



CEMETERY BY-LAW

3232-24

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**THE TOWN OF NEEPAWA
BY-LAW NO. 3232-24**

BEING A BY-LAW OF THE TOWN OF NEEPAWA PROVIDING FOR THE REGULATION, MAINTENANCE, CARE AND OPERATION OF THE NEEPAWA RIVERSIDE CEMETERY.

WHEREAS *The Cemeteries Act*, RSM 1987 c. C30 authorizes and governs the establishment of rules and regulations pertaining to every cemetery established in the Province of Manitoba;

AND WHEREAS the Town of Neepawa has established and deems it expedient to continue a public cemetery and to adopt rules and regulations for the maintenance of, order in, and for the proper care of the cemetery;

NOW THEREFORE the Council of the Town of Neepawa duly assembled enacts as follows:

PURPOSE AND DEFINITIONS

1. This By-law shall be known as the "Cemetery By-Law" and is for the establishment and continuation of a public cemetery, including the adoption of rules and regulations for the maintenance of order in and for the proper care of the Cemetery.

2. Unless the context otherwise requires:

"Cemetery" means land that is set aside by the Town for Interment and known as the Riverside Cemetery.

"Columbarium" means an above-ground structure of Niches lined with recesses for cinerary (ash) urns.

"Council" means the Council of the Town.

"Cremated Remains" means human bone fragments and/or ashes that remain after cremation.

"Event Registrar" means the Event Registrar appointed under *The Vital Statistics Act* of the Province of Manitoba.

"General Holiday" means and includes a Statutory Holiday, Civic Holiday, or any other day officially proclaimed by the Provincial Government, Federal Government or the Town of Neepawa.

"Grave" means a Lot within the Cemetery which has been or will be used for Interment, but does not include a Columbarium.

"Human Remains" means a dead human body in any stage of decomposition but does not include cremated remains.

"Inset Marker" means a flat marker flush to the ground, set in concrete or other similar material, excluding granite.

"Interment" means the burial or placement of human remains or cremated remains in a Lot, Plot, or Niche in the Cemetery.

"Interment Fee" includes the opening/closing of a Lot (traditional or cremation) or Niche.

"Landmark" means corner pegs used to mark the boundaries of a Lot or Plot. Such items related to legal plan of survey and subdivision of the Cemetery in general.

"Liner" means a non-treated wood product used to enclose a casket, or any other product as approved by the Manager of Operations.

"Lot" means an area of land sufficient for a single Grave.

"Manager of Operations" means the Manager of Operations for the Town or their designate.

"Marker" means a flat marker installed flush with the surrounding turf – not set in concrete.

“Mausoleum” means a structure, wholly or partly above the level of the ground and designed for the burial or storage of dead human bodies.

“Memorial” means a Monument, plaque or Marker installed in memory of a deceased person.

“Memorial Dealer” means all individuals, forms, partnerships and corporations who manufacture, sell or install Memorials in the regular course of business.

“Memory Wall” means a dedicated wall or location thereof, such as on the sides of a Columbarium where nameplates can be attached or insignia made to honour the memory of a deceased person.

“Monument” means an upright Memorial.

“Niche” means a compartment in a Columbarium for the Interment of cremated remains of a deceased person.

“Owner” means the owner(s) of a Lot, Plot or Niche entitled to receive or having a deed of title for the Lot, Plot or Niche.

“Plot” means an area of land sufficient for more than one Grave, and contains not more than four (4) Lots.

“Town” means the municipal corporation of the Town of Neepawa.

“Vault” means a reinforced box with cremated remains placed inside a Lot or Plot.

PLAN OF CEMETERY

3. The Cemetery is located at 1 Smith Drive in the Town and includes the lands within Lots 1-7 Plan 7326 NLTO, that portion of NW-14-15 WPM contained within Certificate of Title No. 2764298 and all such additional or other lands as may be approved by Council from time to time.
4. All Cemetery records on file at the office of the Town shall be considered the correct record and the Town reserves the right to re-call, correct and/or re-issue any certificate, Deed or document as it determines necessary.

PURCHASE AND CONVEYANCE

5. Any person wishing to purchase a Lot, Plot or Niche should select a location and attend the office of the Town to pay for the selected Lot, Plot or Niche, at such rates as are set out in Schedule “A”. Purchases must be paid in full; installment payments are not permitted.
6. No Lot, Plot or Niche is reserved, no Interment shall be made, no deed may be given and no Memorial may be installed or erected until all information is provided and all fees and the purchase price of the Lot, Plot, or Niche have been paid in full. Upon receipt of payment in the proper amount, the Town shall issue a Deed in the form set out in Schedule “B”.
7. Persons ordering Interments shall be held responsible for the provision of all required information and for all charges incurred.
8. When a Lot or Plot is purchased for the intent of being used for more than one person, the names of those person(s) who are to be interred in that Lot or Plot shall be provided to the Town at the time of purchase and will be recorded on the deed.
9. No person shall purchase a Plot having more than four Lots and no funeral director or undertaker shall purchase any Lot, Plot or Niche except for his or her personal use.

