

Town Of Chatham, NH

Rules And Regulations Of The Cemeteries

Adopted: January 9th, 2013

Approved By: Selectman

INTRODUCTION

Pursuant to the authority of New Hampshire Revised Statutes Annotated, RSA 289:7 and for the protection and benefit of the Town and plot owners, the Cemetery Trustees of the Town of Chatham adopt the following policies as the Rules and Regulations of the Chatham Town Cemeteries. All plot owners, visitors, contractors and workers within the cemeteries and all plots conveyed to individuals shall be subject to these Rules and Regulations, and those amendments or alterations adopted by the Cemetery Trustees. Any item not covered in the rules with revert to RSA289 and RSA290 of the State of New Hampshire Revised Statutes Annotated.

Effective Date: These Rules and Regulations shall take effect on XXXXXXXX and supersede any other rules and regulations adopted by the Town concerning the operation and regulation of the cemeteries. All existing plots held by owners, with some limitations and exceptions as noted in the Rules and Regulations, as of the date of adoption of this document are grandfathered. Any future interments, additions/modifications/decoration to new or existing graves, memorials and plots are NOT grandfathered and are subject to these Rules and Regulations.

Enforcement: In accordance with New Hampshire Revised Statutes Annotated, RSA 289:8, those persons in violation of these Rules and Regulations shall be guilty of a violation.

Persons in violation of these Rules and Regulations are subject to removal from the Town cemetery grounds by the Sexton, Cemetery trustees, or Law authority (County Sheriff or State Police) of the Town of Chatham, NH

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DEFINITIONS OF TERMS

Cemetery Trustees. Elected officials of the Town of Chatham charged with the management of Town cemeteries in accordance with NH RSA 289:6. or Delegated to the board of Selectmen in accordance with RSA 289:6,II-a

2. Cemetery Sexton. The term "Cemetery Sexton" or "Sexton" shall mean the person duly appointed by the Cemetery Commissioners for the administration of the Town's cemeteries. In event of the absence of the Sexton the term shall mean the individual designated to fulfill the duties and responsibilities in the Sexton's absence. Duties and responsibilities of the Sexton are defined in the Position Description approved by the Cemetery Trustees.
3. Interment. The term "interment" shall mean the permanent disposition in the ground of the remains of a deceased person by cremation and inurnment, entombment or burial, but does not include the scattering of cremains (ashes).
4. Memorial. The term "memorial" shall include monuments, monument vases, ledger stones, headstones, tablets, markers, benches or other structures intended to commemorate the deceased.
5. Monument. The term "monument" shall include any memorial intended to commemorate all persons buried in the plot. This typically includes the "family memorial".
6. Headstone, Grave Marker or Marker. The term "headstone", "footstone", "grave marker" or "marker" shall mean a memorial which marks one or adjoining graves.
7. Flush Marker. The term "flush marker" shall mean a memorial, the entire surface of which is even with the adjacent ground surface and is used to mark one or adjoining graves.
8. Corner Markers. A set of flush stones, the entire surfaces of which are even with the adjacent surfaces of the ground, used to show the limits of a plot at the corners.
9. Lawn Marker. The term "lawn marker" shall mean an ornament and/or flag holder which protrudes from the ground such as a veteran's marker, fire department marker or other similar type of device used to show affiliation to an organization.
10. Lot, Plot or Burial Space. The terms "lot", "plot", or "burial space" shall be used interchangeably and shall apply with like effect to one, or more than one adjoining graves
11. Grave or Grave Site. A subdivision of a plot containing adequate space for one full adult burial or multiple cremain burials as

specified in these Rules and Regulations.

12. Plot Owner. An individual or family unit to which a burial plot has been conveyed by the Town.
13. Resident. NH RSA 21:6 defines resident as a person who is domiciled or has a place of abode or both in this Town and who has through his/her actions demonstrated a current intent to designate that place of abode as his/her principal place of physical presence for the indefinite future to the exclusion of all others.
14. Resident Household. A family unit all residing within one dwelling unit as defined in the zoning ordinance of the Town.

