The Corporation of the Municipality of West Nipissing

BY-LAW #2013/09

BEING A BY-LAW TO AMEND BY-LAW 2012-37, BEING A BY-LAW TO ADMINISTER, MANAGE, REGULATE AND CONTROL THE MUNICIPAL CEMETERIES KNOWN AS: CACHE BAY CEMETERY, FIELD CEMETERY SUNNYRIDGE CEMETERY, VERNER CEMETERY WESTSIDE CEMETERY

WHEREAS the Cemeteries Act, (Revised) R.S.O. 1990, Chapter C4 which came into force on April 1, 1992, allows the owner of a cemetery to pass by-law affecting the operations of the cemetery;

AND WHEREAS By-law 2012-37, being a by-law to administer, manage regulate and control the Municipal cemeteries known as: Cache Bay Cemetery, Field Cemetery and Verner Cemetery, was passed in third reading on April 15, 2008;

AND WHEREAS by-law 2012-37 was approved by the Ministry of Consumer Services on November 22, 2012;

AND WHEREAS a resolution was passed by the West Nipissing Municipal Cemetery Board on February 15, 2013 recommending certain amendments to by-law no. 2012-37;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING ENACTS AS FOLLOWS:

1. That the following sections of by-law 2012-37 be amended as recommended and approved by the Ministry of Consumer Services on November 22, 2012:

   1.1 At item 1. ‘DEFINITIONS’, replace w) with the following:

   w) “Ministry” shall mean the Ministry of Consumer Services.

   1.2 Delete Section 6.8 in its entirety.

2. At Section 8: “CREMATED REMAINS INTERMENT”, add the following:

   8.8 Niches and Urns

   The total niche price, as shown on the Cemetery Price List, includes:

   Interment rights, care and maintenance fees, initial niche memorialization, entombment of two (2) urns, first opening of the niche front for urn placement and closing of the niche front. Portraits, emblems etc. are not included in the initial niche memorialization.

   8.9 Payment must be made to the cemetery operator before an interment takes place.

   8.10 Only two (2) memorial urns may be placed in a niche unless the niche has been purchased with the written agreement that more than two (2) urns may be placed therein. All remains placed in a niche must be in a closed container.
Only memorial urns specifically intended for cremated remains may be placed in a niche.

The dimension of the urn must be so as to fit in the purchased niche; the outside opening 10 ½” X 10 ⅞” and inside area 11 ⅜” X 11 ⅞”. If the niche is intended for the entombment of more than two (2) urns, the dimensions of the urns must be adequate to accommodate those urns in the same niche. The Cemetery reserves the right to refuse entombment of any urn or urns which is (are) oversized or in any way inappropriate for use in the specified niche.

In order to preserve the appearance and uniformity of the Columbarium(s) all niches must be marked with memorialization approved by the Cemetery Office. The name and birth date of each person who is to be entombed in any niche must be supplied to the Cemetery Office at the time the niche is purchased. The style and type of the niche memorialization used for the Columbarium(s) shall be prepared in accordance with the Cemetery's then current style & format.

Interments will take place starting May 1st to November 15th, weather permitting.

Columbarium Decorations

No person shall:

a) affix or have affixed any attachments or decorations to the columbarium wall;

b) place any flower, wreath or ornament against of near any part of the columbarium;

c) place any glass vase or other breakable item around the columbarium;

d) otherwise decorate, adorn, improve or alter the columbarium or niche until in any way without prior written approval of the Cemetery Manager. The cemetery reserves the right to enhance the appearance to the columbarium.

Only the cemetery operator may open and seal niches for interments. This applies to the inside sealer and the niche front.

No person other than cemetery staff shall remove or alter niche fronts.

3. Replace Schedule ‘A’ with the amended Schedule ‘A’ attached hereto and forming part of this By-law.

4. This By-law shall take effect on the date it is passed.

ENACTED AND PASSED THIS 22nd DAY OF JANUARY 2013 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

MAYOR

CLERK