

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 951-2012

Being a by-law respecting the Cloud Bay (Crooks) Cemetery.

WHEREAS pursuant to the Funeral, Burial and Cremation Services Act, 2002 and Regulations made under the Act.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING ENACTS AS FOLLOWS:

1. Interment Rights (Plots) shall only be sold by the Clerk-Treasurer or the Deputy Clerk-Treasurer.
2. The Transfer of Ownership of Interment Rights are not binding upon the cemetery until a duly executed transfer has been deposited with the Clerk-Treasurer or the Deputy Clerk-Treasurer.
3. The Purchaser/Owner of a plot shall be provided with the following at the time of sale with:
  - a) a copy of the contract,
  - b) a copy of the cemetery by-laws and map,
  - c) upon payment in full, a certificate of interment rights.
4. All prices for cemetery plots and services shall be as set out in the most recent tariff or rates filed with the Ministry of Consumer and Commercial Relations. Prices for plots shall include the applicable portions for deposit to the Cemetery Care and Maintenance Fund.  
The tariff of rates shall form Schedule A to this by-law.
5. The deposit to the Care and Maintenance Fund shall be as specified in the Regulations made under the Cemeteries Act as Revised:
  - a) In the case of an In-ground grave for the burial of an adult or child, the greater of 40% of the selling price and \$250.00.
6. In accordance with O'Reg 30/11 Section 168, a prescribed amount shall be paid into the Care and Maintenance Fund of the cemetery upon the installation of a marker:
  - a) In the case of installing a flat marker measuring less than 173 square centimetres (26.82 square inches) - \$0.00
  - b) In the case of installing a flat marker measuring at least 173 square inches - \$50.00;
  - c) In the case of installing an upright marker measuring 1.22 metres (4 feet) or less in height and 1.22 metres (4 feet) or less in length, including the base - \$100.00;
  - d) In the case of installing an upright marker measuring more than 1.22 (4 feet) in either height or length, including the base - \$200.00;
7. No interment will be made without the written permission of the Rights Holder or his/her authorized representative.

8. Notice of each interment shall be given to the Clerk-Treasurer or the Deputy Clerk-Treasurer at least twenty-four (24) hours before interment except under special circumstances.
9. No interment shall be made on Sunday except on a Doctor's certificate that burial must be made within twenty-four (24) hours of death in accordance with the regulations of the Ontario Department of Health for the control of communicable diseases.
10. Before a disinterment is to take place, notice must be received by the Clerk-Treasurer or the Deputy Clerk-Treasurer, at least twenty-four (24) hours before disinterment takes place.
11. The Clerk-Treasurer or the Deputy Clerk-Treasurer requires the following documentation for:
  - a) interment - a burial certificate;
  - b) disinterment - a written consent of the local medical officer of health and the owner of the lot.
12. There will be one full service and two cremated remains allowed for each plot. There will be three cremated remains allowed for each plot without a full service burial.
13. Four foot by eight foot plots will be laid out as per Schedule "B" as attached (as per older section). Five foot by ten foot plots will be laid out as per Schedule "B" as attached (as per new section).
14. The westerly portion (new section) of the Cloud Bay (Crooks) Cemetery will allow the installation of flat markers only. No upright marker will be installed in this section.
15. The Clerk-Treasurer or the Deputy Clerk-Treasurer shall be notified before a monument is installed and any monument to be erected shall be set upon a floating foundation, the thickness of the foundation shall be four (4) inches for smaller monuments and five (5) inches for larger monuments and not more than the full width of the plot.
16. If any trees or shrubs situated in any lot shall have become by means of their roots, or branches, or in any way, detrimental to the adjacent plots, or prejudicial to the general appearance of the grounds they will be removed. Plots owners shall be notified regarding planting and shrubby violations and shall have 20 days to comply. The Board shall then direct administration to notify the Caretaker to remove such trees, shrubs, or any borders that are in violation of the Cemetery ground rules.


Fresh flowers shall be permitted from May 1<sup>st</sup> in any year to September 30<sup>th</sup>, and artificial arrangements shall only be permitted from October 1<sup>st</sup> to April 30<sup>th</sup>. All artificial arrangements will be removed by May 31<sup>st</sup> in any given year. The arrangements will be stored in an appropriate spot by the gazebo for future pick-up. Those artificial arrangements remaining as of June 15<sup>th</sup> will be properly disposed of.

