

Assumption Cemetery By-Laws

Location:

Assumption Cemetery is located in Concession 3, Lot 6 of the Geographic Township of Sheffield, part of the Township of Stone Mills, County of Lennox & Addington. The property was purchased in 1849. The Cemetery survey plan is shown as part of registered plan 29R-7797, instrument numbers 1.18, 6686, 136526, with an area of 2.286 hectares.

Administration:

Assumption Cemetery is owned by the Roman Catholic Episcopal Corporation of the Diocese of Kingston and is under the supervision of the parish priest of Church of the Assumption, Erinsville, ON.

Management shall be entrusted to an appointed Board of trustees, hereafter referred to as the Board.

The Board, comprised of at least 3 members, shall be appointed by the pastor of the parish as representative for the Archbishop of the Diocese of Kingston; the Board shall work in Collaboration with the Pastor.

Assumption Cemetery is classed as a religious non-profit Cemetery by the Ontario Ministry of Consumer Services.

The Board shall meet at least twice each year, including the annual General Meeting. At this meeting, the financial statement shall be presented, the price list set, and matters regarding Cemetery upkeep and maintenance resolved. At this meeting, the Board shall elect the chairperson for the year, from among themselves, and other officers as necessary. Additional meetings shall be as scheduled by the chairperson. The secretary treasurer or caretaker appointed by the Board cannot be included as voting members.

Records:

The Secretary-Treasurer shall record the minutes of the meetings, have care of the records, documents and correspondence, and keep detailed records of all financial transactions pertaining to the Cemetery.

Responsibilities:

The Board shall take reasonable precautions to protect the property of the interment rights holder, but assumes no liability for loss or damage of any article that is placed on any plot or lot. The Board disclaims responsibility for loss or damage from causes beyond its control, including work set for funeral services by subcontractors on behalf of the funeral home, for concrete vaults or related equipment for services on site, and for damage caused by acts of nature, thieves, vandals, fire or accidents.

All income received by Assumption Cemetery shall be used exclusively for the purposes of Assumption Cemetery.

General Laws:

Interment rights shall only be sold by the Board.

The transfer of ownership of interment rights is not binding until a transfer of interment rights form has been registered with the Board. Upon Return of the original certificate of interment rights, a new certificate of interment rights will be issued to the transferee. The Board shall provide each interment rights owner with the following at the time of completion of sale:

- a) Copy of the Contract
- b) Copy of Assumption Cemetery Bylaws
- c) Certificate of Interment Rights

All prices for Cemetery lots and services shall be as established in the most recent tariff of rates filed with the Ministry of Consumer Services. Prices for lots shall include the applicable portion for deposit to the Cemetery Care & Maintenance fund. The Deposit to the Care & Maintenance fund (for Perpetual Care) shall be as specified in the regulations under the Cemetery act as a minimum of 40% of the sale price.

Care & Maintenance Fund fees for monuments are as follows:

- a) Flat marker measuring at least 173 square inches: \$50.
- b) Upright monument up to 4 feet in width and 4 feet in height: \$100.00
- c) Upright monument over 4 feet in width or 4 feet in height \$200.00

The Board may set aside facilities and areas within the Cemetery solely for the interment and Columbaria preservation of cremated remains.

Columbarium Niche facings, will be lettered and designed, only through the Board, to ensure consistent lettering quality.

Flowers:

Flowers placed on graves at the time of interment will be allowed to remain for two weeks, after which the caretaker will remove them. Artificial or silk arrangements may be left longer, but may be removed by the caretaker if they become deteriorated. Metal flower racks will not be allowed for safety reasons. Seasonal flowers may not be planted or other methods of offering tribute that may interfere with grass cutting.

Shrubs/Trees:

Shrubs or trees may not be planted by the public. Only trees or shrubs planted under the direction of the Board will be allowed. Trimming or removal of existing trees will only be done under the direction of the Board.

Monuments:

Monuments shall only be installed by Qualified Monument installers. They must be made of granite or bronze. Wooden or metal crosses will not be allowed. Installation of monuments cannot proceed until the Board has received the Care & Maintenance fees, marked out the proper location and direction of the monument, and the size conforms to the allowable size for the lot. Maximum monument base width for an upright monument for a single grave (four feet wide) Burial lot is 30".

Flat markers will be allowed as flat only.

Monument design and lettering content is at the discretion of the interment rights holder. However, the Board reserves the right to refuse the installation of any monument that does not conform to the dignity and respect of the Cemetery.

Foundations:

Foundations shall be installed only by qualified monument installers. Each foundation for an upright monument will be of concrete poured at least 4 feet below grade and 3 inches wider on each side than the perimeter of the granite base. It is preferred that a precast pad be used on top of the foundation to minimize crumbling of edges.

Corner Posts:

Four granite corner posts may be purchased from the Board at the time of purchase of interment rights, with the surname of the interment rights holder inscribed on each post.

Interments:

The Board must be given at least 36 hours notice of the desired date and time of interment. Interments shall be permitted throughout the year each day, except Sunday, between the hours of 9:00 a.m. and 3:00 p.m. providing weather conditions permit proper marking of the grave location, and the Board is confident that conditions in the Cemetery are suitable for machine operation without damaging adjacent lots.

All costs relating to acquiring access to the gravesite shall be the responsibility of the estate of the deceased person. If there is a problem proceeding with the interment, the Board chairperson or their delegate may direct the funeral director to postpone the burial until spring. In that case, use of the winter storage vault at the Church of the Assumption, Erinsville, will be available free of cost. A burial permit is required before an interment can be conducted.

Caskets and Urns:

All persons, except those being cremated, must be interred in a suitable casket or container specifically manufactured for the purpose of earth burial. Cremated remains must be placed in an urn and may be entombed in a niche of the columbarium at Assumption Cemetery or for burial at the Cemetery. Pouring or scattering of cremated remains is not allowed.

Access to Assumption Cemetery:

The public is allowed in the Cemetery anytime during daylight hours, but not during darkness. Dogs or cats are not allowed in the Cemetery. Anyone under 14 must be accompanied by an adult.

Other:

In regard to matters not specifically covered by the bylaws, or as special circumstances may arise, the Board of trustees shall determine a reasonable solution, and it shall be binding upon all persons concerned.