

ST. CLEMENT'S ANGLICAN CEMETERY

By-Laws Revised October 2014

SALE AND TRANSFER OF LOTS

Definitions

- A** For the purpose of these By-Laws a lot is a single grave space measuring 4 feet by 10 feet.
- B** For the purpose of these By-Laws a plot is two lots measuring 8 feet by 10 feet- maximum allowed by one purchaser unless there are special circumstances.

Price of Lots:

Interment rights to lots shall be sold at prices set by the Trustees and filed with The Ministry of Consumer & Business Services Cemeteries Regulations Section.

Contract:

All purchasers of Interment Rights must sign a contract with the Cemetery as adopted by the Board and filed with the Ministry detailing obligations of both parties and acceptance of the By-Laws.

No Resale:

Internment rights may only be sold back to the cemetery.

Transfer of Rights

If Interment Rights are transferred, the Rights Holder(s) must return the Interment Rights Certificate to the Cemetery who will then issue a new certificate to the transferee. Administration cost will apply.

Form of Certificate:

Interment Rights shall be conveyed by such form of Interment Rights Certificates as adopted by the trustees and filed with the Ministry.

Issue of the Certificate:

The Interment Rights Certificate shall be issued to only one of the Rights Holder(s) and only after all arrears connected with the lot have been paid in full. An Interment Rights Certificate Holder may only hold one Certificate. This is to prevent Holders from buying grave spaces for others. Interested buyers may register under their own names.

Limits of Rights:

The Interment Rights belong only to the persons named on the Certificate and there is no transmission of interest through Death.

Cancellation:

The Rights Holder(s) may within 30 days cancel the contract and have the cemetery repurchase the Interment rights if no Rights have yet been exercised subject to the following conditions: The repurchase price shall be at the current market value, after the 30 days the portion deposited into the Care and Maintenance Fund will not be refunded.

Arrears:

No Rights shall be exercised, transferred or services provided unless all arrears connected with the lots have been paid in full.

INTERMENTS

- A One may inter in a Lot or Single Grave Space - one casket and one urn* or two urns with no casket. An urn holds the ashes or remains of one person.
- B Written permission must be submitted to the Committee for any Interment other than the Interment Rights Holder for each lot.
- C Cremations may be interred in lots other than cremation lots including family Plots. All cremation interments will be done by authorization of the Cemetery Board(re: Opening and Closing of the Interment Lot) at an additional cost. A trustee must be present to verify the placement of the remains.
- D All opening and closing of in ground burials must be performed by an insured third party approved by the Cemetery Committee. A Committee member must be present and a fee will apply.

Permits:

A burial permit issued by the Division Registrar showing that the death has been registered, or in the case of cremation a Certificate of Cremation must be deposited with the Chairman before an interment may take place. This is to make sure the Interment is properly registered by the Cemetery.

Lower Animals:

Bodies of any lower animals shall not be placed in the Cemetery.

Disinterments:

All disinterments will be done in accordance with the Cemeteries Act.

MONUMENTS AND MARKERS

Definition:

- A** For the purpose of these By-Laws a marker shall be understood to be any permanent memorial structure.
- B** For the purpose of these By-Laws a monument shall be any marker that is not flush with the ground.

One Monument to a Lot or Plot:

No more than one monument may be erected or placed on a lot or plot regardless of the number of interments in that plot.

Cornerstones:

Cornerstones may be purchased and installed at the expense of the lot owner within 30 days of purchase of a lot or plot. A trustee must be present at the installation.

Single Width Graves:

Monuments no wider than 36 inches(base included).

Double Width Plots:

Monuments no wider than 48 inches(base included) are allowed on double grave width plots (1/2 width of plot including base).

Foundations:

All monuments taller than one foot shall have a five foot deep foundation at the owner's expense.

Instalments:

All markers are to be installed with a trustee present.