TRANSFER OF BURIAL RIGHTS

10. No sale or other transfer of any Lot, Plot or Niche, or any interest therein, will be accepted by the Town until a duly executed application (Schedule “D”) has been received from the Owner specifying the name and address of the transferee and the appropriate fee has been paid in full. Original deeds and a bill of sale must be presented prior to a transfer taking place. Upon meeting all requirements, a new deed will be issued in the name of the new Owner.

DESCENT & INHERITANCE OF BURIAL RIGHTS

11. Where a Lot, Plot or Niche is inherited, the new Owner must provide proof of ownership to the Town by submitting a certified or notarial copy of the probate of the will, or if there is no will, a certified or notarial copy of the letters of administration; or such other proof as is satisfactory to the Town.
12. Permission of any surviving next of kin is required in writing, in the form attached as Schedule "C" and the Town shall, in no way, be held responsible for failure to properly determine legal successorship of the space.
13. No new deed will be issued, but the new Owner is entitled to the same use of the space on the same terms as the original Owner.

EXCHANGES AND RETURNS

14. At the discretion of the Manager of Operations, persons may exchange vacant Lots, Plots or Niches with the Town, subject to first having paid any associated difference in the price originally paid and the current day pricing, provided that the new Lot, Plot or Niche is vacant. If a Memorial is present, all costs for a new foundation and moving of the Memorial shall be at the Owner's sole cost.
15. The Town shall not re-purchase previously sold Lots, Plots or Niches.
16. Owners of Lots, Plots or Niches, who no longer require same may choose to:
 - (a) sell or gift the associated Lot, Plot or Niche to whomever they choose, at a price so mutually determined. Such price greater or equal to one dollar (\$1.00), but not to exceed the current sale value for the associated Lot, Plot or Niche as indicated in Schedule "A"; or
 - (b) donate the Lot, Plot or Niche back to the Town. No charitable receipt will be issued.
17. Owners who sell or gift a Lot, Plot, or Niche to another individual shall adhere to the requirements for a transfer of burial rights (see clause 10).

TARIFF OF CHARGES – TERMS AND CONDITIONS

18. Fees to be paid for the purchase of Lots, Plots and Niches in the Cemetery, for Interment or disinterment, and all related surcharges, shall be determined by Council from time to time, set out in Schedule "A", and may be revised by resolution of Council.
19. Persons may pre-purchase Lots, Plots, Niches or plaques. However, prepayment of Interment Fees or other associated fees will not be accepted, with the exception of Columbaria purchased after August 13, 2019.

RULES AND REGULATIONS

GENERAL

20. No person(s) is permitted to enter the Cemetery except through the gates provided therefore. Such gates to be open daily at hours designated by the Town and all persons, unless otherwise authorized, are required to confine themselves to the roads or walkways to avoid walking on Graves.
21. No person shall write upon, scratch, deface or injure any Memorial, fence, building, or other structure in the Cemetery.
22. No person except a person authorized by the Town shall pick flowers, either wild or cultivated, or damage or injure any tree, shrub or plant in the Cemetery.
23. No vehicle of any kind is permitted to enter the Cemetery except through the regular entrance gate. No unauthorized person shall drive a vehicle over any part of the Cemetery except on the roadways, without first having obtained special permission from the Manager of Operations. No such permission shall be given when, from the nature of the soil caused by wet weather or other, it may cause injury to the Cemetery.

