

John C. Shirley Memorial Cemetery
Rules and By-Laws
Board of Trustees
SEPTEMBER 2014

There shall be three cemetery trustees elected by ballot to three year staggered terms of office. RSA: 289:6.

The Cemetery Trustees have the authority to establish and revise usage fees, rules, and regulations concerning use of the cemetery, in keeping with the regulations of The State of N.H. The town office can assist you with all normal transactions and arrangements for use of the cemetery, or you may contact the Trustees directly, or reach them through the Town Offices as required. For assistance in locating a lot or installation of a grave marker, monument, or foundation, please contact the cemetery sexton.

Weather conditions permitting, the Cemetery will be open for use and burials from May to November of each year at the discretion of the Cemetery Sexton.

1. All cemetery funds shall be held by and expended under the direction of the town's cemetery trustees. It shall be their duty to supervise all such cemeteries to the end that the said funds may be so expanded as best to serve the purposes for which they are raised. RSA: 289: 7.
2. All funds acquired from the sale of cemetery lots (4ft x 10ft) shall be kept in the cemetery general trust fund to be used for general cemetery maintenance. (9/16/1988)
3. Cost of the lot in Sections A,B & C is \$500.00. Charge for opening a grave during working hours is \$300.00. The charge for opening a grave for a child is \$100.00. Charge for burial of cremation container is \$50.00. Overtime rates apply to after-hours burials. Disinterment fee is \$600.
4. Every lot owner is to receive a copy of the rules and regulations and restrictions for The John C. Shirley Memorial Cemetery.
5. The sale of cemetery lots shall be restricted to buyers who are past or present residents of New Durham or to persons who are buying the lot or lots for burial of past or present residents.
6. A person may purchase a tract of up to 12 lots total.
7. Subject to lot usage approval, burial permits may be obtained for usage of purchased lots to intern members of the lot buyer's or lot executor's family as outlined in RSA 290:16.
8. Re-sale of purchased lots is strictly prohibited. The owner may return the space to the town and receive compensation in the same amount the owner paid for the lot. Re-sale by the Town of returned lots will be at the current rate of \$500.
9. All internments, including cremations, must be recorded by the town clerk.
10. The cemetery sexton will be responsible for digging the vault site and recording the location of cremations or burials.

11. Every internment shall be recorded in a permanent manner using a uniform system of numbering the graves of every lot.
12. One casket and one container of cremation remains may be buried in one lot or four standard cremation containers may be buried on the same lot. The exception to four containers would be The Columbarium 4, 6, 9 and 12 niche units or similar designs.
13. A 48-hour notice from funeral homes, executors, or descendents shall be required for opening of graves. All graves shall be opened and closed by town personnel.
14. A cement liner or cement vault shall be mandatory for every internment.
15. A caretaker (sexton) shall do mowing, clipping, roadway care, general maintenance of markers, general maintenance of plantings and grass (i.e.: fertilizing, weeding, watering, pruning and spraying), under the supervision of The Cemetery Trustees.
16. The Cemetery Sexton will be responsible for placement and the recording of all monuments and markers.
17. No permanent source of flame allowed (i.e. gas, kerosene, etc.)
18. With approval of the Cemetery Sexton, the monument company shall install foundations for all monuments according to the following instructions:
 - A. Lots may have ground monuments, in ground markers, and or corner stones as desired.
 - B. There may not be more than one monument on a lot; however one monument may be located to serve several contiguous lots.
 - C. All monuments, markers and corner stones shall be set to conform to the plan of the Trustees as indicated by the Sexton.
 - D. The foundation will be installed to a minimum depth of 36 inches or below frost level.
 - E. If a base is used for the monument, it should extend eight (8) inches on each side of the monument to allow a space to hold plants off the ground. For each grave, one potted plant or container of flowers will be allowed throughout the year. Two are allowed if the monument base extends beyond the stone to hold them. All other flowers, containers, or potted plants will be removed during mowing.
 - F. Monuments and stones shall not exceed six feet in height.
 1. Contiguous lots may have longer monuments and stones not to exceed six feet in length.
 - G. Corner stones may be placed at each corner of the lot (or lots) flush with the ground.
 - H. Individual grave markers and footstones may be set in the ground, but must not project above ground level.
 - I. It may be necessary to have monuments, markers, or corner stones reset if they are installed prior to opening of the grave, or if the grave must be re-opened.
 - J. Maintenance of the cemetery is done under the authority of The Cemetery Trustees, as supervised by the Sexton.
20. The owner will repair any damaged stones at once.

Respectfully Submitted:

Cemetery Trustees

Michele Kendrick

Michele Kendrick, Chairman Cemetery Trustees

Denis Martin, Cemetery Trustee

Jennifer Bourassa

Jennifer Bourassa, Cemetery Trustee

NOTE: It is advised that the Lot Deed be filed with the Registry of Deeds in Strafford County for reliable record retrieval.

Revision History:

Rules August 2006 revised from Rules August 2004, Section 14,B: Made explicit the number of potted plants and containers present at the monument. Other RSA references updated as needed.

Rules May 2008 revised from Rules 2006: Organized sections by subject, defined length of monument, defined size of each lot, added note of after-hours burials, added executors and descendants to Rule #14.

Rules June 2009: Revised Trustee and Chair designations. Added suggestion to file deed with Registry of Deeds.

Rules March 2011: Revised Trustee and Chair designations.

Rules May 16, 2012: Revised Trustee and Chair designations.

Rules March 2013: Revised Trustee and Chair designations.

Rules March 2014: Revised Trustee and Chair designations.

Rules September 2014: Revised resale prices and added disinterment fees.