ARTICLE 1 - GENERAL SUPERVISION

A. Control of Cemeteries. The Town cemeteries are under the immediate control of the Cemetery Trustees who shall have the right to refuse use of the cemeteries to any person, corporation, or other user acting in violation of these Rules and Regulations. The Sexton is hereby empowered and required to enforce all Rules and Regulations, and to exclude from the property of the Town cemeteries any person violating the same. The Sexton, coordinating with the Cemetery Trustees, shall have supervision and control of all persons within the cemeteries, including the conduct of funerals, traffic, visitors, employees and contractors working within the cemeteries.

B. Exceptions. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Town of Chatham Cemetery Trustees, therefore, reserve the right, without notice, to make exceptions, suspensions or modifications in any of these Rules and Regulations, when, in its judgment, the same appears advisable; and any temporary exceptions, suspensions, or modifications shall in no way be construed as affecting the general applications of the rule.

C. Emergency Situations. 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 and Regulations, where necessary, may be temporarily modified or suspended by the Cemetery Trustees. Such temporary modification 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.

D. Right to Modify Rules and Regulations. The Cemetery Trustees 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 these Rules and Regulations. All policies formerly adopted which are contrary to these Rules and Regulations are hereby repealed and declared to be no longer effective.

ARTICLE 2 - RECORDS

The Sexton shall maintain the necessary records for the administration of the Town cemeteries, including records of plot sales and burials, in accordance with NH RSA 289:5. The records shall be retained at the Town Hall / Town Office. These records should be backed up in a safe file. (IE: Electronic storage and/or Fire proof safe)

ARTICLE 3 - VEHICULAR TRAFFIC AND ANIMALS

A. Vehicle Speed and Noise. Vehicles shall not be driven through the cemeteries at speeds greater than five miles per hour. No horns shall be sounded in the cemeteries and vehicle engines shall not be left running. Radio and entertainment system volume shall be reduced to a level not heard outside the vehicle.

B. Vehicle Parking. No vehicles shall be driven across or upon any grave, plot or cemetery lawn, nor left thereon. It is prohibited to park or leave any vehicle on any roadway in such a position as to prevent any other vehicle from passing the same, and if so parked or left, the vehicle will be removed and the cost of removal borne by the owner.

C. Bicycles. No bicycles shall be admitted to the cemeteries when a funeral is in progress.

D. Off Road Vehicles Prohibited. No person shall operate an off-highway recreational vehicle, including but not limited to snowmobiles, mini-bikes, trail bikes, all terrain vehicles (ATVs) or similar vehicles, within the limits of the Town cemeteries, as prohibited by NH RSA 215-A:6.

E. Animals. No animals shall be driven across or upon any grave, plot or cemetery lawn, nor left thereon.

F. Horses Prohibited. Horses and horseback riding are prohibited at all times in any part of the Town cemeteries unless part of a memorial service approved in advance by the Cemetery Trustees.

G. Responsibility for Dogs. Dogs shall not be allowed on the cemetery grounds unless leashed, under control, and quieted. Owners shall be responsible for the removal of any animal waste or destruction of grass, plants or shrubs caused by their animals.

ARTICLE 4 - PERSONAL CONDUCT

A. Personal Behavior. Individuals entering any cemetery of the Town shall conduct themselves in a manner consistent with the purposes for which the cemetery exists, including quiet reflection and worship, showing respect for those interred in the cemetery and remembrance of those buried. All individuals shall conduct themselves in a quiet and sober fashion, showing respect for other individuals who may be visiting the cemetery and those interred. No conduct which is disruptive or causes damage to the cemetery, plots, gravestones, structures, improvements or natural features of the cemeteries will be tolerated.

B. Use of Walkways and Roads. Persons within the cemetery grounds shall use only the walks or roads, and any person injured while walking on the grass, or any portion of the cemetery including the walks or roads, shall in no way hold the Town liable for any injuries.

Damage Prohibited. All persons are prohibited from gathering flowers, either wild or cultivated, breaking or cutting trees, shrubbery and plants, defacing or otherwise damaging memorials and structures, or disturbing birds and animal life.

Lounging on Grounds. All persons are prohibited to sit or lounge on any of the grounds, graves or memorials in the cemeteries except on benches or seats provided for that purpose.

