

## **St. Andrew's Presbyterian Church, Bolsover**

### **By-Law 2012-1**

These by-laws are the rules and regulations that govern St. Andrew's Presbyterian Church Cemetery, and have been approved by the Registrar of Cemeteries, Funeral, Burial and Cremation Services Act, 2002 (FBCSA), Cemeteries Regulations Unit, Ministry of Consumer Services.

The "Board" herein referred to is St. Andrew's Presbyterian Church Cemetery Board, Bolsover, Ontario.

#### **1. SALE, TRANSFER, CANCELLATION OR RESALE OF INTERMENT RIGHTS**

##### **A. ORIGINAL SALE:**

- (1) Interment Rights may be purchased from the cemetery manager at the prices approved by the Board.
- (2) Purchasers of Interment Rights acquire only the right and privilege of burial and marker installation.
- (3) Each purchaser of Interment Rights shall receive a Certificate of Interment Rights when all charges have been paid.
- (4) Each purchaser of Interment Rights shall receive a copy of the cemetery by-laws.

##### **B. RESALE OF INTERMENT RIGHTS TO THIRD PARTY:**

- (1) The Interment Rights holder(s) intending to sell their rights to a third party shall contact the cemetery manager and provide an Interment Rights Certificate endorsed by the current rights holder.

(2) Upon approval, the third party will be provided with the following documents by the cemetery manager:

- An Interment Rights certificate endorsed by the current rights holder
- A copy of the cemetery's by-laws
- A copy of the cemetery's current price list

(3) An administration fee will be paid to the cemetery by the third party purchaser for the resale of Interment Rights.

(4) The cemetery may repurchase the Interment Rights at a price mutually agreeable by the Cemetery Board and rights holder.

2. An area of the cemetery has been designated for the scattering of cremated remains. There is a fee for scattering rights as indicated on the cemetery price list. No shrubs or flowers are to be planted in this area. Resale of scattering rights to a third party is subject to the same procedures as Interment Rights for this cemetery.

3. The family of the deceased has the option in the winter of EITHER the direct burial of the casket or cremated remains OR use of the vault. If vault storage is selected, the casket must be buried by May 15th of the immediately following spring. Winter burial will be allowed only if access can be obtained.

4. Winter surcharges for casket burials will be in effect from December 1st – April 30<sup>th</sup>.

5. There will be no burials on Sunday.

6. Burials on Saturday and after 4 pm on week days are subject to a surcharge.

7. Remains are to be buried in a grave, and must be enclosed in a container sealed securely, dry and of sufficient strength to permit burial with the container remaining intact. The container must be of a size to

permit burial within the dimensions of the lot.

**8.** Unless a steel casket is used, the following must enclose the casket: an outer container of concrete or a granite light burial vault or a plastic container that has been engineer approved for load carrying capacity.

**9.** No double depth casket burials are permitted but cremated remains permitted over caskets..

**10.** Cremations are to be buried a minimum earth depth of 2 feet.

**11.** Four cremated remains are permitted for burial on top of a casket in the full size cemetery lots. Cremation lots permit four cremation burials.

**12.** Location for interment will be agreed upon by a family member of the deceased or designate, and the cemetery manager.

**13.** A burial certificate/certificate of cremation is required before an interment can be conducted. (Check: "death" or "burial")

**14.** Ornamental dwarf shrubs (maximum height of one meter) are permitted to be planted on full size burial lots. They must be in line with the monument and kept within the boundaries of the lot.

**15.** Plants and flowers, live, cut or artificial, are allowed in the *cremation section* on the date of burial and on Decoration Day.

**16.** The Board may remove flowers, wreaths, containers, ornaments, etc at their discretion.

**17.** Monuments must be made out of granite or other materials approved by the board, and installed by a qualified monument company. Field stones not approved by a monument company are not permitted. Grave monuments, with the exception of flat markers, must have foundation footings not less

than five feet deep. **Only one monument with a foundation and a maximum of four flat markers are permitted persingle full size lot.** Monuments on full size lots must **be installed in the most westerly two feet, and can be a maximum of 36 inches wide.** Monuments in the cremation section must be level with the ground. The maximum size of a cremation monument is .9 m x .6 m (36" x 24"). All monuments and flat markers must be approved by a board representative.

**18.** Cornerstones will be installed on all purchased lots/plots.

**19.** Truck and crane vehicles within the cemetery are to use roadways. In the event that a truck or crane needs to enter a particular section of grave spaces, protective sheets of plywood should be placed under the vehicles' wheels where the vehicle leaves the road.

**20.** Outside companies and individuals working within the cemetery shall use the utmost care to avoid unnecessary damage within the cemetery. Damage considered unnecessary by the Board will be the direct responsibility of the company or individual who caused the damage.

**21.** Purchasers of rights acknowledge receipt of a copy of the cemetery by-laws and agree to observe them as they now stand OR as they may be revised by the Board, or by the Ontario Ministry of Consumer Services.

By-law 2005-1 is hereby rescinded.

By-Law 2012-1 read a first time this    day of  
, 2012.

By-Law 2012-1 read a second time this    day of  
, 2012.

By-Law 2012-1 read a third time this    day of  
, 2012.

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Chairperson – Robert MacEachern

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Secretary/Treasurer – Lynda MacEachern

Amendments: April 2014; September 2014;  
November 2015

Notes:

**CARE AND MAINTENANCE FUND**  
**CONTRIBUTIONS**

As required by Sections 166 and 168 of Regulation 30/11, a percentage of the purchase price of all interment rights and a prescribed amount for monuments and markers is contributed into the care and maintenance fund. Only investment income from this fund is used to provide only general care and maintenance of the cemetery. Contributions to the care and maintenance fund are not refundable except when Interment Rights are cancelled within a thirty (30) day period.

Lot: an area of land in a cemetery containing, or set aside to contain, human remains.

Plot: two or more lots in which the rights to inter have been sold as a unit.

Grave: burial place created by excavation of the ground

For Price List Contact Cemetery Manager  
Sharron Walker 705-426-5362