

SCHEDULE "A" to By-law No. 1308

TOWNSHIP OF LA VALLEE MUNICIPAL CEMETERY POLICIES

1. SECTION ONE – ADMINISTRATION

- 1.1 A cemetery Board is hereby established according to the rules and regulations attached hereto.
- 1.2 The Cemetery Board shall be known as the La Vallee Cemetery Board, shall have and may exercise in The Corporation of the Township of La Vallee powers and perform all the duties with respect to cemeteries in the Township with final approval from the Municipal Council.
- 1.3 The names of the cemeteries shall be, Burriss, Boxalder, St. Patrick's and Devlin.
- 1.4 The cemetery affairs shall be administered by a Board of Officers, which shall consist of a body of five (5) namely;
 - 2 Council
 - 3 appointed
- 1.5 The Board of Officers shall be appointed for a term of four (4) years, (in December immediately following the Municipal elections in November) the term to coincide with the term of office of the Municipal Council.

2. SECTION TWO - DEFINITIONS

- 2.1 "Board" shall mean the Cemetery Board of the Corporation of the Township of La Vallee, which has vested jurisdiction over the cemeteries.
- 2.2 "Burial" shall mean the burial of human remains and includes the placing of human remains in a lot.
- 2.3 "By-law" shall mean a by-law of the Corporation.
- 2.4 "Care and Maintenance Fund" shall mean the fund established for the care and maintenance of the cemeteries. This is mandated to be collected by Government Legislation.
- 2.5 "Cemetery" shall mean St. Patrick's, Boxalder, Devlin and Burriss.
- 2.6 "Certificate" shall mean the certificate of Interment Rights issued by the Corporation.
- 2.7 "Clerk" shall mean the Clerk of the Corporation of the Township of La Vallee.

- 2.8 “Corporation” shall mean The Corporation of the Township of La Vallee.
- 2.9 “Council” shall mean the Council of The Corporation of the Township of La Vallee.
- 2.10 “Employee” shall mean an employee of the Corporation.
- 2.11 “Grave” shall mean any interment space.
- 2.12 “Grave Marker” shall mean and include a monument, column, cenotaph, stone or other structure for perpetuating the memory of the deceased person.
- 2.13 “Inter” shall mean the burial of human remains and includes the placing of human remains in a lot.
- 2.14 “Interment Rights” includes the right to direct the interment of human remains in a lot.
- 2.15 “Interment Rights Holder” shall mean the party or parties listed in the records of the cemetery as having interment rights for the lot.
- 2.16 “Lot” having a minimum size of 8’ x 4’ intended for the interment of one (1) full size casket or up to three (3) cremated remains.
- 2.17 “Ministry” shall mean the Ministry of Consumer and Commercial Relations.
- 2.18 “Outer Container” shall mean rough box of wood, fiberglass, concrete or metal or a vault.
- 2.19 “Plot” shall mean a group of eight (8) lots.
- 2.20 “Plot Marker” shall mean any land marks set flush with the surface of the ground, and used to indicate the corners of the plot.
- 2.21 “Price List” shall mean the tariff of fees and charges for interment rights and cemetery services and supplies, as revised from time to time.
- 2.22 “Reeve” shall mean the Reeve of The Corporation of the Township of La Vallee.

3. SECTION THREE – CEMETERY PLAN

- 3.1 The Cemetery Plan shall remain on file at the office of the Corporation.
- 3.2 No alterations shall be made to the Cemetery Plan without the approval of the Council, expressed by resolution thereof.
- 3.3 No portion of the Cemetery, not subdivided into lots according to the Cemetery Plan, shall be sold for the purpose of a burial.
- 3.4 All dealings with respect to any lot or grave shall be by reference to the Cemetery Plan.

4. SECTION FOUR – SALE AND TRANSFER OF INTERMENT RIGHTS

- 4.1 Interment Rights shall be purchased from the Corporation at the tariff of rate attached herewith.
- 4.2 Purchasers of Interment Rights acquire the rights and privileges of interment of the deceased, subject to the rules and regulations in force and as amended.
- 4.3 Payment for Interment Rights shall be made at the office of the Corporation.
- 4.4 Each purchaser of an Interment Rights shall be issued a certificate upon payment of all charges.
- 4.5 The certificate shall specify name and address of purchaser, the number of the lot and plot, the amount paid, the portions set aside for Care and Maintenance and the date of purchase.
- 4.6 Resale of rights is prohibited. The Municipality will repurchase rights at current value.
- 4.7 Upon the death of the purchaser of Interment Rights, the certificate will be returned to the Corporation and a new certificate will be issued in the name of a new Interment Rights holder. When this isn't the case, the certificate will be transferred to the executor of the Rights Holder or remaining family member.
- 4.8 A maximum of three cremation interments may be allowed in each lot. Cremation interments and regular interments are permitted in the same lot, provided that the regular interment occurs first. Only one headstone is permitted per lot.