Waste Materials. No waste material shall be left within the cemetery grounds.

Noise During Services. No loud talking or noisemaking shall be permitted on the cemetery grounds during funeral services.

Signs. No signs or notices of any kind, including advertisements, shall be allowed in the cemeteries unless authorized by the Cemetery Trustees.

Firearms and Weapons. No person shall discharge a firearm or other weapon, including but not limited to guns, bows and arrows, in any Town cemetery. This prohibition shall not apply to authorized volleys at burial and memorial services.

Gravestone Rubbings Prohibited. No person shall make gravestone rubbings in any Town cemetery without first obtaining the written permission of the Cemetery Trustees in accordance with NH RSA 289:22.

Prohibited Advertising. Approaching the bereaved and soliciting, promoting or advertising any business, services, commodities or commercial enterprise is prohibited within the Town cemeteries.

Cemetery Hours. No unauthorized person shall be in the Town cemeteries after sunset and before sunrise. Authorized personal shall include the Cemetery Commissioners, Sexton, cemetery workers, police officers, and others authorized by the Sexton and Trustees.

ARTICLE 5 - PURCHASE OF CEMETERY PLOTS

A. Selection of Plot. It is recommended that selection of a burial plot be made in person by the prospective plot owner(s) as it is difficult to convey by plan or verbal description the atmosphere of any particular location or the memorial restrictions and cemetery regulations.

B. Right of Residents, Former Residents, Property Owners and heirs and assigns of Chatham NH are entitled to purchase cemetery plots in Chatham Cemeteries.

Burial plot purchase fees are established by the Cemetery Trustees and are subject to review and change.

D. Non-Residents. Non-residents may purchase burial lots with a written application to the cemetery trustees and approval of the trustees. Non resident Lot fees will apply.

E. Rights of Interment After receiving full payment for a plot and corner stones placed the Sexton shall prepare a Right of Interment Certificate for signature by the Cemetery Trustees and then register the Certificate in the Town Office as official record.

Plot Improvements. No memorial shall be placed or any improvements made on any plot before payment is received in full by the Town and the plot owner has received a recorded Certificate from the Sexton.

G Lot Placement New Cemetery Area lots will be sold only after all usable lots are sold in the existing cemetery. (Center Chatham Cemetery)

All lots in the New Cemetery area will be sold in specific order.

Lots will be sold in sequence and starting from one end to the other.

No picking of a spot allowed. This process will be monitored by the sextant.

Two stone corner markers will be placed at the front boundaries at time of sale of the lot/lots purchased. These markers are to be paid for by buyer.

SECTION 6. - LOT/RIGHT TO INTER OWNERSHIP

A. 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.

It is important that on the decease of an owner of the lot, the heirs or devisees of such person should file with the Trustees full proof of ownership for the purpose of correcting the record.

Notarized statements as to relationship and certified copies of wills or probate records are normally sufficient.

B. No person shall be considered as the rightful owner of any lot unless he/she shall be in possession of a duly executed deed or Certificate of Right to Inter signed by the authority having jurisdiction. If a deed or Certificate cannot be presented in relation to a planned burial, a person shall sign an Interment Order. However, the books of the Cemetery Trustees shall be considered as final in determining ownership of any grave or cremation space. The Trustees reserve the right to make an interment of any member of the immediate family of the lot owners upon their own authorization. No other person may be interred in any plot without proof of ownership or written consent of the owner. Description of graves or cremation spaces shall be in accordance with the cemetery graves or cremation spaces which are kept on file by the Trustees.

C. The subdivision of plots is not allowed.

D. It shall be the duty of the lot owner to notify the Trustees of any change in address.

Notice sent to the lot owner at the last address on file with the Trustees shall be considered sufficient and proper legal notification.

SECTION 7 - LOT/RIGHT TO INTER RESALE/RELINQUISHMENT

A. The owners of interment property, or their heirs, shall not grant, sell, alienate, or convey, the said interment property to any person or persons other than the Town of Chatham, NH.

Resale of interment property to the Town shall be for the same sale amount as originally paid for same.

B. Upon request of the lot owner, when interment property is relinquished or resold to the Town, the original sale amount shall be returned to the owner. The original general care monies, all income, the original cost of recording and corner post installation are not refundable.

