Brookfield Town Cemetery

Policies and Procedures

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Brookfield Town Cemetery

Procedures and Policies

April 2016

Section 1: Purpose and Intent

The rules and regulations of the cemetery have been established for the beautification and management of the cemetery. It is the intent of these policies and procedures to maintain the cemetery as a dignified, peaceful and reverent place for the deceased.

Section 2: Authority

The Cemetery Trustees will take reasonable precautions to protect "Right to Inter" owners' lots within the cemetery from loss or damage. The trustees and Town of Brookfield disclaim all responsibility for loss or damages from causes beyond their reasonable control such as damage from the elements, acts of God, common enemies, thieves, vandals, malicious mischief makers, unavoidable accidents, invasions or order of any civil or military authority, whether the damage be direct or collateral, other than as provided in the regulations.

The Trustees and Town of Brookfield shall in no way be liable for any delay in the interment of a body where a written protest has been made and filed with the Trustees of the cemetery, or when the regulations have not been complied with; the deceased shall remain in the care of the funeral home at the expense of the family until the protest of the interment or the regulations have been fully complied with.

The Trustees reserve the right to correct any errors that may be made by them in making interments and dis-interments, or removals, or in the descriptions, transfer, or conveyance of any interment property. The Cemetery Trustees and the Town of Brookfield will not be held liable for any mistake occurring from the want of precise and proper instructions as to the particular space, size, and location in the plot where the interment, dis-interment or removal is desired.

Section 3: General Regulations

A. Cemetery Access:

1) The cemetery will be open to the public seven days a week during daylight hours. No one without permission of the cemetery trustees or selectmen shall enter the cemetery after sundown for any reason. The cemetery will be closed to vehicle access during the months of December, January, February and March. Exceptions may be granted by the cemetery trustees or selectmen.

2) All domestic animals will be on a leash at all times and under the control of the owner. The animal must remain on the walkways or roads at all times. The owner of the animal will be responsible for all clean up after their pet.

3) Vehicles are permitted on the roads of the cemetery for the purpose of visiting graves or cemetery business. Only maintenance or other commercial vehicles involved in restoration or preparation of a gravesite will be permitted to park off the roadway. No vehicles will be allowed in the cemetery after sundown.

4) Pedestrians visiting the cemetery should avoid walking on grave sites.

B. Loss or Damage

1) Any person causing damage to any plantings, plots, walkways, head stones or any other structures will be financially responsible for the required repairs to the damaged property. This applies to any visitor, contractor or funeral director.

2) No picking of any wild or cultivated flowers is allowed.

C. Personal Conduct:

1) All visitors are to conduct themselves in a respectful manner. Persons exhibiting inappropriate behavior will be subject to removal from the cemetery.

2) Hunting is prohibited within the boundaries of the cemetery property.

3) No alcoholic beverages are allowed.

4) Gravestone rubbing is prohibited.

5) Trash must be removed by the person responsible for the trash.

6) Current contact information is the responsibility of plot owners. Any change in phone numbers or address updates should be e-mailed or mailed to the cemetery trustees.

SECTION 4: Plot Sales

A. All lots shall be transferred by "Right to Inter" only. The title of the real estate remains with the town of Brookfield.

B. Any person desiring to purchase plots for the "Right to Inter" should contact the cemetery trustees for the "Right to Inter" application.

C. The total sale price of the plot includes general care.

D. No animal remains or animal cremains are to be buried in the cemetery.

E. Plots must be paid in full prior to an Interment, placement of markers or stones.

F. A cemetery plot is defined as a site 4 feet wide by 10 feet long.

   1) One plot site is limited to one full casket burial with two possible cremains burials on top; or

   2) One full casket burial or two infant burials; or

   3) Four cremains burials.

   4) Alternative burial configurations are at the discretion of the Cemetery Trustees.

G. Multiple one plot sites may be purchased and may be adjacent if available.

H. A single plot cost is $500.00 for current residents and $700.00 for non-residents.

I. No fencing or curbing allowed on any plot.

J. Approval of the trustees is necessary prior to the placement of any markers, monuments or foundations. (see Section 8: Minimum Standards section)

K. The trustees reserve the right to offer plots within certain sections as is in the best interest of the overall management of the cemetery.

