

BYLAWS AND REGULATIONS

Canterbury Cemetery Trustees, Canterbury, NH

Revised August 2021

Article 1. AUTHORITY AND ADOPTION: In accordance with the provisions of New Hampshire Revised Statutes Annotated, Chapter 289, the Canterbury Cemetery Trustees have been established.

Article 2. PURPOSE AND INTENT: Pursuant to RSA 289, the Canterbury Cemetery Trustees are tasked with the operation and maintenance of all cemeteries owned by the Town of Canterbury, and private burying grounds traditionally maintained by the town.

Article 3. TERM OF TRUSTEES: Cemetery Trustees shall be elected for a three year term.

Article 4. POWERS AND DUTIES: Except as amended by the Canterbury Cemetery Trustees as indicated in Article 10, the Trustees are empowered to perform those duties established by these bylaws, including but not limited to the following:

- A. Advise the Selectmen of Canterbury on matters relating to Town maintained cemeteries.
- B. Adopt bylaws and regulations for the transaction of business, and the establishment and maintenance of all Town owned cemeteries.
- C. Prepare an annual budget for inclusion with the Selectmen's proposed budget, indicating what support and maintenance the public cemeteries will require out of municipal funds.
- D. Annually review the need for capital improvements and expansion of Cemetery Land, and if necessary, prepare a Capital Improvement Plan to be proposed for inclusion in the Town's Annual Capital Improvement Plan and ten year Master Plan.
- E. Ensure monies raised and appropriated by the Town for cemetery purposes are spent on such. Funds shall be maintained in the General Fund and paid in the same manner that funds of other municipal departments are paid.
- F. Expend income from all trust funds for cemetery purposes in accordance with each donation or bequest accepted by the Town.
- G. Sell to present or former residents of Canterbury Deeds of Interment for a price established by the Trustees. Exceptions may be made by the Trustees, for those who have family members interred in Canterbury cemeteries, and also for good cause, on a case-by-case basis.
- H. Annually select officers including a chairman, and secretary/treasurer.
- I. Keep accurate records regarding the use of all funds associated with the operations and trusts of the cemetery, all lots sold, and the location of all interments at cemeteries owned by the Town.
- J. Enforce the regulations set forth for the operation of Town cemeteries.
- K. Annually, in December, file a report of the prior twelve months activity with the Town Manager for inclusion in the yearly Town Report.

Article 5. DEEDS OF INTERMENT: All lots shall be transferred by deed of interment to the purchaser, who may not transfer or resell the lot to another individual. Unused lots may be sold back to the cemetery at the original purchase price with the return of the original document. All deeds of interment shall include a statement of non-transfer of title.

A. All interments and disinterments are subject to the rules and regulations of the cemetery, as well as subject to the laws of the properly constituted authorities of the town, county, or state.

B. No grave shall be opened for interment or dis-interment by any person not in the employ of the Sexton or under the direction of the Trustees.

C. Disinterments shall be made Monday through Sunday only, and at the convenience of cemetery personnel. The utmost care will be exercised in making a disinterment or removal, but the Trustees shall not bear liability for damage to any casket, burial container, urn, or cremated remains incurred in making the removal. If the remains being removed are not enclosed in a suitable container, the family must purchase an appropriate container for the transport and reinterment.

D. No interments of any casket or urn containing cremated remains shall be made until the Sexton is furnished with a permit, as required by the State of New Hampshire.

E. When instructions regarding the location of an interment space cannot be obtained or is indefinite for any reason, the Sexton may, at his discretion, open it in such a location in the lot as he deems best and proper, so as not to delay the funeral, and the Trustees shall not be liable for damages caused by any error so made.

F. The price of lots shall be reviewed annually by the Trustees with proposed changes submitted as part of the annual Town Report submission. Fees for burials, per the current fee schedule, shall be paid in full at the time of burial to the Sexton.

G. No interment shall be made in a lot that has not been fully paid for, and the owners of said lot shall cause four corner markers of suitable size to be placed at the lot within thirty days of receipt of their Deed of Interment. If corner markers are not placed within the time period, a set shall be ordered by the Cemetery Trustees or sexton, and the bill will be forwarded to the lot owner(s).

Article 6. BURIALS: Burials are a private matter and are the responsibility of the lot owners, their executor, or the funeral home.

A. All burials are to be arranged directly between lot owners and the funeral director or cemetery sexton, and shall be conducted under the supervision of the sexton or a trustee.

B. Unless otherwise allowed by weather conditions, burials shall not be permitted during winter months. Arrangements for remains during this period are the responsibility of lot owners through a licensed undertaker.

C. After a full burial in an individual 4' x 10' grave, 4 cremation urns may be buried above the burial vault. In a grave without a full burial, a total of 6 cremation urns may be buried in an individual grave. In a 4' x 4' cremation lot, up to 4 cremation urns may be buried. Existing cremation urns may not be disturbed to accomplish a full burial.

D. Green Burials are permitted. All preserved bodies must have a concrete vault. Cremains may be placed in an urn vault or similar sealed container.

E. Double deep burials, or placing two burial vaults in one grave, is not allowed.

F. At Maple Grove Cemetery, the Trustees have designated the valley that runs up the left side of the cemetery above the stone wall through Section C to the large oak trees as an area for cremation burials only. Lots shall be sold in a size 4' x 4', and owners shall have the right to inter up to four cremation urns in these lots. Markers must be flush with the ground and shall not exceed the space of the lot. No flowers or other ornamentation is allowed in this section, with the exception of flowers in vases placed directly following an interment and removed within two weeks from the date of interment.

