

Policies of the Henniker Cemetery Association June 2022

A. Introduction

The Cemetery owned by the Henniker Cemetery Association is private property.

The following policies supplement the by-laws of the Association in order to provide for uniform standards of use, appearance, and maintenance and for an appropriately respectful atmosphere.

The Association shall disseminate these policies as widely as possible to plot owners, to prospective buyers of plots, and to members of the public.

Questions, complaints, or information about problems regarding the operation of the Cemetery should be directed to the Sexton or the Board of Directors.

Anything in these policies that conflicts with any law or regulation of the State of New Hampshire shall not be valid.

The Association reserves the right to do what is required to bring the plot into compliance at the expense of the owner(s).

B. Definition of Terms:

Association - The Henniker Cemetery Association.

Cemetery - All the land owned by the Association.

Deed - The title to one or more lots, including all covenants applying to the sale and ownership.

Owner - A person with a sole interest in a plot in the Cemetery.

Co-owner - A person with a joint interest in a plot in the Cemetery.

Lot - Each of the individual parcels laid out and numbered in each area of the Cemetery. Referred to by area name, section, and number, e.g., North Side Extension, Block B, Lot 3.

Plot - What an owner or co-owner(s) have purchased, which may be more than one lot, or two or more adjacent lots with the

walkway strips between them. Referred to by name(s) of owners, e.g., the Jones plot.

Burial space - The space in a lot for the burial of one coffin.

Cremation space - The space in a lot for the burial of a container of ashes.

Marker - A flat plaque of stone or metal that is flush with the ground level.

Monument - A headstone or other indicator of a burial that rises above ground level including benches.

C. General

The Cemetery is generally open every day from dawn to dusk. It is closed during the winter with the dates of closing and opening being determined by the Directors.

The Cemetery may be closed at any time at the discretion of the Association.

Lots may be used only for human burials.

D. Purchase and ownership of lots

Past or present legal residents of Henniker are eligible to purchase plots. Plots may be co-owned, but all purchasers must be eligible to purchase a plot.

The Association shall determine the sizes, prices, and availability of lots; and how many caskets or cremation burials are allowed in lots of various sizes.

The Association may restrict some areas of the cemetery for cremation burials only.

Burial spaces or cremation spaces in a plot are numbered from left to right in the front, then from left to right in the back, as seen facing the plot from the roadway it abuts.

An owner purchasing two adjoining lots also purchases the walkway strip between them.

Plots must be paid for by check or cash. After payment, the owner(s) receive the deed to the lot, along with a copy of the by-laws and all policies of the Association.

Plot owner or co-owner(s) are responsible for ensuring that the Association has a current address for them.

The Association does not resolve competing claims of ownership of a plot as this would be a civil matter.

E. Transfer of Plots

Plots may not be sold by one owner or co-owner(s) directly to another person. They must be sold back to the Association and a new deed issued in the name of the new owner or co-owner(s). Any new owner or co-owner(s) must be eligible to purchase a plot.

Plots or lots sold back to the Association will be sold for the original purchase price. The Association may, from time to time, buy back one or more lots from a plot, but this will be at its discretion. The Association may charge a fee in addition to the purchase price for recording a buy-back and sale to a new owner.

A plot may be transferred from one member of a family to another with notification being given to the Association.

An owner's interest in a plot may be transferred by bequest or probate to any heir, even if that heir is not otherwise eligible to buy a plot. Notification of such transfers should be given to the Association.

Abandonment of a plot is defined as per NH RSA 289:18. The Association may institute forfeiture proceedings under state law for plots that have been abandoned.

F. Burials

The decision of who may be buried in a plot rests with the owner(s). The Association does not arbitrate disputes in this matter. Before a burial, the Association may ask for proof of ownership of a plot or proof of the owner's intentions to allow a particular burial.

No burial may occur without the Association's knowledge and approval. All graves shall be dug by a person authorized by the Association.

Vaults are required for all casket burials. A suitable, non-degradable container for ashes is required for every cremation

burial. Above-ground crypts or mausoleums are not allowed in the Cemetery.

G. Monuments, Markers, etc.

For new or presently unimproved plots, only one monument will be allowed. This monument must, to the greatest extent possible, be in the center of the plot. Exceptions must be approved by the Association.

All new monuments must be no higher than four feet tall and no wider than that four feet wide or two-thirds of the width of the plot, whichever is smaller. They may not include interior or exterior lighting. Monuments must be professionally installed and securely attached.

Any work on monuments or markers must be with the approval of the Directors. The Association has the final say on all words and images that appear on monuments or markers, can veto any objectionable words or images on monuments or markers as determined by the Directors.

A Veterans' Affairs (VA) marker ordered for a burial should be shipped to the Sexton, who will oversee its proper installation. Bronze VA markers require an approved concrete or stone base. Stone VA markers do not require a base.

No new fences around plots or raised platforms on plots will be allowed. Any corner markers that a plot owner wishes to install must be flush with the ground.

H. Plot Care and Appearance

The Association's goal is that the grounds of the cemetery be safe, aesthetically pleasing, and respectful to the cemetery's purpose. Owners are responsible for acting in accordance with this goal.

The Association takes care of mowing, raking leaves, and Fall and Spring clean-up in the Cemetery.

The Association will repair damage caused by its maintenance personnel. It is not responsible for repairing vandalism or damage by natural causes, but may choose to do so.

Plants are allowed only in front of monuments, within 12 inches of the monument. The planting of anything other than flowers requires the approval of the Directors.

No artificial flowers or plants, no glass containers, no lighting, and no spreading ground covers are permitted. No alcohol or containers including alcohol shall be left on a plot.

Plants may not overhang the plot boundary and may not be higher than four feet.

Cut flower arrangements may be placed on a plot at any time, but may be removed by maintenance personnel when they are dead or as required by maintenance.

Maintenance and watering of plants are the responsibility of the plot owners.

Improvements to a plot may be done only with the permission of the Directors.

Flags are allowed as long as they are in a flag holder, are not offensive or inappropriate, and no more than three feet high.

Small objects and mementos may be placed on top of monuments, but the Association is not responsible for them.

Decorations that are too large, inappropriate, or offensive are not allowed.

When a plot does not comply with the policies, the Association shall do what is required to bring the plot into compliance, including removal and disposal of items, and bill the owner(s) for work done. In the event personal property is removed, excluding perishables, the Association shall store the personal property for one year.

I. Vehicles

Dirt bikes, skateboards, roller skates, scooters, off-road vehicles, or all-terrain vehicles are not allowed in the cemetery. This does not apply to vehicles required by handicapped persons.

Motor vehicles operated in the cemetery must be registered, operated by licensed drivers, and operated only on designated roadways.

On a day-to-day basis, vehicles will be parked where they are not blocking traffic and are not on a plot.

Parking during a funeral will be as determined by the Sexton or the Funeral Director. The Sexton may direct that any vehicle in the cemetery be moved if it is inappropriately parked.

Vehicles are not allowed in the cemetery for purposes unrelated to cemetery business.

J. Visitors

Visitors are permitted in the Cemetery only for Cemetery business and are expected to behave appropriately.

Groups visiting the cemetery for purposes other than funerals must have permission from the Sexton.

No grave rubbings will be made without the prior permission of the Sexton.

Dogs may be walked in the cemetery but they must be leashed and the person walking them must clean up after them.

Children under the age of twelve visiting the cemetery must be accompanied by an adult.

Fires are not permitted in the cemetery.

The Sexton may direct anyone engaging in inappropriate behavior to leave the cemetery.