C. After completing the noticing required by RSA 289:18, as amended, the Trustees may declare forfeiture of unused lots meeting the stated conditions. Lots so forfeited may be resold.

ARTICLE 8 - PROTECTION FROM LOSS OR DAMAGE

The Town shall take reasonable precautions to protect the cemetery plot owners 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, acts of God, common enemy, thieves, vandals, strikers, malicious invasions, insurrections, riots, and order of military or civil authority, whether the damage be direct or collateral, other than herein provided.

ARTICLE 9 - DEEDS/CERTIFICATE OF INTERMENT AND RULES

The Plot Deed/Certificate of Interment and these Rules and Regulations and any amendments hereto shall be the sole agreements between the Cemetery Trustees and the plot owner. The statement of any employee or agent, unless confirmed in writing by a majority of the Cemetery Trustees, shall in no way be binding.

ARTICLE 10 - CARE OF PLOTS

A. Definition of Perpetual Care. The term "perpetual care" shall include the cutting of grass upon the plot at reasonable intervals but shall not include the planting and care of flowers, ornamental plants or shrubs; nor watering or sprinkling of plots; nor the doing of any special or unusual work in the cemeteries, including work caused by impoverishment of the soil.

B. Perpetual Care Limitations. Perpetual care shall in no case be construed as meaning the maintenance, repair or replacement of any memorial, monument, marker, or structure placed upon plots; nor does it mean the reconstruction of any stone, metal or concrete work on any section or plot or any portion or portions thereof in the cemeteries, or damage caused by the elements, an act of God, common enemy, thieves, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or by the order of any military or civil authority whether the damage be direct or collateral other than as herein provided..

C. Agreement for Care. It is understood and agreed between the plot owner and the Cemetery Trustees that all Perpetual Care Funds may be deposited with others of like character and intent to the end that the income from accumulated funds shall be used in the general improvement and perpetual care as defined in these Rules

and Regulations; but in no case shall their deposit be construed as a contract to care for any individual plot other than as defined.

D. Use of Perpetual Care Funds. The income from the Perpetual Care Funds shall be expended by the Cemetery Trustees in such manner as will, in its judgment, be most advantageous to the plot owners as a whole, and in accordance with the purposes and provisions of the laws of the State applicable to the expenditure of such funds. The Cemetery Trustees is hereby given the full power and authority to determine upon what property, for what purpose and in what manner the income from Perpetual Care Funds shall be expended, and it shall expend the income in such a manner as in its sole judgment, it may deem advisable for the care, reconstruction, repair and maintenance of the cemetery grounds.

E. Amount of Perpetual Care Fees. The amount of Perpetual Care Funds to be collected from the purchasers of cemetery plots shall be determined by the Cemetery Trustees, after taking into consideration the physical difficulties in the character of the ground and other factors as tend to determine the necessary cost of care; same to be required as payment for perpetual care and deposited with the Town at the time of payment of the purchase price.

F. Records and Transfer of Funds. The record books of the cemeteries and the issued by the Sexton shall show the amount of perpetual care funds that has been required of the plot owner. The Town shall transfer funds collected for perpetual care to the Trustees of the Trust Funds. The money received shall be held in trust and invested as provided by law.

G. Income. Perpetual care annual income, whether applied to plots, graves, structures, or to anything within the confines of the cemeteries, shall be limited absolutely to the income received from the investment of the Perpetual Care Funds, with no part of the principal being expended.

H. Maintenance and Appearance. All plots in the cemeteries shall be mowed and maintained in a manner as to contribute to the general appearance of the grounds. When no provision has been made for perpetual care, the Town shall provide annual care.

ARTICLE 11 - INTERMENTS AND DISINTERMENTS

A. Authority. Besides being subject to these Rules and Regulations, all interments and removals are subject to the orders and laws of the properly constituted authorities of the Town, County, and State.

Payments. All interments, disinterment, and services are subject to charges established by the Cemetery Trustees. Payment shall be made to the Town of Chatham, NH at the time services are provided.

