

# **TOWN OF SMITHFIELD CEMETERY ORDINANCE**

**ADOPTED: March 8, 2003**

**AMENDED: March 8, 2008, March 12, 2011, March 11, 2017**

All cemetery lots are subject to the following rules after date of adoption.

Pre-existing conditions in the cemeteries, which are non-conforming to the proposed ordinance, will be grand fathered.

## **A. Town Maintained Cemeteries**

1. Gould Cemetery-located on the corner of Sand Hill Rd and Village Rd.
2. Village Cemetery-located on Lake View Dr.
3. Dunsmoore Cemetery (White House)-located on Southern end of Village Rd.
4. Bickford Cemetery (School House/City)-located on the corner of Bickford Rd. and Smithfield Rd.
5. White House Cemetery-located behind the Dunsmoore Cemetery with a right away entrance before the entrance to Dunsmoore Cemetery.

## **B. Burial Rules and Regulations**

1. Lots will be 10 feet by 20 feet with five grave spaces per lot. Some 10 feet by 10 feet lots are available with fewer grave spaces. Selling price of lots will be voted on at every Annual Town Meeting in March.
2. Opening and closing of graves are not provided by the Town of Smithfield. Excavators and/or funeral directors **MUST** contact the Town of Smithfield's Sexton and/or Town Office at least 48 hours prior to any grave openings, interment or disinterment to locate and mark the correct burial space. Following an interment or disinterment, excavators shall be responsible for restoring and leveling the gravesite.
3. The location of headstones, lot markers and corner markers shall be approved by the Town prior to placement. The Sexton and/or Town office must be contacted at least 48 hours prior to placement.
4. No private or public above ground mausoleums vaults, crypts or other structures containing bodies or remains shall be allowed.
5. One headstone per plot will be allowed. One monument per lot will be allowed and shall not be placed above remains. All headstones and/or monuments must have Sexton approval before placement. All other markers will be flush with the ground to permit mowing.
6. The Town Office and the Sexton must be consulted 24 hours prior to grave preparation.

### **C. General Rules and Regulations**

1. The planting of trees and shrubs is not allowed.
2. Lots shall not be built up but shall remain at the same grade as the adjacent area. No fences, boundaries, or any other objects that would interrupt the mowing process are allowed. Artificial flowers and all other non-permanent containers must be removed by November 1<sup>st</sup> of each year. Once spring maintenance of Cemeteries begins all above mentioned items will be removed by the Sexton and/or laborers. The town reserves the right to trim or remove any items which are contrary to this ordinance or which have become unsightly and no longer contribute to the beauty and dignity of the cemetery. The town is not responsible for any items removed.
3. The Town will not be responsible for malicious damage to a memorial, monument, decorations, etc, or the theft thereof.
4. A copy of this ordinance shall be issued with each deed.
5. Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.
6. Any person who violates any provision of this ordinance shall be subject to a fine not to exceed one hundred dollars (100.00). In addition any person violating this ordinance shall be liable for the Town's reasonable cost of restoration or repair of any property damage caused by the violation.

### **D. Sexton Duties**

1. Covered  
Mowing, Trimming, Raking, Ground leveling/seeding,  
Minimal straightening (as time and resources allow), Overseeing the storage of equipment during the winter season, Supervising all cemetery personnel, Responsible for maintaining markers for lot marking, veterans' lots and flag maintenance, and other related work if needed, as determined by the Board of Selectmen and Sexton.  
Marking for placement of headstones, corner markers and monuments.  
The marking for any portion of the old and new sections of all Town maintained cemeteries
2. Not Covered:  
Replacement of grave informational headstones, monuments, and markers  
Cleaning of monuments and markers  
Repair of monuments and markers  
The up keep or replacement of plants, existing shrubs, flowers, etc.  
The digging and/or filling of any burial plots.