

Enacted
03/15/2025

Town of New Sharon
Cemetery Ordinance
PREAMBLE

WHEREAS it is the desire of the Town of New Sharon to make its cemeteries a quiet, beautiful, resting place for the dead and where a sense of repose will be obtained by dignified landscape. Anything which would mar the general beauty and harmony of the cemeteries must be avoided. Peace and good order must prevail, and the sacredness of the peace will always be maintained. Preserving these effects will require the cooperation of every lot owner, so it is to this end that these rules and regulations have been offered.

TOWN OF NEW SHARON
CEMETERIES ORDINANCE
SECTION 1-DEFINITIONS

A) Cemeteries: The term cemeteries, as used in this ordinance, shall be construed to include all land now or hereafter deeded to and accepted by the Town of NEW SHARON for burial purposes, including but not limited to the following locations:

1. Bowley's Corner Cemetery
2. Brainerd Cemetery
3. Swan Cemetery
4. Village Cemetery
5. Weeks Mills Cemetery
6. Hampshire Hill Cemetery

B) Selectmen/BOS: The term shall mean the Board of Selectmen.

C) Grave: An area suitable for the interment of one body, except in the case of a parent and child or two infants buried simultaneously. Further variations may be made in the case of cremations, with family lots, subject to the placing of markers and upon approval of the Cemetery Sexton.

D) Gravestones: Any stone which marks a grave or gravesite.

E) Lot: A plot of land approximately 5' x 10', sufficient for one grave.

F) Resident: A person who has resided in the Town for at least 2 years during some point in his/her life, and infant of a resident, or is a current resident of the Town.

G) Non-resident: A person who has not resided in the Town for at least the final two years of his/her life, an infant of a non-resident, or is not a current resident of the Town.

H) Mausoleum: Any large imposing tomb.

l) Cenotaph: A monument or empty tomb honoring a person buried elsewhere.

SECTION 2-LOT OWNERSHIP

1) RIGHT OF BURIAL: The term owner of lot shall mean an individual who, whether through purchase, grant or transfer, acquired the right and privilege of burial of the dead, of constructing mausoleums and of erecting cenotaphs or other monuments or ornaments in accordance with the provisions of this ordinance as it exists or may hereafter be amended.

2) TRANSFER: The granting, transfer and sale of lots in municipal cemeteries shall be under the control of the Cemetery Sexton subject to the rules and regulations adopted by a vote of the Town and under the general supervision of the Board of Selectmen. Owners transferring, granting or selling lots in municipal cemeteries must obtain the consent of the Cemetery Sexton and a Certificate of Transfer from the Board of Selectmen.

3) PURCHASE: Any individual wishing to purchase a cemetery lot shall apply to the Board of Selectmen and then select from those lots available the lot he/she desires to purchase. Upon having made a lot selection, the lot sale will be made and deed issued. A receipt from the Town Treasurer will serve as the right of burial. If the grave purchased requires ledge removal, the purchaser may pay any extra charges required, or the grave may be exchanged for another available grave.

SECTION 3-SELECTMEN TO SUPERVISE CARE OF CEMETERIES

Care of public cemeteries and lots therein shall be under the supervision of the Board of Selectmen which are authorized to engage personnel and provide by purchase or contract necessary equipment and supplies. The payment of money to implement this section shall be made from Town Appropriation, Sale of Lots, and Perpetual Care deposits.

SECTION 4-CEMETERY SEXTON

1) APPOINTMENT: The Cemetery Sexton shall be appointed by the Board of Selectmen. The Sexton shall serve until removed by the action of the Board of Selectmen. He/She shall be responsible to the BOS for the control and management of all municipal cemeteries, for the direction of all assistants under his/her direct supervision, and for the administration of the Cemetery Ordinance adopted by the Town of NEW SHARON. The Sexton or his designee is expected to attend every interment.

2) AUTHORITY: The Sexton or his designee has the authority to enter upon any lot with the necessary equipment for the purpose of improving the appearance and condition of the lot and the general appearance of the cemetery; to remove any object that may have been placed contrary to the regulations of the cemetery; to remove any dead or dangerous tree, shrub, vine, or neglected fence railing or enclosures; to remove any floral design or pieces which at the discretion of the Cemetery Sexton have become unsightly. ~~Any floral design or pieces not removed by the end of the calendar year, each year, may be removed by the Sexton, or his/her designee.~~

SECTION 5-CARE OF CEMETERY

- 1) ANNUAL CARE: Any person who purchases a lot is required to pay the Town Treasurer the sum established in accordance with this ordinance as a reasonable amount for the care of said lots. The Care of cemeteries shall include the cutting of the grass on the lot at reasonable intervals, the raking and cleaning of the lot, and such work as may be necessary to keep the grave in a neat condition, and for the care and maintenance of the cemetery, but shall not include maintenance or repair of any monuments nor the planting of flowers or shrubs upon any lot.
- 2) All arrangements must be removed by April 1 for Spring clean-up and October 1 for fall clean-up.
- 3) The Town reserves the right to remove vases or urns not cared for properly.