There shall be no planting of shrubs or flowers in the new section of the Cemetery.
17. Corner Identification Markers shall be placed on each Block, as per map. These markers will be looked after by the Public Works staff.
18. The Cemetery Board shall be established by Council and shall consist of 5 Municipal residents and 2 Council Members. Their main objectives will be to oversee that the By-laws adopted by Council are properly adhered to and that the Cemetery receives proper general maintenance. The Board will prepare a draft for the annual budget and submit it for Council's approval.

19. The Clerk-Treasurer or Deputy Clerk-Treasurer will be the initial contact for plot sales and will accompany the perspective person to the Cemetery to view the plot layouts if required. The Public Works Department will open and close the plot for full service burials or will prepare the plot for a Cremated service and will be responsible to attend to the opening and closing of the interment.
20. A seasonal grasscutter shall be employed under the direction of administration/Public Works Foreman. They shall undertake all landscape work, not limited to but including, maintaining the grounds and gazebo and such duties as directed by their immediate supervisor.
21. Rights (Plots) Holders are required to provide to the Clerk-Treasurer or the Deputy Clerk-Treasurer any change of their mailing address.
22. Only past and present residents and their immediate family members shall be able to purchase an Interment Right (plot).
23. Any conflicts with the above rules and regulations shall be directed to the Council of the Municipality of Neehing.
24. This by-law is subject to the approval of the registrar, Ministry of Consumer and Commercial Relations.
25. That all previous by-laws inconsistent with the foregoing are hereby repealed.

ENACTED AND PASSED IN COUNCIL this 24<sup>th</sup> day of October, 2012as witnessed by the Corporate Seal of the Corporation and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE  
MUNICIPALITY OF NEEHING

  
Mayor

  
Clerk



Read for a first time this 24<sup>th</sup> day of October, 2012.

Read for a second time this 24<sup>th</sup> day of October, 2012.

Read for a third time and finally passed this 24<sup>th</sup> day of October, 2012.

SCHEDULE "A"

By-law Number 951-2012

TARIFF OF RATES FOR THE CLOUD BAY (CROOKS) CEMETERY

FILED UNDER THE PROVISIONS OF THE FUNERAL, BURIAL AND CREMATION SERVICES ACT 2001 AND REGULATIONS 30/11.

SALE OF INTERMENT RIGHTS OR CEMETERY SUPPLIES OR SERVICES

SALE OF INTERMENT RIGHTS (PLOTS)

One Interment Rights (plot)

- Single plot – 4 feet X 8 feet – Old Section size \$300.00
- Single plot - 5 feet X 10 feet – New Section size \$300.00  
(As shown on map)

INSTALLATION OF MARKERS

- Flat markers under 172 square inches \$ 00.00
- Flat marker over 172 square inches \$ 50.00
- Upright monument up to 4 feet in height or width \$100.00
- Upright monument over 4 feet in height or width \$200.00

INTERMENT CHARGES

- Interment Fee for an Urn \$200.00
- Interment Fee for a full burial \$300.00

SCHEDULE "B"

By-law Number 951-2012

Cemetery Rules

The Cemetery Board respectfully requests that plot owners assist in maintaining the natural beauty of the Cloud Bay (Crooks) Cemetery by observing the rules for the care of plots and graves. The rules are as follows:

1. Artificial flowers, wreaths, etc. are prohibited from May 1<sup>st</sup> to September 30<sup>th</sup> except that such artificial articles if contained in a single unbreakable container affixed to the marker in such a manner as to not impede grass mowing shall be permitted year round.
2. No trees or shrubs (such as rose bushes, liacs, etc.) shall be planted on a plot or grave.
3. Flower beds not exceeding eighteen (18) inches in width shall be permitted at the front of the monument base only.
4. Flower receptacles or containers of glass or other fragile or breakable materials are prohibited at all times of the year.
5. The Cemetery maintenance crew is authorized to remove any articles which are not in conformity with the foregoing rules or which are in any way detrimental to the adjoining plots or to the natural appearance of the grounds.
6. There shall be no planting of shrubs, trees or flowers of any kind in the westerly portion (new section) of the Cemetery.

We thank you for your co-operation.