



TOWN OF HANOVER
BOARD OF CEMETERY TRUSTEES BY-LAWS

I. GOVERNANCE

The Hanover Board of Cemetery Trustees was established on May 14, 2024, in accordance with the provisions of New Hampshire Revised Statutes Annotated (RSA), Chapter 289.

II. RULES AND REGULATIONS:

A. The Town has established Ordinance #25, Municipal Cemeteries, to govern cemeteries within Hanover.

B. These by-laws shall govern the Hanover Board of Cemetery Trustees. Additionally, the Hanover Board of Cemetery Trustees may make any rule or regulation that cemetery trustees may make under RSA 289:7.

C. Ordinance #25, and all future amendments made thereto, and these by-laws and any rules or regulations established thereunder, shall at all times comply with Chapter 289 of the N.H. Revised Statutes. In the event of a disagreement between RSA 289 and the Town of Hanover ordinances, by-laws, rules, and regulations, it is understood that RSA 289 prevails.

III. MEMBERSHIP

- A. The Board of Cemetery Trustees shall consist of three (3) members who shall be elected by the voters of Hanover. All members shall be Hanover residents.
- B. Cemetery Trustees' terms shall be three (3) years, with the exception of the terms of the initial trustees which shall be one trustee for three years, one trustee for two years, and one trustee for one year. Trustees shall be elected by Hanover residents on the annual town meeting day.
- C. Cemetery Trustees shall serve without compensation.
- D. In the event of a vacancy, interim appointments must be made by the Selectboard, per RSA 289:6, for the remainder of the term.

IV. OFFICERS/QUORUM

- A. At their first meeting following the annual town meeting, the cemetery trustees shall elect a Chairperson and a Bookkeeper. The Chairperson may also serve as Bookkeeper. Each officer shall serve in their position for one year and may be reelected.
- B. The Chairperson shall work with designated town staff to set meeting agendas and shall preside over all meetings. The Chairperson is responsible for ensuring the duties and responsibilities of the Cemetery Trustees are carried out in an efficient, orderly, and timely manner.
- C. The Bookkeeper shall keep the minutes, records, and books of the trustees and shall issue vouchers as necessary for funds to be expended.

- D. Two trustees shall constitute a quorum, and a quorum must be present for all meetings and decision making.
- E. The Director of Parks and Recreation shall be the Sexton (cemeteries custodian) and shall be responsible to the Cemetery Trustees for supervising work done in all town cemeteries, pursuant to RSA 289:7, II.
- F. Cemetery Trustees shall maintain records of all cemetery maps, burials, and right-to-inter documents (deeds). The Trustees may delegate this responsibility to the Sexton.

V. MEETINGS

The Cemetery Trustees shall meet on an as-needed basis, but no less than once every three months. All meetings shall comply with RSA 91-A, the New Hampshire Right-to-Know law. The Sexton will coordinate with the Town Clerk for proper public notification at least 24 hours in advance of all meetings. All meetings shall be open to the public except as stipulated by NH law.

VI. POWERS AND DUTIES

- A. The Cemetery Trustees shall have powers and duties as prescribed in RSA 289:7.
- B. The Cemetery Trustees shall adopt and amend such by-laws, rules, and regulations as are necessary for the management of all Town of Hanover cemeteries as well as the transaction of all business within their responsibility. The Cemetery Trustees have sole authority to grant exceptions to and/or change any of the by-laws, rules, or regulations in accordance with RSA 289:7.
- C. The Cemetery Trustees shall adopt and amend such bylaws and regulations as necessary to effectuate Ordinance #25, Municipal Cemeteries.
- D. The Sexton, or his/her designee, is empowered and authorized by the Cemetery Trustees to enforce cemetery rules and regulations.

VII. CEMETERY FUND ACCOUNTS

- A. The Board of Cemetery Trustees and the Parks & Recreation Department shall prepare an annual budget and expend moneys raised and appropriated by the Town of Hanover for cemetery purposes. Funds raised and appropriated by the Town, and any income derived therefrom, shall be allocated within the Grounds Division section of the Parks & Recreation Budget for the purpose of general cemetery maintenance and improvement.
- B. The Cemetery Trustees may expend income from all trust funds established for cemetery purposes, in accordance with the conditions of each donation or bequest accepted by the town. All cemetery trust funds shall be held in the custody of the Trustees of the Trust Funds for Hanover.

VIII. MINUTES AND RECORDS

Minutes of all meetings, including the names of members present, people appearing before the Board of Cemetery Trustees, a brief description of the subject matters discussed, and final decisions made shall be recorded and made available to the public.

IX. HEARINGS AND APPEALS

- A. The Board of Cemetery Trustees shall have authority to conduct hearings and make decisions on the following matters:
1. When there is a dispute over the ownership of a cemetery lot;
 2. When a lot owner seeks to be granted an exception to the rules governing cemetery lots, subject to the requirements of long-term care; and
 3. When an owner or any other person with an interest seeks review or appeal of any decision made by the Department of Parks and Recreation concerning a cemetery lot, including the potential purchase, transfer, or sale of a cemetery lot.
- B. Except for IX(A)(1) above, decisions by the Board of Cemetery Trustees shall be final and unappealable. A decision made under IX(A)(1) may be appealed to the court of probate under RSA 290:24, III.

X. REVISIONS TO BYLAWS INCLUDING ADOPTION OF REGULATIONS:

These bylaws may be amended by the Board of Cemetery Trustees, including by the adoption of regulations on any of the matters set forth in Town of Hanover Ordinance #25. Amendments to the bylaws may take place at any regular meeting by majority vote of the trustees provided that prior to adoption, all proposed amendments were made available to the public and presented in writing to each member of the Trustees at a preceding regular meeting.

Adopted: May 6, 2025