
TOWN OF HOLLIS, NEW HAMPSHIRE

CEMETERY RULES



Amended

January 1, 2010

January 21, 2010

March 18, 2010

March 17, 2011

July 16, 2012

September 24, 2012

July 17, 2014

August 8, 2015

January 11, 2020

April 27, 2021

April 1, 2022

May 23, 2022

November 29, 2022

January 25, 2023

August 14, 2023

I. Authority

1. The following rules have been established by the Hollis Cemetery Trustees (henceforth referred to as the Trustees,) in accordance with Cemetery By-laws and NH RSAs 289 and 290, and are subject to change at any time.
2. The Director of Public Works and the Cemetery Administrator are empowered and authorized by the Trustees to enforce these rules.
3. The Cemetery Administrator is the primary public contact.

II. General

1. The cemeteries shall be closed to visitors from dusk until dawn. These hours are to be posted at the entrance to each cemetery and are subject to police enforcement. Unauthorized visitation during these hours shall be considered trespass.
2. Any person(s) disturbing the quiet and good order of a cemetery by noise, fast driving, being intoxicated, trespass or other improper or disrespectful conduct, or who violate(s) any of the rules, shall be compelled to leave the grounds at once, and such person(s) shall be dealt with as provided by law.
3. Any vehicle not involved in cemetery operations shall not be ridden or driven in any part of the cemeteries except upon avenues or roadways. All funeral processions while within the grounds will be subject to the direction of the Director of Public Works.
4. Firearms shall not be discharged in any cemetery, except for salutes at military funerals.
5. The use of any device or means for detecting the presence of "paranormal" forces, events, etc. is expressly forbidden.
6. No filming or photographs for professional use are allowed in any of the Town of Hollis cemeteries, without a special exception granted by the Cemetery Trustees.
7. No alcoholic beverages shall be consumed on cemetery grounds pursuant to Town Ordinance.
8. Unless written authorization has been granted in accordance with NH RSA 635:6, it is a felony to purposely or knowingly destroy, mutilate, injure or remove any tomb, monument, gravestone, marker or other structure, or any fragment or portion thereof, that has been placed as a memorial to the dead. It is also a felony to possess, sell, offer for sale, transfer or dispose of any such object that has been placed as a memorial to the dead.
9. All work done in any cemetery will be subject to the supervision and/or approval of the Trustees.
10. All approvals of special requests shall be valid for a two-year period from the date of approval. If the approved work has not been completed within the two-year period, the approval shall be considered void.

III. Cemetery Lots

1. Town cemeteries are owned and maintained by the town with taxpayer dollars. Due to the limited amount of land available for cemetery lots, it is incumbent upon the Cemetery Trustees to set rules regarding who may purchase a Right to Inter (RTI), keeping in mind the need for availability of lots for future residents of the town. In the spirit of the RSA and in order to safeguard the availability of cemetery lots for future generations, the Town of Hollis (Hollis) has the following restrictions regarding who may purchase a RTI in a Hollis Cemetery.

Eligibility to purchase a RTI includes, and is restricted to:

- a. A Right to Inter (RTI) shall be limited to ONE (1) lot.
 - b. No more than ONE (1) RTI shall be sold to any qualifying individual without the WRITTEN permission of the Cemetery Trustees.
 - c. No more than Two (2) RTIs may be purchased per household.
 - i. Household is defined as same physical address.
 - d. A Qualifying individual is: a person aged 21 or older, AND one of the following:
 - i. A person who is a current, full-time resident of Hollis for a minimum of five (5) years prior to purchasing the RTI, or
 - ii. A person who is a current, full-time resident of Hollis for a minimum of 3 years prior to purchasing the RTI and whose age is 80 years or older, or
 - iii. A person who is a former resident whose primary residence was in Hollis for a minimum of ten (10) years (proof of prior residency is required), or
 - iv. A person who is a current or former employee of the Town of Hollis for a minimum of 10 years.
2. For the purposes of these Rules, the words "burial space" shall refer to the area designated for the interment of human remains within a lot, within a cemetery. A lot may contain one or more burial spaces until lot capacity has been reached. (See below)
3. Lot capacity: each single lot shall be permitted the following burial space(s), where topography and existing burials allow:
 - a. One (1) full burial, or
 - b. Two (2) infant burials, or
 - c. Four (4) cremated remains, or
 - d. Three (3) cremated remains over one (1) full burial, or
 - e. Three (3) cremated remains over one (1) infant burial
4. All lots shall measure four feet (4') by ten feet (10').
 - a. East Cemetery Exceptions:
 - i. Those within the double-lot Monument section which measure eight feet (8') by twelve feet (12').
 - ii. Those lots in East Expansion, Section J, shall measure four feet (4') by twelve feet (12').
5. No cemetery lot may be used for any purpose other than the burial of human remains.
6. Any lot purchased prior to January 1, 2010 shall be held by deed in the owner's name. After January 1, 2010, a qualified individual may purchase a RIGHT TO INTER, granting the Holder ("owner") the right to inter human remains within the boundaries of a selected lot or lots, and the right to designate who may be interred within said lot(s), until lot capacity is met. In all instances, ownership of a lot is governed by NH RSA 290:24, and each lot is subject to the most recent version of Cemetery Rules. No other rights are granted except as explicitly stated in said Rules.

