

THE CORPORATION OF THE TOWNSHIP OF MINDEN HILLS

BY-LAW NO. 12-46

Being a by-law to establish rules and regulations
To govern operations of the Township of Minden Hills Cemeteries
and the Minden Hills Cemetery Board

WHEREAS the Townships of Anson, Hindon, Minden, Lutterworth and Snowdon amalgamated to form the Township of Minden Hills,

AND WHEREAS it is deemed desirable to establish rules and regulations to govern operations of the Township of Minden Hills Cemeteries and the Township of Minden Hills Cemetery Board;

NOW THEREFORE the Council of the Corporation of the Township of Minden Hills enacts as follows, pursuant to *The Cemeteries Act*, as revised.

SECTION A: ADMINISTRATION

The Cemetery Board, officially to be known as "The Township of Minden Hills Cemetery Board" shall have jurisdiction over Municipal Cemeteries in the Township and shall make recommendations to Council regarding all things necessary for the maintenance and operation of Cemeteries, subject to Council approval.

The Township of Minden Hills shall act as its own trustee with all Trust Funds being deposited and maintained with a financial institution within the jurisdiction of the Municipality.

The Cemetery Board shall be composed of five ratepayers and one member of Township Council, all of whom volunteer to serve without compensation for their services and who shall pledge to operate and maintain the cemeteries for the good of all, keeping in mind at all times, due respect to the deceased and the bereaved.

The Township of Minden Hills shall appoint a Manager from existing Township staff to administer the affairs of the Cemetery.

Schedule "A" attached hereto shall form an integral part of this By-law No. 12-46.

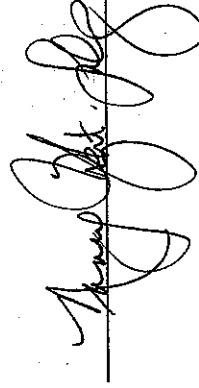
This by-law shall take effect upon receiving approval from the Ministry of Government Services.

Schedule "G" of By-law 12-36, being the schedule of Fees and Charges related to the Minden Cemeteries (noted within as L 4 (4.i)), is attached as Schedule "B" and forms an integral part of this by-law.

READ FIRST, SECOND AND THIRD TIME, passed, signed and the Corporate Seal attached hereto this 28th day of June, 2012.



Reeve



Clerk

SCHEDULE "A" of By-law No. 12-46

Cemetery By-Law Township of Minden Hills

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These by-laws are the rules and regulations that govern Cemeteries operated by the Township of Minden Hills (henceforward 'the Cemetery') and have been approved by the Registrar of Cemeteries, FBCSA, Cemeteries Regulations Unit, Ministry of Consumer Services.

A. DEFINITIONS

Burial: The opening and closing of an in ground lot or plot for the disposition of human remains or cremated human remains.

By-laws: The rules and regulations under which the Cemetery operates.

Care and Maintenance Fund: It is a requirement under the FBCSA that a percentage of the purchase price of all Interment Rights, and set amounts for marker and monument installations is contributed into the Care and Maintenance Fund. Interest earned from this fund is used to provide care and maintenance of plots, lots, markers and monuments at the Cemetery.

Columbarium: a structure designed for the purpose of interring cremated human remains in niches or compartments;

Contract: For purposes of these by-laws, all purchasers of interment rights must sign a contract with the Cemetery, detailing obligations of both parties and acceptance of the Cemetery By-laws.

Corner Posts: Shall mean any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot or plot.

Grave: (Also known as Lot) means any in ground burial space intended for the interment of a child, adult or cremated human remains.

Human Remains: a dead human body or the remains of a cremated human body.

Inter: the burial of human remains including the placing of human remains in a lot.

Interment Right: The right to require or direct the interment of human remains or cremated human remains in a grave, lot, or niche and direct the associated memorialisation.

Interment Rights Certificate: The document issued by the Cemetery to the purchaser once the interment rights have been paid in full, identifying ownership of the interment rights.

Interment Rights Holder: Any person designated to hold the right to inter human remains in a specified lot.

Lot: For the purposes of these By-Laws a lot is a single grave space.

