



TOWN OF MILFORD, NEW HAMPSHIRE CEMETERY - RULES AND REGULATIONS

PREAMBLE:

These rules are promulgated in accordance with the New Hampshire RSA 289 Cemeteries/Burials.

I RULES

1. In these Rules and Regulations, whenever Director of Public Works is referred to, it also includes his designee.
2. The cemeteries will be open to the public from 7:00 A.M. until dusk. There will be no interments on Sunday or on any day observed as a legal holiday by the Town of Milford. Saturday burials will commence no later than 12:00 noon. Winter burials require forty-eight (48) business hours notification.
3. Horses, dogs, recreational bicycles, motor driven dirt bikes, and off-road vehicles are prohibited in the cemeteries. No vehicles, except maintenance or other commercial vehicles involved in gravesite preparation or restoration shall be driven on any part of the cemeteries except upon avenues or roadways.
4. Any person intoxicated, disorderly, or disturbing the quiet and good order, shall be asked to leave the cemetery. If said person does not leave, the Milford Police shall be summoned.
5. Firearms shall not be discharged in cemeteries, except for salutes at military funerals.
6. Funeral Directors, and/or vault, and monument workers shall be under the jurisdiction of the Director of Public Works and/or the Cemetery Foreman when operating in the cemetery.
7. Recreational use of metal detecting devices is not permitted in all town owned cemeteries.

II REGULATIONS

1. The owners of rights of burial, or their heirs, shall not grant, sell, alienate, or convey the said right of burial to any person or persons without having first obtained written approval from the Cemetery Trustees. It shall be optional with the Board to grant or withhold such approval or consent. ***Notwithstanding any other rule to the contrary, if the ownership of a right to inter shall pass to someone ineligible under existing rules to be interred in the town cemeteries, then such right to inter shall not be capable of being exercised without obtaining a waiver of that rule from the cemetery trustees.***
2. Cemetery lots shall only be used as a place to bury the human dead. The placement of monuments and all burials shall be under the supervision of the Director of Public Works and/or the Cemetery Foreman.
3. Any owner who wishes to sell his or her lot may only sell it back to the Town of Milford for the sum of their original purchase price providing no burials have occurred in said lot.
4. The sale of lots is restricted to those who are or have been residents of the Town of Milford with the following exception: "Any non-resident of the Town of Milford who has been or is an employee of the Town for a minimum of ten years may purchase a cemetery plot.
5. Payment for lots must be made within ninety (90) days after purchase thereof. Check should be made payable to the Town of Milford. If not paid within the time limit, the lot will be reclaimed by the Town. Interest will be charged at the rate of 1 1/2% per month on the unpaid balance. After one year if the lot has not been paid for, any and all vacant graves in said lot shall revert back to the Town for resale.
6. The Director of Public Works and/or Cemetery Foreman will furnish to persons who desire to purchase rights of burial, a copy of the Rules & Regulations, cost sheet, and response to any specific questions.
7. No individual trustee may make a decision on his/her own regarding variances to the adopted Cemetery Rules and Regulations.

III BURIALS

1. Two infant burials per single grave will be permitted, but there will be no infant burials over a full burial.
2. Multiple or double deep burials will not be permitted in any gravesite, exception only as stated in Item 1.

IV CREMATIONS

1. Two (2) burials will be allowed in a cremation lot. Only one (1) (1' X 2'6" maximum size) flat stone marker, with a maximum of two engravings, will be allowed in the cremation burial section. In an existing grave where a full burial has occurred, only three (3) cremation burials will be permitted. In a full grave, three (3) cremations will be permitted with a maximum of two (2) (1' x 2'6" maximum size) flat stone markers.
2. An interment charge shall be made for each cremation. *See attached cost sheet.

V LOT CARE

1. All lots include lot care.
2. Lot care is limited to raking, mowing, fertilizing, liming, seeding, etc. of the lots when necessary.

VI INTERMENTS

1. All interments shall be enclosed in a sealed cemetery cement vault. Cremations shall be buried in a cement, granite, or marble vault. Infants may be buried in a fiberglass container or cement vault. The Funeral Director shall designate the location within the lot for a burial, if other than a single grave lot.
2. No interment shall be made until the Director of Public Works and/or the Cemetery Foreman has been furnished with a permit such as required by the laws of the State of New Hampshire together with signed permission from the owner or from his or her legal representative for the right of burial in the lot in which the interment is to be made. Signed interment forms are required for all burials, including cremations.
3. No grave shall be opened for interment, removal, or inspection unless under the direction of the Director of Public Works and/or the Cemetery Foreman. A removal shall be at the direction of the Director of Public Works and/or the Cemetery Foreman with a Funeral Director present, without family or relatives in attendance, unless specific permission has been granted by the Cemetery Trustee Board.
4. No lots will be enlarged, redesigned, or altered and no compensation will be paid by the Cemetery Department on which a tree, shrub, or monument denies the full amount of interments intended in the said lot.
5. In the case of an indigent person, the town will provide a single grave and cover the cost of interment. No markers, plantings, or ornamentals will be permitted on grave until all fees for the said lot and grave opening have been paid to the town.

VII MARKERS AND MONUMENTS

1. No monuments or headstone may be placed in the cemetery without a suitable concrete foundation constructed by the Department of Public Works. With regard to markers, monuments, and headstones the following shall apply:
 - A. Single grave lots - ground level markers (1' x 2'6" maximum size). No above ground monuments permitted.
 - B. A lot owner is allowed only one monument of granite, slate, or marble to be placed above ground.
 - C. Two grave lots - the length of the monument base shall not exceed 2'6", total height not to exceed 3'.
 - D. Two/two grave lots together (four graves across) – the traditional monument with a base not to exceed 5' in width and a total height not to exceed 3'6".
 - E. Four and eight grave lots - the traditional monument with a base not to exceed 5' in width and a total height not to exceed 3'6".
 - F. Only (2) flush stone markers (1' x 2'6" maximum size) with two engravings are permitted per grave in any size lot.

