

**THE CORPORATION OF THE TOWNSHIP OF CENTRAL MANITOULIN
BY-LAW NUMBER 2006-20**

BEING A BY-LAW TO GOVERN THE OPERATION OF CEMETERIES UNDER THE CONTROL
OF THE TOWNSHIP OF CENTRAL MANITOULIN CEMETERY BOARD.

WHEREAS the Cemetery Act R.S.O. 1990 Chapter C4 governs the operations of
cemeteries in the Province of Ontario;

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF CENTRAL MANITOULIN
ENACTS AS FOLLOWS:

1) Definitions

"Authorized Representative" - the chairperson and/or the Secretary-
Treasurer of the Township of Central Manitoulin Cemetery Board.

"interment Rights Certificate" - the deed

"Rights Owner" - the owner of interment rights of the lot.

2) Interment Rights

- a) Interment rights (lots) may be sold by the Township of Central Manitoulin Cemetery Board
- b) The transfer of ownership of interment rights is not binding upon the cemetery until a duly executed transfer has been deposited with the Cemetery Board
- c) The Cemetery Board shall provide each Rights (lot) owner at the time of sale with:
 - i) copy of a contract
 - ii) copy of the cemetery by-law
 - iii) certificate of interment rights, upon payment in full for the rights
- d) All prices for cemetery lots and services shall be set out in the most recent tariff of rates filed with the Ministry of Consumer and Commercial Relations. Prices for lots shall include the applicable portion for deposit to the Cemeteries Care and Maintenance Fund.
- e) The deposit to the Care and Maintenance Fund shall be as specified in the Regulations made under the Cemeteries Act Revised:
 - i) In the case of an in-ground grave for the burial of an adult, the greater of 40% of the selling price or \$150.
 - ii) In the case of an in-ground grave for the burial of a child or of cremated remains, 40% of the selling price.
- f) No interment will be made without the written permission of the Rights holder or his/her authorized representative.
- g) Contract for purchase of interment rights include the right of the purchaser, by written demand, to request the owner repurchase the rights at any time before they are used.
- h) The repurchase price of interment rights shall be determined by establishing the amount paid by the purchaser for the rights less the amount the owner paid into

the Care and Maintenance Fund, or the predecessor of such a fund, in respect of the interment rights.

- i) It is strongly recommended that all caskets must be set in concrete or steel

3) Monuments

- a) In accordance with Section 30 of the Act and Regulations, a prescribed amount shall be paid into the Care and Maintenance Fund of the cemetery upon the installation of a marker:
 - i) In the case of installing a flat marker measuring at least 173 Square inches, \$50.
 - ii) In the case of installing an upright marker measuring 39 inches or less in height and 39 inches or less in length, including the base, \$100.

4) Documents required

- a) Burial Permit
- b) Contract for Purchase of "Interment Rights Certificate" and/or "Interment Rights", to be completed as required (form to be supplied by the Cemetery Board).
- c) "Supplier's Application to Install Markers in the Township of Central Manitoulin" to be completed as required (form to be supplied by the Cemetery Board).

5) Dimensions of "Interment Rights (lot)"

"Interment Rights" shall consist of a lot in either Providence Bay, Mindemoya, or Grimesthorpe Cemeteries measuring a total of 40 square feet.

6) Monument Requirements

- a) Monuments shall be a permanent structure projecting above the level of the ground and shall be constructed of Marble, granite or bronze.
- b) No inscription shall be placed on any monument or marker, which in the opinion of the Board, is not in keeping with the dignity and decorum of the cemetery.
- c) Not more than one monument shall be erected on any one Interment right (lot). Footstones are not considered a monument. Monuments installed on Doublewide lots will be situated in the centre of the 8-foot width of the two lots.
- d) The base area of the monument shall not exceed six percent of the area of the interment right (lot), The monument shall not exceed 39 inches in height.
- e) The general rules and regulations of the Board shall apply to all freestanding crosses, but drawings and specifications for such must first be submitted and approved by the Board.
- f) All diestones, columns, limbs or crosses, etc., shall be adequately dowelled to their bases with corrosion resistant steel dowel pins.
- g) Monuments with an overall height above surrounding ground in excess of 18 inches shall be designed, constructed and erected to resist sliding and overturning when subject to a horizontal force of 200 pounds applied in any direction at any point on the base of the die up to three feet above the ground.

7) Contractors within Cemetery

- a) No work can start without the written approval of an authorized representative of the Cemetery Board and where applicable the Right's holder.
- b) All contractors must have Workers' Compensation coverage.
- c) All contractors must have liability insurance in the amount of \$1,000,000.
- d) Contractors must clean up and restore cemetery site on completion of work.
- e) Grave Diggers employed by the Funeral Directors will be required to save the sod, where possible, for replacement on the graves and to level all excess soil around the gravesites.

8) Cemetery Grounds

- a) Planting of flowers, trees or shrubs will not be permitted.
- b) No glass containers shall be allowed in the cemetery.

9) Notice of Interment

- a) Notice of interment shall be given to an authorized representative of the Township of Central Manitoulin Cemetery Board forty-eight hours prior to the interment.

10) Effective Date

- a) This by-law shall take effect from the date of its passage by the Township of Central Manitoulin Council and shall come into force upon approval of the Registrar of the Ministry of Consumer and Commercial Relations.

11) Previous by-laws Rescinded

- a) All previous by-laws relating to the operations of Cemeteries are hereby rescinded.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS _____ DAY
OF _____, 2006.

Reeve – Richard Stephens

Clerk – Ruth Frawley

I, _____ Clerk of the Township of Central Manitoulin, hereby
certify that the foregoing is a true copy of By-Law No. 2006-20 which was passed by
Council on the _____ day of _____ 2006.

Clerk