L. When impediments are discovered on certain plots during excavation, such as ledge or boulders, the owner of the plot may decide if they wish to relinquish the plot back to the town with the approval of the trustees, and exchange it for another plot within the cemetery or accept the decreased capacity of the plot.

M. Green burials will be allowed in a designated area separate from the traditional burial of cremains and casket burials. (see Section 13: Definitions)

SECTION 5: Plot/Right to Inter, Ownership, Re-sale and Relinquish

A. State of New Hampshire RSA 290:24 and all other applicable laws shall govern the ownership of the "Right to Inter" Certificate in the event of the original owner's death. It is the responsibility of the heir to file full proof of ownership to update the cemetery records. Proof of ownership may be established by providing certified copies of the will or probate records and a notarized statement as to the relationship of the new owner of the Certificate. If necessary, the trustees may request additional documents to establish ownership.

B. The owner of the "Right to Inter" Certificate must be in possession of the Certificate prior to a burial. In the event the owner does not have in their possession their Certificate, the trustees shall have to authorization to permit the burial with the owner's notarized Interment Order. The books of the Cemetery shall be in agreement with the owner's request. The Cemetery books shall serve as the final authority.

C. It is the duty of the owner of the plot to notify the Cemetery Trustees of their change of address in the event of a move. If the trustees need to notify the owner of the plot, the last known address will be used and will be considered sufficient and proper legal notification.

D. Owners of the "Right to Inter" Certificate shall not sell, convey or grant the "Right to Inter" to any person or persons other than the Town of Brookfield. If the Town agrees to purchase back the "Right to Inter" Certificate, it shall be for the original sale price.

E. If a plot has remained unused for fifty or more years, and all notices required by NH RSA 289:18 have been met, the trustees may declare forfeiture of the unused plot(s). Forfeited plots may be re-sold by the trustees.

SECTION 6: Interments and Dis-interments

A. Upon the request of an individual for an interment, the individual must provide to a cemetery trustee the necessary documents including, but not limited to, a death certificate, proof of ownership of the "Right to Inter" Certificate and a signed interment order.

B. A minimum notice of 48 hours for interments is required. All arrangements will be made with a Cemetery Trustee. Exceptions may be granted on an individual basis by the cemetery trustees.

C. All interments, including cremains will be performed under the supervision of a cemetery trustee, the cemetery sexton or by a trustee-approved contractor. All grave openings will be performed by a contractor approved by the Cemetery Trustees.

D. Interments will not be allowed between December 1st and April 1st unless the cemetery trustees agree that the interment would not damage the integrity of the cemetery grounds.

E. Interments will not be allowed on Holidays or Sundays. Exceptions may be granted at the discretion of the cemetery trustees.

F. In the event a grave cannot be opened due to unexpected weather conditions or the discovery of ledge or large boulders, the trustees will make every effort to accommodate the ceremony commencing at the designated time and allow the actual interment at a later date. If unforeseen circumstances such as those described previously occur, the Town of Brookfield and the Cemetery Trustees will not be liable for any costs associated with the delay.

G. The trustees do not provide any services for the ceremony, interment, dis-interment, monuments, markers, or foundations for monuments. The funeral director, next of kin, or designated agent will be responsible for all burial arrangements and all equipment necessary for the interment or dis-interment.

H. If a dis-interment is ordered by the court or another competent jurisdiction, the Trustees of the Cemetery must have the certified copy of the official document. The opening of the grave and dis-interment will be the physical and financial responsibility following the procedure described in Section 6-G.

I. All plots will be paid for prior to interment.

J. Scattering of ashes is not allowed anyplace in the cemetery.

SECTION 7: Landscaping and Decorations

A. Planting of trees and shrubs is prohibited.

B. No fence or flowers will be placed around the perimeter of any plot.

C. Flowers may be placed adjacent to a monument in a sturdy flower container. No glass containers are allowed. When floral arrangements no longer appear respectful, the family will remove the arrangement or the caretaker/sexton of the grounds may remove the arrangement.