Marker: Shall mean any permanent memorial structure that is set flush and level with the ground, and used to mark the location of a burial lot.

Monument: Any permanent memorial projecting above the ground installed within the designated space to mark the location of a burial or lot.

Niche: An individual compartment in a columbarium for the entombment of cremated human remains.

Plot: For the purposes of these by-laws, a plot is a parcel of land, sold as a single unit, containing multiple lots.

Scattering: Shall mean the act of spreading of cremated remains over a designated area within a Cemetery with the knowledge and permission of the Cemetery operator and in keeping with the Cemetery's by-laws.

Scattering Rights Holder: Any person designated to hold the right to scatter cremated human remains in a specified lot or other designated area within the Cemetery.

B. GENERAL INFORMATION

1. Hours of Operation:

- 1.i. Visitation Hours: 8am - sundown
- 1.ii. Office Hours: 9am-4pm Monday to Friday (calling ahead is recommended)
- 1.iii. Burial Hours: 9am-3pm Monday to Friday
- 1.iv. Burials may be scheduled for after 3pm and/or on Saturdays, but applicable surcharges as noted in the Municipal Fees & Charges By-Law and on the approved Cemetery Fees & Charges list will apply.
- 1.v. No interment shall be made on a Sunday or Statutory Holiday, except on a medical certificate that burial must be made within 24 hours of death in accordance with the regulations of the Ontario Ministry of Health for the control of communicable diseases.

2. Winter Burials:

- 2.i. Winter burials are not available.
- 2.ii. The period during which burials will not be performed is generally from mid-November to mid-April.
- 2.iii. Exceptions may be allowed depending on the weather and at the discretion of the Director of Community Services.

3. General Conduct:

- 3.i. The Cemetery reserves full control over the Cemetery operations and management of land within the Cemetery grounds.
- 3.ii. No person may damage, destroy, remove or deface any property within the Cemetery.
- 3.iii. All visitors should conduct themselves in a quiet manner that shall not disturb any service being held.

4. By Law Amendments:

- 4.i. The Cemetery shall be governed by these bylaws, and all procedures will comply with the Funeral, Burial & Cremation Services Act, 2002 and Ontario Regulation 30/11, which may be amended periodically.
- 4.ii. All by-law amendments must be:
 1. published once in a newspaper with general circulation in the locality in which the Cemetery is located;
 2. conspicuously posted on a sign at the entrance of the Cemetery; and
 3. delivered to each supplier of markers who has delivered a marker to the Cemetery during the previous year, if the by-law or by-law amendment pertains to markers or their installation.
- 4.iii. All by-laws and by-law amendments are subject to the approval of the Registrar, Cemeteries Regulation Unit, and Ministry of Consumer Services.

5. Liability:

- 5.i. The Cemetery will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to, any lot, plot, columbarium niche, monument, marker, or other article that has been placed in relation to an interment or scattering right save and except for direct loss or damage caused by gross negligence of the Cemetery.

6. Public Register:

- 6.i. The Cemetery maintains a public register that is available to the public during regular office hours.
7. Pets or Other Animals:
 - 7.i. Pets or other lower animals, including cremated animal remains, are not allowed to be buried on Cemetery grounds.
 - 7.ii. Dogs are prohibited on Cemetery grounds.
8. Right to Re-Survey:
 - 8.i. The Cemetery has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove plantings, grade, close pathways or roads, alter in shape or size, or otherwise change all or any part of the Cemetery, subject to approval of the appropriate authorities.

