

Appendix B

Abandoned Cemeteries

Applications for declaration

101.1 (1) A person set out in subsection (2) may apply to have a judge of the Superior Court of Justice declare a cemetery abandoned if the owner of the cemetery,

(a) cannot be found or is unknown;

(b) is unable to maintain it; or

(c) is not a licensed operator and there is no licensed operator for the cemetery. 2006, c. 34, Sched. D, s. 68.

Who can apply

(2) The application may be made by,

(a) the Crown if the cemetery is on land that is situated in territory without municipal organization;

(b) the local municipality within whose geographic boundaries the land of the cemetery is located;

(c) the owner or operator of the cemetery; or

(d) the registrar. 2006, c. 34, Sched. D, s. 68.

Notice of application

(3) An applicant shall give notice of the application to the following persons or entities, but is not required to give the notice to the applicant:

1. The owner or operator of the cemetery.

2. The local municipality within whose geographic boundaries the land of the cemetery is located, if there is one.

3. The Crown, if there is no local municipality within whose geographic boundaries the land of the cemetery is located.