

St. Davids - Queenston United Church

Cemetery By - Laws

DEFINITIONS:

CEMETERY:

Shall mean the St. Davids-Queenston United Church Cemetery located on York Rd., St. Davids, Ontario.

LOT:

Shall mean any plot or grave space containing one or more graves.

GRAVE:

Shall mean any burial space of sufficient area for at least one opening for an adult, and having a minimum size of . 914, metres by 3. 05 metres; and for cremation a min. size . 61 metres by . 61 metres.

TREASURER:

Shall mean the Treasurer of the Cemetery Board of the St. Davids-Queenston United Church.

INTERMENT RIGHTS HOLDER:

Shall mean the party or parties listed in the records of the Cemetery as having the rights to a lot or lots.

PLAN:

Shall mean the plan of the Cemetery approved by the Minister of Consumer and Commercial Relations.

CERTIFICATE OF INTERMENT RIGHTS:

Shall mean the certificate issued by the Church to the purchaser of a lot or lots.

CARE AND MAINTENANCE TRUST FUND:

Shall mean the fund in which moneys received by the Church for perpetual care of graves and markers has been invested.

TRUST:

Shall mean a trust fund established for the purpose of the Cemeteries 1989c. 50 S.I.

MARKER

Shall mean a granite or bronze memorial, as may be approved by the Church, and used to mark the location of a grave or graves.

CORNER POSTS

Shall mean any granite or bronze posts set flush with the surface of the ground, and used to mark the corners of a lot.

VAULT

Shall mean any sealed shell made of metal, concrete or stone entirely below the surface of the ground. No structure above the ground.

SALE AND TRANSFER OF LOTS:

- (1) Interment Rights (lots) may only be purchased from the St. Davids-Queenston United Church at the tariff rates according to the plan approved by the Ministry of Consumer and Commercial Relations for Ontario and on file with the Treasurer of the Cemetery Board.
- (2) Purchasers of lots acquire only the right and privilege of burial of the dead, subject to the rules and regulations from time to time in force.
- (3) Payments for lots or graves shall be made to the Treasurer of the Cemetery Board.
- (4) Each purchaser of a lot shall be entitled to an interment rights certificate, but only when all indebtedness has been satisfied and all charges on the lot or grave has been paid.
- (5) The certificate of interment rights shall specify the size of the lot, the number of the lot, the number and date of the cemetery plan and the amount paid, and shall be subject to the existing regulations or future regulations.
- (6) Lots sold shall be covered by a rate for the Care and Maintenance Fund set forth in the current tariff rates.
- (7) The transfer of ownership of interment rights are not binding upon the cemetery until a duly executed transfer has been deposited with the cemetery.
- (8) In case of transmission of ownership of lots, the transmission of any lot shall be recorded on receipt of sufficient evidence.
- (9) The Cemetery Board will repurchase lots from interment rights owners of the St. Davids-Queenston United Church Cemetery at the price that the lot was purchased from the Church when such a written request is received.
- (10) The Cemetery Board shall provide each rights (lot) owner at the time of sale with:
 - (a) A copy of the contract.
 - (b) A copy of the Cemetery By-laws.
 - (c) A Certificate of Interment Rights upon payment in full.

INTERMENTS AND DISINTERMENT:

(1) A burial permit issued by the Division Registrar, showing that the death has been requested, shall be deposited with the Cemetery Board before interment can take place.

(2) In each case of burial, a written statement giving

The name

Late residence (with street address, if any) age

Date of death

Place of death

Address of deceased's nearest relatives

Time of interment

In what lot to be interred

Name of funeral director

Name of medical attendant

(3) The kind, length and width of the outside case shall be given and the location of the grave to be opened shall be accurately designated. Precise and proper instructions in writing shall be given regarding the location of every burial.

(4) Persons ordering graves shall be responsible for charges incurred.

(5) Notice of each interment to be made shall be given to the Cemetery Board at least 24 hours previous thereto except under special circumstances. The Board cannot be responsible for having graves prepared for funerals unless such notice is given.