C. CANCELLATION OR RESALE OF INTERMENT RIGHTS

- 1.i. Purchasers of interment or scattering rights holders acquire only the right to direct the burial of human remains and the scattering of cremated human remains, and the installation of monuments, markers and inscriptions, subject to the conditions set out in the Cemetery by-laws.
- 1.ii. In accordance with Cemetery by-laws, no burial, entombment, scattering, or installation of any monument, marker, inscription, or memorialisation is permitted until the interment rights have been paid in full.
- 1.iii. An interment rights certificate will be issued to the interment rights holder(s) when payment has been made in full.
- 1.iv. The purchase of interment rights is not a purchase of Real Estate or real property.
- 1.v. An interment rights holder wishing to resell their interment rights must advise the Cemetery operator of their intention prior to seeking a third party buyer for their interment rights
2. Notice of Resale and Transfer of Interment or Scattering Rights:
 - 2.i. Interment rights holders shall first offer the interment rights to the Cemetery operator.
 - 2.ii. If the Cemetery operator does not wish to re-purchase the interment rights, the interment right may be sold to a third party for no more than the current price listed on the Cemetery price list, as long as the sale or transfer is conducted through the Cemetery operator and the purchaser meets the qualifications and requirements as outlined in the Cemetery operator's by-laws.
3. Cancellation of Interment Rights within 30 Day Cooling-Off Period:
 - 3.i. A purchaser has the right to cancel an interment or scattering rights contract within thirty (30) days of signing the interment or scattering rights contract, by providing written notice of the cancellation to the Cemetery operator.
 - 3.ii. The Cemetery operator will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.
4. Cancellation of Interment or Scattering Rights after the 30 Day Cooling-Off Period:
 - 4.i. Upon receiving written notice from the purchaser of the interment or scattering rights, the Cemetery operator will cancel the contract and issue a refund to the purchaser for the amount paid for the interment or scattering rights less the appropriate amount that is required to be deposited into the Care and Maintenance Fund.
 - 4.ii. This refund will be made within thirty (30) days of receiving said notice.
 - 4.iii. If the interment rights certificate has been issued to the interment rights holder(s), the certificate must be returned to the Cemetery operator along with the written notice of cancellation.
 - 4.iv. If any portion of the interment or scattering rights has been exercised, the purchaser, or the interment rights holder(s) are not entitled to cancel the contract or re-sell the interment or scattering rights.
5. Resale of Interment or Scattering Rights after 30 Day Cooling-Off Period:
 - 5.i. Unless the interment or scattering rights have been exercised the purchaser retains the right to cancel the contract or re-sell the interment or scattering rights.
 - 5.ii. Once payment for the interment or scattering rights has been made in full, and an interment rights certificate has been issued, the interment or scattering rights holder(s), as recorded on the Cemetery records, has right to re-sell the interment rights.
 - 5.iii. Any resale of the interment right shall be in accordance with the requirements of the Cemetery by-laws and in keeping with the FBCSA.
 - 5.iv. If any portion of the interment or scattering rights has been exercised, the purchaser, or the interment rights holder(s) are not entitled to re-sell the interment or scattering rights.
6. Care and Maintenance Fund Contributions:
 - 6.i. As required by sections 166 and 168 of Regulation 30/11, a percentage of the purchase price of all interment rights, scattering rights and a prescribed amount of \$25.00 where there was no scattering rights sold, and a prescribed amount for monuments and markers is contributed into the care and maintenance fund.

- 6.ii. Income from this fund is used to provide only general care and maintenance of the Cemetery.
- 6.iii. Contributions to the care and maintenance fund are not refundable except when interment or scattering rights are cancelled within the 30 day cooling off period.
7. Resale of interment or scattering rights to a third party:

NOTE: ALL REALES OF INTERMENT OR SCATTERING RIGHTS MUST BE CARRIED OUT THROUGH THE CEMETERY OPERATOR.