24. No vehicle shall travel in the Cemetery at a speed in excess of twenty (20) kilometres per hour on any road within the Cemetery, or drive on the grass or Lots within, or be parked in such a way as to cause damage to any turf in the Cemetery.
25. No person shall ride a bicycle on any Grave, or lean same against any Monument or Marker.
26. No person shall deposit or allow any object or possession to sit or rest in any manner on a Memorial, unless approved by the Manager of Operations or designate.
27. All pets shall be on a leash or other such restraint and confined to the paved walkways in the Cemetery. Pet owners must comply with the Animal Control By-Law and must remove any excrement, placing same in an approved waste receptacle.
28. No alcohol, smoking, or drug use is permitted in the Cemetery.
29. The use of mylar, plastic or other non-biodegradable balloons and/or ribbon is not permitted in the Cemetery.
30. No person shall engage in any game or sport, or discharge any type or form of fireworks in the Cemetery.
31. No person shall discharge any firearms (except at a military funeral), or disturb persons assembled for the burial of the dead, commit a nuisance, or behave in any indecent or unseemly manner in the Cemetery.
32. No all-terrain vehicles or snowmobiles are allowed within the limits of the Cemetery, with the exception of Town vehicles.
33. The Manager of Operations or designate, may remove from the Cemetery, any person disturbing the quiet or good order of the Cemetery by noisy or improper conduct or language, or violating any provision of this By-law.
34. The Manager of Operations or designate, shall have such other powers as may arise by necessary implication from this By-law or other statutes, or as may be required to administer this By-law and in connection with conduct in, and operation of the Cemetery.
35. Mausoleums and concrete Vaults are not allowed in the Cemetery.
36. The Town reserves the right to designate special sections within the Cemetery and to impose restrictions including types of Memorials to be used.
37. The Town shall not assume any liability or responsibility for the loss of, or damage to, any Memorial, and any part thereof, or any article of any type that may be placed on any Lot; or for any flowers or plants either placed or planted in contravention of this By-law upon any Lot or Plot.
38. Only human remains (traditional body) or cremated remains may be interred in the Riverside Cemetery.

OPENING OF GRAVES, VAULTS OR NICHES

39. Interments, disinterments, or other business, shall be conducted between the hours of 08:30 and 16:00 daily from Monday thru Friday.
40. When deemed necessary to conduct an interment later than 16:00 hours, or on a Saturday, Sunday or General Holiday, special arrangements will be required; approval obtained; and an additional surcharge levied.
41. No person shall open/dig any grave or niche within the Cemetery, in any location, for any reason, other than the Manager of Operations, Cemetery employees or authorized staff.
42. To prepare Graves for interment and disinterment, notice must be given to the Town as follows:
 - (a) November 1 to April 30 – forty-eight (48) hours' notice (2 business days);
 - (b) May 1 to October 31 – twenty-four (24) hours' notice (1 business day);

43. Notice less than identified above shall be subject to a surcharge as set out in Schedule "A".
44. Notice shall include information regarding the size of the casket at the top, or the size of a rough box/vault/case, and the intended location of the Grave within a Lot or Plot.

INTERMENTS

45. No person shall dig or open any Grave or cause any Grave to be dug or opened in any place within the Cemetery other than as and where now used and/or hereinafter appropriated for the purpose of a cemetery; nor shall any person inter or deposit or cause to be interred or deposited any human remains in any Grave other than as set out in this By-law.
46. No cremated remains shall be interred or scattered on any public property, or otherwise than as set out in this By-law.
47. No remains may be interred except in an approved urn or casket, with all interments conducted in strict compliance with provincial and/or federal legislation.
48. Requests for Interments shall be made, in writing, by submitting Schedule "F". Riverside Cemetery is not responsible for errors or misunderstanding.

Before Interment is permitted, all persons requesting an Interment in the Cemetery, whether as principals, agents or funeral directors, shall furnish to the Town:

- (a) an acknowledgement that the death has been registered;
- (b) original cremation certificate &/or burial permit issued by the Event Registrar; and
- (c) the personal particulars of the deceased person in the prescribed form, including:
 - i. the name and age of the deceased individual;
 - ii. the date of death and place of death;
 - iii. the Lot or Plot into which the deceased is to be interred, as well as the Owner's full name and the name of the funeral director;
 - iv. the date and time of the Interment;
 - v. if a cremation burial, whether a rough box is required; and
 - vi. if an earthen burial, whether a Vault or box is required.

49. Upon receipt of the information set out in clause 48, the Town shall issue an Interment/Work order and provide to a designated Town employee as authorization for Interment.
50. If a Lot is owned by two or more persons, an order for Interment in the Lot, or any part thereof, will be accepted by the Town from any one of them or their personal representative.
51. Where orders for Interments are given by telephone, or other electronic means, the Town will not be responsible for any errors or misunderstanding that may arise; and any additional costs due to the error will be the responsibility of the Funeral Home/Family making the order.
52. Funeral directors:
 - (a) are responsible for ensuring that every casket or urn is closed and securely fastened before Interment can proceed; and
 - (b) must remain for the duration of the service and provide notice to the Cemetery staff that the service has ended.
53. The Town shall charge the current Interment Fee(s) as set out in Schedule "A" for each committal. Where there are multiple cremation committals in the same location at the same time, the additional committals will be at the reduced rate.

NUMBER OF BURIALS ALLOWED (See also diagram - clause 77):

54. Traditional Section:

- (a) Every regular Interment of an adult shall be at a minimum of six (6) feet in depth from the surface of the ground surrounding the Grave; and
- (b) No regular traditional Grave shall have more than:
 - i. One (1) traditional burial (body) and a maximum of four (4) cremation burials; or
 - ii. Where there is no body interred, a maximum of six (6) cremation burials.
- (c) Any additional burials, whether traditional or cremation, within existing Graves or Plots located in the older sections of Riverside Cemetery (Namely Sections A/B/D and the Graham Section) will be assessed on a case-by-case basis, and it will be at the sole discretion of the Manager of Operations or designate, as to whether additional interments can be reasonably accommodated.

