

CEMETERIES

Chapter 109

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**[HISTORY: Adopted by the Board of Selectmen of the Town of Bow 9-17-2002.
Amendments noted where applicable.]**

Article I
Cemetery Administration

§ 109-1. Cemetery Trustees.

The Board of Selectmen shall serve as the Cemetery Trustees.

§ 109-2. Cemetery Sexton.

The Trustees shall appoint a Cemetery Sexton, who shall report to the Town Manager for operational control. The Cemetery Sexton shall be responsible for the maintenance of cemeteries and enforcement of these rules and regulations, and maintain burial records for each cemetery. Determinations of the Cemetery Sexton may be appealed to the Board of Selectmen.

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Article II General Regulations

§ 109-3. Cemetery hours.

The cemeteries will be open to visitors at sunrise and will be closed at sunset. Visitors will not be allowed upon the grounds during the hours of darkness except by special permission of the Cemetery Sexton.

§ 109-4. Cemetery access.

Only persons with cemetery business are permitted on the cemetery grounds. No horse, dogs, or other pets are allowed on the grounds unless they are a part of a ceremony. No person shall gather flowers, either wild or cultivated, on the premises, or remove, cut, break, or mark any tree, shrub, or plant other than as part of maintenance; or mark upon, deface, or injure any monument or any other structure on the grounds.

§ 109-5. Vehicle restrictions.

No vehicle shall be operated in any part of the cemeteries except upon the paved or otherwise marked roads and at speeds of not more than 5 miles per hour. All funeral processions, while within the grounds, will be subject to the direction of the Cemetery Sexton.

§ 109-6. Firearms discharge.

Firearms shall not be discharged in the cemeteries, except for salutes at military funerals, Memorial Day ceremonies, or by special permission of the Cemetery Sexton.

§ 109-7. Expulsion.

Any person disturbing the quiet or good order of the grounds by acts of, but not limited to, consumption of alcohol, intoxication, loud noise, speeding, or disorderly conduct, and any person who violates any of the rules, may be expelled from the grounds by the Cemetery Sexton. [Amended 1-13-2026 by the Board of Selectmen]

Article III Monuments, Headstones and Markers

§ 109-8. Monuments, Headstones and Markers.

- A. Monuments, headstones and markers can only be placed under the direction of the Cemetery Sexton. Only one marker/headstone allowed per burial. Any company or person wishing to place a monument, headstone or marker must get approval from the Cemetery Sexton before arriving at the cemetery. Monuments, markers and headstones will not be placed from November 1 through April 15. [Amended 4-23-2013 by Board of Selectmen.]

- B. All headstones, monuments, permanent markers or other structure permitted to be erected in the cemeteries must have a good and sufficient foundation. The Cemetery Sexton shall approve all foundation plans prior to any work being performed.
- C. No wood, metal, wire, hedge, or other fence material shall be erected or maintained on or around any plot unless approved by the Cemetery Sexton.
- D. Stone benches may be emplaced in lieu of a headstone or in lieu of a footstone, but must be in line with other monuments and be on a firm foundation that is flush with the ground and extends far enough from the base of the bench to facilitate mowing without requiring edging. **[Amended 6-12-2008 by Board of Selectmen.]**
- E. Perimeter markers shall be flush with the earth so that a mower can clear them without adjustment.
- F. Monuments, headstones and markers that are placed in the cemeteries remain the property of the individual or family. The Town of Bow will not be responsible to repair damage, vandalism, or graffiti that may occur to any monument, marker, or headstone. The Town will be responsible for Damages inadvertently caused by the action of the Town's agents during maintenance or similar activities. **[Amended 4-23-2013 by Board of Selectmen.]**

Article IV Plantings

§ 109-9. Plantings.

- A. Shrubs may only be planted on any gravesite if the species of plant and the precise location has been approved by the Cemetery Sexton. **[Amended 4-23-2013 by Board of Selectmen.]**
- B. -Annual flowers may only be planted within one foot of the memorial headstone and footstone.
- C. Perennial flowers planted without the approval of the Cemetery Sexton will be removed if considered unsightly when not in bloom.
- D. If any plant becomes detrimental to a plot, grave, or to the cemetery because of branches, roots or otherwise, or is dangerous, the Cemetery Sexton shall have both the duty and the right to remove any and all parts thereof. Loose items, dead plants or flowers, or any other item considered to be unsightly or hazardous to mowers and trimmers will be removed during routine maintenance by the Cemetery Sexton or other employees as directed by the Sexton.
- E. Bark mulch is permitted within one foot of the memorial headstone and footstone. **[Amended 4-23-2013 by Board of Selectmen.]**

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Article V Decorations and Maintenance

§ 109-10. Decorations and Markers.