- 7.i. The Cemetery does not prohibit the resale of an interment or scattering rights and may repurchase the interment or scattering rights from the rights holder(s) if the Cemetery operator so desires and may negotiate a purchase price so long as the seller acknowledges being aware of the Cemetery operators current price list amounts for interment and scattering rights.
- 7.ii. The interment or scattering rights holder(s) intending to sell their rights shall provide the following documents to the Cemetery operator so that the operator can confirm the ownership of the rights and provide the third party purchaser with a the required certificate etc.:
 1. an interment or scattering rights certificate endorsed by the current rights holder
 2. if the resale involves interment rights, a written statement of the number of lots that have been used in the plot and the number of lots that remain available
 3. if the resale involves scattering rights, a written statement of the number of scatterings rights
 4. any other documentation in the interment or scattering rights holder(s) possession relating to the rights
- 7.iii. The third party purchaser will be provided with the following documents by the Cemetery operator :
 1. an interment or scattering rights certificate endorsed by the current rights holder
 2. a copy of the Cemetery's current by-laws
 3. a copy of the Cemetery's current price list
 4. if the resale involves interment rights, a written statement of the number of lots that have been used in the plot and the number of lots that remain available
 5. if the resale involves scattering rights, a written statement of the number of scattering rights available
 6. any other documentation in the interment rights holder(s) possession relating to the rights
- 7.iv. The Cemetery operator will:
 1. require a statement signed by the rights Holder(s) selling the interment or scattering rights acknowledging the sale of the interment rights to the third party purchaser,
 2. require confirmation that the person selling the interment or scattering rights is the person registered on the Cemetery records and that they have the right to re-sell the Interment or scattering rights;
 3. record the date of transfer of the interment or scattering rights to the third party;
 4. record the name and address of the third party purchaser(s);
 5. a statement of any money owing to the Cemetery Operator in respect to the Interment or Scattering Rights;
- 7.v. Once the endorsed certificate and all required information has been received by the Cemetery operator from the rights holder(s), the Cemetery operator will issue a new interment or scattering rights certificate to the third party purchaser.
- 7.vi. Upon completion of the above listed procedures, and upon the issuance of the new interment or scattering rights certificate, the third party purchaser or transferee(s) shall be considered the current interment or scattering rights holder(s) of the interment or scattering rights, and the resale or transfer of the interment or scattering rights shall be considered final in accordance with the Cemetery by-laws and the FBCSA.
- 7.vii. The Cemetery will charge an administration fee for the issuance of a duplicate certificate in accordance with the price listed on the Cemetery's current price list.

D. BURIAL OR SCATTERING OF CREMATED REMAINS

1. Authorization, Documentation and Payment
 - 1.i. Interment or scattering rights holder(s) must provide written authorization to the Cemetery Office prior to a burial, scattering, or an entombment taking place.
 - 1.ii. Should the interment or scattering rights holder be deceased, authorization must be provided in writing by the person authorized to act on behalf of the interment rights holder i.e. Personal Representative, Estate Trustee, Executor or next of kin.

- 1.iii. A burial permit issued by the Registrar General or equivalent document showing that the death has been registered with the province must be provided to the Cemetery Office prior to a burial, scattering or entombment taking place.
- 1.iv. A Certificate of Cremation must be submitted to the Cemetery Office prior to the burial of cremated remains or scattering of cremated remains taking place.
- 1.v. In accordance with the FBCSA the purchaser of interment or scattering rights must enter into a Cemetery contract, providing such information as may be required by the Cemetery for the completion of the contract and the public register prior to each burial or entombment of human remains, or each scattering of cremated human remains.
- 1.vi. Payment must be made to the Cemetery before a burial can take place.
2. Required Notice
 - 2.i. The Cemetery shall be given two (2) business days of notice for each burial of human remains or scattering of cremated human remains.
3. Interment Rights
 - 3.i. Interment Rights in an in-ground full lot of thirty-two (32) square feet or larger shall be limited to:
 1. one (1) full casket and two (2) cremated remains;
 2. or
 3. four (4) cremated remains.
 - 3.ii. Interment Rights in an in-ground cremation lot measuring four (4) square feet or larger shall be limited to two (2) cremated remains.
 - 3.iii. Interment Rights in a columbaria niche measuring one (1) cubic foot shall be limited to two (2) cremated remains.
 - 3.iv. Interment rights holders shall provide the names and current contact information for the individuals who are intended to use those rights at the time the rights are purchased.
4. Limitations
 - 4.i. The opening and closing of graves and niches or the scattering of cremated remains may only be conducted by Cemetery staff or those designated to do work on behalf of the Cemetery.
 - 4.ii. Cremated remains may be scattered within a designated area of the Cemetery.
 - 4.iii. Cremated remains are not permitted to be scattered on a grave.
 - 4.iv. A scattering rights contract must be completed and the payment of the scattering fee must be received before the scattering of cremated human remains can take place.
5. Disinterment
 - 5.i. Once scattered, cremated remains cannot be retrieved.
 - 5.ii. Human remains may be disinterred from a lot provided that the written consent (authorization) of the interment rights holder has been received by the Cemetery and the prior notification of the medical officer of health. A certificate from the local Medical Officer of Health must be received by the Cemetery before the removal of casketed human remains may take place.
 - 5.iii. A certificate from the local Medical Officer of Health is not required for the removal of cremated remains.
 - 5.iv. In special circumstances the removal of human remains may also be ordered by certain public officials without the consent of the interment rights holder and/or next of kin(s).