Supervision by Sexton. All openings and closings of graves, including the interment of cremains, shall be under the direct supervision of the Sexton. This is in part to facilitate proper maintenance of cemetery records by the Sexton in accordance with applicable laws and to ensure compliance with these Rules and Regulations.

Requests for Interments. Interment requests shall be submitted to the Sexton at least forty-eight (48) hours, or two full working days, in advance. This advance notice is required to provide adequate time to arrange for the opening of the grave site. Exceptions to this requirement are made to accommodate religious requirements for burials.

Interment Hours. Interments shall take place between sunrise and sunset on any day of the week.

Permits and Identities. Funeral directors, upon arrival at a cemetery, must present the necessary burial permits to the Sexton. The Sexton shall not be liable for the interment permit nor the identity of the person to be interred.

Opening of Casket. Once a casket containing the body is within the confines of a Town cemetery, no funeral director, or his assistant, employee or any agent, shall be permitted to open the casket or to touch the body without consent of the family or legal representatives of the deceased.

Refusal of Interment. The Town reserves the right to refuse interment in any plot and to refuse to open any burial space for any purpose if there is a question of assignment and/or right for interment.

Lack of Instructions. When instructions regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the Sexton may, in his discretion, open it in such location in the plot as he deems best and proper, so as not to delay the funeral; and he and the Town shall not be liable in damages for any error so made.

Proper Instructions. The Town shall not be responsible for any order given verbally or by telephone or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a plot where interment or removal is desired.

Error Liability and Corrections. The Town reserves, and shall have, the right to correct any errors that may be made by it either in making interments, or removals, or in the description, transfer or conveyance of any interment property, either by canceling the conveyance and conveying in lieu of, other interment property of equal value and similar location as far as possible or as may be selected by the Town, or, in the sole discretion of the Town, by refunding the amount of money paid on account of the purchase. In the event errors involve the interment of the remains of any person, the Town reserves, and shall have, the right to remove and transfer remains so interred to other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

Delay of Interments. The Town shall in no way be liable for any delay in the interment of a body when a protest to the interment has been made, or when the Rules and Regulations have not been obeyed. The Town shall be under no duty to recognize any protest of interments unless they are in writing and filed with the Cemetery Trustees.

Minimum Burial Depth. No person shall inter, or cause to be interred, any body or cremated remains in a grave which is less than two (2) feet deep from the surface of the ground surrounding the grave to the highest part of the vault or container.

Burial Limitations. One full adult burial (casket and vault) is permitted in each grave. Double stacking of caskets and vaults within a grave is not permitted due to safety restrictions on excavation and the minimum requirements for burial depth. Burial of cremains in addition to full burials in the plot may be made if there is adequate room within the plot limits and if the minimum required depth of two feet can be maintained.

Grave Restrictions. Only one full burial (an adult casket and vault) and 1 cremation in each (5 foot by 10 foot Plot) grave site is permitted except in cases where the burial of an infant or child is made with an adult in the same or additional caskets and the minimum two foot depth to the uppermost portion of any casket/vault is maintained. Multiple burials of infants/children within the same grave site are permitted as long there is adequate space for the caskets/vaults within the limits of the grave and the minimum required depth is maintained.

Cremain Interments. Multiple interments of up to 4 cremains in a single grave (5 foot by 10 foot Plot) without a full burial are permitted provided there is adequate room within the limits of the grave and the required minimum depth of two feet is maintained above the containers. The Sexton will designate and record interment locations within the grave.

Human Remains Only. No interment of any body, or the cremated remains of any body, other than that of a human being, shall be permitted in the Town cemeteries.

Equipment for Services. Artificial grass, lowering devices and other equipment shall be provided by the Funeral Director and promptly removed after graveside services are completed.

Vaults. Inasmuch as wooden boxes collapse after a comparatively few years, thereby causing unsightly and hazardous sunken graves, the use of all such fragile materials as the outer container is prohibited and every body buried in a grave must be enclosed in a concrete, stone or other permanent vault or section liner of approved specifications. This requirement is waived for buried cremated remains, which must be interred in a solid, durable container. Plastic bags and containers made of cardboard and wood are not authorized for cremains.

Disinterments. Removal, by the heirs, of a body or cremated remains so the plot may be sold for profit or for use by themselves or others, or removal contrary to the express or implied wish of the original plot owner is forbidden.