7. Burials in lots are restricted to immediate family members and direct descendants (including step-children, step-grandchildren, etc.) of the original lot owner. Any requests for exceptions must be approved by 4 out of 5 of the Hollis Cemetery Trustees.
8. An unused lot may be returned to the Town for the original purchase price, unless the lot is in a closed section, closed cemetery, or no original purchase price was recorded.
9. The Holder of the Right to Inter (RTI) should designate a successor holder in their will/trust or other legal documentation per RSA 290:24, I.
 - a. If no successor holder is stated in a legal document:
 - i. Upon the holder's death the lot will be closed to future burials beyond those designated by the holder on the original Right to Inter document under "Interment Designations", or
 - ii. Unless or until a new holder of the Right to Inter is designated following RSA 561:1 which explains New Hampshire law for "Distribution Upon Intestacy".
 - b. If direct descendants wish to hold ownership of the Right to Inter when no successor holder has been stated, or they do not inherit the Right to Inter through a will, legal document, or RSA 561:1, there are two options:
 - i. A notarized letter of agreement signed by all living direct descendants stating the requested transfer of holder of the Right to Inter may be submitted to the Cemetery Trustees for approval, or
 - ii. The living direct descendant who wishes to hold the Right to Inter may petition the NH Court of Probate. These restrictions are per RSA 290:24
 - c. If direct descendants wish to be buried in the lot when they are not listed on the Right to Inter under "Interment Designations", there are two options:
 - i. A notarized letter of agreement signed by all living direct descendants supporting the requested burial may be submitted to the Cemetery Trustees for approval
 - ii. The living direct descendant who wishes to be buried in the lot (or their representative) may petition the NH Court of Probate. These restrictions are per RSA 290:24
10. Any legal owner of a Right to Inter (or of a deeded lot) may transfer a Right to Inter to any other person who is qualified to purchase a Right to Inter or deed, according to the Rules then current, or to a direct descendant of the original owner of the lot.
 - a. Prior to any such transfer the owner, or owner's legal representative, must make a written request to the Trustees for the issuance of a transfer, identifying the assignee of the Right to Inter or deed.
 - b. The document "Transfer of Right to Inter or Deed" shall be completed by the current owner and signed by the current owner, the new owner and a notary public for the current owner. The old document shall be surrendered to the Trustees in exchange for the new document.
11. The purchase fee of a Right to Inter shall be designated 100% to the Cemetery General Care funds to be used for general cemetery purposes including capital improvement, special projects and new/expanded municipal cemeteries.
12. Payment for any Right to Inter shall be made at the time of purchase. Checks are to be made payable to the TOWN OF HOLLIS.
13. Monuments and markers are to be installed as permitted and specified in VI. Monuments.

IV. Burials

1. The Cemetery Administrator must be notified at least 48 hours prior to any burial or disinterment.
2. All burials and disinterments shall be performed under the direction of the Director of Public Works. When a funeral home is not involved, the Cemetery Administrator must be informed, and only the Department of Public Works will prepare the lot.
3. There shall be no burials on Sunday or any day observed as a Holiday by the Town of Hollis.
4. Burials are permitted from April 1st to November 30th, during the normal daytime hours of operation of the Hollis Department of Public Works. Burials may occur between 8 a.m. and 2 p.m. for full burials and between 8 a.m. and 3 p.m. for cremation burials. If a Friday or Saturday is requested there will be an additional fee.
5. During the winter months of December through March, permission to inter may be requested to the Director of Public Works. These requests will be considered by the Trustees and the Director of Public Works. Every available effort will be made to accommodate the request, subject to weather conditions, the ability to locate and open graves, and the availability of manpower and equipment to perform the necessary tasks. A separate fee schedule shall apply.
6. Prior to any burial, proof of ownership of a burial space is required, (either a Right to Inter or a deed to the lot) in accordance with NH RSA 290:24. Further, no burial shall take place without an order from the legal owner of the lot or of the Right to Inter, or his/her legal representative. Once ownership has been satisfactorily determined, the Director of Public Works shall furnish an interment work order from the Cemetery Administrator.
7. The burial fee shall be established by the Trustees. The burial fee that is current at the time of interment shall be paid to the Town of Hollis.
8. All remains for burial, including amputated limbs, shall be received in an enclosed container.
9. All burials shall be enclosed in a concrete or metal vault or a cemetery grave liner, except where the container measures thirty inches (30") in length or less. Upon request, any vault may be installed upside down without a cover. Requests for exceptions will be considered by the Cemetery Trustees.

