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Ministry of Consumer Services

Consumer Protection Branch
Cemeteries Regulation Unit

5775 Yonge Street
Suite 1500
Toronto ON M7A 2E5
Tel: 416 326-8393
Toll-free: 1 800 889-9768
Fax: 416 326-8406

Ministère des Services aux consommateurs

Direction de la protection du consommateur
Unité de la Réglementation des Cimetières

5775, rue Yonge
Bureau 1500
Toronto ON M7A 2E5
Tél : 416 326-8393
Sans frais : 1 800 889-9768
Télé : 416 326-8406



January 17, 2012

Licence #: 3296391

Site #: 03397

TOWNSHIP OF NORTH KAWARTHA

C/O CONNIE PARENT
280 BURLEIGH STREET, PO BOX 550
APSLEY ON K0L 1A0

Dear Sir/Madam,

Thank you for forwarding the document below which was submitted to the Registrar for filing/approval.

By-laws

This document is filed/approved effective January 17, 2012.

For future filings please send two copies. One copy will be retained in our files and the other copy will be returned to you with confirmation that it has been filed/approved.

If you require further information please call **(416) 326-8399** or toll free **1-800-889-9768**.

Yours truly,

Don Fleming
Compliance Officer

The Corporation of the Township of
North Kawartha
By-Law # ^{13/12} ~~111~~



Being a by-law of The Corporation of the Township of North Kawartha to provide for rules and regulations for the care and control of Municipal Cemeteries

Whereas the Cemeteries Act (Revised), R.S.O. 1990, Chapter 4, section 50(2) provides for the establishment of a by-law affecting the operation of a cemetery;

And Whereas there are cemeteries in the Township of North Kawartha owned by the Municipality that are licensed to act as cemeteries in accordance with the Cemeteries Act (Revised), R.S.O., 1990, Chapter 4, as amended, and the regulations made pursuant to the said Act;

And Whereas it is deemed expedient to provide for the regulation of the municipally owned cemeteries in the Township of North Kawartha;

Now Therefore the Council of the Corporation of the Township of North Kawartha hereby enacts as follows:

1. That the Rules and Regulations attached hereto as "Schedule A", form part of this by-law and apply to all municipally owned cemeteries whether active or inactive;
2. That the List of Municipal Cemeteries attached hereto as "Schedule B", and forming part of this by-law be hereby adopted;
3. That all previous by-laws providing for rules and regulations are hereby repealed.
4. That the Clydesdale United Cemetery Community Board shall be assigned the custody and care of the Clydesdale United Cemetery (Site #03397) and shall provide to the Municipality a list of Board Members/Trustees and Volunteers no later than the 15th day of October each year for information and insurance purposes.
5. That no part of this by-law shall come into force and take effect until it is filed and approved by the Registrar of the Cemeteries Branch, pursuant to the Cemeteries Act.

Read a First, Second and Third time this 7th day of February, 2012.

Jim Whelan, Reeve

Connie Parent, Clerk

Approved by the Registrar, Cemeteries Branch, on:

	Ministry of Government Services Cemeteries Regulation	Ministère des Services gouvernementaux Réglementation des cimetières
APPROVED In accordance with the regulations under The Cemeteries Act.		APPROUVE conformément aux règlements afférents à la Loi sur les cimetières
Date of Approval/ Date de l'approbation	17 January 2012	
File No. of Cemetery/ Numero de Fiche du cimetière	03397	
By/ Par:		

Schedule "A" to By-Law # /11
Township of North Kawartha
Cemetery Rules and Regulations

Preface

Township of North Kawartha municipally owned cemeteries are inactive with the exception of the Clydesdale United Cemetery.

In general the rules and regulations apply to all Township of North Kawartha municipally owned cemeteries wherever possible recognizing that some rules and regulations may only be applicable to an active cemetery.

The public is encouraged to assist and co-operate by following these rules to keep the cemeteries attractive and peaceful.

Definitions

"Community Board" shall mean the Clydesdale United Cemetery Community Board.

"Owner" shall mean the Corporation of the Township of North Kawartha

"Plot" shall mean a single grave space.

"Trustee" shall mean the President, Vice-President or Secretary-Treasurer of the Clydesdale United Cemetery Community Board or his or her designate.

Price of Lots

All Interment rights to lots have been sold.