E. MEMORIALIZATION

1. Payment
 - 1.i. No memorial or other structure shall be erected or permitted on a lot until all charges have been paid in full.
 - 1.ii. All foundations for monuments and markers shall be built by, or contracted to be built for, the Cemetery operator at the expense of the interment rights holder.
2. Permissions required
 - 2.i. No monument, footstone, marker or memorial of any description shall be placed, moved, altered, or removed without permission from the Cemetery operator.
 - 2.ii. No monument shall be delivered to the Cemetery for installation until the monument foundation has been completed, and the interment rights holder(s) and/or marker retailer have been notified by the Cemetery operator.
 - 2.iii. A monument, private mausoleum, or other structure shall be erected only after the specific design plans have been approved by the Cemetery operator including: dimensions, material of structure, construction details, and proposed location.
 - 2.iv. In keeping with the Cemetery by-laws only one monument shall be erected within the designated space on any lot.
 - 2.v. Not more than one monument shall be erected on any one grave.
3. Damage to monuments and markers
 - 3.i. Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered to be normal wear.

- 3.ii. The Cemetery operator will take reasonable precautions to protect the property of interment rights holders, but it assumes no liability for the loss of, or damage to, any monument, marker, or other structure, or part thereof.
4. Dimensions
 - 4.i. The Cemetery operator reserves the right to determine the maximum size of monuments, their number and their location on each lot or plot. They must not be of a size that would interfere with any future interments.
 - 4.ii. Markers and footstones of bronze or granite are permitted with size and quantity restrictions according to Cemetery by-laws and the placement of such memorials shall not interfere with future interments.
 1. Single lot maximum: Height 60", Width 36", Depth 18"
 2. Double lot maximum: Height 60", Width 48", Depth 18"
 3. Cremation lot maximum: Height 6", Width 24", Depth 12"
 - 4.iii. Each single grave may be marked on the ground with a flat marker.
 - 4.iv. The minimum thickness for flat markers including footstones is 4 inches or 10 cm.
 - 4.v. The bottom bed of all bases and markers shall be cut level and true.
5. Foundations
 - 5.i. Markers to be erected by or for Interment Rights Holders shall be set upon adequate concrete bases.
 - 5.ii. Flat Markers shall be set in concrete bases of 4" minimum depth
 - 5.iii. Upright monuments are to be set upon concrete bases with a foundation no less than 8" in depth and which extends a minimum of 2" beyond the monument in each direction.
6. Public Safety and decorum
 - 6.i. Should any monument or marker present a risk to public safety because it has become unstable, the Cemetery operator shall do whatever it deems necessary by way of repairing, resetting, or laying down the monument or marker or any other remedy so as to remove the risk.
 - 6.ii. The Cemetery operator reserves the right to remove at its sole discretion any marker, monument, or inscription which is not in keeping with the dignity and decorum of the Cemetery as determined by the Cemetery Board.
 - 6.iii. All monuments and markers shall be constructed of bronze or natural stone (i.e. granite).

F. CARE AND PLANTING

1. Care and Maintenance Fund
 - 1.i. A portion of the price of interment or scattering rights is trusted into the Care and Maintenance Fund. The income generated from this fund is used to maintain, secure and preserve the Cemetery grounds.
 - 1.ii. Services that are provided through this fund include:
 1. Re-levelling and sodding or seeding of Lots or scattering grounds
 2. Maintenance of Cemetery roads, sewers and water systems
 3. Maintenance of perimeter walls and fences
 4. Maintenance of Cemetery landscaping
 5. Maintenance of columbarium
 6. Repairs and general upkeep of Cemetery maintenance buildings and equipment
2. Prohibitions
 - 2.i. No person other than Cemetery staff shall remove any sod or in any other way change the surface of the burial lot in the Cemetery.
 - 2.ii. No person shall plant trees, flower beds or shrubs in the Cemetery except with the approval of the Cemetery.
3. Removal of flowers and grave decorations
 - 3.i. Flowers and decorations placed on a grave shall be removed by the Cemetery staff after a reasonable time to protect the sod and maintain the tidy appearance of the Cemetery.

