

## **ORDINANCE #25**

### **TOWN OF HANOVER**

#### **ORDINANCE OF THE BOARD OF SELECTMEN**

The Board of Selectmen of Hanover, New Hampshire, ordain as follows:

#### **MUNICIPAL CEMETERIES - RULES AND REGULATIONS**

1. Declaration of Purpose: The Town of Hanover hereby ordains that the following rules and regulations are hereby established to constitute an ordinance for the proper operation and use of municipal cemeteries in the Town of Hanover. The Board of Selectmen recognizes that the municipal cemeteries are sacred grounds reserved as a final resting place for the people of the Town and desires to have the cemeteries maintained in the best possible manner and firmly believes that these rules and regulations are necessary for the protection of lot and grave owners, for the Town property, and for the proper conduct and good order of the cemeteries.
2. Title: This Ordinance shall be known and may be cited as the “Municipal Cemeteries Ordinance of the Town of Hanover.”
3. Authority: RSA 47:17.
4. Application of the Rules and Regulations:
  - A. The rules and regulations herein contained shall apply to any person, firm, corporation, association, club, partnership, society or any other form of association or organization.
  - B. The Board of Selectmen of the Town of Hanover, upon its own motion, or upon recommendation of the Town Manager or Grounds Superintendent or both, for good cause shown may modify, suspend, repeal or amend the provisions of this ordinance in whole or in part thereof. It is the intent of the Board of Selectmen that if this ordinance is held to be invalid or unconstitutional, such invalidity shall not affect the validity of the remaining sections or parts thereof.

5. General Regulations: The following shall be the general rules and regulations for the use of municipal cemeteries.

A. Conduct in Cemeteries:

No person shall:

- (1) Damage or mutilate any trees, shrubs, flowers or other plant material, either wild or domestic.
- (2) In any way injure or deface any monument, stone, fence, or other structure or property.
- (3) Deposit rubbish or debris on cemetery grounds except in receptacles provided.
- (4) Allow any dog to soil or damage any natural area or cemetery structure.
- (5) Discharge firearms in or adjacent to any cemetery. The prohibition does NOT apply to authorized volleys at burial services.
- (6) Operate an off road vehicle or ride horseback on cemetery property.
- (7) Use any form of advertising on cemetery premises.
- (8) Consume alcoholic beverages, or bring the same within cemetery grounds.
- (9) Enter a cemetery except through an established gate or entrance way or on an established trail or path.
- (10) Hunt on cemetery property.

6. Traffic Regulations:

A. No person shall operate any vehicle within a cemetery except on roads designed for that purpose and no vehicle shall be driven at a speed in excess of fifteen (15) miles per hour upon any roads within municipal cemeteries. No person shall drive a vehicle off of the paved drives without permission of the Grounds Superintendent.

6. Traffic Regulations (continued)

B. No person shall unload any stone, soil or other material from trucks in any cemetery, except the Town maintenance crews in the normal discharge of their work, or encumber walks, avenues or places with such material, without express permission of the Grounds Superintendent or his designee.

C. Any person operating a vehicle within any cemetery shall be subject to all the traffic laws of the Town of Hanover applicable to motor vehicle operation.

7. Establishment of Cemeteries:

A. The Board of Selectmen of the Town of Hanover shall have the final authority for the establishment of cemeteries within the Town limits of the Town of Hanover, and shall as need arises set aside new ground areas for this purpose.

B. Existing Cemeteries

The following named existing cemeteries shall be deemed to have been established as municipal cemeteries.

1. Pine Knolls Cemetery
2. Dartmouth Cemetery (Hanover Cemetery)
3. Hanover Center Cemetery
4. Etna Cemetery
5. Dana (Ruddsboro) Cemetery
6. Smith Cemetery
7. Greensboro Cemetery
8. Goose Pond Cemetery
9. Tunis Cemetery
10. Bollea Cemetery

C. Platting of Cemeteries: Before any new land is opened for cemetery use, the Town Manager shall have such land area laid out showing the system of streets and avenues, and a numbered system of lots, such platting to be done by a registered surveyor, and results thereof be recorded with the Grafton County Registry of Deeds.

7. Establishment of Cemeteries (continued)

D. Planning Board to Review: The preliminary plan and layout of new cemetery land areas shall be submitted to the Planning Board for review and approval. Upon approval, the Planning Board shall advise the Board of Selectmen of its approval with recommendation for adoption.

E. Lot sizes for municipal cemeteries are hereby established as follows:

(1) Each single grave = 4' x 12' or 48 sq.ft.

In the case of cremation interment, the following guidelines apply:

(2) Minimum purchase is one (1) grave space.

(3) Maximum number of cremation interments shall be four (4) per grave (except in the case of combining full and cremation burials in which only one of each per grave will be allowed.)

8. Purchase of Lots:

A. Condition of Lot Purchases: Lots purchased in surveyed sections of cemeteries of the Town of Hanover shall be conveyed by special deed for burial purposes only and shall be subject at all times to the Town Charter, Town Ordinances and applicable state laws.

