

Piermont Cemetery Trustees
Bylaws, Rules and Regulations

1. Declaration of Policy: The Piermont Cemetery Trustees hereby ordain that the following rules, regulations and bylaws be established to govern the proper use, operation and maintenance of all Town cemeteries now in existence or hereafter established. The Town desires to have its cemeteries maintained in the best economically possible manner and firmly believes that the following rules, regulations and bylaws are necessary for the protection of lot and grave owners, and for the proper conduct and good order of the cemeteries.
2. Cemetery Trustees: As provided for in RSA 289:7 the rules, regulations and bylaws herein contained shall be administered by the Cemetery Trustees who are duly elected officials of the Town. Upon majority vote and for good cause shown, the Trustees may modify, suspend, repeal or amend the provisions of this ordinance.
3. General Regulations: No person shall:
 - a. Enter a cemetery except through an established gate or entrance way.
 - b. Pick or mutilate any flowers, either wild or domestic, or disturb any tree, shrub or other planted material other than on a lot owned by that person or with the express permission of the lot owner.
 - c. Use the cemeteries as picnic or recreation areas or, other than in connection with a religious service, consume or possess alcoholic beverages in a cemetery.
 - d. Smoke, vape, or use any electronic smoking device or inhalable substances.
 - e. Display any form of advertising on cemetery premises.
 - f. Discharge firearms in or over any cemetery. This prohibition shall not apply to authorized volleys at burial services or parade ceremonies conducted by recognized military organizations or associations of the United States.
 - g. Injure or deface any monument, stone, fence or other structure or property within any cemetery.
 - h. Allow any domestic animal to run at large within any cemetery.
 - i. Allow any child under the age of ten (10) years in any cemetery unless accompanied by an adult.
 - j. Ride horseback within or through any cemetery.
4. Traffic Regulations:
 - a. Motor vehicles shall be operated within cemeteries only on roads designated for that purpose; and their speed shall not exceed five (5) miles per hour.

- b. No person shall enter any cemetery with a loaded truck, except the cemetery maintenance crew, unless permission has been expressly received from the Sexton.
- c. No person shall unload any stone, dirt or other material from vehicles in any cemetery, except the cemetery maintenance crew, unless permission has been expressly received from the Sexton.
- d. Any person operating a motor vehicle within any cemetery shall be subject to all the traffic laws of the State of New Hampshire and the Town of Piermont.
- e. Snowmobiles, ATV's, dirt bikes (off-road) or motorized scooters and go-carts are not allowed within the boundaries of any cemetery.

5. Establishment of Cemeteries:

- a. The Town of Piermont shall have the final authority for the location and establishment of cemeteries within the Town, and shall, as the need arises, set aside new ground areas for this purpose in accordance with RSA 289:2 or any amendments thereto.
- b. The following named existing cemeteries shall be deemed to have been established as town cemeteries at their present locations, more particularly described in the deeds and maps attached as exhibits A thru M.
 - a. Cedar Grove
 - b. Clay Hollow
 - c. East Piermont (Cape Moonshine)
 - d. River Road
 - e. South Lawn
- c. The Cemetery Trustees will establish all beginning lots. The lots will be conveyed in sequence starting with one in each section. All lots in one section must first be conveyed prior to the conveyance of any lot in any undeveloped section.
- d. The Cemetery Trustees shall obtain Cemetery property with the approval of the Town of Piermont Planning Board and in accordance with all state and federal laws then applicable.
- e. Unless previously laid out or otherwise expressly designated, lot sizes for town cemeteries are hereby established as being five (5) feet, by ten (10) feet, by four (4) feet deep.

6. Purchase and Conveyance of Lots:

- a. Lots purchased in the laid out sections of the cemeteries of the Town of Piermont 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 Ordinances Town of Piermont, these bylaws, and all applicable state and federal laws.
- b. Lots in the cemeteries of the Town of Piermont shall be selected and purchased from and with the consent of the Sexton of Cemeteries, subject to the control of the Cemetery Trustees. Payment for lots purchased shall be made to the Bookkeeping Trustee. Such purchase shall be evidenced by a deed prepared by the Trustees. Such deed shall state the name of the purchaser, date of purchase, purchase price, the amount paid, name of

cemetery, lot number(s) and section number, and shall be presumptive evidence of ownership of the lot(s) described therein. It shall be the responsibility of the Cemetery Trustees to control the funds so as to serve the purpose for which they are raised.

- c. The keeping of records of the cemeteries of the Town of Piermont shall be the responsibility of the Cemetery Trustees. All maps showing laid out lots 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 Cemetery Trustees in a book provided for this purpose which shall be subject to the control of the Cemetery Trustees. The cemetery Trustees shall also keep a record of every burial in any cemetery under the Town's control, showing the date of the burial and the name of the person buried, and the lot in which the burial was made. This duty may be transferred and assigned to the Cemetery Sexton. A copy of such record, duly certified, shall be furnished to any person on request.
- d. No transfer, assignment, or other conveyance of any lot shall be made by any owner without express, written approval of the Piermont Cemetery Trustees, and all transfers shall be made upon an approved form or deed through the office of the Piermont Cemetery Trustees and recorded in the cemetery records as provided herein.
- e. The prices established for cemetery lots and perpetual care are set by the Cemetery Trustees. Charges are subject to change at their discretion and are available upon request.