Care and Maintenance Fund:

All markers - monuments installed in the Cemetery shall have the proper amount of money deposited in the Care and Maintenance Fund as regulated in the Cemeteries Act.

Thickness of Flat Markers:

Flat monuments must be at least four inches thick and have a concrete apron around the marker to a depth of four inches. This is to prevent the monuments from cracking.

Heights and Thickness:

All monuments must conform to the following height restrictions:

Monuments up to 32`` high must be at least 6`` thick, (including base).

Monuments up to 32`` to 40`` must be at least 7`` thick (including base).

Monuments up to 40`` to 55`` must be at least 8`` thick (including base).

Any monument higher than 55`` must have plans submitted for Board approval and may be denied for practical reasons.

Footstones:

One footstone with a flat level surface set flush with the ground may be placed at the end of the grave farthest from the monument. All footstones are to be installed with a trustee present.

Type of Material:

All markers or monuments must be constructed solely of granite or bronze.

Inscriptions:

No inscription shall be placed on any marker which is not in keeping with the dignity and decorum of the cemetery.

FLOWERS - Off the Ground:

All flowers must be potted and placed in a stand of which the design has been passed by the Cemetery Board. Any flowers placed in the cemetery must be part of the headstone, not placed on the ground. However the Cemetery assumes no responsibility and will remove these and the containers when they become unsightly.

Fresh Flowers and Smaller Pots:

Fresh flowers and smaller pots may be placed on graves to commemorate special occasions, however the Cemetery assumes no responsibility and will remove these and the containers when they become unsightly.

Flower Beds:

No flowers, trees, shrubs or flower beds may be planted on the grounds.

GENERAL

Visitors to the Cemetery are always welcome.

Lighting:

No form of lighting is allowed in the Cemetery.

Animals Prohibited:

No animals shall be permitted in the cemetery.

Chairs, Trellises'. Prohibited Articles:

No chair or bench, wooden or wire trellis, arch or iron rods or similar articles shall be brought to or left upon the lots.

Board not Responsible for Portable Articles:

The board will not be responsible for loss of or damage to any portable articles left in the Cemetery.

Removal:

The Cemetery reserves the right to remove any items found to be in contravention of the above regulations and By-Laws.

Responsibility:

The Cemetery Committee will act in full accordance with the Regulations laid down by the Diocese of Ottawa in it's Canons, Regulations and By-Laws and with the Provincial Ministry of Consumers and Business Affairs.

Conditions of Contract

- The right of the purchaser, by written demand, to request the Cemetery owner to repurchase the rights before they are used.
- The cemetery owner shall repurchase the interment rights within thirty days from the date the written demand was received.
- The repurchase price of the interment rights shall be determined by establishing the amount paid by the purchaser for the rights less the amount that the cemetery owner paid into the care and maintenance fund, or the predecessor of such a fund, in respect of the interment rights.
- In accordance with the By - Laws of the cemetery, the following restrictions on the exercising of the interment rights apply: See sections in the by-laws titled "Interments."
- In exercising the interment rights contracted herein, the following documents are required: **Burial Permit or Certificate of Cremation, Certificate of Interment Rights.**
- a person may only hold one certificate of interment rights. This is to prevent people from buying more than one lot on speculation.
- If a purchaser transfers an interment right, the purchaser shall give notice of the transfer to the cemetery owner and return the original certificate of interment rights. The cemetery owner shall issue a new certificate of interment rights to the transferee.
- In accordance with the By - Laws of the cemetery, the following restrictions on the transfer of interment rights apply: ``None``. A fee will apply for the transfer.
- a person may not transfer their interment rights to someone else and then reapply for another rights certificate at a later date.
- For non members in exercising the interment rights contracted herein, the following documents are required: 2 two pieces of identification (birth certificate and photo I.D.).
- The resale of interment rights by the purchaser is prohibited.
- The certificate of interment rights shall not be issued until the interment rights have been paid for.