



# CEMETERY REGULATIONS

Revised: 2023

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REGULATIONS GOVERNING PUBLIC CEMETERIES  
IN THE  
TOWN OF STRATHAM

Updated December 6, 2023 effective immediately

1. **PURPOSE:**

The purpose of these regulations is to establish requirements for the purchase of cemetery lots, interment of deceased, lot site regulations, and maintenance of facilities and grounds for all public cemeteries in the Town of Stratham. These requirements supersede all previous requirements governing public cemeteries in Stratham. These regulations shall remain in force on a continuing basis unless modified by the Cemetery Trustees.

2. **AUTHORITY:**

The care and use of public cemeteries will be under the authority of the Board of Selectmen and administered by the Cemetery Trustees in accordance with these regulations and the requirements of New Hampshire State Law RSA 31, RSA 289 & RSA 290 to the extent of appropriated Town funds, interest from the Cemetery Trust Fund and donations.

3. **CEMETERY TRUSTEES:**

The Trustees shall be elected by the annual Town Meeting and consist of three members. The term of office shall be for three years. Initially the appointment of the three members shall be for one, two, and three years respectively; thereafter, a new member will be elected each year. Any member may serve for more than one term. Each member shall serve as chairperson during the last year of their three year term unless otherwise voted by the Trustees. Decisions of the Trustees shall be determined by majority vote. Frequency of meetings shall be determined at the direction of the Chairperson; however the Trustees shall meet at least once each quarter as a minimum. The Trustees shall serve without pay but will be compensated for out of pocket expenses that may occur in carrying out their duties.

4. **SEXTON:**

A Sexton is appointed by the Trustees per RSA 289:7. This person shall not be a trustee and is responsible to the Cemetery Trustees for supervising work done in the cemeteries. Unless otherwise designated by the Cemetery Trustees, the Director of Public Works shall be the Sexton.

## **5. CEMETERY RECORDS:**

The Cemetery Trustees shall maintain custody of all documents, records, site plans, and such other records associated with the cemeteries. All records shall be stored in the Town Office vault and accessible to the Town Clerk for recording cemetery lot sales and other related Town Clerk matters.

Each record shall show the section & lot number, name, address, and date of purchase of the lot. After burial has taken place, the following shall be recorded: the date of death, date of burial, name of the person buried, the relationship to lot owner, if the deceased was a veteran, if the remains were cremated or placed in a vault, and the lot in which the burial was made.

## **6. CEMETERY BUDGET:**

The Cemetery Trustees and the Highway Agent shall develop and recommend to the Selectmen the annual budget for the maintenance, care, capital improvements, and acquisition of property for the public cemeteries. The budget shall include anticipated receipt of monies from the perpetual care funds.

## **7. CEMETERY VISITORS:**

The cemetery is open to visitors during dawn to dusk hours. The cemeteries will be closed to vehicle access after the first snowfall each winter. This will remain in effect until April 1 or the Trustees' vote to open the roads. No skateboarding, roller skating, recreational bicycling or any other recreational activities are allowed on cemetery grounds. Animals are allowed on cemetery grounds when they are part of a ceremony or a service animal. Further, visitors will be permitted to have animals, provided they are on a leash and they clean up after the animal.

## **8. SALE OF CEMETERY LOTS:**

Cemetery lots are available for purchase from the Town in accordance with the following regulations:

Lots may be purchased only by present or former residents of the Town of Stratham

The number of lots that may be purchased is restricted to the number of persons in the immediate family and any individuals related by blood, marriage, or civil union. Also, if possible, the name of each person to be buried in each lot should be given at the time of purchase. Appeals for

exception to this requirement, such as hardship cases, may be submitted to the Cemetery Trustees who will make a decision to grant or reject the appeal. All appeals must be submitted in writing and include the specific reason for requesting the exception.

Lot owners who subsequently determine that they no longer need a lot and wish to dispose of it must give the Town of Stratham first refusal rights to procure ownership. The selling price to the Town shall not exceed the original selling price of the cemetery lot.

If the owner of a lot(s) is deceased, ownership shall be in accordance with RSA 290:24.

Whenever a lot has remained unused for fifty (50) years and no improvements made by the owner, ownership may be transferred to the Town subject to the requirements of RSA 289:18

#### **9. COST AND DEEDING OF CEMETERY LOTS:**

The Town Clerk is responsible for the sale and receipt of monies for the sale of cemetery lots and maintaining a copy of the Deed and official record of each burial on the State of New Hampshire Burial Transit Permit Form BT-1. The transfer or sale of cemetery lots is subject to the requirements of Section 8 above.

The cost of cemetery lots and associated fees:

|   |            |
|---|------------|
| Cost of each cemetery lot including general care  | \$750.00   |
| Cost of each cremation lot including general care | \$350.00   |
| Cost to open each grave                           | \$900.00*  |
| Cost to open infant grave (under one year)        | \$350.00   |
| Cost to open each cremains                        | \$350.00** |

\*There will be an additional cost of \$200 if services are required after 2:30 PM on weekdays or any time on Saturday, Sunday and holidays

\*\*There will be an additional cost of \$50 if services are required after 2:30PM on weekdays or any time on Saturday, Sunday and holidays

#### **10. INTERMENTS:**

The maximum number of interments in any one direct burial lot shall be limited to: One burial and up to two Cremains, or up to four Cremains with no burial.