VIII LANDSCAPING

1. Request for permission to plant shrubs must be in writing and mailed to the following address:
Milford Department of Public Works
289 South St.
Milford, NH 03055
2. No shrubs may be planted on any lot without the written consent of the Director of Public Works and/or the Cemetery Foreman.
3. No existing tree or shrub may be cut down or destroyed without the written consent of the Director of Public Works and/or the Cemetery Foreman.
4. Owners of lots, after obtaining permission from the Cemetery Department, shall have the right to plant dwarf shrubs only where there are above ground monuments in two (2), four (4) and eight (8) grave lots.
5. Flower plantings must only be adjacent to monuments or markers, in an area not to exceed one foot from the base of the monument.
6. No shrubs are allowed to be planted where there are flat markers (Single Grave Section).

VIII LANDSCAPING (CONTINUED)

7. If any shrub or tree becomes detrimental to a lot, a grave, or the cemetery because of branches, roots, or otherwise dangerous or inconvenient, the Director of Public Works and/or the Cemetery Foreman shall have both the duty and the right to remove any and all parts thereof.
8. No decorative landscaping stones will be permitted on any lot. It is not permissible to place fences, curbs, or other articles on any lot other than a rubber border, which is flush with the ground and placed a maximum of one foot from the headstone. No novelty items are allowed on headstones or lots. No items that create nighttime illumination are allowed.
9. Work done in the cemeteries by owners, their aides, or employees shall be subject to supervision by the Director of Public Works and/or the Cemetery Foreman. All rubbish and waste, resulting from this work, will be removed by the owners, their aides, or employees
10. Lot care will consist of maintaining the specific lot in the same condition that it was purchased. This implies that the Town of Milford is responsible for the care of the grass only and is not responsible or obliged to maintain landscaping or other features that are particular to a specific gravesite and which were installed by the plot owner's family. This includes: flowers, bushes, trees and similar landscaping products. The Cemetery personnel may prune shrubs if sufficient personnel and resources are provided for in the Town of Milford budget.
11. The memorial plot at the entrance to Riverside Cemetery shall be considered the official point of remembrance for all deceased veterans who are buried in this cemetery. Patriotic organizations are requested to refrain from placing flags on the graves of individual veterans. Individuals may decorate the graves of deceased family members who are veterans for Memorial Day. Flags for this purpose may be obtained at the Selectmen's Office in the Town Hall, or can be provided by the family concerned. Flags will be allowed to be displayed from 15 May through 15 October provided said flags are not torn, weather-beaten or deteriorated. In any event, the flags will be removed from the individual graves by Public Works employees as soon as practicable after 15 October. The lighted flag on the Memorial plot will serve as a year round tribute to all veterans.
(Revised 07/06/94)
12. Re-grading of any lot is prohibited by others. Grading will be done only by the Cemetery Department.
13. Trees will only be permitted, providing the lot owner purchases a "tree lot". This consists of four graves and the tree will be planted in the center of said lot. The Cemetery Department will select the species, purchase, and plant the tree.
14. In the case of a multiple grave lot where no monument exists, shrubs can only be planted in the location where monument would be.
15. On a flat or flush granite marker, only removable pots will be permitted.

VIII LANDSCAPING (CONTINUED)

16. The town is not liable for damages to plants, trees, or shrubs that are not planted according to these rules.
17. The Cemetery Department has the right to remove non-conforming items from any lot after an attempt has been made to contact the lot owner to remove said item.
18. In a two (2) grave lot, no plantings will be allowed on the backside of the headstone.
19. Plant hooks may be placed at the headstone on two (2) grave and larger lots.
20. No tapping of maple trees will be allowed within the confines of any town cemetery.
21. No artificial flowers are allowed in any cemetery from April 1st through November 31st.

IX RECORDS

1. The Director of Public Works and/or the Cemetery Foreman shall keep and maintain all cemetery records in the Public Works Department Office at 289 South St, Milford. Such records are limited to those which will enable the town to locate by name and date every interment or removal and the exact location within each lot.
2. No employee of the Department of Public Works is to receive any reward or make any charge for services rendered except as provided herein.

X ENFORCEMENT

1. The Director of Public Works and/or the Cemetery Foreman has the responsibility for care of the cemeteries and is empowered and authorized to enforce these Rules and Regulations. The Cemetery Board of Trustees has the sole authority to grant exceptions to any of the proceeding rules.

XI VANDALISM/THEFT

1. Any person or persons apprehended for acts of vandalism, theft, or other illegal acts at gravesites and other cemetery property will be prosecuted to the fullest extent of the law.

XII SEVERABILITY CLAUSE

1. If any provision of these Rules and Regulations or application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of these Rules and Regulations, which can be given

effect without the invalid provision or application, and to this end the provisions of these Rules and Regulations are severable.

XIII EFFECTIVE DATE

1. These Rules and Regulations shall be effective upon adoption by the Cemetery Board of Trustees, publication of a notice of same in a newspaper of general circulation in the community, and upon the recording of an Attested copy of the same with the Town Clerk

XIV CHANGES

1. Future changes to Rules and Regulations may only occur by a majority vote of the Cemetery Board of Trustees.

Given under our hands and seals the 1st day of May, 2013

MILFORD CEMETERY BOARD OF TRUSTEES

BY:

XIV CERTIFICATION

This is to certify that on the 1st day of May, 2013 the foregoing Rules and Regulations were delivered to the Town Clerk for recording.

MILFORD CEMETERY BOARD OF TRUSTEES

BY:
