

# By-laws for the Operation of

*Catholic Cemeteries  
North Bay*



*Diocese of Sault Ste-Marie*

*St. Mary's Cemetery,*

*All Saints Mausoleum*

*and*

*Holy Cross Cemetery*



***The following By-laws for the Operation of St. Mary's Cemetery, All Saints Mausoleum and Holy Cross Cemetery are designed for the mutual protection of Interment Rights Owners and the cemeteries as a whole. In order to facilitate the operation of the cemeteries, the Board of Directors has drawn up the following By-laws for distribution to each Interment Rights Owner. These By-laws supersede all prior By-laws or Rules and Regulations and are intended not to restrain, but rather to prevent the inconsiderate from taking unfair advantage of others.***

***The enforcement of these By-laws will help protect the long term viability and beauty of our Catholic Cemeteries. These rules and regulations are meant to help sanctify the living memories of those buried within the Cemetery and to create a serene environment for those visiting their love ones.***

Adopted

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Diocesan Representative

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Chair, North Bay Roman Catholic Cemeteries  
Board of Directors

Date Adopted: \_\_\_\_\_

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# 1.0 Definitions

**Burial:** The opening and closing of an in-ground lot or plot for the disposition of human remains or cremated human remains.

**By-laws:** The rules and regulations under which the Cemetery (and/or Crematorium) operates.

**Care and Maintenance Fund:** It is a requirement under the *Funeral, Burial and Cremation Services Act*, that a percentage of the purchase price of all Interment Rights, and set amounts for marker and monument installations is contributed into the Care and Maintenance Fund. Interest earned from this fund is used to provide care and maintenance of plots, lots, markers and monuments at the cemetery.

**Contract:** For purposes of these By-laws, all purchasers of interment rights must sign a contract with the cemetery, detailing obligations of both parties and acceptance of the cemetery By-laws.

**Corner Posts:** Shall mean any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot or plot.

**Crypt:** An individual compartment in a mausoleum for the entombment of human remains.

**Grave:** (Also known as Lot) means any in-ground burial space intended for the interment of a child, adult or cremated human remains.

**Interment Right:** The right to require or direct the interment of human remains or cremated human remains in a grave, lot, niche or crypt and direct the associated memorialization.

**Interment Rights Certificate:** The document issued by the Cemetery to the purchaser once the interment rights have been paid in full, identifying ownership of the interment rights.

**Interment Rights Holder:** Any person designated to hold the right to inter human remains in a specified lot, crypt or niche.

**Lot:** For the purposes of these By-laws a lot is a single grave space.

**Marker:** Shall mean any permanent memorial structure that is set flush and level with the ground, and used to mark the location of a burial lot.

**Monument:** Any permanent memorial projecting above the ground installed within the designated space to mark the location of a burial or lot.

**Niche:** An individual compartment in a columbarium for the entombment of cremated human remains.

**Plot:** For the purposes of these By-laws, a plot is a parcel of land, sold as a single unit, containing multiple lots.

## 2.0 General Information

- 2.1 North Bay Roman Catholic Cemeteries, which includes St. Mary's Cemetery, All Saints Mausoleum, and Holy Cross Cemetery, is owned and operated as a not-for-profit and charitable organization by the Roman Catholic Episcopal Corporation of the Diocese of Sault Ste. Marie in Ontario. All Catholics and their family members (whether Catholic or not) are invited to make use of our cemeteries.
- 2.2 The daily operations of both cemeteries are managed by an Operations Manager who reports directly to a Board of Directors. The financial affairs of the Cemeteries are administered by a Finance Manager.
- 2.3 The Board of Directors consists of people to be drawn from the various Roman Catholic parishes throughout the North Bay region, one of whom must be a member of the Roman Catholic Clergy. Board meetings are held regularly at dates and times decided upon by the Board and the cemetery management. Special meetings may be called by the Chairman of the Board as required.

The Chairman, Vice-Chairman, and Secretary/Treasurer of the Board of Directors are elected by the members of the Board.

- 2.4 The cemeteries are administered and cared for by an Operations Manager and his staff under the direction of the Board of Directors.
- 2.5 A complete set of records showing all the lots into which the cemeteries are divided and each individual grave contained within each lot is kept in the office at the cemetery site. A duplicate set of records is also kept in the main Cemetery Office. The lots and graves are individually numbered on an overall plan that has been duly submitted to the Ministry of Consumer Services, Cemetery Regulation Branch, of the Province of Ontario. In the case of discrepancy, the records at the Cemetery Office will take precedence.
- 2.6 In order to facilitate the operations of the Cemetery, the Board of Directors has drawn up the following By-laws for distribution to each Interments Rights Owner. These By-laws supersede all prior By-laws or Rules and Regulations and are intended to prevent the inconsiderate from taking unfair advantage of others and to preserve the long term appearance of our Catholic Cemeteries.
- 2.7 The cemetery will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to,

any lot, plot, columbarium niche, mausoleum crypt, monument, marker, or other article that has been placed in relation to an interment right save and except for direct loss or damage caused by gross negligence of the cemetery.

- 2.8 The Cemetery has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove planting, 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.
- 2.9 The Cemetery Office shall be open daily except Saturday, Sunday, and legal holidays, at regular hours specified and published by the Operations Manager, at 132 Golf Club Road, North Bay, Ontario.

The cemetery staff is available on site at St. Mary's Cemetery from 8:30 AM to 4:00 PM from April to September, Monday through Friday, unless otherwise posted. Staff will be available at Holy Cross Cemetery by appointment only.