D. Flags may be placed on all Veterans' graves. If flags become unsightly, they may be removed or replaced with a new flag by plot owners or the caretaker of the grounds.

E. All memorabilia left on a plot at the time of burial must be removed two weeks after the burial.

F. All work done in the cemetery by lot owners or their contractors or employees will be subject to the supervision of the cemetery trustees.

G. The placement of decorative items such as toys, ornaments, benches, whirligigs, chairs, vigil lights, etc. or any item containing metal or breakable objects will not be permitted. The owner of the plot will be notified for immediate removal, In the event the objects have not been removed after notification, the trustees or the caretaker/sexton will remove the objects.

SECTION 8: Grave Markers and Monuments

A. No monument, cenotaph, headstone or other structure may be erected or placed in the cemetery without the proper foundation approved by the cemetery trustees or their designees.

B. Maximum monument and marker measurements shall apply as follows:

- Single or double plot: Monument base no larger than three feet wide, one foot depth, and a total height no greater than 42 inches.
- Lots containing more than two grave plots shall be allowed a base not to exceed five feet wide by two feet deep and a total height not to exceed forty two inches.
- Upright monuments shall be placed at the head of the grave, 18 inches from the lot line.
- Markers flush with the ground shall be placed at the foot of the lot, 18 inches from the lot line.

C. Any other marker or monument not described above shall require the approval of the cemetery trustees.

D. All monuments and headstones require a solid footing to prevent shifting and settling over time and various weather conditions.

E. A sketch of the placement of the monuments and markers shall be provided by the plot owner or family to the trustees for approval prior to installation.

SECTION 9: Waiver

A. Upon written request, the Trustees may waive or modify the requirements of these regulations when, in the opinion of the Trustees, specific circumstances surrounding a proposal indicate such a waiver or modification will properly carry out the purpose and intent of these regulations.

SECTION 10: Contact Information

Use the following address and phone number and email to initiate contact with the Brookfield Cemetery Trustees:

Town of Brookfield
Cemetery Trustees
267 Wentworth Road
Brookfield, NH 03872

Town of Brookfield
Town Clerk
267 Wentworth Road
Brookfield, NH 03872
603-522-3688

cemeterytrustee@brookfieldnh.org
Check website for current phone number contact under "Cemetery Trustee tab"

SECTION 11: Application for "Right to Inter" Interment Order

Both documents are found on separate pages under "Cemetery Trustees"

Section 12: Cemetery Plot Plan

To be added at a later date

Section 13: Definitions

Certificate of "Right to Inter": A legal Certificate issued by the Cemetery Trustees upon the purchase of the "Right to Inter". This Certificate allows the interment of remains or cremains of specific deceased individuals in a specific cemetery plot.

Cremains: A deceased person's cremated remains.

Dis-interment: To remove or exhume buried remains or cremains.

Green Burials: A natural type of burial with minimal impact on the environment. The deceased is not embalmed and is placed in a biodegradable shroud or coffin. The area will not be fertilized, and there will be no use of herbicides or pesticides so as not to interfere with the normal decomposition of the body.

Inter: To place remains or cremains in a grave.

Interment: The permanent disposition of the remains or cremains of the deceased by burial.

Plot Owner: A person who possesses a valid "Right to Inter" Certificate for a specific cemetery plot.

Resident: A person or persons who live in the Town of Brookfield and /or who pay property taxes to the Town of Brookfield at the time of their plot purchase. An elder who moves from their home in Brookfield directly to an elder care facility is considered a resident for these purposes.

Right to Inter: The exclusive right to a specific cemetery plot allowed by these regulations.

THE FOREGOING POLICIES AND PROCEDURES ARE SUBJECT TO CHANGE BY A MAJORITY VOTE AT A LEGALLY NOTICED MEETING OF THE CEMETERY TRUSTEES.

THESE POLICIES AND PROCEDURES WERE ACCEPTED BY THE BROOKFIELD CEMETERY TRUSTEES ON 14 APRIL 2016.