SECTION 6-REGULATIONS FOR IMPROVING LOTS

- 1) ENCLOSURES: No enclosure of any nature, such as fences, copings, hedges or ditches shall hereafter be erected on these lots.
- 2) GRADE: Grave mounds shall not be allowed. Any lot purchases after enactment of this ordinance shall not be raised above the established grade.
- 3) TREES, SHRUBS, ETC.: No trees or shrubs shall be planted or removed without the consent of the Cemetery Sexton. If any trees or shrubs, in or upon any lot in any Town Cemetery which, in the judgment of the Sexton, by means of their roots, branches, or otherwise, become detrimental to the adjacent grounds or unsightly or inconvenient to the general public, the Town shall have the right to enter upon the premises and remove such trees or shrubs or any part thereof.
- 4) GRAVESTONES: All headstones and monuments shall have a foundation. All Markers shall be no more than 3 1/2 feet in length and shall be flush with the surface of the ground and may not require a foundation. The location of all gravestones and construction of foundations shall meet the approval of the Cemetery Sexton.
- 5) PERMITTED AND PROHIBITED ACTIVITIES: Lot owners may improve, cultivate and care for their lots and existing trees, shrubs, and plants, in accordance with the ordinance and may set out in sound wood, concrete or metal containers, plants or flowers of such kind or size as do not interfere with the adjacent lots. Owners shall not change the grade of any lot or interfere in any way with the general plan of landscaping of cemeteries nor add any material to his/her lot which is considered by the Sexton to be unfit for the cultivation of grass.
- 6) APPLICATION OF ORDINANCE TO UNDERTAKERS, ETC.: Undertakers, monumental concerns, contractors, florists or other individuals or corporations working within the cemetery must comply with this ordinance. All work done by such individuals or concerns is to be performed under the supervision of, and meet the approval of, the Cemetery Sexton.
- 7) VAULTS: The casket shall be enclosed in a permanent outside container. The following are considered permanent outside containers: Concrete Boxes, concrete, copper or steel burial vaults; and sectional concrete crypts.

8) TRESPASS: Town Cemeteries shall be closed to the public between the hours commencing one hour after sunset until one hour before sunrise each day.

9) VANDALISM: No person shall injure any tree or shrub, or mar any landmarks, marker, memorial or structure, or in any way deface the grounds of the cemetery.

10) ANIMALS, MOTORCYCLES, SNOWMOBILES AND ATV'S ARE PROHIBITED. All children must be accompanied by an adult while in the cemetery.

11) VEHICLES: Any person driving in the cemetery shall be responsible for any damage done by his/her vehicle. Speeds of over 10 MPH shall not be permitted and no person shall drive his/her vehicle on the lawns.

SECTION 7-ADOPTION AND AMENDMENTS

- 1) This Ordinance shall become effective on passage at a Town Meeting.
- 2) This Ordinance may be amended in accordance with the general provisions of the Town governing all ordinances.
- 3) The invalidity of any portion of this Ordinance shall not invalidate any other part.

SECTION 8-PENALTY FOR VIOLATIONS

1) CONVICTIONS for any violations of the provisions contained in this Ordinance shall be punishable by a fine of not less than \$100.00 nor more than \$150.00 on the first offense and of not less than \$250 nor more than \$500 on subsequent offenses.

SECTION 9-PRICE SCHEDULE

1) Lot prices (including annual care) for a resident, resident infant, or cremation shall be established by the Board of Selectmen.

Lot prices for a non-resident, non-resident infant or cremation shall be established by the Board of Selectmen.

2) Interment and Disinterment – All Cost involved.

*** Price will be reviewed yearly by the Board of Selectmen. ***

TRUE COPY

Attest:

Pamela Adams, Town Clerk

Enacted 3/15/2025

NS CEMETERY ORDINANCE REVISION

Paula Mason
Kathleen Reis