G. No animals shall be buried in the cemetery.

Article 7. VANDALISM: The cost of repairs resulting from vandalism is the responsibility of the lot owner.

Article 8. DECORATIVE ITEMS: When leaving decorations, please keep in mind the safety of our visitors and the maintenance crew. Items should be placed on or as close as possible to the headstone pedestal to avoid contact with grounds equipment. Items that would be considered “offensive”, defined and determined by the Trustees on a case by case basis, will be removed. Items are placed at your own risk, and the Trustees are not responsible for items that are blown away, or otherwise damaged. The Trustees, or their agent, may remove any items that is an obstruction to the maintenance crew, or any dead, damaged, and/or neglected flowers, plants, trees or shrubs.

A. Flags of civilian organizations are permitted and must be placed in a flag stanchion close to the monument base so as not to be an impediment to maintenance. U.S. Flags are traditionally placed at the graves of veteran service members only. They must be placed in the steel pipes provided by the cemetery sexton, to the left of the monument. These flags are to be of the “parade” variety, no larger than 12” by 17”, and shall be mounted that the flag must not touch the ground. Flag stanchions denoting veteran’s branch or era of service are permitted on the right side of the monument. Any flag placed on the grave of a non-service member or found to be unfit for display shall be removed. Flags found to be under snow will be considered in a state of disrespect and may be removed.

Article 9. HOURS OF OPERATION: The cemetery trustees shall make efforts to be available as needed to individuals seeing assistance with lot sales. The cemetery is closed to vehicles during the winter. Walking in the cemetery, while closed, is at the person’s own risk.

Article 10. REVISION TO BYLAWS: These bylaws may be amended by majority vote of the Canterbury Cemetery Trustees, with submittal to the Canterbury Selectmen. Appeals to decisions of the Cemetery Trustees may be made to the Canterbury Selectmen.

CEMETERY RULES AND REGULATIONS

Canterbury Cemetery Trustees

Cemetery rules and regulations play an important part in the beautification and preservation of the grounds. It should be borne in mind that in return for the concession of individual tastes and preferences, the following rules and regulations have been adopted for the benefit and propriety of visitors, lot owners, and the general appearance of Canterbury's cemeteries.

All owners and visitors within the cemetery and all lots and graves sold, shall be subject to said rules and regulations, and subject further, to such other rules and regulations, amendments or alterations, as shall be adopted by the Cemetery Trustees, or the Town of Canterbury. All rules previously adopted by the Cemetery Trustees, or any cemetery committee previously in charge of Canterbury's cemeteries, are hereby repealed, and are no longer effective.

I. Initial grading, seeding, purchase of headstone, grave markers, lot corner posts, and maintenance of the stone, shall be the responsibility of the lot owners and their heirs and assigns forever.

II. Only one upright monument or memorial, including granite benches, are allowed per one or more contiguous grave lots. Single grave markers, and lot corner posts, are to be flush with the grade. No lot owner shall erect or place or cause to be erected any memorial or monument without prior approval from the Trustees or the Sexton. No curbing, fencing, hedging, or enclosures of any kind shall be allowed around any plot. All memorials shall have a suitably deep foundation of crushed stone or concrete. The Trustees reserve the right to remove same if so erected or placed. No change in grade is allowed without the approval of the Trustees or Sexton.

III. The in-ground planting of flowers on lots with above ground monument is allowed, but limited to an area fourteen inches in front, or on either side, of the above ground monument. Artificial flowers, flowerpots, artificial lighting including solar-powered lights, garden decorations (including wind spinners, wind chimes, plaques, etc.) and like-items, will be allowed, but must be removed by November 1st each year. The Cemetery Trustees shall make an annual inspection and clean up each fall, after duly noticing and publishing the time and date in two public locations and shall remove any items that are deemed to be obtrusive to the maintenance of the cemetery. Items shall be kept for retrieval by owners for two weeks, after which they shall be disposed of at the discretion of the Cemetery Trustees.

IV. No bicycles, skateboards, rollerblades, manual scooters, motorcycles, snowmobiles, off-highway recreational vehicles, or mounted horses, family dogs, or other animals, shall be permitted in the cemetery.

Addendum to Cemetery Rules and Regulations

Canterbury Cemetery Trustees

The following rules were adopted at the May 17th, 2022 meeting of the Canterbury Cemetery Trustees, and took effect to apply to the Shell Meetinghouse Cemetery, at the intersection of Baptist Hill Road and Hackleboro Road in Canterbury, New Hampshire:

- I. Burial lot size shall be 4' x 10' and interments shall be limited to cremains.
- II. No change in grade and ground cover shall be allowed.
- III. Only one upright monument shall be allowed per one or more contiguous lots. Single (flat) grave markers, and lot corner posts, shall be flush with the grade. A monument shall have a suitably deep foundation of crushed stone or concrete and shall be consistent with the size, design and material of existing monuments. No lot owner shall erect or place, or cause to be erected, a monument without prior approval from the Trustees or Sexton. The Trustees reserve the right to remove same if so erected or placed.
- IV. Shell Meetinghouse Cemetery shall maintain the characteristics of a historic, rural cemetery. No in-ground planting of flowers, artificial flowers, flowerpots, artificial lighting (including solar-powered lights), garden decorations (including wind spinners, wind chimes, plaques, etc.) and like-items shall be allowed. Any such items shall be removed and disposed of. No curbing, fencing, hedging, or enclosures of any kind shall be allowed around any plot.

John Goegel, Jan Cote, Sam Papps
Canterbury Cemetery Trustees