



**Town of Candia  
Cemetery Trustees  
74 High Street  
Candia, New Hampshire  
03034**

## **Trustees Operational Rules and Regulations**

### **SECTION I : Authority**

**NH RSA 289:2** Every municipality shall provide one or more suitable cemeteries for the interment of deceased persons within its boundaries, which shall be subject to such regulations as the municipality may establish. In the absence of regulations established by vote of the legislative body, the cemetery trustees may establish such regulations pursuant to RSA 289:7, I(a). The operation and maintenance of all cemeteries owned and maintained by the municipality shall be in the charge of the cemetery trustees.

### **SECTION II : Responsibilities**

The trustees shall lay out the cemeteries in suitable lots or other subdivisions, for family or other burying places, with all necessary paths, avenues, and drives, and may plant and embellish the same with trees, shrubs, flowers, and other rural ornaments, and may enclose the same with proper and suitable fences. The trustees may lay out, re-survey, re-plot, enlarge, diminish, alter in size or shape, or otherwise change any or all parts or portions of the cemeteries as necessary for proper management of the cemeteries by a majority vote at a duly posted meeting. The trustees may make all necessary by-laws, rules and regulations in the execution of their trusts not inconsistent with the laws of this State, as they shall deem expedient. The trustees may add to, alter, or amend these rules and regulations at any regular meeting, or at any special meeting, if the public notice calling such meeting shall state that a change is an order of business at the meeting, provided that no change shall be made until a majority of the trustees shall vote in favor of such change.

### **SECTION III : Burial Rights**

The trustees shall have the authority to grant and convey to any person or persons, by deeds duly executed, the sole and exclusive right of interment in any of the designated lots or subdivisions of the cemeteries, upon such terms and conditions as they prescribe by their rules and regulations.

### **SECTION IV : Receipts**

The proceeds of the sale of lots/burial rights shall be paid into the Town's General Fund or as directed by the legislative body, as the case may be. Any other fees, donations or monies that may be collected by the trustees shall be paid into the appropriate funds established in accordance with statute.

### **SECTION V : General Cemetery Maintenance Fee**

All lots shall be sold with a one-time fee for general maintenance purposes (formerly known as "perpetual care"). The amount of the maintenance fee shall be set by the trustees in their rules and regulations, published in their **Cemetery Fee Schedule**, and shall be paid to the Candia Trustees of the Trust Funds, to be kept as

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principal in a principal-restricted trust fund with the accrued interest available for use for the maintenance of the lots. Maintenance means that the Cemetery Trustees will insure the cemeteries are kept neat and clean, and the lawns planted and mowed when necessary. Maintenance is limited to the above, it being expressly understood that any other work in connection with a grave or lot is the sole responsibility of the owner or his representative and is not the liability of the Town or the Cemetery Trustees.

### **SECTION VI : Correction of Errors**

The Trustees reserve the right to correct any errors that may be made by them in making interments, or in the description, transfer, or conveyance of any lot. Errors of lot owners in failing to specify proper interment position or of dealers in failing to clearly specify memorial positions will be cause for additional charges in the event a correction is requested.

### **SECTION VII : Waivers**

The Trustees reserve the right, for cause shown, to make special exceptions and/or waive any portion of their Regulations.

### **SECTION VIII : SEVERABILITY**

If any provision of these Regulations is held to be invalid, other provisions and sections shall not be affected, and to this end, the provisions and sections hereof are declared to be severable.

### **SECTION IX : Adoption**

These Regulations shall take effect immediately upon a majority vote of the Cemetery Trustees at a duly posted meeting.

**Reviewed and Adopted by the Cemetery Trustees at their July 16, 2015 Regular Meeting.  
Effective July 16, 2015**