No Resale

No Interments rights may be resold.



Transfer of Rights

If Interments Rights are transferred, the Rights Holder(s) must advise the Trustee or Owner as applicable who will approve the transfer and amend the records.

Limits of Rights

The Interment Rights belong only to the person(s) named on the Certificate or on the record in the care and control of the Community Board and there is no transmission of interest through Death.

Cancellation

The Rights Holder(s) may at any time 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 calculated as the original price paid minus the portion deposited into the care and Maintenance Fund.

Arrears

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

Interments

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 Trustee or Owner before an interment may take place.

Written Permission

Written permission must be submitted to the Trustee or Owner for any interment other than the Interments Rights Holder for each lot.

Lower Animals

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

Disinterment

All disinterment will be done in accordance with Cemeteries Act.

Arrears

No interment or other services or supplies will be provided for a plot until all arrears connected with that plot have been paid in full.

Monument and Markers

Definition:

"marker" shall be understood to be any permanent memorial structure.

"monument" shall be any marker that is not flush with the ground.

Only one Monument to a Plot

No more than one monument may be erected or placed on a plot.

Foundations

All monuments taller than 1 foot shall have a 4 foot deep foundation.

Instalments

All markers are to be installed with a Trustee or Owner present.

Care and Maintenance Fund

All markers 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 4 inches thick and have a concrete apron around the marker to depth of four inches. This is to prevent the monuments cracking.

Heights and Thickness

All monuments must conform to the following height restrictions:

Monuments up to 32" high must be at least 6" thick,
Monuments up to 32" to 40" high must be at least 7" thick,
Monuments up to 40" to 55" high must be at least 8" thick.

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 each grave (in addition to the monument). This footstone shall be placed at the end of the grave farthest from the monument. All footstones are to be installed with a Trustee or Owner present.

Type of Material

All markers or monuments must be constructed solely of natural stone or bronze.

Inscriptions

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

Exemptions

Monuments or markers in existence upon the passage of this by-law are exempt from the above requirements.

Monuments or markers that have deteriorated and require repair or replacement are not exempt from the above requirements.

Flowers

Fresh Flowers, Flower Pots and Wreaths

Fresh flowers, flower pots and wreaths may be placed on a grave however the Cemetery assumes no responsibility and will remove these and the containers when they become unsightly.

Flower Beds

No flowers or flower beds may be planted on the ground.

General

Trees and Shrubs

Trees and shrubs and decorations in the Cemetery must meet the approval of the Trustees or Owner. The Cemetery reserves the right to remove any that were not approved and prune any that grow too large.

Animals Prohibited

No animals shall be permitted in the Cemetery.

Chairs, Trellis, Etc. 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 plots.

Trustee Not Responsible for Portable Articles

The Owner, Community Board or Trustees will not be responsible for loss of or damage to any portable article left in the cemetery.

Arrears

No markers may be installed on a lot until all arrears connected with that lot have been paid in full.

Removal

The Cemetery reserves the right to remove any markers found to be in contravention of these regulations.

Schedule "B" to By-Law # /11

Township of North Kawartha

Cemetery Rules and Regulations

List of Municipally Owned Cemeteries

Owner Licence #3296391

Size: Small

File #	Site Name and Location	Activity
03381	M. Wilson's Farm (Abandoned) Cemetery Lot 39, Concession 4 Anstruther	Inactive
03382	Coon Lake Road Cemetery Lot 7, Concession 1 Burleigh (southern division)	Inactive
03383	Little Cedar Lake (Abandoned) Cemetery Lot 7, Concession 5 Burleigh (southern division)	Inactive
03384	Sanderson (Abandoned) Cemetery Lot 10, Concession 6 Burleigh (southern division)	Inactive
03385	Elmhurst (Abandoned) Cemetery Lot 38, Concession 11 Anstruther	Inactive
03397	Clydesdale United Church Cemetery Lot 26, Concession 13 Chandos	Active Community Board
03400	Harvey Cemetery Lot 14, Concession 5 Chandos	Inactive
03401	Hillside Cemetery Lot 28, Concession 7 Chandos	Inactive
05057	Wease Pioneer Cemetery Part Lot 26, Concession 4 Chandos	Inactive
05253	Fitzsimmons Cemetery Part Lot 24, Concession 14 Chandos	Inactive

Total of 10 Sites