

BYLAWS OF THE TOWN OF BRISTOL, NH TOWN CEMETERIES

Declaration of Policy:

The cemetery trustees declare the following bylaws be established to govern the proper operation and use of Town cemeteries of Bristol. The town desires to have its cemeteries maintained in the best economically possible manner and firmly believes that these policies are necessary for the protection of lot and grave owners, and for the proper conduct and good order of the cemeteries.

Application of the Rules and Regulations:

The cemetery trustees upon majority vote and for good cause show, may modify, suspend, repeal, or amend the provisions of these policies in whole or in part. It is the intent of the cemetery trustees that if any provisions of this ordinance are held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or the remaining provisions or parts thereof.

General Regulations:

The following shall be the general rules and regulations for the use of Town cemeteries:

Conduct in cemeteries: No person shall:

1. Enter a cemetery except through an established gate or entrance way
2. Pick or mutilate any flowers, either wild or domestic or disturb any tree, shrub, or other plant material other than on a lot owned by that person or with the express permission of the lot owner.
3. Use the cemeteries as a picnic ground, or, other than in connection with a religious service, consume or possess alcoholic beverages in a cemetery.
4. Use any form of advertising on cemetery premises.
5. Discharge firearms in or adjacent to any cemetery. This prohibition shall not apply to authorized volleys at burial services conducted by recognized military organizations or associations of the United States of America.
6. Injure or deface any monument, stone, fence, or other structure or property within any cemetery.
7. Allow dogs or other domestic animal to run at large within a cemetery
8. Allow any child under the age of ten (10) years in any cemetery unless accompanied by an adult.
9. Ride horseback within or through any cemetery, except in conjunction with burial services.
10. Rubbing requires permission from the Cemetery Trustees.

Traffic Regulations

No person shall operate or cause to operate any vehicle within a cemetery.

1. No person shall enter a cemetery with a loaded truck except the town maintenance crew, unless permission has been received from the cemetery trustees.
2. No person shall unload any stone, dirt, or other material from trucks in any cemetery, unless permission has been received from the cemetery trustees.
3. Any person operating a vehicle within any cemetery shall be subject to all the traffic laws of the State of New Hampshire and the Town of Bristol applicable to motor vehicle operation.
4. Snowmobiles, ATV's, bicycles and go carts are not allowed within the boundaries of any cemetery
5. When the cemeteries are closed for the winter the cemeteries will be closed to all vehicular traffic.

Establishment of cemeteries

1. The Town of Bristol shall have the final authority for the location and establishment of Town cemeteries within the corporate limits of the Township of Bristol, and shall, as the need arises, set aside new ground areas for this purpose in accordance with RSA 289:2 or any amendments thereto.

Existing cemeteries: The following named existing cemeteries shall be deemed to have been established as municipal cemeteries at their present location.

Sleeper Cemetery (near Newfound Lake)
Worthen Cemetery
Keezer Cemetery
Sanborn Cemetery
Heath Cemetery
Sleeper Cemetery (near Round Top)

Due to the fact that the cemeteries owned by the Town of Bristol are small, headstones are missing and locations of individual bodies are unknown, the *Trustees may* refer all requests for burial in the Town of Bristol to the Homeland Cemetery Association.

If someone requests to be buried in one of the six town owned cemeteries, it shall be the responsibility of the requestor to have a survey of the cemetery done with ground penetrating radar, at their own expense, to show a possible location for interment. The *Trustees* may after completion of such survey grant, on a case by case basis, grant permission.

Plotting of cemeteries: All lots in one section must be first conveyed prior to the conveyance of any lot in any undeveloped section.

Lot size established: Unless otherwise expressly designated, standard lot size for municipal cemeteries are hereby established as being forty two (42) inches by Twelve(12) feet.

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

1. Minimum conveyance is one (1) lot
2. Maximum number of cremation interments
 - a. Shall be three (3) per lot
 - b. When a standard size lot has a combination of cremations and casket/vault burials the following formula will be used: A standard size lot will be subject to a maximum of (1) casket/vault and (1) cremation remains.