G. ITEMS THAT ARE PROHIBITED AND PERMITTED

1. General
 - 1.i. The Cemetery reserves the right to regulate the articles placed on lots or plots that pose a threat to the safety of all interment rights holders, visitors to the Cemetery and Cemetery employees, prevents the Cemetery from performing general Cemetery operations, or are not in keeping with the respect and dignity of the Cemetery.
2. Prohibited articles
 - 2.i. Prohibited articles will be removed and disposed of without notification.
 - 2.ii. The following are prohibited

- articles made of hazardous materials such as non-heat
 - resistant glass (excludes glass attached to monuments), ceramics, or corrosive metals; loose stones or
 - sharp objects; trellises or arches; chairs or benches.
- 2.iii. The Cemetery reserves the right to disallow or remove quantities of memorial wreaths or flowers considered to be excessive and that diminishes the otherwise tidy appearance of the Cemetery.

H. CONTRACTOR/MONUMENT DEALERS

1. Pre Approval

- 1.i. Any contract work to be performed within the Cemetery requires the written pre-approval of the interment rights holder and the Cemetery operator before the work may begin.
 - 1.ii. Pre-approval includes but is not limited to: landscaping, delivery of monuments and markers, inscriptions, designs, drawings, plans and detailed specifications relating to the work, proof of all applicable government approvals and permits, the location of the work to be performed.
 - 1.iii. It is the responsibility of all contractors to report to the Cemetery office and provide the necessary approvals before commencing work at any location on the Cemetery property.
 1. *WSIB coverage*
 2. *Occupational Health and Safety compliance standards*
 3. *Environmental Protection*
 4. *WHMIS*
 5. *Evidence of liability insurance of not less than \$1 million.*
 - 1.iv. All Cemetery by-laws apply to all contractors and all work carried out by contractors within the Cemetery grounds.
 - 1.v. No monument work shall be delivered at the Cemetery until the foundation is completed and the contractor is ready to proceed with the work. Prior to proceeding with the work, a duly executed copy of the Services and Supplies Contract, together with applicable Care and Maintenance Fees, must be delivered to the Cemetery Office.
2. Restrictions on Access for Contractors
- 2.i. Contractors, monument dealers and suppliers shall not enter the Cemetery in the evening, weekends or statutory holidays, unless approval has been granted by the Cemetery operator.
 - 2.ii. No work will be performed at the Cemetery except during the regular business hours of the Cemetery.
 - 2.iii. Contractors shall temporarily cease all operations if they are working within 100 metres of a funeral until the conclusion of the service.
 - 2.iv. The Cemetery reserves the right to temporarily cease contractor operations at their sole discretion if the noise of the work being performed by the contractor is deemed to be a disturbance to any funeral or public gathering within the Cemetery.
 - 2.v. Contractors, monument dealers and suppliers shall lay wooden planks on the burial lots and paths over which heavy materials are to be moved in order to protect the surface from damage.
 - 2.vi. Heavy loads shall not be permitted in the Cemetery when the roads are in an unfit condition.
 - 2.vii. All implements and materials used in the performance of any work shall be placed where the Caretaker may direct, and all rubbish and surplus earth shall be removed in such manner and at such time and to such place as the Caretaker may order. Otherwise the obstructions will be removed and the expense charged to the interment rights holder of the said lot.

Liability for Damages

- 2.viii. Any worker who damages any lot, tombstone, monument 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.

