

MARLOW NH VILLAGE CEMETERY RULES

Revised 2018

The following rules and regulations for the Marlow Cemeteries, together with the Laws contained in Chapter 289 of the State of N.H. Statutes constitute the guidelines for the care and protection of the Marlow Cemeteries.

Article 1. The Sexton is hereby empowered to enforce all Rules and Regulations, and to exclude from the property of the Town cemeteries any person violating the same, and at all times shall have supervision and control of all persons within the cemetery, including the conduct of funerals, traffic and employees. To protect and promote the best interests of the cemetery, he is authorized to make temporary additional rules with the approval of the Trustees of the Cemetery, which may be needed from time to time, to meet emergencies not covered by these Rules and Regulations.

Article 2. Special cases or emergency conditions may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Trustees of the Cemetery, therefore reserve the right without notice, to make exceptions, suspend or modify any of these Rules and Regulations when, in their judgment, it appears advisable. Such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such Rule.

Article 3. No admittance to the cemeteries except during daylight hours. Cemetery hours are sunrise to sunset. Animals shall not be permitted in the cemetery unless accompanied by their owner. The Sexton may, at his discretion, remove pots and urns, which contain mostly dead flowers or artificial flowers in faded condition. Gravestone rubbings require the written permission of the Trustees of the Cemetery.

Article 4. Persons within the cemetery grounds shall use only the walks or roads, and any person injured while walking on the grass except when that is the only way to reach his plot, or while on any portion of the cemetery other than the walks or roads, shall in no way hold the Town liable for any injuries sustained.

Article 5. Children under 18 years of age shall not be permitted within the cemetery or its buildings unless accompanied by an adult.

Article 6. Besides being subject to these Rules and Regulations, all interments and removals are made subject to the orders and laws of the properly constituted authorities of the Town, County and State.

Article 7. All interments, including cremains, shall be done under the supervision of the Sexton. No interment shall be made until an interment order has been signed by the lot owner or his/her representative. Notice of interment must be given to the Cemetery Sexton at least forty-eight (48) hours in advance of burial.

Article 8. When for any reason, the interment space cannot be opened where specified; the Sexton may open it in such location in the lot as deemed best and proper so as not to delay the funeral. The Town shall not be liable in damages for any errors so made.

Article 9. The Town reserves the right to correct any errors made by it either in making interments, disinterments or removals, or in the description, transfer or conveyance of any interment property.

Article 10. The Town shall in no way be liable for any delay in the interment of a body where a protest to the interment has been made, or when the Rules and Regulations have not been complied with.

Article 11. Every coffin buried in a lot or single grave must be enclosed in a concrete, stone or other permanent vault of approved specifications.

Article 12. The certificate of ownership and these Rules and Regulations and any amendments hereto shall be the sole agreement between the Town and the plot owner.

Article 13. As a special mark of respect to those who have served our Country in its Armed Forces, the American Flag may be displayed on their grave sites. All flags will be removed without notice as they become soiled, faded, torn or otherwise unsightly.

Article 14.

- A. The sale of plots in the Village Cemetery shall be under control of the Cemetery Trustees.
- B. Cemetery plots shall be sold in blocks, as defined by the Trustees of the Cemetery. Before any new block is opened for sale, all remaining plots in the previously designated block shall be sold. The only exception is to accommodate a written request to have a plot adjacent to other family plots.
- C. The sale of plots shall be limited to residents or former residents with the approval of the Cemetery Trustees.
- D. Costs shall be \$200 for a single full burial plot, \$400.00 for a two grave plot; and \$800.00 for a four grave plot. Each full burial plot may contain up to six cremations. Cremation plots (4' by 5') shall be \$125.00 and may contain up to four cremations. Funds derived from the sale of plots shall be credited as follows: \$125.00 for a single full burial plot, \$250.00 for a two grave plot; \$500.00 for a four grave plot, and \$80 for cremation plots to a Common Trust Fund (Perpetual Care) for lot care. And, \$75.00 for a single full burial plot, \$150.00 for a two grave plot; \$300.00 for a four grave plot, and \$45 for cremation plots to a Trust Fund for future cemetery development, layout, or purchase. Rates in effect July 1, 2018.
- E. Lot care includes the seeding and fertilization of grass, the cutting of grass upon the plots, the raking and cleaning of the plots, grading of the plot, as needed, and the occasional pruning and trimming of ornamental vegetation. Maintenance and repair of headstones or other monuments is the responsibility of the plot owner. The Town will only be responsible for repairing monuments damaged by employees of the Town."

Article 15. Except where specifically stated, annual interest derived from funds credited to the Common Trust prior to 1975 shall be used initially for the care of the plot originally designated. Any remaining interest may then be used for the general upkeep of the cemetery.

Article 17. In the event an unused plot is no longer needed or wanted by the owner or heirs, it must be sold back to the Town for the price at time of original purchase plus any unexpended accrued interest.

Article 18 Whenever a burial space or spaces in the Village Cemetery have remained unused for a period of 50 years, and the owner has not improved such space or spaces by causing a monument, gravestone, or other permanent appurtenance to be placed on the burial space, and it can be reasonably expected that there is no intent to use the plot and it has been abandoned, the Cemetery Trustees may institute proceedings for the termination and forfeiture of the rights and interests of such owner. The Cemetery Trustees shall follow the procedures listed in RSA 289:18 Forfeiture Procedures I, II, III and IV.

Article 19 All monuments, footstones and headstones shall be of a permanent nature and constructed of natural stone or of a permanent material approved by the Cemetery Trustees. No artificial stone or wood shall be permitted. All footstones shall be set flush with the lawn surface so that no part of such footstone shall protrude above the surface of the ground. No monument, marker, headstone or memorial shall be placed on any plot until the plot is paid for in full and the location of all headstones and footstones have been approved by the Sexton.

Article 20 Although the Cemetery Trustees, at this time, do not require cornerstones, we highly recommend that cornerstones be used to mark the plot boundaries soon after a plot is purchased. Cornerstones shall be set flush with the lawn surface, be of a permanent nature and constructed of natural stone. No cornerstones shall be placed on any plot until the plot is paid for in full.

Article 21 In what is known as the Perpetual Care Section, the location of all headstones and footstones shall be designated by the Sexton. All inscriptions on monuments or headstones shall be oriented towards the center access road so that a visitor entering the P/C section can more easily identify a specific plot.

Revisions Adopted 2018