

MCARTHUR CEMETERY BOARD

C/o 10495 Mill Road
RR#3 Shedden, Ontario N0L 2E0
519-764-9821

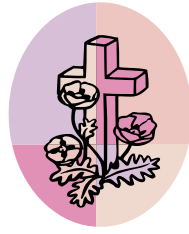
Operated by the McArthur Cemetery Board

Effective March 25, 2013 and approved by the Registrar of Cemeteries, Funeral, Burial and Cremation Services Act 2002 (FBCSA) Cemeteries Regulations Unit, Ministry of Consumer Services. These by-laws are the rules and regulations that govern the operation of the McArthur Cemetery.

By-Laws: Section A – Sale or Transfer of Lots

1. Interment Rights are presently sold in $\frac{1}{4}$ plots and may be purchased from the McArthur Cemetery Board according to plans approved by the Ministry of Consumer Services, Consumer Protection Branch, and Cemeteries Regulations Unit and on file in the office of the Secretary-Treasurer of the board. The prices for plots include the applicable portion for deposit to the Care and Maintenance Trust Fund. (For the purposes of this document $\frac{1}{4}$ plot = 2 conventional casket burials + 2 cremation burials **or** 4 cremation burials)
2. For the purposes of this document a lot is a single grave space, a plot is a parcel of land sold as a single unit containing multiple lots.
3. Purchasers of plots acquire only the rights of burial of the deceased, the right to install markers or monuments subject to the by-laws of the cemetery in effect at the time.
4. Payment in full for plots shall be made at the office of the Secretary-Treasurer.
5. Each purchaser of a plot will receive a copy of the Certificate for Interment Rights, a Cemetery Contract and McArthur Cemetery By-Laws.
6. The Certificate of Interment Rights shall specify the size of the plot, its number and the date of purchase, the amount paid, and the amount in dollars being set aside for Care and Maintenance Trust Fund. The issue of this certificate is subject to the current bylaws of the cemetery as approved by the Registrar of Cemeteries and any amendments approved by this office from time to time.
7. Burial plots shall be sold covered by a rate for Care and Maintenance in the tariff of rates on file in the office of the Secretary-Treasurer of the Board.
8. In order to keep accurate records of ownership and interments, no transfer or sale of any plot shall be binding upon the Board until notice in writing has been received by the Secretary-Treasurer. This notice must include the name, address and phone number of the proposed transferee or owner and the date of transfer or sale. This information will be kept with the ownership card and recorded in the board's computer data program. A transfer or sale can be made only after the receipt of this information and the payment of the designated administration fee. No transfer shall be made until all payments have been received.
9. Rights owners are to give timely notice to the Secretary-Treasurer of the McArthur Cemetery Board of change of address.

10. In cases of transfer of ownership by will or bequest of interment rights, the Board reserves the right to ask for a notarized copy of the will or affidavit. If interment rights are left to a particular person, then that person becomes interment rights holder. If the deceased person does not specifically mention the rights in the will then it is assumed that the rights belong to their heir/executor named in the will or whoever inherits the bulk of the estate. If there are several heirs, the board will accept an affidavit signed by all heirs in which all heirs agree to name one person (or more than one person) as interment rights holder.
11. In cases of transfer of ownership where the interment rights holder dies intestate, then under the Intestate Succession legislation, the estate is distributed as follows: 1. Spouse, 2. Children, 3. Parents, 4. Siblings, 5. Nephew/Nieces, 6. Other Next-of-Kin, 7. No Next-of-Kin, Crown
12. In cases of transfer of ownership when the Rights holder is living, a letter stating the Right's holder intentions, date and witnessed signature is required.
13. If the Cemetery Board receives notice that the purchaser wishes to cancel a contract, within 30 days of the purchase date, the Cemetery will refund to the purchaser all the money received under the contract within thirty days of receiving notice.
14. After thirty days, the Cemetery Board will not repurchase lots. If the Cemetery receives notice that a contract for interment rights is sold after thirty days, the cemetery shall retain all the funds placed in the Care and Maintenance Fund.
15. Plots can be sold only for the amount no higher than the cost of the cemetery's current rate schedule. The owner must advise the cemetery of the sale, sign and return the Certificate of Interment Rights. A fee will be charged for the completion of these documents.
16. No Refund or Sale can be made for any grave if interment rights have been exercised.
17. Where no interments have been made in a grave for twenty years, the McArthur Cemetery Board may proceed to repossess the unused burial grave (Funeral, Burials and Cremation Services Act 2002, Section 49 1-7).