5. SECTION FIVE – INTERMENT AND DISINTERMENT

- 5.1 All interments shall be determined by the Interment Rights holder in accordance with this By-Law.
- 5.2 An interment permit issued by the Division Registrar, showing that the death has been registered, shall be deposited with the Corporation before interment can take place (Vital Statistics Act, R.S.O. 1990 Chapter V.4).
- 5.3 In each case of interment, an Application for Interment must be completed and provided to the Corporation.
- 5.4 Notice of each interment to be made shall be provided to the Corporation at least 48 hours prior to interment except under special circumstances.
- 5.5 No interment shall be made on Good Friday or on Christmas Day except under conditions defined in the preceding clauses.
- 5.6 No interment shall be made on a Saturday or Sunday except with permission of the Corporation and the availability of staff.
- 5.7 No lot shall be opened for interment by any person without permission of the Corporation.
- 5.8 No burial other than that of the body or remains of a human being shall be interred in any part of the cemetery.
- 5.9 No interment shall be made unless it is made a sufficient depth to give a covering of at least 2 (two) feet over the outside cover or shell of the coffin or other receptacle. All caskets require a rough box.
- 5.10 No disinterment shall be made without compliance of Section 51 of the Cemeteries Act R.S.O. 1990 C.4.
- 5.11 No winter interments shall take place.
- 5.12 Grave opening and closing will only be done following graveside services. This is for safety reasons.

6. SECTION SIX – CARE OF LOTS

- 6.1 Flowering and other plants may be cultivated on a lot but only such varieties as are in good taste in keeping with the general plan of the grounds and under the direction of the Corporation. The planting and locating of trees and shrubs must be approved by the Corporation. No succoring plants allowed (i.e. lilacs, etc.).
- 6.2 In order to preserve the proper appearance of the grounds, funeral wreaths and artificial flowers may remain only so long as their beauty lasts.
- 6.3 Since borders, fences, railings, walls, rock edging and hedges in and around lots become unsightly, they are prohibited and existing ones may be removed.
- 6.4 Prior to any alterations to any lot, by the Municipality, a reasonable attempt will be made to contact the Interment Rights holder of such.
- 6.5 Placement of lights, flowers and/or statues are limited to lot and consideration must be given for grass cutting, etc. The Municipality is not responsible for damage caused by grass trimmers, etc. Lot must be maintained or items will be removed. No glass vases are permitted due to safety hazards.

7. SECTION SEVEN – GRAVE MARKERS

- 7.1 Because of the settling of new graves, monuments shall not be placed on the lots until permission is granted from the Corporation. Normally this is 1 year for full burial and 6 months for cremation.
- 7.2 Monuments are allowed to be placed on lots before interment takes place on cremation burials only. Approval must be obtained from the Corporation.
- 7.3 No monument shall be placed on a lot within the cemetery until the location has been marked by an employee of the Corporation. Notice of placement of a monument shall be provided to the Corporation during office hours at least 48 hours prior to the placement.
- 7.4 Foundations for monuments shall be level with the surrounding ground and shall be approved by the Corporation.
- 7.5 No monument or inscription shall be placed on any lot which in the opinion of the Corporation is not in keeping with the dignity and the decorum of the cemetery. This should also include where the monuments are placed on the grave and the direction they are facing.
- 7.6 When any grave marker of any kind is to be removed from the cemetery, notice shall be given to the Corporation in writing.

- 7.7 No marker may be wider than the lot/plot width. Client is responsible to check with the Municipality for lot/plot size.
- 7.8 Only one (1) headstone/monument per lot is permitted.
- 7.9 The Corporation (Municipality) shall not be responsible for the replacing or repair of monuments. This is the responsibility of the owner/owners.

8. SECTION EIGHT – RESPONSIBILITIES OF THE CORPORATION

- 8.1 All lots shall be kept properly graded in keeping with the decorum of the cemetery. Finished graves shall be slightly mounded.