Purchase and Conveyance of Lots:

Conditions of Lot Purchases: Lots purchased in the lot sections of cemeteries of the Town of Bristol, shall be conveyed by a special deed for human burial purposes only, and shall be subject at all times to the provisions of the Town Cemetery Bylaws – Town of Bristol, these bylaws; along with any articles or agreement or applicable state laws.

Purchase Procedure: Lots in the cemeteries of the Town of Bristol shall be selected and purchased from and with the consent of and subject to the control of the trustees of the cemetery. Payment for lots purchased shall be made to the Town of Bristol. Such purchase shall be evidenced by a deed prepared by the cemetery Trustees. Such deed shall give the following information: Name of the purchaser, purchase price, the amount paid, name of the cemetery, lot number and section in which located, and shall be presumptive evidence of the right to be buried only.

Records: the keeping of the records of the cemeteries of the Town of Bristol shall be the responsibility of the Trustees of the Cemeteries. All maps showing laid out sections of each cemetery and the records of lot ownership and burials therein shall be kept by the Cemetery Trustees. Copies of all deeds conveyed for lot purchase shall be recorded by the Town of Bristol in a book provided for this purpose which shall be subject to the control of the Cemetery Trustees. The Trustees shall also keep a record of every burial in any cemetery under the town's control, showing the date of burial and the name of the person buried, when these particulars can be obtained, and the lot or part thereof, in which the burial was made. A copy of such record, duly certified, shall be furnished to any person on request and payment of a fee so determined by the cemetery trustees. ***This fee shall be \$5.00.***

Transfer of Lots: No transfer, assignment, or other conveyance of any lot shall be made by any

owner without the express written approval of the Cemetery Trustees, and all transfers shall be recorded in the cemetery records provided herein. To transfer a lot owner must resell the lot back to the town for the price paid. The new lot owner must pay the listed price at the time of transfer.

Charge for Lots: The following prices are hereby established for cemetery lots. Perpetual care is included automatically and defined herein.

1. Any lot purchased by an individual not a resident of the Town of Bristol, NH at the time of purchase will be assessed a 50% surcharge over and above the price of the lot
2. \$450 for 1 standard size lot

These charges are set by the Trustees of the cemeteries and shall be subject to change at the discretion of the Cemetery Trustees.

Perpetual care is defined as:

The general upkeep of lots to include mowing, trimming, reseeding where necessary, and repairing sunken graves.

Cemetery Maintenance

Responsibility of the Cemetery Trustees of the Town of Bristol: The general maintenance of the cemeteries and grounds shall be the responsibility of the Cemetery Trustees. The Cemetery Trustees shall determine what acts are necessary to improve and maintain the appearance and condition of the cemeteries within their jurisdiction. Without limiting the generality of the foregoing, the cemetery trustees shall address such items as the upkeep of the drives, buildings, fences, spring and fall clean up, raking of leaves and the general periodic mowing of grass. Cemeteries will be cleared of all flowers, artificial or natural, & wreaths, on May 10th and the 10th of October of each calendar **year**.

Planting of Trees and Shrubs: No trees or shrubs shall be planted in any lot in any of the Town of Bristol cemeteries by any person or persons without the express approval of the cemetery Trustees. Existing trees or shrubs may be removed by the cemetery Trustees if deemed in the best interest of the cemetery, infringes or abutting lots, or if inconvenient to the care and maintenance of lot(s).

Grading: No person shall do any grading causing the surface of the ground to be raised above the existing height of the surrounding area. No person shall discharge any chemical or organic fertilizer herbicide, or other substance on any lot without prior authorization from the cemetery Trustees.

Curbs and Fencing: No curbs or fences or other similar barriers shall be permitted around any individual or group of lots without prior written authorization from the Cemetery Trustees.

Monuments and Markers: All the Town of Bristol cemeteries shall be permitted to have monuments, footstones, and cornerstones. Location of the monument will be at the discretion of the Trustees. **1.** Monuments will be allowed in all lots limited to a maximum dimension of 24 inches wide, 3 ft. high, and 1 ft. thick.

2. Footstones will be flat with the ground.

3. All cornerstones will be flat with the ground to mark the lot boundaries in all sections

All of the following markers will be installed under the direct supervision of the Trustees of the cemeteries.