55. Cremation Gardens:

- (a) No more than four (4) urns/cremation burials per Lot.
- (b) Every Interment of cremated remains shall be not less than two (2) feet in depth from the surface of the ground.
- (c) Dimensions for quadrants within the Cremation Gardens are approximately 16 inches (40.64 cm) x 24 inches (60.96 cm), but may vary dependent on the Lot purchased. Specific dimensions are available by contacting the Town Office.

56. Columbarium Section (Niches):

- (a) No more than two (2) urns/cremation burials per Niche.
- (b) Interior dimensions of a Niche: 12.5 inches x 12.5 inches x 14 inches (31.75 cm x 31.75 cm x 35.56 cm) deep.
- (c) To maintain uniformity, a standard memorial plaque will adorn all Niches with inscription layout and design as per Town specifications. The Town shall be responsible for the ordering and placement of such plaques, with all associated costs borne by the purchaser.

57. Children and Infants

- (a) In the case of children under twenty-four (24) months of age, decisions regarding burials within existing traditional Lots, Niches or cremation lots will be assessed on a case-by-case basis.
- (b) Children stillborn to ten (10) years of age, may be interred in a Lot at a minimum of four (4) feet in depth from the surface of the ground.

DISINTERMENTS

58. All disinterments must be conducted in strict compliance with any provincial or federal requirements as legislated under *The Vital Statistics Act*, *The Public Health Act* or any other Act or regulation.

59. Applicants requesting a disinterment must:

- (a) for traditional disinterments, provide the Town with a copy of the necessary permit for such disinterment or removal as received from the Minister responsible for public health;
- (b) complete and file a duly executed application for disinterment, attached as Schedule "E". The form must be signed by all surviving next of kin, if not already done as part of the requirement for a traditional disinterment for compliance with provincial or federal legislation.

- (c) tender payment for all necessary fees and/or provide proof of same if requested.
60. No person shall disinter or remove the remains from any traditional or cremation Grave or Niche without the consent of the Manager of Operations, or until the requirements set out in clause 59 have been satisfied.
61. Disinterments will only occur under the authorization and supervision of the Manager of Operations as per the following:
- (a) Traditional Casket Burial:
Town staff will expose to the depth of the Liner/casket. All handling of interred remains shall be the responsibility of the funeral director.
 - (b) Cremation Burials (earthen & Columbaria):
A designated Town employee(s) will attend to either the opening of a Niche, or, if a Cremation Gardens Lot, will expose to the depth of the urn. The physical removal of all urns (cremated remains) will normally be the responsibility of the designated Town employee. However, once the Niche is open, or the urn exposed within the Lot, those person(s) who wish to physically remove the cremated remains (urn) from the Lot or Niche may do so, but only under the supervision of the designated employee.
62. No disinterments for the purpose of lowering remains to accommodate another Interment shall be allowed.
63. All disinterment costs shall be the borne by the person requesting the disinterment, including any associated provincial, federal and/or legal fees.

MEMORIAL REGULATIONS

64. All Memorials shall be placed at the head of the Grave/Plot/Lot and in such a manner as to maintain wherever possible, a proper alignment with adjacent Memorials.
65. Traditional Grave Lot/Plot - only the following is permitted:
- a) One (1) Foundation for the Upright Monument (required); and
 - b) One (1) Upright Monument:
 - i. Maximum width is 6 inches (15.24 cm) less than the width of the lot;
 - ii. Average thickness of 4 inches (10.24 cm);
 - iii. Minimum thickness at any point of 3 inches (7.62 cm);
 - iv. Base of Monument shall not exceed 18 inches (45.72) cm in depth;
 - v. Properly centered/aligned.
 - c) One (1) Flat Marker:
 - i. Approx size of 16 inches x 30 inches (40.64 cm x 76.2 cm);
 - ii. Located at the head of the Grave;
 - iii. Flush with the ground;
 - iv. Properly centered/aligned;
 - v. NO concrete foundation permitted.
66. Cremation Garden Lot - only the following is permitted:
- a) One (1) Foundation for the Upright Monument (required); and
 - b) One (1) Upright Monument:
 - i. Maximum height is 18 inches (45.72 cm);

- ii. Maximum width is 6 inches (15.24 cm) less than the width of the lot;
- iii. Base of the Monument shall not exceed 18 inches (45.72) cm in depth;
- iv. Properly centered/aligned;
- v. NO additional Memorials permitted.