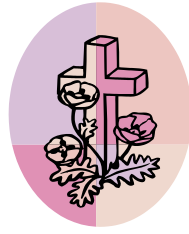
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Bylaws: Section B – Interment and Disinterment

1. No more than one burial shall be made in a single lot except:
 - a. One conventional burial plus one burial of cremated remains or
 - b. Two burials of cremated remains.
2. Conventional burial remains are to be buried in a lot enclosed in a sealed vault.
3. A member of the McArthur Cemetery Board or their Care Taker shall be in attendance at each interment.
4. A burial permit or Certificate of Cremation issued by the Division Registrar, or by the Crematorium showing that the death has been registered, and the fee for the opening and closing of the grave according to the rate of tariffs shall be given to Board's representative in attendance at the time of interment.
5. The Board will not be held responsible for errors or misunderstandings when orders for interment are given by phone. Verbal orders must be confirmed in writing by email/fax.
6. Persons ordering graves will be responsible for the charges incurred.
7. Notice of each interment must be given to the Secretary-Treasurer and Cemetery Care Taker at least 48 hours prior to the service except under special circumstances (i.e.: Ministry of Health Regulations).
8. No vault or grave shall be opened for interment or disinterment by any person not in the employ of the McArthur Cemetery Board except under special circumstances and only by permission of the Board.
9. Each grave shall be of sufficient depth to give a covering of at least 2 feet of earth over the cover of the vault.
10. No disinterment shall be made without the written consent of the local Medical Officer of Health, executor of the will and the Rights Owner, except on an order from the Court or as stated in the Funeral, Burial and Cremation Services Act, 2002.
11. No interment or disinterment shall be permitted in any lot against which charges are due or unpaid.
12. No burials shall take place between December 15 and April 1 unless weather permits digging of the grave. Contacting the McArthur Cemetery Board or their Care Taker will verify whether or not an interment can take place.



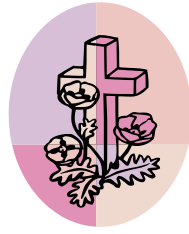
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Bylaws: Section C – Care of Plots

1. McArthur Cemetery Board provides all grading, cutting and trimming of grass throughout the growing season.
2. The planting of trees or shrubs is not permitted.
3. Flower beds may be permitted with permission of the Board. Installation of borders (i.e.: wood, wire, stone, concrete, hedging) around grave spaces is prohibited. Flower beds should be no wider than 18 inches/45.72 cm and plants should be seasonal annual flowers. Care of the flower bed is the responsibility of the plot owner. Any flower beds that are unkempt will be removed by the board and the ground reseeded with grass.
4. In order to preserve the appearance of the grounds, winter artificial wreaths must be removed by April 1. The Board reserves the right to remove them after that date.
5. Natural flowers are permitted at any time; also artificial flowers are permitted as long as they are seasonal and removed before they become unsightly. Glass containers, wire, wire fences and wooden stakes are prohibited.
6. Rubbish shall not be thrown on any part of the grounds. A receptacle is provided beside the utility shed for depositing decayed flowers, plants and weeds.
7. No unauthorized person shall make any walk, cut sod or move any corner posts or grave makers in the cemetery. If any markers are to be removed for repairs, permission must be given by the Board.
8. The Board shall not be held responsible for any loss or damage to any articles left upon any lot or plot.
9. The Board 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 the approval of the appropriate authorities.