Monument Foundation: Foundations for the monuments shall be constructed of concrete, and shall be at least 3 ft. in depth. Those requesting foundations shall make the request in writing, in person, or by phone to the Trustees who will instruct the installer where the foundation will be placed in the lot.

Burials

Conditions for Burial: No burial shall take place without a burial permit. Any family member may bring human remains into this state for burial. The burial of human remains shall be under the direction of a licensed funeral director, or a family member. Burial placement will be under the direct

supervision of the Trustees of cemeteries. Burials will not take place on holidays or week-ends.

Cremated remains may be brought to a cemetery for burial by any person, with the prior consent together with a crematory certificate from the respective crematory identifying the remains. Burial will be under the direct supervision of the Trustees of cemeteries

Preparation of Grave: The preparation of graves and laying out of graveside ceremonial material shall be the responsibility of the funeral director. Any individual party or family may request such preparation dispensed for a particular service.

Winter Rules: The cemeteries in the Town of Bristol will be closed when the Cemetery Trustees see fit.

Burial Rates:

\$400 for each vault & casket burial
\$200 for each baby burial
\$125 for cremation remains in a vault
\$100 for each cremation burial

Town of Bristol or its Cemetery Trustees are not responsible: Neither the town, the Cemetery Trustees, the selectmen, nor their agents shall be responsible for errors in the location of graves and lots resulting from improper instruction from persons making the arrangements. In all cases, orders for grave opening shall be communicated to the cemetery Trustees who shall keep records thereof.

Outside Burials: In matters pertaining to burials requested by outside agencies, the body will be entombed pending proper and specific arrangements unless the exact lot and grave location is ordered with sufficient identification to the satisfaction of the cemetery Trustees.

Hold Harmless: The Cemetery Trustees, and their agents and the Town of Bristol, shall not be responsible for any damages that may occur as a result of the respective funeral director leaving the cemetery prior to the vault cover being placed.

Burial Vaults:

For Non-Cremated Remains: will be of concrete construction and will be placed in the grave by the vault company that the funeral director has hired for that job under the direct supervision of the Trustees.

For Cremated Remains: will be under the direct supervision of the Trustees.

Control: Any cemetery laid out by an individual or corporation and located within the limits herein before named, in which all lots have been sold and for the care of which trust funds are held by the town, shall be under the control of the cemetery trustees.

Discontinuance: Whenever there is a public necessity for the discontinuance of a public cemetery and the removal of the remains of persons buried in such cemetery, the same may be discontinued by a $\frac{3}{4}$ vote of the legal voters present and voting at any town meeting held for that purpose pursuant to RSA 289:15.

Re-internment: The trustees may at the expense of the town, disinter all the remains of persons buried in such cemetery and re-inter the same in the unoccupied part of some public cemetery within the town, such re-internment to be in the place designated by the nearest surviving relatives of the deceased person, if any is designated; such removal shall be done prudently and with proper care and attention pursuant to RSA 289:16.

General

Trust Funds: Trustees of Trust Funds may take and hold funds in trust, to apply the income thereof to the improvement, watering or embellishment of the cemetery, or to the care, preservation, or embellishment of any lot or its appurtenances, pursuant to RSA 289:9.

Cemetery Trustees Powers and Duties: All Cemetery Trustees in the state shall:

- 1.** Adopt bylaws and regulations for their transaction of business and for the establishment and management of all municipal cemeteries within their responsibility.
- 2.** Prepare an annual budget indicating what support and maintenance of the municipal public cemeteries will be required out of public funds for submission to the appropriate agency of the municipality.
- 3.** Expend all moneys raised and appropriated by the municipality for cemetery purposes.
- 4.** Expend income from all trust funds for cemetery purposes in accordance with the conditions of each donation or bequest accepted by the municipality, such trust funds shall be held in the custody and under the management of the Trustees of Trust Funds, Pursuant to RSA 289:7.

Penalties: the town may enforce the observance of these suitable by penalties not exceeding \$1,000 for each offense, to ensure such uses as the town may direct.

Changes of Bylaws

These bylaws may be changed or amended as the Cemetery Trustees see fit, by a majority vote of the trustees in whole, at any regular meeting.

Board of Cemetery Trustees, Town of Bristol, NH