Liability for Removals. If removal of remains is required, the Town shall not assume liability for damage to any casket, burial case, urn or memorial incurred in making the removal.

Disinterments During Closings. Disinterments shall not be made between December 1st and May 1st or when the cemeteries have been closed except in case of emergency as determined by Town, County, or State authorities.

ARTICLE 12 - CONTROL OF WORK IN THE CEMETERIES

Authority of Sexton. All grading, landscaping and improvements of any kind, all installations of memorials and foundations, all care on plots, all trees, shrubs and herbage planted, trimmed, cut or removed and all opening and closing of graves shall be performed under the supervision of the Sexton.

Plot Improvements. All improvements or alterations of plots in the cemeteries shall be under the direction and subject to the approval of the Sexton and Cemetery Trustees and should they be made without written consent, the Town reserves the right to remove, alter or change such improvements and alterations at the expense of the plot owner, at any time, they become unsightly or are in violation of these Rules and Regulations.

Trees and Shrubs. If any trees or shrubs, situated on any plot shall, by means of their roots or branches, become detrimental to or intrude upon the adjacent plots, present a danger to the cemetery grounds or visitors, or become unsightly or inconvenient to the proper and timely maintenance of any plot, the Town shall have the right to enter the plot and remove trees or shrubs or parts thereof as found to be detrimental, unsightly or inconvenient. Existing trees and shrubs are not grandfathered in these Rules and Regulations if in violation of this paragraph.

Working Hours. All work on memorials, markers, foundations and lettering shall be performed during the normal working hours. Such work outside of normal working hours requires the permission of the Sexton.

Proof of Insurance. Dealers, installers, funeral home workers, contractors, and their agents shall present proof of insurance if requested by the Sexton. Contractors and others who routinely perform work in the Town cemeteries shall maintain a current proof of insurance with the Sexton.

Authority of Sexton Concerning Work. The Sexton reserves the right to stop all work of any nature, whenever, in the opinion of the Sexton proper preparations have not been made; or when tools and machinery are insufficient or defective; or when the work is being executed in such a manner as to threaten life or property; or when the dealer, contractor or worker has been guilty of misrepresentation; or when any reasonable request on the part of the Sexton is disregarded; or when work is not being executed according to specifications; or any persons employed on the work violate any rules of the cemetery.

Approval of Completed Work. All completed work is subject to the approval of the Sexton, and, if unsatisfactory, it may be removed or corrected by the Sexton after consultation with the Cemetery Trustees. The cost of removals and/or repairs made by the Town will be charged to the responsible party.

Noise During Services. While a funeral or interment is being conducted in the cemetery, all work and noisemaking of any description shall cease.

Compliance with Regulations. Memorial dealers, contractors, funeral home workers, installers and workers shall abide by all Rules and Regulations of the cemeteries.

ARTICLE 13 - BOUNDARIES, CHANGES IN GRADE AND EASEMENTS

A. Boundaries. The right to enlarge, reduce, replant or change the boundaries or grading of the cemeteries or any sections, including the right to modify, change the location, remove or regrade roads, drives or walks, or any part thereof, is expressly reserved for the Town. The right to lay, maintain, and operate or alter pipe lines and gutters for drainage or water systems, etc. is also expressly reserved for the Town as well as the right to use cemetery property, not assigned to plot owners, for cemetery purposes, and to those lawfully entitled, a perpetual right of ingress and egress over plots for the purpose of passage to and from other plots.

Easements. No easement or right of interment is granted to any plot owner in any road, drive or walk within the cemeteries; but such road, drive or walk may be used as a means of access to the cemetery grounds or buildings.

Plot Grade. No person shall cause any part of surface of the ground in a plot to be raised above the existing height of the surrounding surface. All grading shall be done by cemetery personnel under the direction of the Sexton.

Fencing Around Plots. Curbing and fencing are not permitted around graves and/or plots.

ARTICLE 14 - MATERIALS PERMITTED

Materials. All memorials shall be constructed of natural stone. The use of cement, artificial stone, wood, composition wood, tin or iron shall not be permitted.