7. Cemetery Maintenance:

- a. The general maintenance of the cemeteries and grounds shall be the responsibility of the Cemetery Trustees. The 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 Trustees shall among other things, address such items as the upkeep of drives, buildings, fences, spring and fall clean-up, raking of leaves and the periodic mowing of grass.
- b. Cemeteries will be cleared of all flowers, artificial or natural, on or about April 1st. Such items may be replaced on or about May 1st for Spring cleanup. In the Fall all flowers, artificial or natural will be cleared on or about October 1st. Such items may be replaced on or about November 1st of each year.
- c. No trees or shrubs shall be planted in any lot in any of the Town of Piermont cemeteries by any person or persons without permission of the Cemetery Sexton. Existing trees or shrubs may be trimmed or removed by the cemetery crew if deemed in the best interest of the cemetery, adjoining lots, or if inconvenient to the care and maintenance of lots. All natural flowers and plants may be planted or in potted containers readily movable for maintenance.
- d. All grading of lots shall be done by the cemetery crew upon written request of the owner. 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 written authorization from the Sexton.

- e. No curbs or fences or other structures or similar barriers shall be permitted around any individual lot or group of lots without the prior written authorization of the Sexton.
- f. All Town of Piermont cemeteries shall be permitted to have monuments, markers and cornerstones of such dimension and material as shall be approved by the Sexton. Cornerstones are provided by the Town at the cost listed on fee schedule.
- g. Foundations for monuments shall be constructed of concrete by the installer. Those requesting a foundation shall make the request to the Sexton, and the Sexton will instruct the installer as to where the foundation will be placed in the lot.

8. Burials:

- a. No burial shall take place without first having obtained a burial permit for human remains from a funeral director. All burials of human remains shall be under the direction of a licensed funeral director.
- b. Cremated human remains may be brought to a cemetery for burial by any person, with prior consent of, and standard burial permit issued by, the Sexton together with a permit from the respective crematory, stating the identity of the remains.
- c. It shall be the duty of the Sexton and the funeral director to insure that all local, state and federal laws are adhered to relevant to the burial of human remains.
- d. The Sexton shall see that the digging, preparation, and refilling of graves shall be carried out in a timely manner.
- e. Burials per grave:
 - i. Up to four (4) cremation burials
 - ii. One (1) full burial *and* up to two (2) cremation burials
- f. The cemeteries in the Town of Piermont will be closed for burials for the winter season when the Trustees see fit. The Trustees will place a notice online.
- g. At any time when the cemeteries are officially closed for the season, a person may request that a grave be opened, this will go before the Cemetery Trustees for approval. If approved, that person then shall sign an agreement prepared by the Sexton or Trustees stating that said person will be responsible for any additional costs at a rate listed on the Cemetery Fee Schedule.
- h. There shall be no burials in the Town of Piermont cemeteries on Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day or New Years Day.
- i. Neither the Town, the Sexton, the Cemetery Trustees, nor their agents shall be responsible for errors in location of graves on lots resulting from improper instruction from persons making the arrangements. In all cases, orders for grave opening shall be communicated to the Sexton who shall keep records thereof. Nor will the Town, the Sexton, the Cemetery Trustees, nor their agents be responsible for any damages that may occur as a result of the funeral director leaving the cemetery prior to the vault cover being properly closed.

- j. In all full interments, the remains shall be enclosed in burial vaults and shall be of concrete or metal construction and shall be placed in the grave by the vault company that the funeral director has hired for that job.

9. Monuments and Markers

- a. The Town ONLY installs flat markers.
 - i. Single grave
 - 1. Horizontal, flat grass markers only: one foot by two feet
 - ii. Two grave lot
 - 1. Three to four feet long and not over sixteen inches wide, height of die thirty-five to forty inches
 - iii. Three grave lot
 - 1. Four to five feet long and not over sixteen inches wide, height of die not over forty-eight inches
 - iv. Six grave lot
 - 1. Maximum of seven and a half feet long and not over sixteen inches wide, height of dies not over forty-eight inches unless otherwise approved by the Cemetery Trustees.
 - v. Flat markers
 - 1. Two feet by one foot, may be used in connection with family stone.
 - vi. Flags and staffs for marking Veterans of Military Service will be issues and placed by the Cemetery Sexton. Other flags and staffs are not permitted and will be removed.

10. Trust Funds and Accounting:

- a. The Cemetery Trustees may accept and transfer to the Piermont Trustees of Trust Funds to hold funds in trust, to apply the income thereof to the improvement, watering, care, preservation or embellishment of any lot or its appurtenances.
- b. Whenever the Trustees take and hold such trust funds, they shall keep an account of every such fund received and held by it; and the account of any such fund shall be open to inspection by any person having an interest in the proper administration of the trust. Reports of these funds shall be filed with the N.H. Attorney General, the N.H. Department of Revenue Administration and the Town on an annual basis as the law requires.

Adopted: December 1, 1994

Revised: August 14, 2000

Revised: November 27, 2002

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