I. COLUMBARIA NICHES

- 1.i. Payment must be made to the Cemetery operator before an interment may take place
- 1.ii. Only the Township may open and seal niches for entombments. This applies to the inside sealer and the niche front.
- 1.iii. To ensure quality control, uniformity, and standard of workmanship, only the Township shall arrange for inscriptions on niche fronts.
- 1.iv. No plaques, vases, adornments or emblems affixed to the columbaria or individual niches are permitted. Any such items shall be removed and disposed of without notification and at the expense of the Interment Rights Holder.
- 1.v. No articles are permitted in or around the ground in the vicinity of the columbaria. Any such article shall be removed and disposed without notification.
- 1.vi. No person, other than employees or contractors of the Township shall remove or alter niche fronts.

J. MORTUARY REGULATIONS

- 1.i. All bodies must be removed from the vault by the fifteenth of May in each year.
- 1.ii. The bodies of persons dying from contagious diseases cannot be admitted to the vault but must be interred upon the request of the Ontario Ministry of Health.
- 1.iii. The Cemetery may remove a body deposited in the vault and enter it in a single grave at any time after the expiration of the time for which payment has been made, or at any time should the condition of the body render its interment, in the opinion of the Cemetery, necessary or expedient.
- 1.iv. Fees for the use of the vault are set forth in the Tariff of Fees.
- 1.v. No human remains shall be admitted to the vault without chemical treatment.

K. RULES FOR VISITORS

- 1.i. Visitors are always welcome at the Cemetery during the open hours, from eight a.m. to sundown. They are asked to remember the respect due to the dead. Pedestrian access is always available. Vehicle access is by appointment only and staff is available seven days a week to open vehicular gates.
- 1.ii. The Caretaker and his assistants are empowered and are required to preserve order and decorum in the Cemetery.
- 1.iii. No parades other than funeral processions shall be admitted to or organized within the Cemetery except under the permission of the Caretaker.
- 1.iv. Children under the age of twelve years are not admitted to the grounds except in the charge of an adult, who shall be responsible for their good conduct and shall see that they do not run over lots and graves.
- 1.v. Vehicles within a Cemetery shall be driven at a moderate rate of speed and shall not leave the avenues.
- 1.vi. Proprietors of vehicles and their drivers shall be held responsible for any damage done by them.
- 1.vii. Discharging of firearms, other than in regular volleys at burial services is prohibited in and around the Cemetery.
- 1.viii. No dogs shall be allowed in the Cemetery.
- 1.ix. No picnic party shall be permitted in the Cemetery grounds.
- 1.x. All persons are prohibited from taking flowers, plants or other materials from lots or graves in the Cemetery or from picking any flowers, either wild or cultivated, or breaking any tree, shrub or plant; or writing upon, defacing or injuring any monument, fence or other structure in or belonging to the Cemetery, or from making any paths or shortcuts across any part of the Cemetery.
- 1.xi. Any complaints by Interments Rights Holders or visitors should be made to the Cemetery Office, and not to workers on the grounds and controversies with workers or others on the grounds are to be avoided.
- 1.xii. No gratuities shall at any time be given to any officer or employee, nor shall any reward be given for any personal service or attention. Any officer or employee who violates this rule may be dismissed at once.
- 1.xiii. Any person disturbing the quiet and good order of the Cemetery by noise or other improper conduct or who violates these rules, may be expelled from the grounds

L. MISCELLANEOUS

1. Notwithstanding

- 1.i. Notwithstanding the above rules and regulations, the Township may from time to time, by resolution of the Council require certain works to be completed or other measures taken for the good of the Cemetery, which works or measures shall not conflict with the above rules and regulations.

2. Effective date

2.i. This by-law shall take effect upon receiving approval from the Cemetery Regulations Unit of the Ministry of Consumer Affairs.

3. Rescinding of previous by-laws

3.i. By-law 11-80 of the Township of Minden Hills is hereby rescinded in its entirety, and that all by-laws, inconsistent with the provisions of this by-law are hereby repealed.

4. Fees and Charges

4.i. Schedule G of By-law 12-62, being the schedule of Fees and Charges related to the Minden Cemeteries is attached as Schedule "B" and forms part of this by-law.

