. No curbing, fence or enclosure of any kind will be permitted in or around any cemetery lot, and no post indicating a boundary will be allowed to protrude about the level of the walkway or adjacent ground.
2. Lots shall be used for no other purpose except a place of burial
3. No animals are allowed to be buried in the cemeteries with the exception that pet remains may be included with human interment.
4. All non-cremation interments shall be enclosed in a sealed cemetery cement vault.
5. All subjects for burials, including amputated limbs, must be received in an enclosed rigid container.
6. No monument or other structure shall be erected until a suitable foundation is laid. All foundations for monuments shall be no less than 3 feet in depth. The town reserves the right to require a deeper foundation if conditions so require.
7. Monument installation shall be by the owner's contractor, working under the supervision of the Town Cemetery Sexton
8. The Town reserves the right to repair or remove any monument, memorial, mausoleum or tomb that becomes a menace to visitors, at the owner's expense.
9. Changing the surface of a lot is not permitted.

## **Section VIII Plants, Shrubs, Flowers, Decorations**

1. Planting trees and shrubs are prohibited. Trees and shrubs planted before the date noted above may be left. However, the Town reserves the right to remove trees or shrubs that infringe on neighboring lots, become hazardous or hinder cemetery maintenance.
2. In-ground planting of flowers on lots with above ground monuments is allowed, but is limited to an area fourteen inches in front of the above ground monument.
3. No glass jars or breakable flower containers are allowed.
4. Placing of small flags on graves is permitted. The Town reserves the right to remove flags that are in a deteriorated condition.
5. No decorative landscaping stones are permitted.
6. ALL summer flowers, decorations etc. are to be removed by November 1, winter decorations are to be removed by May 1.

## **Section IX Waiver**

The Board of Selectmen may waive or modify these regulations when, in the opinion of the Board, specific circumstances indicate that such a waiver or modification will properly carry out the purpose of these regulations.

Adopted this 22<sup>nd</sup> Day of September, 2014

Board of Selectmen /Jefferson Cemetery Trustees