B. Lots may be selected and purchased from the Grounds Superintendent and payment for lots shall be made to the same. Such purchase shall be evidenced by a deed prepared by the Accounting Office and signed by the Board of Selectmen and Town Clerk. Such deed shall state the name of the purchaser, purchase price, amount paid, cemetery name, lot number(s), grave number(s), and section in which located.

C. Records of Cemeteries and Purchase of Lots: The keeping of records of the cemeteries of the Town of Hanover shall be the responsibility of the Grounds Superintendent and the Town Office. All maps showing sections of the cemeteries records of lot ownership shall be copied, one set being kept by the Grounds Superintendent and one by the Town Office.

8. Purchase of Lots (continued)

D. Transfer of Lots: No transfer or assignment of a lot shall be made by any owner without express approval of the Town Manager, and all transfers shall be made through the office of the Town Clerk.

E. Change of Lots: The following price is hereby established as the purchase price for cemetery lots:

Each Full Grave: *See current Rate & Fee Schedule at:*

[http://www.hanovernh.org/Pages/HanoverNH\\_Admin/Index](http://www.hanovernh.org/Pages/HanoverNH_Admin/Index)

9. Cemetery Maintenance:

A. Responsibility of the Town: The comprehensive maintenance of the cemeteries and grounds, designed to maintain and improve their appearance and condition of their natural areas shall be the responsibility of the Town. It shall include such items as the upkeep of drives, buildings, fences, spring and fall cleanup, pruning and maintenance of landscape plant materials, turf maintenance and other general grounds maintenance.

B. Planting Trees, Shrubs, and Flowers:

(1) Trees and shrubs shall be planted only by express permission of the Grounds Superintendent. Existing trees or shrubs may be pruned or removed by the Grounds Superintendent.

(2) Permission for planting on lots and near gravestones and monuments shall be requested from the Grounds Superintendent.

C. Removal for Clean-up:

(1) Plotted plants, flowers and arrangements are to be removed in the fall by October 15th for fall cleanup. New items may be replaced on or after November 15th. Items are to be removed by April 1st in the spring for clean up and may be replaced after May 1st.

## 9. Cemetery Maintenance (continued)

D. Care of Lots: No person shall discharge any chemical or organic fertilizer, herbicide or other substance without authorization of the Grounds Superintendent.

E. Fencing, Curbs and Cornerstones: No fencing, curbs or cornerstones shall be permitted around any individual lot or group of lots unless they are flush with the surface of the ground.

F. Monuments and Markers: All municipal cemeteries shall be permitted to have monuments and markers of such dimension and material as follows:

- (1) Single graves -- horizontal grass markers only, one foot by 2 feet;
- (2) Two grave lot -- 3 to 4 feet long and not over 16 inches wide, height of die thirty-five to forty inches;
- (3) Three grave lot -- 4 to 5 feet long and not over 16 inches wide, height of die not over forty-eight inches;
- (4) Six grave lot -- up to 7 1/2 feet long and not over 16 inches wide; height of die not over 48 inches unless otherwise approved by Board of Selectmen; and,
- (5) Flat markers -- 2 feet by 1 foot, may be used in connection with the family stone.
- (6) Flags and staffs for marking graves of Veterans of Military Service will be issued and placed by the Grounds Superintendent. Other flags and staffs are not permitted and will be removed.

G. Monument Foundations and Marker Settings: Foundation for monuments shall be constructed by the Grounds Department upon request. Those requesting foundations shall make the request in writing, stating location of lot and size of foundation desired.

The charge for a foundation is: *See current Rate & Fee Schedule at:*

[http://www.hanovernh.org/Pages/HanoverNH\\_Admin/Index](http://www.hanovernh.org/Pages/HanoverNH_Admin/Index)

10. Burials:

A. Condition for Burial: A burial permit must be submitted prior to any full burial.

B. Preparation of the Grave: The preparation of graves and the laying out of ceremonial materials shall be the responsibility of the Grounds Department.

C. Burial Rates:

Full Burials (any time)

*See current Rate & Fee Schedule at:*

Cremations (any time)

*See current Rate & Fee Schedule at:*

[http://www.hanovernh.org/Pages/HanoverNH\\_Admin/Index](http://www.hanovernh.org/Pages/HanoverNH_Admin/Index)

Fees must be paid in full prior to any burial or placement of monument can take place.

D. Responsibility: Neither the Town of Hanover nor the Grounds Department shall be responsible for errors in location of graves on lots arising from persons making arrangements. In all cases, orders for grave openings shall be communicated in writing to the Grounds Department.

Orders from funeral directors shall be construed as orders from owners.

E. Vaults: In all full interments the remains shall be enclosed in a vault.

11. Penalty for Violation: Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor.

Adopted 02/08/93

Amended 08/07/95

Amended 10/27/14 *(rate & fee link added)*

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