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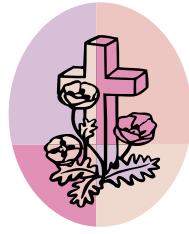
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Bylaws: Section D – Monuments and Markers

1. For the purpose of these Bylaws, a monument is a permanent memorial projecting above ground level. A marker has a flat and level surface set flush with the ground surface.
2. Maximum number of monuments for a ¼ plot is 1. Individual lots are allowed to have flat marker headstones.
3. When memorializing a ¼ plot, one vault must be in place before any monument or marker can be installed.
4. Maximum size monument allowed on the ¼ plot : Monument - Height – 4 feet (1.22 m)
Width – 3 feet (90 cm)
Depth – 8 inches (20 cm)
Base – Height – 8 inches (20 cm) above ground
Width - 42 inches (105 cm)
Depth – 14 inches (35 cm)
5. Special permission must be given by the McArthur Cemetery Board if owner wishes to exceed maximum size monument. The maximum size is allowed providing the placement of the monument does not interfere with future interments.
6. Permanent monuments or markers placed in the cemetery must be purchased from certified monument dealer. Before any monument or marker is placed on a plot or lot, or before any inscriptions are put on monuments, all outstanding charges must be paid. No monument or marker can be installed by a monument dealer until they have contacted the Secretary-Treasurer.
7. When a monument and base have been placed in the cemetery, all excess pieces of sod and cement must be cleaned up and removed by monument dealer so as not to interfere with lawn maintenance.
8. No composition markers, rough stones, fieldstones or wooden markers are permitted in the cemetery. All memorial monuments and markers must be of permanent nature such as granite or bronze.
9. No inscription shall be placed on any monument which is not in keeping with the dignity and decorum of the cemetery. All engravers must contact the Secretary-Treasurer of the Board before proceeding with any engraving.
10. No engraving shall be done before all outstanding dues have been received and permission granted by the Board.
11. Anyone who is installing monuments/markers who damages any lot, memorial or other structure, or otherwise does any injury in the cemetery, shall be personally responsible for such damage or injury and in addition his employer shall be liable.
12. The maintenance of monuments or markers is the responsibility of the rights owner or family members.

13. The Interment Rights Holder(s) is only allowed to place monuments or markers on their plot. If a marker, monument or memorialization purchased by anyone other than the Rights Holder(s) may be removed by the cemetery staff on the written request of the Rights Holder(s).
14. The cemetery 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.



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Bylaws: Section E – Rules for Visitors

1. Visitors are welcomed at the cemetery during daylight hours and are asked to remember the respect due to the deceased.
2. The Board and its employees have the authority to preserve order in the cemetery
3. Children are welcome but must be accompanied by an adult and must not be permitted to run over graves or climb on the monuments.
4. No all-terrain vehicles or snowmobiles are allowed in the cemetery.
5. Drivers of vehicles within the cemetery are asked to drive slowly and not to leave the driveway. Owners of vehicles and their drivers shall be held responsible for any damage caused by them.
6. Discharging of firearms, other than in regular volleys at burial services as in military services are prohibited.
7. All persons, with the exceptions of their own plots, are prohibited from taking flowers, plants or other materials from other plots. All persons are prohibited from breaking trees, plants, writing on, defacing or injuring any monument or any property or building in the cemetery.
8. Any article which is detrimental to efficient maintenance or constitutes a hazard to machinery, employees or visitors, or is unsightly or does not conform with the natural beauty or design of the cemetery, will be removed by the Board. An article removed will be held at the cemetery for collection. If not collected, it will be disposed of after 30 days.
9. Any comments or complaints should be made to the Secretary-Treasurer, who will in turn pass them on to the other members of the Board.
10. Any person disturbing the quiet and good order of the cemetery by noise or other improper conduct or who violates these bylaws shall be expelled from the cemetery.