The cemeteries are closed to interments from December 1 to April 15 of each year unless the weather justifies an adjustment to the schedule. Such decisions shall be made by Trustees.

No animals are to be interned in any Town cemetery.

## 11. CREMATIONS:

Cremains may be placed in a standard cemetery lot or in the Cremation Garden in accordance with the following requirements and the special requirements for the Cremation Garden in Section 17.

Cremains may be placed in a lot only after recording actions have been completed by the Town Clerk. For recording actions, the owner must provide to the Town Clerk a State of New Hampshire Burial Transit Permit Form BT-1 or a Certificate of Cremation.

Cremation ashes must be in a permanent container designed for that purpose and placed at a minimum depth of 18 inches to the top of the cremain.

Cremains may be placed in a lot by the owner or an undertaker in the presence of a Cemetery Trustee or their representative.

## 12. MONUMENTS:

Only one upright monument is allowed on each direct burial lot; however it is preferable to have a single family monument for two or more adjoining lots. No temporary grave markers made of wood, plastic, or other materials are permitted on any lot. The Sexton or Trustees shall determine monument location. Monument size shall not exceed the following dimensions:

### MAXIMUM MONUMENT SIZE:

| PLOT SIZE  | LENGTH | WIDTH | HEIGHT | BASE LENGTH |
|------------|--------|-------|--------|-------------|
| 1-3 Graves | 3' 6"  | 1' 2" | 3' 0"  | 4' 6"       |
| 4-6 Graves | 4' 6"  | 1' 4" | 3' 6"  | 5' 6"       |
| 7 or more  | 7' 6"  | 1' 6" | 4' 0"  | 8' 6"       |

Stone corner markers to locate boundaries of family lots, foot stones, or metal foot markers may be installed but must be set at ground level. All

monuments or headstones shall be erected on a solid concrete base at a depth of not less than three feet. Foundations for corner stones, foot stones, and metal markers are optional.

Gravestone rubbings shall not be taken without written approval of the Cemetery Trustees. Such rubbings shall be in accordance with RSA 289:22.

**13. GRAVE PREPARATION:**

Grave preparation shall be the financial responsibility of the lot owner and shall be performed by the Highway Department or others as approved by the Sexton or Trustees in accordance with State Law. All direct burials shall be enclosed in a concrete vault except infants for whom a fiberglass container 30 inches in length or less may be used.

**14. MAINTENANCE:**

Public cemeteries shall be maintained or caused to be maintained by the Sexton in accordance with these regulations and such other requirements as may be imposed by the Cemetery Trustees.

The Sexton shall recommend to the Cemetery Trustees removal of any tree, shrub, or other item which is considered detrimental, dangerous, infringes on an adjacent lot, or is inconvenient to the proper care of the cemetery.

**15. MEMORIALS:**

Flowers, wreaths, and flags may be placed on a grave. It is desirable that the number of such memorials be limited to two and placed such that they do not inhibit mowing. When memorials become aesthetically undesirable, they shall be removed by the owner or, if not, they will be removed by the Stratham Highway Department or Sexton.

Benches may be placed with prior approval of the Cemetery Trustees. All requests for a bench must include measurements, color, style, and material. All benches must be of approved materials, either granite or concrete and no more than 16" in width and 40" long. Artificial coloring of any kind is not permitted. The actual location of the bench will be determined by the Cemetery Trustees or the Sexton. All benches shall be on a concrete foundation and will be bolted down to the pad. The seat portion must be bolted to the legs.

**16. PLANTINGS & FLAGS:**

As of April 2011, the planting of trees and shrubs is no longer allowed. If planted, they will be removed. Existing trees and shrubs may remain subject to the conditions noted in Section 14. If these trees and shrubs die or are removed, they may not be replaced.

Flower gardens are permitted on a direct burial grave site in accordance with the following:

Gardens shall be placed directly in front of the grave headstone.  
Gardens behind the head stone are not allowed.  
Gardens shall not be larger than three square feet in size.  
Gardens must be maintained in good condition by the family.

Permanent flower urns or temporary flower pots may be placed on a gravesite such that they do not inhibit mowing. Temporary flower pots that become aesthetically undesirable should be removed by the owner or if not, they will be removed by the Highway Department.

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**17. CREMATION GARDEN:**

The general rules and regulations for Maple Lane Cemetery apply. See Section 11 for additional cremation regulations.

Each cremation lot is two (2) feet square and only one (1) Cremain may be placed in each lot.

Each lot may have one flat marker. The size of Military markers and regular flat markers shall not be larger than 24" x 12" x 4". No upright markers are allowed.

Plants in pots will be allowed provided the pot size is 10 inches or less.

No benches or upright monuments will be allowed in the Cremation Garden.