

## CHAPTER 114

### CEMETERY REGULATIONS

[**HISTORY:** Adopted by the Board of Cemetery Trustees 4-27-1995. Amendments noted where applicable.]

#### GENERAL REFERENCES

Cemetery Trustees — See Ch. 19.

#### § 114-1 Lot sizes.

[Amended 06/27/2023]

- A. Six grave lots: 10 feet by 20 feet.
- B. Four grave lots: 10 feet by 14 feet.
- C. Two grave lots: 10 feet by 8 feet.
- D. Ashes Gardens lots: 6 feet by 4 feet (4 cremations per lot)
- E. Natural (Green) Burial lots: 10 feet by 8 feet (2 burials per lot)

#### § 114-2 Cost of lots.

[Amended 06/27/2023]

- A. A six-grave lot:
  - (1) For General Cemetery Maintenance Fund: \$500.
  - (2) For lot: \$500.
  - (3) Total: \$1,000.
- B. A four-grave lot:
  - (1) For General Cemetery Maintenance Fund: \$500.
  - (2) For lot: \$300.
  - (3) Total: \$800.

C. A two-grave lot and Ashes Garden lot:

- (1) For General Cemetery Maintenance Fund: \$200.
- (2) For lot: \$300.
- (3) Total: \$500.

D. Natural (Green) Burial lots:

- (1) For General Cemetery Maintenance Fund: \$200
- (2) For lot: \$300
- (3) Maintenance surcharge: \$500
- (4) Total: \$1,000

**§ 114-3 Deed required to recognize ownership.**

The ownership of an unoccupied burial lot within the Town of Hillsborough will not be recognized without a deed being issued by the Board of Selectmen.

**§ 114-4 Sale or transfer of lots restricted.**

[Amended 06/27/2023]

An unoccupied burial lot within the Town of Hillsborough may be privately sold or transferred and a copy of such sale or transfer must be filed with the Town of Hillsborough at the Town Office.

**§ 114-5 Excavation of graves.**

All excavating of graves including cremations (at the expense of the requesting party) and maintenance of all cemeteries within the Town of Hillsborough will be done by a caretaker appointed or contracted by the Cemetery Trustees.

**§ 114-6 Requirements for burial.**

[Amended 06/27/2023]

- A. All full body burials must have been embalmed (except for Natural (Green) Burials – See Section 114-26).
- B. All full body burials must be vaulted (except for Natural (Green) Burials - See Section 114-26).

**§ 114-7 Maintenance of ground contour.**

[Amended 06/27/2023]

No burial lot may be built up to a level higher than the contour of the ground around it.

**§ 114-8 Curbs, fences and/or borders.**

[Amended 06/27/2023]

No curbs or fences of any kind will be placed or erected on or around any burial lot.

Borders are allowed directly in front of and in line with the headstone for no more than twelve inches (12") or in line with the back of the headstone going eight inches (8") out from each side and down no more than ten inches (10") from the front of the headstone. (The owner is responsible for all the maintenance of this area.)

**§ 114-9 Markers and cornerstones.**

[Amended 06/27/2023]

- A. At their own expense, lot owners shall mark the corners of their lots with granite corner bounds, each set flush with grade level and bearing an initial that identifies the lot.
- B. All individual markers or lot cornerstones must be flush to the ground.
- C. All freestanding markers must be placed near the headstone.

**§ 114-10 Cremation receptacles.**

There are to be no more than four cremation receptacles in each gravesite.

**§ 114-11 Number of burials per gravesite limited.**

Making burials one above another (double deep) in one gravesite is prohibited in Town cemeteries.

**§ 114-12 Approval of markers required.**

[Amended 8/23/1995]

Approval by a majority of the Cemetery Trustees is required prior to the installation of any headstone, footstone, cornerstones, or any other type of marker. The use of cement, artificial stone, composition, wood, tin, or iron of any description is not permitted.

**§ 114-13 Family headstones.**

[Amended 10/15/2004]

Only one upright family headstone will be allowed on a lot. The headstone must be placed on a permanent base.

**§ 114-14 Dilapidated or dangerous markers.**

Should any headstone, footstone, cornerstone, mausoleum, or tomb become unsightly, dilapidated, or a menace to visitors, the Cemetery Trustees will have the right to either correct the condition or remove the same.

**§ 114-15 Trees and other plants.**

[Amended 06/27/2023]

- A. Shrubs, perennial plants, or flowers whose maximum height does not exceed that of the lot's headstone by more than six inches, may be placed on a lot, only in the area of the headstone.
- B. The caretaker may enter upon any lot and remove or trim any tree, shrub, perennial plant and/or flower which he deems detrimental to the cemetery or adjoining lots or unsightly.
- C. The caretaker at his discretion may remove any pots and urns which contain mostly dead flowers at any time. The caretaker may also remove silk or silk like flowers which are faded and past their prime.