- A. Cut flowers shall be in containers at least eight inches high and be placed only within one foot of the memorial headstone or directly on a footstone. The placing of artificial flowers, signs, or glass containers on graves is not permitted. Plants must be watered and maintained in a fresh state by those who emplaced them.
- B. Flowers placed on a grave during the burial service shall be removed after one week, except for flowers meeting the location criteria of § 109-10, Paragraph A. Flowers not removed after one week shall be removed by the Cemetery Sexton and/or the grounds keeping staff.
- C. Memorial items, such as small statuettes, coins, toys, small stones, or other keepsakes may be placed on top of a headstone or monument or within stone, plastic, or concrete pots or planters. These must be emplaced within the same restricted area as cut flowers (see § 109-10, Paragraph A.). Small stones placed in observance of religious custom may be placed on top of a memorial headstone. Perpetual flame holders or plants on wire hangers must be anchored at the base of the monument.
- D. All work done in the cemetery by plot owners, their aides or employees will be subject to supervision by the Cemetery Sexton. All rubbish and waste resulting from this work will be removed by owners, their aides, or employees. If, as the result of work done, the good appearance of the cemetery is adversely affected in the opinion of the Cemetery Sexton or the Board of Selectmen, the Sexton may put such plots in order at the expense of the owners.
- E. The Cemetery Sexton shall have the authority to prune or remove any vegetation that is encroaching upon an adjacent site and to bill the cost of such work to the current owner of the encroaching site.
- F. The placing of small flags or other veteran markers on graves is allowed, with the understanding that the groundskeepers have the right to remove them at a later date, if necessary.
- G. Christmas wreaths and other wintertime decorations may only be placed on or immediately in front of the memorial headstone or footstone. All such wintertime decorations will be removed by the Cemetery Sexton on or after April 1 of each year.
[Amended 4-23-2013 by Board of Selectmen.]

Article VI Interments

§ 109-11. Interments.

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- A. The cemeteries are closed to interment from November 1 to April 15 of each year unless the weather justifies an adjustment of the schedule.
- B. Only human remains shall be interred in any Town cemetery, whether cremated or otherwise. Erection of any memorial structure must be approved by the Cemetery Sexton.
- C. Before any interment, the Cemetery Sexton shall be furnished with a permit, such as may be required by the ordinances of the Town of Bow or by the laws of the State of New Hampshire, together with an order from the legal owner, or the legal representative, of the right of burial in the plot in which interment is to be made. A grave shall only be opened for interment or removal by a person in the employ of the Town of Bow under direction of the Cemetery Sexton.
- D. All interments shall be enclosed in a cement vault except infants for whom a fiberglass container thirty (30) inches or less in length may be used. Cremations shall require an urn or other approved container. The container provided by crematoriums is an approved container.

Article VII Cemetery Plots

§ 109-12. Cemetery Plots.

- A. The Cemetery Sexton shall maintain a current map showing all cemetery plots that are available for purchase in accordance with the cemetery master plan and a current schedule of fees.
- B. Cemetery plots may be purchased by residents and non-residents whenever plots are available. Residents are entitled to purchase plots at the resident rate. Former residents who provide proof that they had been a legal resident of Bow may purchase cemetery plots at the resident rate. **[Amended 4-23-2013 by Board of Selectmen.]**
- C. The Town of Bow offers family plots (blocks of two, four, and six contiguous grave sites) and single grave sites. The breaking up of surveyed plots shall not be permitted.
- D. Plots that are designated for the interment of cremains only, if there are plots so designated, shall be sold subject to availability. Such plots shall be designated in areas that are unsuitable for full grave sites. One (1) small upright marker shall be allowed on such sites. Up to four (4) cremains may be interred in a regular burial plot either in addition to one full body burial or instead of one (1). For the first interment, the plot must be purchased at the full body rate.
- E. The owners of rights of burial, or their heirs, shall not grant, sell, alienate, or convey, the said exclusive right of burial, to any person or persons, without having first obtained the written approval and consent of the Cemetery Trustees. The Town of Bow shall have the

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right to repurchase a plot that is not to be used as a grave for the same price for which it was purchased. This shall be a restriction on all deeds.

Article VIII Cemetery Fees and Charges

§ 109-13. Cemetery Fees and Charges.

- A. The fees and charges for cemetery plots and burials are found in Chapter 124 Fee Schedule, of this Code. **[Amended 4-23-2013 by Board of Selectmen.]**
- B. Overtime rates will be charged on holidays, Saturdays, Sundays, and after 3:00 p.m. Monday through Friday.

Article IX Perpetual Care

§ 109-14. Management of Funds.

The Cemetery Trustees shall be the agents for managing, investing, and expending from perpetual care trust funds.

§ 109-15. Use of Funds. **[Amended 6-12-2008 by Board of Selectmen.]**

- A. The Town will provide grounds care in perpetuity for all gravesites in all public cemeteries. The cost of perpetual care is included in the purchase price of burial plots, 50% of which shall be transferred to the Cemeteries Perpetual Care Expendable Trust Fund.
- B. Perpetual care includes the seeding and fertilization of grass, the cutting of grass upon the plots, the raking and cleaning of the plots, and occasional pruning and trimming of ornamental vegetation.
- C. Maintenance and repair of headstones or other monuments is the responsibility of the plot owner. The Town of Bow will only be responsible for repairing monuments damaged by employees of the Town.
- D. In private cemeteries the Town will rake fallen leaves, remove fallen branches and other debris, and trim vegetation one every year.

Article X
List of Cemeteries

§ 109-16. Public Cemeteries

Alexander Cemetery (River Road)
Evans Cemetery (White Rock Hill Road)
Green Cemetery (Bow Center)

§ 109-17. Private Cemeteries

Goodhue Cemetery
Hadley Cemetery
Hammond Cemetery
Heath Cemetery
Nichols Cemetery (aka East Dunbarton Cemetery)
Ordway Cemetery
Private Cemetery (Brown Hill Road)
Private Cemetery (one grave, Brown Hill Road)