(6) No burial shall be made on a statutory holiday or Sunday except on the written order of the Medical Officer of Health.

(7) No grave or vault shall be opened for disinterment by any person except under special circumstances and by permission by the Board and the Medical Officer of Health.

(8) The Cemetery Board shall ensure that interred human remains that are not cremated are buried at least 2.0 metres beneath the natural level of the ground surface.

INTERMENTS AND DISINTERMENT (continued)

(9) In digging a grave, no ground shall be placed on the adjoining graves, and after filling in the grave, the surplus material shall be removed to such a place as may be designated by the Board Representative, and the grave shall be seeded within a reasonable length of time.

(10) Bodies of any of the lower animals shall not be placed in any grave in the cemetery.

(11) No disinterment shall be made without the written consent of the local Medical Officer of Health and the owner of the interment rights except on an order from the Court. or as provided in the Regulations under the Cemeteries Act, Revised.

(12) If a Medical Officer of Health determines that remains are those of a person who died of a communicable disease within the meaning of the Health Protection and Promotion Act, the remains shall not be dealt with in any way except as prescribed by the regulations made under the Act. 1989, c.50.s.53.

(13) Funerals shall be allowed in the Cemetery only between the hours of 9:00 a.m. to 4:00 p.m., unless by permission by the Cemetery Board.

(14) Cement liners or vaults are recommended. Where a liner or vault has a width of more than 81.3 cm, or a length of more than 2.29 metres, the Cemetery shall not be obliged to permit the burial unless there is sufficient space to accommodate it.

CARE OF LOTS AND CEMETERY GROUNDS :

- (1) The Board undertakes to keep all lots and graves properly graded, seeded, and mowed, and to keep, cultivate and trim all trees, shrubs, or other plants. These shall be permitted only in areas designated by the Board throughout the Cemetery grounds.
- (2) Trees and shrubs shall not be cultivated on lots or graves. Flowering or other plants will be no wider than the marker and allowed only within 0.6 metres in front of the marker. All landscaping in designated areas shall be done by the Board or by its approval and trees, shrubs, lowering or other plants shall only be cultivated in such areas and only such varieties as are in keeping with the general plan of the grounds.
- (3) Planting of borders around lots or graves is prohibited.
- (4) Wreaths not exceeding 46 cm wide shall be permitted on any lot in winter.
- (5) In order to preserve the proper appearance of the grounds, artificial wreaths and other artificial floral arrangements must be removed before April 1st of each year and may not be placed prior to October 31st , otherwise the Cemetery authorities will remove them and dispose of them at their discretion at any time after June 1st. Under no circumstances will glass jars or glass blocks containing or holding floral arrangements etc. be permitted to be placed on the graves or markers at anytime.
- (6) Rubbish shall not be thrown on the roads, walks, or any part of the grounds. Receptacles are provided at convenient points on the grounds for the deposit of weeds, decaying flowers, plants, etc.
- (7) No interment rights holder shall change the grading of a grave or marker.
- (8) The Board shall not be responsible for loss or damage to any portable articles left upon any grave.
- (9) Flower pots cannot exceed 30 cm diameter or height, and flower boxes cannot exceed 60 cm length and 20 cm height and width.
- (10) Existing plantings will be removed wherever they become unsightly or encroach upon an adjacent grave or path.
- (11) Shrubs shall not be allowed to grow above 1.5 metres of height or extend beyond the boundary of the lot.
- (12) Maintenance of plantings are the responsibility of those persons who planted them. Failure to maintain such plantings may result in their trimming or removal by the caretaker or the Board without recourse.
- (13) Rose or other thorned bushes are not permitted on any cemetery lot.

CARE OF LOTS AND CEMETERY GROUNDS : (continued)

(14) It is recommended that owners or responsible party of lots with plantings are listed with current contact phone numbers with the Board.

(15) It must be recognized that all plantings have a limited life span and the Cemetery Board reserves the right to remove them for the sake of poor health, disease, or deterioration.