**§ 114-16 Grading, landscaping and/or improvements.**

[Amended 06/27/2023]

All grading, landscaping and/or improvements of any kind, and all care on lots will be done by the caretaker or with the approval of the caretaker.

**§ 114-17 Trust fund moneys.**

Lots for which the Town holds trust funds will be cared for out of the money authorized to be expended for the care of cemeteries and so much of the income from these trust funds as may be thus expended will be deposited in the Town treasury at the year's end, and the remainder, in each instance credited to the individual funds.

**§ 114-18 Portions designated as common burial ground.**

[Amended 06/27/2023]

A portion of the Maple Avenue Ashes Garden has been designated as common burial ground, in which strangers and persons of the Town other than owners of lots may be

buried, but no lots in the same will be sold or enclosed by any person; and no person will take or hold any lot for free burial purposes, except in such designated portion.

**§ 114-19 Area designated for cremations.**

[Amended 10/15/2004]

A section of the Hillsborough Center Cemetery has been marked out into lots for cremations only and only flat markers will be allowed.

**§ 114-20 Use of lots.**

The owner of any lot will have the right to use the same for the burial of the dead, for the erection of suitable stones, monuments, or tombs, for the cultivation of shrubs, plants, and flowers, subject to the supervision of the Cemetery Trustees.

**§ 114-21 Removal of obstructions.**

If any lot or avenue will be injured or materially incommoded by means of any shrubbery, or other object in or upon an adjacent lot, the owner thereof will be required to remove the obstruction; and in case of failure to do so within 60 days, it will be the duty of the Cemetery Trustees to cause it to be removed at the owner's expense.

**§ 114-22 Removal of detrimental or offensive structures.**

If any monument, effigy, or structure of any kind (or the device or inscription thereon), which may be placed in or upon any lot, will be decided by the Cemetery Trustees to be detrimental or offensive, it will be the right and duty of the Trustees to cause such improper objects to be forthwith removed.

**§ 114-23 Authorization to perform excavations.**

The contractor will be the only person authorized by the Hillsborough Cemetery Trustees to do excavating of any kind within Town-owned cemeteries.

**§ 114-24 Completion of forms.**

[Amended 8/23/1995]

A. All burial-transit permits, section "Cemetery or Crematory Authority Will Fill Out Space Below" will be completed by the maintenance contractor as the person in charge for all burials done in cemeteries located in the Town of Hillsborough.

B. All burial location forms will be signed by the maintenance contractor as contractor for all burials done in cemeteries located in the Town of Hillsborough.

**§ 114-25 Closure in winter.**

All cemeteries owned by the Town of Hillsborough will be closed in the winter for all burials, from December 1 through April 1.

**§ 114-26 Natural (Green) Burials.**

[Added 06/27/2023]

The area designated for natural burials is the section of the Harvey Memorial Cemetery to the right of the first access road.

Town of Hillsborough Cemetery Regulations apply to natural burials unless they conflict with rules specifically for this section or are inconsistent with the purpose and intent of natural burials.

Standard lot sizes and prices apply, with the addition of a surcharge for additional maintenance required as a result of settling.

Deceased persons may not be embalmed or topically treated with sprays or compounds, unless with non-toxic products. Bodies must be wrapped in a natural fiber shroud, quilt, or blanket. Clothing is optional. (No synthetic material of any kind)

Cremated remains will be accepted, as long as no embalming or other treatment is done prior to cremation. These remains can be interred without a container or one that is biodegradable. All materials used in the manufacture/construction of caskets, burial containers, shrouds, blankets, clothing, and urns must be biodegradable and non-toxic. A natural wood backer (plywood or oriented strand board are not acceptable) can be used to stabilize the body during the burial process if a casket will not be used.

Vaults and liners are prohibited.

Graves are to be 4 feet deep with at least 2 feet of excavated material covering the body or casket level to the ground.

No enclosures of any kind shall be allowed in, or around, any lot. All plantings are prohibited. No decoration or embellishments that are not found in nature are allowed. Fresh cut flowers may be left on the grave at any time, and will be removed by cemetery personnel upon becoming unsightly.

Corner markers, flush with the ground, are required. One stone is permitted per burial and must lay flat to the ground. Stones may be engraved. No chemicals can be used to enhance the etching.

Disinterment is not allowed unless ordered by the State. Next-of-kin must sign a waiver attesting their understanding of this rule.