SCHEDULE "B" of By-law No. 12-46

SCHEDULE "G" of Fees and Charges By-law 12-36

CEMETERY

(Subject to Ministry Approval)

Note: All fees are subject to applicable taxes & fees

SERVICE	CURRENT FEE 2011	PROPOSED FEE 2012
Note: All fees are subject to applicable taxes & fees (HST)		
Interment Rights		
Interment rights in a Regular Plot		
* Fees include the \$175.00 fee for the purchase and installation of cornerstones.		
Bethel Cemetery:	\$750.00	No change
Gelert Cemetery:	\$750.00	
Minden Cemetery:	\$850.00	
Twelve Mile Cemetery:	\$950.00	
Non-Resident Surcharge on Interment Rights in a Regular Plot		
Bethel Cemetery:	\$750.00	No change
Gelert Cemetery:	\$750.00	
Minden Cemetery:	\$850.00	
Twelve Mile Cemetery:	\$950.00	
Interment rights in Cremation Plots		
All Cemeteries:	\$250.00	No change
Non-Resident Surcharge on Interment Rights in a Cremation Plot		
All Cemeteries:	\$250.00	No change
Interment rights in Columbaria		
Top Row 2 nd Row 3 rd Row Bottom Row	Minden	Twelve Mile
	\$950.00	\$1000.00
	\$900.00	\$ 950.00
	\$850.00	\$ 900.00
	\$800.00	\$ 850.00

13% Resident Discount on Columbaria Interment Rights in effect to December 31, 2012

	Minden	Twelve Mile
Top Row	(\$123.50)	(\$130.00)
2 nd Row	(\$117.00)	(\$123.50)
3 rd Row	(\$110.50)	(\$117.00)
Bottom Row	(\$104.00)	(\$110.50)

Opening & Closing Fees – All Cemeteries:

Adult Casket:	\$375.00
Infant/Child Casket:	\$187.50
In-ground cremains:	\$135.00
Columbaria Niche	\$125.00

Saturday Interment Surcharge:

Adult Casket:	\$187.50
Infant/Child Casket:	\$ 93.75
Cremation:	\$ 67.50
Columbaria Niche	N/A

Late Interment Surcharge (All Cemeteries, any interment

(Scheduled for after 3 p.m. weekdays or after 1 p.m. Saturdays)

	\$ 75.00	No change
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Disinterment

Adult Casket:	\$375.00	No change
Infant/Child Casket:	\$187.50	No change
Cremation:	\$135.00	No change

Marker Installation

Removal of Sod for Flat Markers	\$ 75.00	No change
Installation of Cornerstones	\$ 75.00	No change
Foundation installations	\$250.00	No change
Columbaria niche lettering	\$500.00	No Change
Columbaria niche year of passing	\$300.00	No Change

Purchase of Cornerstones

All Cemeteries	\$125.00	No change
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Marker Care & Maintenance

Flat (at least 173 sq. inches)	\$ 50.00	No change
Upright (<4 ft in any dimension)		No change

per square inch	\$100.00	
Upright (>4 ft. in any dimension)	\$ 200.00	
Administrative Fees		
Change of interment rights	\$ 15.00	\$20.00
Out-of-Town Death Registrations	\$ 10.00	\$20.00
Burial Registration	\$ 10.00	\$20.00
Assisting family to determine/ document interment rights	N/A	\$50.00 per lot

Definition of "Resident" with respect to the charging of Non-Resident Surcharge on lot Purchases:

Permanent or Seasonal residents are individuals who own property in the County of Haliburton at the time the purchase is made; or an individual who makes their primary place of residence within the County of Haliburton at the time the purchase is made; or an individual who filled one of the previous criteria but has sold or relocated outside of the County of Haliburton within the previous twenty-four months in order to receive the long-term care they require, or at the discretion of the Cemetery Board.

Definition of Interment Rights for full Plot:

Includes rights to inter up to 1 casket + 2 cremains or 4 cremains plus four (4) cornerstones and installation. Identity of intended interred must be declared at the time of purchase, or administrative service charge applies. 40% of fee is transferred to Care & Maintenance Trust Fund as per legislation.

Definition of Interment Rights for Cremation Niche:

Includes rights to inter up to 2 cremains in one 12" x 12" niche. Identity of intended interred must be declared at the time of purchase, or administrative service charge applies. 15% of fee is transferred to Care & Maintenance Trust Fund as per legislation.