9. SECTION NINE - PENALTIES

- 9.1 Any person who contravenes any provision of this by-law is guilty of an offence.
- 9.2 Any person who is convicted of an offence under this by-law is liable to a fine of not more than \$5,000.00.

10. SECTION TEN – RULES FOR MONUMENT DEALERS, CONTRACTORS AND WORKERS

- 10.1 Every contractor employed to erect monuments, markers or corner-stones or to do any work in the cemetery shall first present an application to the clerk signed by the interment rights holder of the lot or grave, requesting permission to employ such contractor to do the work therein specified. This application shall designate the lot or grave. If completed through an Agent of the monument company, all the information above is received from the Agent.
- 10.2 Contractors who have received permission to do any work in the cemetery shall leave the area in a neat and orderly condition.
- 10.3 Heavy loads shall not be permitted in the cemetery when conditions are unfit to permit their use without damage.
- 10.4 All implements and material used in the performance of any work by contractors shall be placed where the Corporation may direct, and all rubbish and surplus earth shall be removed in such a manner and at such time and to such place as the Corporation may order. Failure to comply will result in any obstruction being removed and the expense charged to the interment rights holder of the lot.
- 10.5 Any worker who damages any lot, monument, marker or corner-stone or other structure or otherwise does any injury in the cemetery, shall be personally responsible for such damage or injury and in addition thereto, his employer shall also be liable.

APPLICATION FOR INTERMENT

Application form to be made out in full by the Applicant. The Interment Rights Holder's signature of approval should, if possible, be secured in the space provided below.

Date: _____ Name of Applicant: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Name of Interment Right's Holder: _____

Cemetery Name: _____ Plot #: _____ Lot #: _____

For Burial of: _____ DOB: _____

Date of Death: _____

Residence of Deceased: _____

Next of Kin of Deceased: _____

Address: _____

I hereby authorize and approve this application and consent to the execution of any work necessary for interment and agree to pay any charges connected.

Rights Holder or Party Responsible

If this order is signed by anyone other than the Interment Rights Holder, the party signing the same will be held responsible for the full amount of the account.

INTERMENT RIGHTS HOLDER'S ORDER

I, the undersigned, hereby give permission to The Corporation of the Township of La Vallee for the burial of the body of:

In Cemetery: _____

Plot #: _____ Lot #: _____

ON THIS _____ DAY OF _____, 20 _____

Interment Rights Holder

REMARKS:

INTERMENT RIGHTS CERTIFICATE

Interment Rights Holder(s): The Interment Rights Holder(s) listed below have the right to direct/consent to the Burial and memorialization associated with the Interment Rights in conjunction with the cemetery by-laws. Schedule "A" to By-law No. 1308.

Date Purchased: _____

Rights Holder Name: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Cemetery Name: _____ Plot #: _____ Lot #: _____

Price: \$100.00 Care and Maintenance: \$250.00 **Total: \$350.00**

The Rights Holder(s), by acceptance of this certificate indicates that the By-laws governing the operation of the cemetery have been received and read and agrees to be guided by the said By-laws as if these were included as part of this certificate.

The Rights Holder(s) agrees that in the event of transfer of the said Interment Rights, this certificate cannot be transferred but will be returned to the Cemetery Owner who will issue a new certificate to the transferee.

With respect to the erection of installation of grave markers, the Rights Holder(s) agrees to abide by the Cemetery By-laws of the Corporation, wherein instructions on the erection or installation of markers are given and which By-laws are attached hereto.

Rights Holder(s)

Clerk-Treasurer

TARIFF OF RATES

**SCHEDULE "A" to
By-Law No. 1308**

Single Lot	<u>\$100.00 + 250.00 care & maintenance</u>
Opening & Closing	<u>\$ 500.00</u>
*Saturday/Sunday & Holidays	<u>\$ 1000.00</u>
Cremation interment	<u>\$ 150.00</u>
*Saturday/Sunday and Holidays	<u>\$300.00</u>
Mortuary winter storage	<u>\$ <u>nil</u></u>
*For other municipalities	<u>\$50.00</u>
Monuments	
Placement location fee	<u>\$50.00</u>
Monument under 172 square inches	<u>No fee</u>
*Care & Maintenance Fees and will change per regulations from time to time	
Flat marker over 172 square inches	<u>\$50.00</u>
Upright Monument under 4 feet	<u>\$100.00</u>
Upright Monument over 4 feet	<u>\$200.00</u>