

RULES & REGULATIONS
LAST REST CEMETERY
www.lastrestcemetery.org
(Revised October 10, 2022)

ARTICLE I
GENERAL RULES

1. Seats, iron work, shells, toys, metal designs, ornaments, crushed or chipped stone, chairs, settees, vases, glass, wood or metal crosses, picture frames, stuffed animals, sporting equipment, beverage containers, or similar articles are strictly prohibited. These items will be removed.
2. The Directors have the authority to remove any item or planting which in their judgment has become unsightly, diseased, has grown to be inconvenient or does not conform to the regulations.
3. Any property left at the cemetery is left at the sole risk of the owner.
4. The Board of Directors shall not be liable or responsible for theft or damage done to monuments or plants and shall not be responsible for personal injuries.
5. No person, except for the Board of Directors or their appointees, shall disturb or remove anything from any area of the cemetery except from their own lot.
6. No workmen will be permitted in Last Rest Cemetery except cemetery employees and contracted workers with the permission of the Board.
7. No dog walking.
8. Student driving is not permitted at any time.
9. The cemetery is closed between sunset and sunrise.

ARTICLE II
TYPES OF LOTS (4 TYPES OF LOTS)

1. Monument lots: Lots of two or more graves upon which an above ground monument may be erected. Flat markers may also be installed.
2. Non monument lots: Lots for a single grave on which no above ground monument may be erected. Only flat markers are allowed on these lots.
3. Non monument Cremation lots: Lots in the cremation section of the cemetery for cremation burials only. No monuments may be erected. Only flat markers are allowed on these lots.
4. Monument Cremation lots: Lots in the cremation section of the cemetery for cremation burials only. These lots are allowed one cemetery approved cremation monument above ground as well as flat markers.

THE FOLLOWING PERTAIN TO ALL TYPES OF LOTS

- Potted plants may be set on graves from one week before through one week after Memorial Day. No other items of any kind are allowed on any lot.
- No trees or shrubs are allowed on any part of any lot.

ARTICLE III
PLANTING AREAS

1. Planting areas are only permitted on Monument Lots that were purchased prior to 01/01/2021 in sections one (1) through four (4) and in sections six (6) through eight (8).
2. Planting areas are not permitted on Monument *Cremation* Lots.
3. Planting areas cannot be wider than the monument base and cannot extend more than twelve inches (outside dimension) in front of the monument base.
4. This area must be bordered by a stone or masonry material securely held in the ground.
5. Planting areas are for planted and potted flowers/plants and American flags. No other item is permitted in this area.
6. This area must stay in compliance with the General Rules (see Article I).

ARTICLE IV
LOT LICENSE

1. The sale of lots/graves shall be made to residents of the Town of Merrimack or to individuals having family connections within the Town or in Last Rest Cemetery.
2. No interment shall be permitted in any lot until the lot has been paid in full.
3. If payment for a lot or any installment thereof, remains unpaid for more than sixty (60) days, the unused portion of said lot will revert to Last Rest Cemetery Association and may be sold at a future date.
4. The transfer of a lot, by the owner to another family member, may be made on condition that such transfer is approved by the Last Rest Cemetery Association and recorded in the official records of the cemetery.
5. A lot cannot be transferred to anyone other than a family member. If a lot owner decides that they no longer want, or have a need for their lot or portion thereof, the lot may be purchased by the cemetery at the original purchase price paid by the owner. The cemetery may re-sell the lot or a portion thereof.
6. Persons desiring to allow the burial of bodies other than those of their immediate families in their lots may do so upon presenting a written request signed by the owner of the lot, or his or her successor in interest, when approved by the Last Rest Cemetery Association Board of Directors.

ARTICLE V
PERPETUAL CARE

1. Perpetual care includes the cutting of the grass at reasonable intervals, the raking and cleaning of the grounds, the pruning of shrubs and trees that have been placed by management, and the cleaning and maintenance of roadways, walks, and buildings, provided there are sufficient funds for these purposes. In no case shall the management obligate itself to expend for such "perpetual care" a sum in excess of the revenue generated from the "perpetual care fund".
2. Such perpetual care shall in no case mean the repairs, maintenance or replacement of any memorial, marker or structure of any kind erected upon lots; nor the planting of flowers or plants; nor does it mean the reconstruction of any marble, granite, bronze, concrete or any other work on any section or plot, damage to which may have been caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral.
3. No burials will be made in lots that do not have perpetual care funds to maintain the lot.

ARTICLE VI
FUNERALS AND INTERMENTS

1. Arrangements for interments shall be made at least 48 hours in advance (Monday funerals must call before noon on Friday) and directly to the Superintendent of Last Rest Cemetery.
2. Interment fees shall be set based on the time of year. The fee includes opening and closing of grave and loaming and seeding.
3. All outer burial containers and installers shall be in compliance with all current performance standards of the National Concrete Burial Vault Association.
4. The person giving the order for the grave opening must supply the necessary information for interment records of Last Rest Cemetery. In addition, such person must present a burial permit as required by the State of New Hampshire.
5. All funerals, on arriving at the gates, are under the direction and control of the cemetery management.
6. Burials:
 - A. Only one (1) person in one (1) casket per grave is permitted; The exception being a mother and her infant(s) may be together in one casket.
 - B. Up to four (4) cremation burials are permitted on top of an existing casket in both Monument and Non-Monument Lots.
 - C. Two (2) cremations are permitted per cremation lot.
7. No disinterment or removal of the remains of any body will be permitted except:
 - A. With the consent, in writing, of the owner of the lot or a member of their family, and
 - B. With a permit when required by the State of New Hampshire.

8. No Sunday or major holiday funerals (New Year's Day, Memorial Day (NH), Independence Day, Labor Day, Thanksgiving, and Christmas) will be permitted except in the case of extreme emergency.
9. The management shall not be responsible for any order given by telephone, or any mistake occurring from the want of proper instructions as to the proper grave location where interment is to be made. The management reserves the right to make an equitable charge whenever additional labor costs result from such mistakes.
10. An extra charge will be made for all funerals arriving in the cemetery after 3:00 PM Monday through Friday and after 12:00 PM on Saturdays.
11. All cremated remains must be buried in a permanent container.

ARTICLE VII

MONUMENT AND FOUNDATION WORK

1. All monuments are subject to the approval, supervision and control of Last Rest Cemetery and the right is reserved to forbid or remove any monument deemed objectionable by the Board of Directors.
2. All monuments shall be constructed of granite and placed on a concrete foundation.
3. All flat grave markers shall be flush with the surrounding grade.
4. All flat markers must be constructed of granite and will be standard size (1ft x 2ft).
5. Temporary flat markers may be kept on a grave for up to one (1) year from the date of burial.
6. No foundation, monument, or marker may be erected on any lot until the lot has been paid for and until all fees for foundation/marker installation have been paid.
7. Monument contractors must perform their work under the control and supervision of cemetery management.
8. All foundations shall be built by Last Rest Cemetery personnel.
9. Orders for foundations must be given directly to cemetery personnel.
10. Management will build foundations at reasonable times.

ARTICLE VIII

AMERICAN FLAG POLICY

1. The Veteran's Memorial Monument and the Veteran's Memorial Flagpole provide perpetual honor and respect to all veterans buried at Last Rest Cemetery. The Flag is a symbol, to both Veterans and Non-Veterans, of our country's strength and unity and will be respected at all times.
2. Local Veteran's Organizations may place American Flags on Veteran's graves for Memorial Day and Veteran's Day. Flags on Veteran's graves will be allowed on these 2 holidays from one week before until one week after the holiday.