

# Town of New Castle - Cemeteries Rules and Regulations

Revised: June 25, 2018

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## Foreword

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For the mutual protection and benefit of each cemetery as a unit, and of individual lot owners, the following rules and regulations are adopted by the Cemetery Trustees and will be reviewed annually on the anniversary of first adoption. Lot owners and visitors are expected to comply with the rules and regulations currently in effect. Rules may be waived on special written application and a majority vote by the Trustees.

The primary purpose is to ensure Town compliance with NH RSA 289:2 to establish a municipal cemetery. The further purposes are to ensure that the cemeteries maintain an appropriate appearance and to allow for normal maintenance. Those cemeteries covered by these rules are: Riverside, Oceanside, Frost, Marvin, Prescott, and Tarlton. New lots are only available in Oceanside, with burials in the other cemeteries restricted to existing lot holders.

The Frost and Prescott Cemeteries are closed to new burials. The Marvin Cemetery is only open to direct descendants of Marvin/Oliver ancestors who founded it. The Tarlton Cemetery has strict limits on future burials.

The address for the Cemetery Trustees is Box 367, New Castle, NH 03854.

## Definition of Terms

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A vote by the Trustees requires a quorum.

The term "Qualifying Person" is defined in the "Who May Purchase" section below.

The term "Trustees" or "Cemetery Trustees" means the three elected Cemetery Trustees of the Town of New Castle.

The terms "lot," "plot," and "burial space" are interchangeable and shall apply to a cemetery space provided by deed or right to inter.

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The term "lot owner" means either the holder of a deed (Riverside) or the holder of rights to inter with all other rights retained by the Town (Oceanside).

The term "interment" means the permanent disposition of the remains of a deceased person by cremation and interment, entombment or burial.

The term "memorial" includes a monument, marker, tablet, or headstone for family or individual use.

The term "decoration" refers to containers, flowers, lights, rocks, and other objects of a temporary nature that may be associated with a lot.

## **Interments**

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There will be no interments during the winter season, from November 15 to April 15 of each year. Exceptions require written application and unanimous written approval of all the Trustees.

No interments shall be made without the prior notification of the Trustees.

No one may individually inter human remains, including ashes, within the confines of the cemetery without the express, written consent of the majority of the Trustees.

Cremains should be buried three feet deep if possible. Otherwise, the absolute minimum depth is two feet. A patio brick or tile approximately 8 inches square must be placed on top of the cremation urn so a probe can find it in the future. Small supplies of appropriate tiles are available for use upon request.

Families are allowed to dig the grave for the burials of cremains at all New

Castle cemeteries but the excavation shall be checked by a member of the Cemetery Trustees at least 24 hours before the burial is to take place. This is to ensure that the hole is properly dug and the turf and dirt are correctly stored.

No interments shall be made until such time as the lot has been paid for in full.

All caskets must be placed in a concrete vault at the time of interment. Cremation vaults are not required, but solid urns or similar solid containers are recommended.

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After an interment, mourners may leave flowers on gravesite for two weeks, after which they will be removed by cemetery management.

Requests to be named on a monument, but not interred, require written application and will be considered on a case by case basis by Cemetery Trustees.

### **Who May Purchase Lots and be Buried**

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1. Current full-time residents of New Castle.
2. Any person who lived in New Castle for at least 5 years and has moved away.
3. Public service people who have served at least 5 consecutive years for the Town of New Castle ie. Public Works employees, Volunteer Fire/Rescue, Police (full and part time).
4. Town employees who have served at least 5 consecutive years.
5. Immediate families of residents and direct descendants to include: spouses, sisters, brothers, children, parents, grandchildren, etc. that may or may not live in New Castle but want to be buried with the family here who does/did live in New Castle and is buried here.
6. The original purchaser or named family members control who is buried in the lot.
7. If descendants are not specifically named, then family may be buried on a first come first serve basis as long as there is space allotted in the lot purchased, also determined by the type of burial.

A "Deed" or "Right to Inter" shall be shown to the Cemetery Trustees to assure it is a family lot, if possible.

### **Ownership and Transfer of Lots**

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As of January 1, 2016, the lots at Oceanside Cemetery will only be sold in order starting with rows #1-5.

Only residents or individuals who meet the criteria above may purchase the right to inter with the purchase price used for general cemetery maintenance and capital improvements. Riverside lots are conveyed by deeds. Oceanside lots are not deeded but conveyed by the right to inter only.