67. Memorial Dealers/Contractors:

- a) Each person involved in the erection or re-location of a Memorial or any other work shall be subject to the control and direction of the Manager of Operations, including any survey markers or Landmarks. Works completed in contravention of any approval, control, or direction, may be removed or altered at the expense of the offending party.
- b) Dealers must request clearance/approval from the Town of Neepawa prior to any planned installation to ensure the location is correct and to ensure a funeral is not taking place in the area. In certain circumstances, Town staff will stake the lot to assist the Memorial Dealer.
- c) Memorial Dealers and contractors shall ensure that proper precautions are taken to ensure that no damage occurs to Lots or Plots during installation of Memorials. Memorial Dealers and contractors shall be held liable for any damage to property while working in the Cemetery.
- d) A Marker may only be installed by a Memorial Dealer with approval of the Manager of Operations, and in compliance with standards set by the Manager of Operations from time to time.
- e) Any person wishing to install any Memorial, or relocate any Memorial, shall first obtain permission from the Manager of Operations or designated employee.
- f) At no time will any inset Markers be permitted in Riverside Cemetery. Inset Markers placed previous to the passing of this By-law will be deemed to be in compliance. However, if it becomes necessary to replace the Marker or inset, the requirements of this clause will apply and no inset will be permitted.
- g) Only standard upright military Monuments or Markers placed and centered at the head of a Lot shall be permitted as the original Memorial on the Lot.
- h) All Memorials shall be constructed of permanent materials as approved by the Manager of Operations.

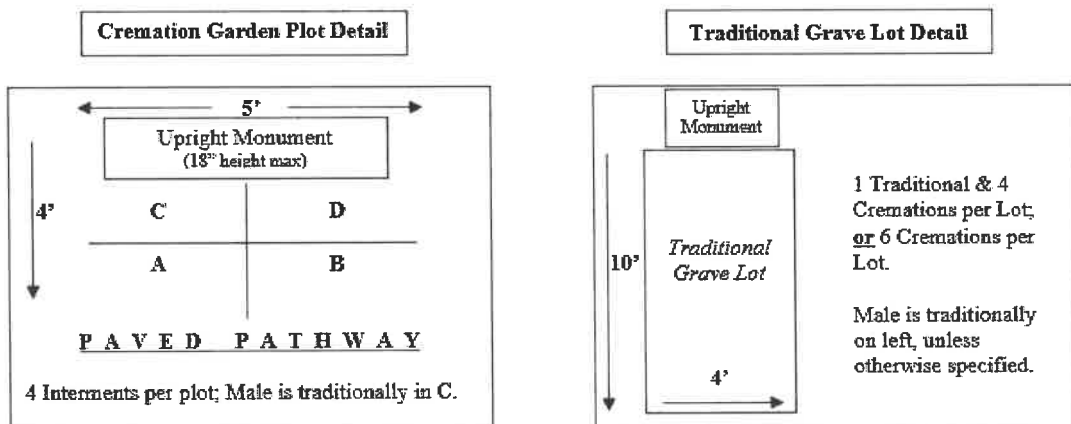
68. Foundations:

- a) Memorial Dealers will be responsible for the installation of all foundations within the Riverside Cemetery, with the exception of the Cremation Gardens and any new area where ribbon foundations are pre-installed by the Town of Neepawa.
- b) Foundations are required for all Monuments and shall be installed in accordance with the specifications provided by the Manager of Operations. No foundations are permitted for Flat Markers.
- c) Foundations are to have a maximum projection of 3 inches (7.62 cm) on all sides of a Monument, whereby such projection shall be on the same level as the surface of the surrounding turf. Foundations placed previous to the passing of this By-law will be deemed to be in compliance. However, if it becomes necessary to replace the foundation, the requirements of this clause will apply.
- d) The Town shall not be responsible for any maintenance to the foundation after installation, including damage caused from natural ground settlement, or while carrying out regular maintenance of the cemetery.

69. The owner or person responsible for a Memorial, Monument, Marker or Plaque must ensure that it does not become unsightly, dilapidated or dangerous. In the event the owner or person responsible fails to do so, the Town may remove it or if possible, repair

it and recover the cost from the Owner. The Town shall not be responsible for any damages to such items.