Bronze and Metals. The use of bronze is approved for tablets when attached to memorials, provided the bronze has been cast from an alloy containing not less than eighty-five percent (85%) copper nor more than five percent (5%) lead, and purchased from an approved dealer. No other metals may be used unless they are substantially non-corrosive; of proved permanency, and have been approved by the Sexton in writing.

ARTICLE 15 - MEMORIALS, MONUMENTS AND MARKERS

Authority. The cemeteries shall be permitted to have memorials, monuments and markers of dimensions, design and materials as approved by the Cemetery Trustees in accordance with these Rules and Regulations.

Approvals. It is important that the approval of the location, material, style, and size of the memorial be secured before purchasing or commencing work upon the memorial. A sketch, prepared by the plot owner or memorial dealer/installer, shall be submitted in duplicate to the Sexton. The sketch shall show as a minimum, the proposed size and location of the memorial(s) within the plot, design and materials of the memorial(s), and inscriptions. Upon approval of the plan, a signed copy of the sketch will be returned to the plot owner and one copy will be retained in the

cemetery files. Any changes to the plans, required as part of the approval, will be notated on the sketch.

Disapproval of Plans. The Cemetery Trustees, in consultation with the Sexton, shall have the authority to reject any plan or design for any memorial and/or plot improvement which, on account of size, design, inscription, location, kind or quality of stone, is unsuited to the plot on which it is to be placed or is not in conformity with the Rules and Regulations.

Flush Markers. Flush grave markers shall be set so that the top will be at grade level. Locations of all markers shall be approved by the Sexton and Cemetery Trustees.

Plot Corner Markers. Two corner markers are required to be set at front of lot corners at time of purchase. Corner markers (bounders) shall be of natural stone; placed flush with the grade. Corner markers do not require foundations. They shall not exceed six inches in width by six inches in length and shall be set at the extreme corners of the plot and square with the bounds of the plot. Initials shall be incised (cut in), not raised. Corner marker locations shall be determined by the Sexton.

Enclosure Restrictions. No coping, curbing, fencing, hedging, grave mounds, borders, or enclosures of any kind shall be allowed around any grave, plot or multiple of plots. Village Cemetery plots with such modifications already in place prior to the adoption of these Rules and Regulations are “grandfathered”

Walkways within a Plot. Walkways or paved areas within a plot shall not be allowed unless proposed on a sketch of the plot and approved in writing prior to placement. Materials and installation methods must be durable and resist weathering without creating interference for maintenance. The top surface of the walk material shall be flush (level) with the surrounding ground surface. Cinders, sand, gravel, crushed stone, pebbles, wood, artificial stone and cement are prohibited. The Town reserves the right to remove the same if installed without authorization.

Workmanship. No memorial showing drill or tool marks, or staining from removal of rubber mat used for sand engraving shall be considered as first-grade workmanship.

Prevention of Damage. Persons engaged in erecting memorials, or other structures, are prohibited from attaching ropes to other memorials, trees and shrubs, or from scattering their material over adjoining plots, or from blocking roadways or pathways or from leaving materials on the ground longer than absolutely necessary. They must do as little damage as possible and must remove all debris and restore the ground and sod to its original condition in an expedient manner.

Independent Contractors. Workmen engaged in placing or erecting memorials and other structures, grinding materials, or performing other work in the cemeteries, may operate as independent contractors but must do so with the permission of the Sexton and must be under the general supervision of the Sexton. Proof of insurance is required.

ARTICLE 16 - DECORATION OF PLOTS

Liability for Flowers and Plantings. The Town shall not be liable for lost, misplaced or damaged floral pieces, vases, baskets, or frames. 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.

Removal of Flowers and Plantings. The Town shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind, from the cemetery as soon as in the judgment of the Sexton they become unsightly, dangerous, detrimental or diseased or are in violation of these Rules and Regulations.

Flower Vases. The use of glass jars, tin cans, plastic food containers or other temporary or easily breakable containers as flower vases is prohibited.

Fencing. No fences or wire enclosures for flower beds may be placed on any plot and no wires or other means of support may be used for flower containers.

