

Burial on Home Property in New Hampshire

Burial on home property is legal in NH. The following steps are all that is required.

State requirements (RSA 289) include:

- Must be a relative—you are creating a private family, not a public, cemetery.
- Must be recorded on the property deed upon transfer (*real estate disclosure when the property is sold*).
- Must provide a public right of way (*a handwritten map with a parking spot, walking trail, and the gravesite marked on it is sufficient*).
- Must be located 100' from any dwelling, store, school or business.
- Must be located 50' from known water sources and state highways.
- Must comply with local zoning ordinances.
- May be reported to the Municipal Cemetery Trustees as a courtesy.

Grave Preparation and Process

- Consider building a shrouding board for carrying and lowering into the grave if using a shroud only or including a pine board in the shroud design.
- Dig a test pit to ascertain the soil make up and identify any drainage issues (*optional*).
- Line the grave bottom with pine boughs or other biomass for ease of strap removal after lowering and for natural body decomposition.
- Bury around the 3.5 foot level, with 18 inches of soil above the chest or casket top.
- Add the rest of the displaced soil to the top mound—it will settle over time.

Process for Filing Paperwork to Bury on Private Land

- A completed and signed death certificate must be acquired from the medical authority in charge.
- With the medical portion complete, the next-of-kin may complete the demographic portion and sign as the director in charge.
- The death certificate is then taken to the Town Clerk in the town where the death occurred within 36 hours the death.
- There is no cost to filing directly with a Town Clerk.
- The data from the death certificate is then entered into the State's Electronic Death Registration System (EDRS) at the Department of Vital Statistics by the Town Clerk; copies may be obtained at any time thereafter at any Town Clerk's office.
- Once filed, a burial/transport permit will be issued; this paper gives next-of-kin authority to transport the body and must run with the body if it is transported to locations other than where the person died.
- Once the burial has occurred, the permit is signed by next-of-kin acting as a funeral director and filed with the Town Clerk within 6 days of burial.
- A funeral director may also be hired to handle and file the paperwork. A funeral director can also file it with the Town Clerk after burial for a fee.
- Social Security must be contacted within 30 days of the death.