70. No form of man-made Grave covers, including concrete or granite ledgers shall be allowed in the Cemetery.
71. The Town shall not assume any liability or responsibility for the loss of or damage to, any Memorial, Monument, Marker or Plaque, and any part thereof, or any article of any type that may be placed on or near any lot.
72. All persons, including Town employees, shall cease work in the vicinity of a funeral until the conclusion of the service.
73. Memorials shall be exclusively for the purpose of memorializing deceased persons in the Cemetery. Any message which advertises a business, is condoning a specific act, or is in any way inconsistent with the purpose of memorializing a deceased person or persons is not allowed in the Cemetery.
74. Memorials erected or placed, shall be confined within the boundaries of the Lot or Grave purchased; and any straightening beyond the capacity of the Town shall be the responsibility and at the expense of the Owner.
75. Requests for privately-purchased Individual/Double/Family Columbarium Memorials or Bench-style Columbarium Memorials, or any other such Columbarium Memorial, must be made in writing to the Manager of Operations. The Manager of Operations has sole discretion as to the approval or denial of any such Memorial, taking into account the location within the Cemetery and any other extenuating factors.
76. Temporary markers (funeral home markers, etc.) are to be removed within 1 year of interment; or when permanent memorial is installed, whichever comes first. Any temporary markers remaining after that time will be removed by Cemetery Staff.
77. General Plot diagram/detail as follows, exact dimensions to be confirmed on site:



COLUMBARIUM PLAQUES

78. The responsibility for the ordering and installation of plaque Memorials for the Columbaria will rest with the Town. For consistency, all orders will be required to conform to the approved standard:
 - (a) bronze plaques, wreath/vase ends only; 11 inches (27.94 cm) x 7 inches (17.78 cm) in size.
 - (b) Inscription to include:
 - i. Last Name – only one legal last name permitted for each Interment;
 - ii. First Names – only one first name permitted for each Interment (no initials or nicknames, etc.)
 - iii. Year of Birth and Death – no months or days permitted.

79. Plaques ordered in advance of a person's death will be prepared to include the required information with the exception of the year of death. Such year to be added when timing is appropriate and applicable. An additional fee will be assessed at the current rate for the service provided.

MEMORY WALL PLAQUES, BENCHES AND TREES

80. Where no Interment has taken place, but an individual wishes to purchase a Memory Wall plaque in honour of a deceased individual, the Town will allow the purchase of a bronze plaque to be installed on a designated Memory Wall (if any) or on a Columbarium side wall.
81. Plaques must be ordered through the Town in entirety, as per standard:
- (a) Pre-cast, 6 inches (15.24 cm) x 4 inches (10.24 cm);
 - (b) Inscription to include one legal last name, one first name and years of birth and death.
82. Memory Wall plaques may also be purchased for placement as an additional Marker on a Lot, to be affixed to the side or footing of an existing Monument.
83. Criteria for the establishment of memorial benches and trees shall be governed by the Town's Commemorative Benches and Tree Policy.

GARDENING, ORNAMENTATION, GRAVE IMPROVEMENT, MAINTENANCE

84. There shall be absolutely no planting of any flowers, trees, shrubs, or any form of gardening that would disturb the grass or earth, permitted on any Lot or Plot, or on any public grounds within the Cemetery.
85. Flowers (live cut or artificial) shall be permitted in frost free months, provided they are contained within an approved receptacle, and placed immediately adjacent to, or on a Memorial base and/or Marker. No flowers, solar lights or any other object shall be allowed as a permanent adornment, with such items to be removed by October 31 each and every year.
86. The Town will remove or prevent the placing of any stand, holder, vase, or other receptacle for flowers or plants, or decorative ornamentation which is deemed unsuitable or unsightly, or is not physically attached to the Monument base and/or Marker.
87. No glass containers or bases of any kind will be permitted.
88. No borders, fences, railings, trellises, copings, hedges, iron posts, or any ornamental material shall be constructed in or around any Grave or Lot.
89. The Town will remove from any Grave any funeral design or floral piece which has become wilted, or after a period of ten (10) days, whichever is sooner, or any other article or thing which is deemed unsightly.
90. The Town may at any time, enter upon any Lot or Plot to cause the cleaning of weeds and grass.
91. No trees or shrubs or flowers growing within the Cemetery shall be moved, destroyed, pruned or otherwise interfered with, except under the direction of the Manager of Operations or designated employee.
92. The grading, levelling, seeding and sodding of all Lots shall be under the control of the Town and its employees, and made to conform to the section in which the Lot may lie.
93. In the case of a Niche, the standard plaque referred to in clause 81 provides (as part of the plaque) a vase end to allow a small flower or other discreet display. Plaques are designed in such manner so as to not interfere or block the neighbouring Niches. Solar lights are not permitted in the vase ends of a Columbarium plaque.

VETERAN'S BURIALS

95. Those portions of the lands shown upon the key map or plan of the Cemetery shall be dedicated to, and for the exclusive use of Veterans as follows:
- (a) All of the lots in Block Six (6), Range 2E and all of the lots in Block Six (6), Range 3E so transferred to The British Empire Service League under By-Law No. 1324.
 - (b) All of the lots in Block Seven (7), Range 3 under the authority of the Royal Canadian Legion Branch 23 - Neepawa.
 - (c) All of the lots in Block Six (6), Range 5 under the authority of the Commonwealth War Graves Commission.

