



**CITY OF LEBANON
BOARD OF CEMETERY TRUSTEES
BYLAWS**

1. AUTHORITY/GOVERNANCE:

The Board of Cemetery Trustees shall be governed by the provisions of NH RSA 289; the Code of the City of Lebanon, Chapter 31, Board, Committees & Commissions; and these duly adopted Bylaws.

2. RULES AND REGULATIONS:

Rules and regulations governing Cemeteries in Lebanon shall be as set forth in the Code of the City of Lebanon, Chapter 46, Cemeteries, including all future amendments.

3. MEMBERSHIP:

- A. In accordance with Lebanon City Code Ch 31, Article VIII, the Board of Cemetery Trustees shall consist of five (5) members who shall be appointed by the City Council. The members shall include one representative from each of the three wards and two at-large members. All members shall be residents of the City of Lebanon.
- B. Initial Cemetery Trustee appointment terms shall be as follows:
 - Ward Representatives: 2 years
 - At-Large Representatives: 3 years

Cemetery Trustees shall be subject to re-appointment by the City Council

4. OFFICERS:

The Cemeteries Trustees, at an annual organizational meeting, shall elect a chair and a vice chair.

The Chair shall work with designated City staff to set the meeting agendas and shall preside over all meetings. The Chair is responsible for ensuring that the duties and responsibilities of the Cemetery Trustees are carried out in an efficient, orderly, and timely manner. He or she shall provide the necessary interfaces with other officials and the public in the performance of those duties and responsibilities.

The Vice-Chair shall assume the duties and powers of the Chair in the Chair's absence.

5. POWERS AND DUTIES:

The Board of Cemetery Trustees shall have the following powers and duties:

- A. All powers and duties set forth in RSA 289:7, as amended.
- B. Creating an inventory of all cemetery plots, including photographs and condition assessments of all monuments.
- C. Making recommendations to the City Council regarding management of the Cemeteries.
- D. Preparing an Annual Report inclusive of Board activities and updates to the Cemeteries.
- E. Consulting with Grafton County Extension Service relative to improving soil and turf conditions in the cemeteries.
- F. Regulation and management concerning the following matters, following consultation with the City Manager and Director of Public Works:
 1. Consulting with subject matter experts, particularly in matters relating to restoration and historic preservation, prior to undertaking repair projects.
 2. Utilizing landscape architects or other design professionals whenever cemetery expansions are being planned.
 3. Considering alternatives to conventional burials to both efficiently utilize remaining space within the cemeteries and optimize revenue.
 4. Establishing a program to repair damaged stones and monuments, prioritizing based on the degree of damage.

Cemeteries shall be regulated by the Code of the City of Lebanon, Chapter 46, Cemeteries. Notwithstanding RSA 289:7.II, maintenance, rule enforcement, and other work on cemeteries shall continue to be performed by employees of the Department of Public Works, under the direction of the Director of Public Works or his or her designee, who shall continue to be subject to all applicable City personnel policies or collective bargaining agreements.

City staff shall maintain records of all cemetery maps, burials, list of lot deeds, and Right to Inter documents. Staff shall post meeting notices (agendas), maintain a written record of all meetings, transactions, and business of the Trustees in accordance with NH RSA 91-a.

6. MEETINGS:

- A. Regular meetings of the Trustees shall be held on the second Tuesday of every month beginning at 5:00pm. Meetings shall normally be held at City Hall but may take place at different locations when determined appropriate by the Trustees.
- B. All meetings of the Trustees shall be open to the public except as stipulated by State Law.
- C. Order of Business:
 1. Call to Order
 2. Approval of Minutes
 3. Discussion Items
 - a. Old Business
 - b. New Business
 4. Other Business
 5. Adjournment

7. QUORUM:

The quorum for any meeting is three (3) members. Decisions by the cemetery trustees require a motion, second and approval by a majority of the members present and voting.

8. HEARINGS AND APPEALS:

- A. The Board of Cemetery Trustees shall have authority to conduct hearings and make decisions in the following matters:
1. When there is a dispute over the ownership of a cemetery lot, for purposes of Lebanon City Code § 46-6(B). As stated therein, the decision of the Cemetery Trustees on such a question shall be final, in the absence of any appeal to the court of probate under RSA 290:24, III.
 2. When a lot owner seeks to be granted an exception – pursuant to City Code § 46-11(B) – to the rules governing cemetery lots, subject to the requirement of a long-term care agreement.
 3. When an owner or other person with an interest seeks review or appeal of any decision made by the Department of Public Works concerning a cemetery lot. The authority of the Cemetery Trustees under this paragraph shall include the authority to review any notice to take corrective action, issued under City Code § 46-10(C), but shall not extend to the review of any City decision to formally charge, or not to charge, a person with a violation of Chapter 46 or of a regulation adopted thereunder.
- B. Prior to making a decision concerning one of the above matters, the Cemetery Trustees shall hold a public hearing, at which interested parties may be heard. The person requesting the relief shall be informed by regular mail of the hearing at least seven days in advance of the hearing.

9. REVISIONS TO BYLAWS INCLUDING ADOPTION OF REGULATIONS:

These bylaws may be amended by the Cemetery Trustees, including by the adoption of regulations on any of the matters set forth in the City Code Chapter 46. 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 held at least 15 days prior to date of adoption.

AMENDMENT

The by-laws may be adopted by majority vote if read at two Successive meetings of the board and may be amended in like manner.

Adopted: October 4, 2018

Amended March 12, 2019