Normally one lot will be sold to an individual or family, with a second lot sold on written application and vote by a majority of the trustees. Due to the limited cemetery space in Oceanside Cemetery and also due to the large amount of ledge in this cemetery, the maximum number of lots allowed to be purchased by each qualifying person is two lots.

No lot may be transferred or assigned to another individual by the lot holder. Any owner wishing to sell their unused lot must sell the lot back to the Cemetery Trustees for the original purchase price.

Sales or lots are not to be made by mail only. A Cemetery Trustee must speak with the family prior to the sale being finalized.

There are three sizes of lots available in Oceanside. See the accompanying map, which shows the general distribution of lot sizes and those already taken (current map) - Confirm with the most current map before making any decisions.

**1. Small cremation lot, 4x5 feet. \$600**

These lots are limited to certain rows and allow for four cremations. Monuments may be flat (flush or raised several inches) or a small upright (not to exceed 20 x20 inches).

**2. Traditional half-lot, 5x10 feet. \$1,000**

These allow for one traditional casket and up to four cremations (on top of casket). Or if all burials are cremations, it allows for up to 8 cremations – a row of four, two deep. An upright monument may be placed, not to exceed 36 inches wide (including base) x 42 inches high x 15 inches deep.

**3. Traditional full lot, 10x10 feet. \$2,000**

These allow for two traditional caskets and up to eight cremations (on top of caskets). Or if all burials are cremations, it allows for up to 12 cremations – three rows of four, one deep. An upright monument may be placed, not to exceed 60 inches wide (including base) x 42 inches high x 15 inches deep.

Lots are examined and probed by the Cemetery Trustees, to the best of their ability at time of sale, as a suitable location for the

burial of human remains but are subject to limitations found at the time of opening the ground for interment.

### **Work within the Cemeteries and Decoration of Lots**

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All improvements or alterations of individual lots within the cemetery shall be under the direction of and subject to the consent, satisfaction, and approval of the Cemetery Trustees. That includes approval of any gravestones or markers, even if they meet the dimensional limits. No perennial trees or shrubs are to be planted on lots. Perennial flowers are allowed if properly maintained. The Cemetery Trustees reserve the right to remove them if they become overgrown.

The goal is to maintain a traditional cemetery atmosphere and appearance.

The Trustees shall have the authority to remove all flowers, weeds, plants or herbage of any kind from the cemetery as soon as, in the judgment of the Trustees, they become unsightly, dangerous, detrimental, or diseased. The Trustees shall not be responsible for floral pieces, baskets, or frames to which floral pieces are attached, nor for any flower vases or urns.

No 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, sand, cement, gravel, or wood shall be allowed on any lot.

No artificial lights, cords, solar lights or mowing hazards of any kind are allowed.

No bark mulch, or other similar material, shall be spread over the lot in place of grass or other ground cover such as moss.

Flowers, whether real or artificial, must be placed in a break-resistant container such as ceramic, wood, metal or plastic, but not glass.

Visitor placed stones, pebbles, or similar items must fit on the gravestone or be placed in a container.

Shepherd's hooks are permitted in the cemetery. Wind chimes are not permitted.

The trustees attempt to provide small flags for veterans and families are allowed to provide small replacement or additional

flags if they wish. Only veterans may have a veteran's marker placed by their grave.

No power washing of gravestones is permitted.

## **Monuments and Markers**

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Only one central or family memorial shall be allowed on a lot and that shall be set on the space designated by the Trustees. Any individual markers must be slightly raised above the ground and the lettering must be incised not raised. Flat stone corner markers are allowed. No lot owner shall erect or place, or cause to be erected or placed, on any lot in the cemetery any memorial without the prior approval of the Trustees.

All monuments must be installed by a professional installer who is normally engaged in the business of doing so.

## **Hours of Access**

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The cemetery grounds are open, year-round, for visiting from sunrise to sunset. Access by vehicle is further restricted according to the season (closed from November 15 until April 15) and time of day (access to Oceanside via the Common gate). Any entry onto cemetery grounds at other times, without the prior consent of the Trustees or its agent, shall constitute trespass.

Making of stone rubbings requires the written permission of the Town Select Board. (RSA: 289:22).

No dogs are allowed at any time.