INDIGENT BURIALS

96. The burial of indigent persons, whether resident of the Town or otherwise, shall be in a regular Lot and not in a portion of the Cemetery set apart for the burial of indigents, and the current or regular fees for Lot and Interment shall be charged to the appropriate government agency liable for the burial of such indigent person.

ADDRESS FOR SERVICE

97. Where an address for service must be determined, it shall be determined by using the ownership records maintained by the Town which shall be deemed to contain the last known address of the Owner. Any responsibility for updating the records of the Town for change of address shall rest solely with the Owner.

REPEAL AND PENALTY

98. By-Law No. 3221-23 is hereby repealed.
99. Where the Manager or Operations, or other designated officer has reasonable grounds to believe that an offence has been committed, or that a contravention of this by-law exists, all actions and remedies to bring any such matter into compliance with this bylaw shall be governed under the provisions of Enforcement By-Law 3165-16, or the then current enforcement by-law in force and effect
100. This By-law shall come into force, and take effect on its passing.

DONE AND PASSED by the Council of the Town of Neepawa duly assembled in the Province of Manitoba this 1st day of October, 2024.

TOWN OF NEEPAWA



Brian Hedley, Mayor



CAO – Colleen Synchyshyn

Read a first time this 17th day of September, 2024
 Read a second time this 1st day of October, 2024
 Read a third time this 1st day of October, 2024

SCHEDULE "A" - CEMETERY FEES – 2025-2027

| TOWN OF NEEPAWA - RIVERSIDE CEMETERY | | | |
|--|----------------------|-------------|-------------|
| FEES & CHARGES SCHEDULE | 2025 | 2026 | 2027 |
| PROPERTY PURCHASE FEES | | | |
| Traditional Lot - Adult | \$1,375 | \$1,375 | \$1,375 |
| Traditional Lot - Infant/Child | \$450 | \$450 | \$450 |
| Cremation Gardens | \$1,125 | \$1,125 | \$1,125 |
| Columbarium Niche <small>(Includes a maximum of 1 Bronze Plaque, 2 End Dates & 2 Interments)</small> | \$3,425 | \$3,425 | \$3,425 |
| INTERMENT OPENING/CLOSING FEES | | | |
| Traditional | | | |
| Adult - Traditional Section | \$1000 | \$1000 | \$1000 |
| Infant - Traditional Section <small>(up to 24 months)</small> | \$250 | \$250 | \$250 |
| Child - Traditional Section <small>(up to 10 years)</small> | \$400 | \$400 | \$400 |
| Cremation | | | |
| Garden or Grave Lot - Adult | \$500 | \$500 | \$500 |
| Garden or Grave Lot - Infant/Child | \$250 | \$250 | \$250 |
| Multiple Service – Additional cremation @ same time/location | \$250 | \$250 | \$250 |
| Columbarium <small>(If Niche purchased prior to August 14, 2019)</small> | \$200 | \$200 | \$200 |
| Columbarium <small>(If Niche purchased after August 14, 2019)</small> | \$0 | \$0 | \$0 |
| Columbarium <small>(privately owned)</small> | \$200 | \$200 | \$200 |
| INTERMENT SURCHARGES | | | |
| Funerals after 4:00 p.m. | \$500 | \$500 | \$500 |
| Saturday surcharge | \$500 | \$500 | \$500 |
| Seasonal Accessibility Rate | \$140 | \$140 | \$140 |
| Short notice surcharge | \$500 | \$500 | \$500 |
| Sunday/General Holiday surcharge | \$750 | \$750 | \$750 |
| DISINTERMENT <small>(subject to Provincial requirements and approval for traditional burials)</small> | | | |
| Disinterment - traditional earth burials | Double the Interment | | |
| Disinterment - cremated remains - grave or garden Lot | Double the Interment | | |
| Disinterment - cremated remains - columbarium | \$250 | \$250 | \$250 |
| MISCELLANEOUS | | | |
| Deed Replacement | \$50 | \$50 | \$50 |
| Deed Ownership transfer administration fee | \$75 | \$75 | \$75 |
| Columbarium Plaques | | | |
| Bronze Door Plaque/2 End Dates <small>(If Niche purchased after August 14, 2019)</small> | \$0 | \$0 | \$0 |
| Bronze Door Plaque/2 End Dates <small>(if Niche purchased prior to August 14, 2019)</small> | Cost + Freight | | |
| Bronze Memorial Wall Plaque | Cost + Freight | | |
| Bronze Year Date Plaque | Cost + Freight | | |
| All prices inclusive of GST | | | |

SCHEDULE "B" - CEMETERY DEED



**Town of Neepawa
Riverside Cemetery**

In consideration of payment of the sum of \$ _____ *, the receipt and sufficiency of which is acknowledged, by:

{Insert name(s) and address}

("Owner")

The Town of Neepawa grants to the Owner, and to the Owner's heirs and assigns, the following within the Riverside Cemetery in the Town:

{Insert legal description of Cemetery Lot/Plot/Cremation Garden/Columbarium}

("Premises").