V. Landscaping

1. In order to maintain a rural, country cemetery atmosphere and to facilitate reasonable maintenance the following rules for landscaping will be monitored for compliance, and the Cemetery Trustees or their designee will remove plants and other items placed without permission or without regard to these rules. It is our intent to have a beautiful and welcoming cemetery. Please be respectful in this regard.
2. Decoration of lots shall be limited to living flowers and plants, a small American flag, and small American military service flags. The Trustees will remove all objects not listed above. Live flowers may be placed adjacent to the monument. Please remove flowers and plants when they have died and flags when they have deteriorated.
3. Plantings of flowers may only be located within eighteen-inches (18") around the monument, not to exceed lot boundaries. Mature plantings are not to exceed the height of the monument. Bark mulch may be laid within the planting area. Only surface level flat stones may be placed around the plantings to create a border. All other materials are not allowed and will be removed.
4. No stones or ornamentations (other than those listed in this section) of any kind may be placed anywhere in the lot. Items left will be removed and discarded.

5. No fence or flowers shall be placed around the perimeter of any lot.
6. No trees or shrubs will be planted in the cemeteries by lot owners or their designees.
7. Artificial illumination, including (but not limited to) the use of "perpetual" or "eternal" lamps and candles, is not permitted within any lot. Items left will be removed and discarded.
8. If the branches or roots of any tree or shrub should become detrimental to any lot or to the appearance of the cemetery or pose a danger or inconvenience to the maintenance and/or visitation of the cemetery, the Trustees shall have both the duty and the right to remove any and all parts thereof without notification.

VI. Monuments

1. No monument, cenotaph, headstone or other structure shall be erected or placed in any cemetery without the written approval of the Trustees.
2. Any monument, cenotaph, headstone or other structure installed without first receiving the written approval of the Trustees will be removed at the expense of the RTI owner.
3. No monument, cenotaph, headstone or other structure shall be erected or placed in any cemetery without a proper foundation as approved in writing by the Director of Public Works.
4. Upright or standing monuments shall only be permitted in the following locations and circumstances:
 - a. In the designated double-lot Monument section of the East Cemetery.
 - b. On any four (4) lots which conform to a configuration measuring eight feet (8') by twenty feet (20'). The monument shall be placed at the center of the four (4) lots.
 - c. Single lots in East Cemetery will be allowed a monument.
5. Monument Dimensions (East and North Cemeteries). **May be smaller than below dimensions, but not to be exceeded in any circumstance.** Unapproved, or monuments exceeding these measurements will be removed at the owner's expense. (L = length, W = width, H = height)
 - a. Size for Single lot
 - i. Base = 24" L x 12" W x 8" H (above ground)
 - ii. Monument = 20" L x 8" W x 26" H
 - b. Size for Double lot
 - i. Base = 42" L x 14" W x 8" H (above ground)
 - ii. Monument= 30" L x 12" W x 36" H
 - c. Size for 4 Lot
 - i. Base = 48" L x 18" W x 8" H (above ground)
 - ii. Monument = 42" L x 12" W x 42" H
6. No colored lettering or graphics allowed.
7. Monument location for Section J, East Cemetery Expansion
 - a. On any single lot the monument shall be centered on the width and placed 2 feet from the head of the lot to back of monument base.
 - b. On two lots side by side, the monument shall be centered on the combined width of the 2 lots and placed 2 feet from the head of the lot to back of the monument base.

7. In lieu of an upright monument one (1) flush marker above the actual interment, not to exceed twelve inches (12") by twenty-four inches (24") may be installed. The design of each flat marker is to be approved by the Trustees before they are made and installed. Purchase and engraving of the flat marker is the responsibility of the lot owner/family. Placement of the marker is to be coordinated with the Cemetery administrator.
8. Installation of benches will only be allowed in lieu of an upright monument so long as the bench conforms to existing monument size restrictions. As with a monument, Trustee review and approval is required.
9. Monument Images: see additional document