

## **Acworth Cemetery Rules and Regulations** **Approved October 27, 2011; Amended November 21, 2013**

### **Who may be buried in the Acworth Cemetery?**

Residents of Acworth, members of the immediate family (direct lineal ascendants or descendants) of the owner of the plot may be buried in the Acworth cemetery. Non-residents with a long-standing connection to Acworth who wish to be interred should apply to the cemetery trustees. Pet burials or non-human remains are not permitted.

### **Purchasing the Right to Inter in the Acworth Cemetery**

Acworth residents purchase the right of interment in the Acworth cemetery, not ownership of the land itself. A cemetery lot measuring 12 by 12 feet is intended to contain 2 burial plots (spaces for full-body burials) or 6 cremains (cremation remains). The cost is \$550. A half lot measuring 6 by 12 feet, adequate for one full-body burial or 3 cremains, is \$400. These prices include maintenance (perpetual care) and four stone corner markers, incised with the family initial, placed by the Sexton soon after purchase.

The purchase price must be paid in full before any burial, disinterment, or removal can take place.

If the owner wishes to sell the right of interment, it may only be sold back to the Town for the original purchase price. Sales to a third party are not allowed.

A body, or cremated remains, may be removed from its original plot to a larger or better plot in the Cemetery, where there has been an exchange or purchase for that purpose.

Holders of a right to inter must notify the Sexton or Board of any change of mailing address.

When a person holding a right of interment dies, and when this right or cemetery lot is not specifically mentioned in his will, ownership is determined under the provisions of RSA 561:1 (Distribution Upon Intestacy) and RSA 289:2.

### **Burial Practices**

One 6 by 12-foot space may contain one full-body burial or up to three cremains, or one full-body burial plus two cremains. In the special area designated *solely* for cremains, only one set of cremains may be placed in each plot.

Green burials, the use of a coffin, or the use of a vault are choices available to those who purchase the right to inter. Any full-body burial which includes embalming requires the use of a vault. Green burials (those without a vault, or those without a coffin) may take place in existing lots adjacent to cremains or full-body burials. These lots will be maintained as usual. Those who choose a green burial without any future maintenance must purchase the right to inter in a portion of the cemetery designated for that purpose. This area will not be mowed or maintained in perpetuity.

Burials cannot take place between December 1st and May 1st, or on the following holidays: Memorial Day, Independence Day, Labor Day and Thanksgiving.

The Sexton's approval is required for opening and closing any plots, and for all interments, disinterments, and removals. Four working days' notice is required prior to any interment and at least one week's notice prior to

any disinterment or removal. The Sexton may require written application by the plot owners of record for any burial.

The Sexton and 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, disinterment or removal is desired. The Sexton shall not be liable for the interment permit nor the identity of the person sought to be interred, nor for any delay where a protest to the interment has been made, or when the Rules and Regulations have not been complied with.

### **Cemetery Maintenance**

New perpetual care funds are no longer accepted. Funds from those who wish to contribute to cemetery care will be placed in the general cemetery endowment for unrestricted use. The Sexton oversees maintenance or perpetual care of the cemetery grounds, which includes cutting grass in the cemetery, making and cleaning the plots, pruning shrubs and trees, and the general preservation of the grounds, walks, roadways, boundaries, and structures.

Perpetual care funds established before 2010 for individual lots do cover repair or replacement of memorials or stones on these lots only.

Cemetery trust funds are invested according to state law. Expenditures from these funds are limited to the income received from their investment; no part of the principal shall be expended. The cemetery trustees determine how this income shall be expended for the care and maintenance of the cemetery grounds.

### **Care and Decoration of Graves**

Within six months of interment in a previously unused plot, a stone shall be placed giving the name and birth and death dates of the deceased. This marker shall be of good natural stone measuring at least 18 by 24 inches. The Sexton must approve the installation of any monument or marker before it is placed. The name or inscription on each monument, vault, or marker, must correspond with the name and record in the office of the Sexton.

The maximum size of a monument on a 12 by 12 foot lot is 6 feet wide at the base, and 4 feet high. For a 6 by 12 foot lot, the maximum size is 3 feet wide at the base and 3 feet high. The monument should be placed on the west side of the lot, and burials located on the east side of the lot. In lieu of a headstone, a bench may be installed measuring no more than 18 inches high, 3 feet long, and 2 feet wide. Non-conforming sizes must be approved by the cemetery trustees prior to installation.

Corner posts of good natural stone measuring 5 inches square and 8 inches long are installed flush with the grade within 90 days of the date of purchase of the right to inter. The Sexton manages their installation, and their cost is included in the purchase price of the right to inter.

No coping, curbing, fencing, hedging, grave mound borders, or enclosures of any kind shall be allowed around any lot; and no walks of brick, cinders, tile, stone, marble, terracotta, sand, cement, gravel or wood shall be allowed on any lot.

No new plantings of trees or shrubs shall be allowed.

No material or machinery for the construction of vaults, mausoleums, monuments, or other structures may be brought into the cemetery until required for immediate use. When a funeral is in progress, or on a holiday, no work shall be done. Work shall proceed promptly until the erection of a memorial is completed. Any disturbance to adjacent graves must be promptly rectified.

Permission of the Sexton is required for erecting memorials, grading, landscaping and improving plots, and for trimming, or removing trees and shrubs.

If the trees or shrubs on an individual lot, or their roots or branches, become detrimental, unsightly or inconvenient to the adjacent lots or pathways, the Sexton may remove or trim them.

The American flag may be displayed on graves of those who have served in the armed forces of the United States of America.

Artificial flowers must be removed and renewed annually on May 1st.

Any personal items or containers that become unsightly or an impediment to maintenance will be removed.

### **Rights and Responsibilities of the Sexton and Cemetery Trustees; Disclaimers**

The Sexton has charge of the grounds and buildings, and supervises all persons within the cemetery, including the conduct of funerals, traffic and employees. The Sexton may enforce these Rules and Regulations, and exclude any violators from the cemetery.

The utmost care will be exercised in making a removal but the Town shall assume no liability for damage to any casket, burial case or urn incurred in making the removal.

The Town shall take reasonable precautions to protect 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.

### **Conduct Within the Cemetery**

While a funeral or interment is being conducted nearby, all work of any description shall cease.

Gathering flowers, breaking or cutting trees, shrubbery or plants, defacing or otherwise damaging monuments or structures, or disturbing the birds or animal life in the cemetery are prohibited.

Throwing rubbish on the drives and paths, or on any part of the grounds, or in the buildings is prohibited.

Vehicles may not be parked on or driven across or upon any grave, lot or lawn.

No all terrain vehicles or snowmobiles shall be admitted to the cemetery except while participating in an interment.

Gravestone rubbing is permitted only with the written approval of the Sexton.

No firearms shall be permitted within the cemetery except at military funerals or with a written permit from the Sexton.

No signs or notices or advertisements of any kind shall be allowed in the cemetery unless placed by the Sexton.

Dogs shall not be allowed on the cemetery grounds except on a leash. Dog waste must be removed by the owner.

Owners of any domestic animals that enter the cemetery are liable for any damage they may cause.

Interference with or willful damage to any burial ground is a class B felony according to New Hampshire RSA 635:6 and 635:7 and will be prosecuted as such.