The Owner, and the Owner's heirs and assigns, shall have, hold and have the use of the Premises forever, provided always that the Premises shall be used for the purpose of interment only, and are and shall be subject to all laws and by-laws of the Town of Neepawa as may be in force or adopted from time to time affecting or respecting the Riverside Cemetery.

IN WITNESS WHEREOF the Mayor and Chief Administrative Officer of the Town of Neepawa have signed their names and affixed the Town's Corporate Seal this ____ day of _____, _____.

THE TOWN OF NEEPAWA

Mayor

Chief Administrative Officer

(*includes GST)

SCHEDULE "D" - TRANSFER OF BURIAL RIGHTS

Date of Application: _____

TRANSFER INFORMATION:

Name of Original Deeded Owner: _____

Full legal name of Person the lot is being transferred to: _____

Mailing address of person being transferred to: _____

Location of deeded property: _____
Lot/Niche Block/Columbarium Range/Presentation/Gardens

ACKNOWLEDGEMENT:

The following declaration to be signed by all parties:

I/We, _____

the original owner (or legal representative), hereby declare that I have sold or transferred the above noted property to _____.

I hereby relinquish all rights to the property.

Original Owner Printed Name

Original Owner Printed Name

Signature

Signature

New Owner Printed Name

New Owner Printed Name

Signature

Signature

- Bill of sale is attached
- Original Deed is attached

Office note: To be filed in the appropriate cemetery burial record book.

SCHEDULE "E" – DISINTERMENT APPROVAL

Date of Application: _____

INFORMATION:

Name of Applicant: _____

Name of person property deeded to (currently interred in): _____

Location of deeded property: _____
Lot/Niche *Block/Columbarium* *Range/Presentation/Gardens*

Full Name of person to be disinterred: _____

Requested Date of Disinterment: _____

Reason for Disinterment: _____

New interment location and owner of new location:

(if within Riverside Cemetery - owner of new location may be required to fill out a Descent & Inheritance of Burial Rights, Schedule "C"):

ACKNOWLEDGEMENT:

The following declaration is signed by all immediate surviving next of kin of the owner of the original deed:

We, the family of _____ hereby give our permission for
_____ to be disinterred at the above noted description.

Owner of Current Interred Lot Printed Name

Signature

Family Member Printed Name

Signature

Family Member Printed Name

Signature

Family Member Printed Name

Signature

Owner of Current Interred Lot Printed Name

Signature

Family Member Printed Name

Signature

Family Member Printed Name

Signature

Office note: To be filed in the appropriate cemetery burial record book.

SCHEDULE "F" – INTERMENT REQUEST

All Sections MUST be completed.

Date of Application: _____

CONTACT INFORMATION:

Funeral Home or Family Member: _____

Contact Person: _____

Mailing Address: _____

Email: _____ Phone: _____

INTERMENT INFORMATION:

Full Legal Name of Person being interred: _____

Date of Birth: _____ Date of Death: _____

Type: _____ Traditional (Casket) _____ Cremation (If required: _____ Rough Box _____ Vault)

LOCATION INFORMATION – where will interment take place

Traditional Section: Lot: _____ Block: _____ Range: _____

Cremation Garden: Lot: _____

Columbarium: Niche: _____ Wall: _____ Presentation: _____

Full Name of DEEDED LOT OWNER: _____

List all other burials contained within Lot, if any: _____

DATE & TIME OF SERVICE REQUESTED:

Date Requested: (YYYY/MM/DD) _____ Day of the week: _____

Time of Service: _____

Any other Notes/Requests: _____

ACKNOWLEDGEMENT:

I/We acknowledge that we have read & understood the current Cemetery By-Law. I/We acknowledge and agree that the deceased named on this request is legally entitled to be interred in said lot/niche. I/We acknowledge that the Town of Neepawa is not liable for any errors or omissions on this application; and any associated costs, including Town labour, to correct errors or omissions is the responsibility of the applicant.

I/We agree to pay the fees in full and provide the appropriate burial permit or cremation certificate prior to the service taking place.

Printed Name Signature Date

For Office Use Only:

Approved / Denied: _____
Manager of Operations/Designate Date

Notes: _____

Date Returned to Applicant: _____

To be filed in the appropriate cemetery burial record book.