Planting and Flower Locations. Potted flowers, planted flowers, or urns with flowers are allowed around the headstone or family monument in an area not to exceed eighteen (18) inches from the headstone and must be totally inside the perimeter of the plot.

Curbing Restrictions. A low, solid curbing of stone or concrete (plastic and wood are not allowed), not to exceed three inches in height above the surface, may be installed around a memorial to enclose a flower bed or plantings as long as no part of the curbing extends more than eighteen (18) inches beyond the base of the memorial and must remain at inside the perimeter of the plot. The surface of the enclosed area shall remain at the height of the surrounding area. The enclosed area and planting shall be trimmed, weeded and maintained by the plot owners/family in a neat manner. The Town shall not perform perpetual maintenance on the curbing or plantings. This curbing and restriction is to enable grass trimming and lawn maintenance under perpetual care.

Bushes and Shrubs. Dwarf rose bushes, dwarf lilacs, and low evergreen shrubbery, as long as trimmed and attended for disease and insects, are allowed if planted at the ends of the memorials and do not exceed five feet in height. No part of the planting shall extend beyond the perimeter of the plot. All replacement plantings shall conform to these regulations and are not grandfathered.

Personal Mementos. Small figurines and personal mementos will be allowed around the headstones as long as they do not extend more than eighteen inches from the headstone, remain inside the boundaries of the plot and do not interfere with mowing and maintenance.

Plot Boundaries. In all cases, ornaments, plantings, shrubbery, parts of shrubbery and plantings, memorials, or other additions to a plot shall not extend beyond the

boundaries of the plot. This restriction is not grandfathered and exceptions shall not be made.

Markers and Holders. Lawn markers and flag holders, of the type provided by the American Legion and other organizations, are permitted near headstones.

Honoring of Veterans. As a special mark of respect to those who have served our country, the American flag shall be displayed only on the graves of those persons who have honorably served in the Armed Forces of the United States of America. The Town of Chatham will procure and place American flags annually prior to Memorial Day on all known graves of veterans of the Armed Forces. These flags shall be removed without notice when they become soiled, faded, torn or otherwise unsightly. A small POW-MIA flag not equal to or exceeding the size of the American flags on the graves, may be displayed on the site of a memorial placed to honor a military service member who has been declared as missing in action.

Family members should identify to the Sexton those veterans buried in a plot to enable accurate record keeping and proper marking of the grave. Small fire and police department flags may be displayed on graves of department veterans and those killed in the line of duty. Fire and police flags shall not exceed the size of the American flags provided by the Town for the cemeteries and shall be lower in height when placed on the grave.

ARTICLE 17 - CEMETERY CLOSING DATES

Closing Dates. The Town cemeteries will be closed for interments from December 1 to May 1 of each year due to weather conditions. The above dates may be modified by the Sexton with approval of the Cemetery Trustees if weather conditions in any year warrant such change.

Cemetery Access. Vehicle access to the cemeteries may be restricted by the Sexton during the winter and at other times when ground conditions, weather damage, snow/ice accumulations or other situations present a safety problem or when potential for damage to the cemetery grounds exists.

Snow Plowing. The cemetery grounds and roads shall not be plowed for snow removal at any time, except when access for emergency reasons has been required by public authorities. This policy has been established to reduce the risk of damage to the roadways, grounds, plots and monuments within the cemeteries.

Snow. Graves shall not be opened and interments of bodies or cremains shall not be made if there is snow on the ground, regardless of the date.

Article 18 - Plot Size & Cemetery Fee Schedule

Town of Chatham, New Hampshire

Plot Size:

All lots will be laid out 5' X 10' Single Lot.

Multiple lots can be purchased but must be in succession to one another.

Corner stone markers placed at outer limits.

A 5 X 10 lot will hold 1 Regular casket and 1 cremation.

Or hold up to 4 cremations.

Purchase of Plots:

Right of Residents, Former Residents, Chatham Property Owners and heirs and assigns

5' X 10' Lot \$500.00 Plus cost of corner markers (Appox \$100.00)

Non Residents - Upon Approval by Cemetery Trustees.

5' X 10' Lot \$1500.00 Plus cost of corner markers (Appox \$100.00)

Existing Lots in old Cemetery are laid out 10X10 and will cost \$500.00