(16) Copings, fences, curbs, benches, steps, structures of iron, wood or other equally perishable materials are not to be placed on any plot without prior approval from the Cemetery Board. This is to insure that proper maintenance procedures can be carried out. Some existing structures may be deteriorated by age or are considered not acceptable for maintenance procedures. These will be removed by the board if they are not repaired or remedied for improved maintenance by the owner after 3 months of being notified in writing if possible.

MARKERS :

- (1) All granite markers shall be at least 20.5 cm. thick. Refer to "Monument Requirements" as outlined in FIG #1.
- (2) Corner post markers are not allowed.
- (3) Bronze markers shall be mounted on a base as approved and specified by the Cemetery Board.
 - The bronze alloy of each memorial shall consist of the following
 - Not less than 87% copper, 5% tin, 2.5% lead, and 5% zinc.
 - All other elements in total not to exceed 1%
- (4) Letters, numerals and ornamentation shall not protrude more than 1.3 cm above the flat of the memorial. Each casting shall be true, free from defects and roughness. No painted or pigmented lacquered finishes will be permitted.
- (5) The Cemetery Board cannot be held responsible for memorials when the damage or destruction is caused by the elements, an act of God, thieves, invasions, insurrection or riots, or any act beyond the control of the Board. This includes incidental damage done by others.
- (6) 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 installation of a marker, In the case of installing a flat marker measuring at least 1116.3 square centimeters, \$50 will be paid.
- (7) In the infant section and the cremation section of the cemetery, one individual marker will be allowed on each grave. The maximum width of the marker shall be 61 cm and the minimum width shall be 30.5 cm with a depth between 15.2 & 30.5 cm .
- (8) On granite markers, the foundation, base, and die must be mechanically locked together with stainless steel pins to be a minimum of 1.3 cm in diameter and 15.25 cm long or non-corrosive pins or other mechanical means (not adhesives) to resist lateral shifting between these sections. The base should be a minimum of 30.5 cm width.
- (9) Minimum sizes of sections are outlined on Figure #1.

RULES FOR MONUMENT DEALERS, CONTRACTORS AND WORKERS:

- (1) The demeanor and behavior of all workers employed by the others in the cemetery shall be subject to the control of the Board.
- (2) Contractors, masons, and stone cutters shall lay planks on the graves and paths over which heavy materials are to be moved in order to protect the surface from injury.
- (3) Workers shall cease work, if in the immediate vicinity of a funeral, until the conclusion of the service.
- (4) All work must be done during regular daylight cemetery hours, unless by special permission of the Board.
- (5) No work shall be commenced on Saturday that cannot be finished, and the litter and debris removed by the hour of noon on that day.
- (6) Heavy loads shall not be permitted in the Cemetery when the grounds and roads are in an unfit condition.
- (7) All workers or contractor's implements and materials used in the performance of any work shall be placed where a Board representative may direct. All materials and surplus earth shall be removed in such manner and at such time, and to such place as the representative may direct.
- (8) Any worker who damages any marker, or property or otherwise causes any injury in the cemetery, shall be personally responsible for such damage or injury. In addition to his or her employer will be responsible for these actions. No work shall be performed by contractors unless they have proper liability insurance and Workmen's Compensation coverage as would be required to pa3, for such damages or injury.

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RULES FOR VISITORS:

- (1) Visitors are welcome at the cemetery from sunrise to sunset.
- (2) Visitors must respect the grounds. All persons are prohibited from taking flowers, plants, or other materials other than their own from the cemetery. They must not damage or deface any trees, shrubs, or materials belonging to the cemetery and refrain from making paths or short cuts across any part of the cemetery.
- (3) Children under the age of 16 years are not permitted on the grounds unless accompanied by an adult who shall be responsible for their good conduct.
- (4) Unauthorized vehicles and bicycles are not permitted on the cemetery grounds. Owners of vehicles and their drivers shall be held responsible for any damages done by them.
- (5) Dogs are not allowed on the cemetery grounds.
- (6) No picnic or group event shall be permitted in the cemetery grounds without the permission of the Cemetery Board.

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