Both St. Mary's and Holy Cross Cemetery are open to the public daily from dawn until dusk. All Saints Mausoleum is available to interment rights holders and/or their designate between the hours of 8:00 AM to 8:00 PM daily.

- 2.10 Notwithstanding the hours stated in Section 2.9, the Cemetery reserves the right to close access to Holy Cross Cemetery, St. Mary's Cemetery or All Saints Mausoleum should it be necessary as a matter of public safety.
- 2.11 Owners of vehicles or their drivers shall be held responsible for any damage done by those vehicles to Cemetery property. The cemetery staff attempts to make all roadways within the Cemetery passable during the winter months; however, the Cemetery and the Board of Directors shall not be held responsible for damage done to vehicles or to cemetery grounds by those who attempt to use uncleared roadways. The Board of Directors reserves the right to restrict access to the Cemetery for reasons of safety or public health.
- 2.12 All visitors should conduct themselves in a quiet manner that shall not disturb any service being held. The Operations Manager and his staff are empowered and are required to preserve order and decorum in the Cemetery and to enforce the By-laws.
- 2.13 No parades, other than funeral processions, shall be admitted to or organized within the Cemetery except by permission of the Board of Directors.
- 2.14 Children under the age of twelve years are not admitted to the grounds

except in the direct charge of an adult who shall be responsible for their good conduct and shall see that they do not run over plots or graves nor climb monuments.

- 2.15 Vehicles within the Cemetery shall be driven at a slow rate of speed and shall not leave the avenues. All vehicles must park on the road proper and not on the grass.
- 2.16 No dogs or other pets shall be allowed in the Cemetery.
- 2.17 No picnic party shall be permitted on the Cemetery Grounds.
- 2.18 All persons, with the exception of Rights Owners, are prohibited from taking flowers, plants or other materials from plots or graves in the Cemetery, except from their own plots or from picking flowers, either wild or cultivated, or breaking any tree, shrub or plant; or writing upon, defacing or injuring any marker, monument, fence or other structure in or belonging to the Cemetery; or from making paths or taking short-cuts across any part of the Cemetery.
- 2.19 Any complaints by interment rights holders or visitors to the Cemetery should be made to the Operations Manager and not to workmen on the grounds. Controversies with workmen and others on the grounds are to be avoided.
- 2.20 No gratuities shall, at any time, be given to any Board Member, Officer, or Employee, nor shall any reward be given for personal service or attention. Any officer or employee who violates this rule may be dismissed at once.
- 2.21 Any person disturbing the quiet and good order within the cemetery by noise or other improper conduct or who violates these rules will be expelled from the grounds.

### **3.0 Care and Maintenance Fund**

- 3.1 As directed by the *Funeral, Burial and Cremation Services Act*, Province of Ontario, the price for each grave, lot, crypt, or niche, includes the required Care and Maintenance Fund contribution. The requirements of the *Funeral, Burial and Cremation Services Act*, and the specific amount of the Care and Maintenance contribution that applies to the respective grave, crypt, or niche, purchased is detailed on the Interment Rights Contract and Interment Rights Certificate. These funds are set aside for the permanent care of the grounds. The interest earned from this fund is used annually to cut grass, level graves,

sod or seed graves or lots, maintain roads, maintain buildings and structures including mausoleums and columbaria, and to keep the property generally beautiful as a permanent tribute to the memory of those who rest there.

- 3.2 Care and Maintenance Funds are kept in trust in keeping with the directions of the *Funeral, Burial and Cremation Act*, Province of Ontario and any Regulations thereto.

## **4.0 Purchase and Transfer of Interment Rights**

- 4.1 Purchasers of interment rights acquire only the right to direct the burial of human remains and the installation of monuments, markers and inscriptions, subject to the conditions set out in the cemetery By-laws. In accordance with the cemetery By-laws, no burial, entombment, or installation of any monument, marker, inscription, or memorialization is permitted until the interment rights have been paid in full. An interment rights certificate will be issued to the interment rights holder(s) when payment has been made in full. The purchase of interment rights is not a purchase of Real Estate or real property. An interment rights holder wishing to resell their interment rights may advise the cemetery operator of their intention prior to seeking a third party buyer for their interment rights.
- 4.2 A purchaser has the right to cancel an interment rights contract within thirty (30) days of signing the interment rights contract, by providing written notice to the cancellation to the cemetery. The cemetery will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.
- 4.3 Any lot, niche or crypt is intended for use, for interment purposes only, by the Interment Rights Holder or upon his or her consent, by his or her immediate family or relatives. Interment Rights may be re-sold, assigned or otherwise conveyed by the Interment Rights holder to any other party provided that they are eligible for Catholic burial according to the Norms of Canon Law, that a completed Endorsement of Sale or Transfer of Interment Rights has been provided to the cemetery to register the transfer on the cemetery records in accordance with the Cemetery By-laws and the Funeral Burial and Cremation Services Act and its corresponding Regulations, and that the administration fee for the issuance of a new interment rights certificate has been paid to the cemetery. Other than the owner, no one shall be permitted to re-sell or solicit to re-sell any interment right from within the cemetery. This includes canvassing for sales, distributing business cards or any other sales material or literature, and the placement of signage of any type on any interment right or memorial.



- 4.4 To ensure the correctness of our records, Interment Rights may not be transferred except by filing with the Cemetery Board a certified copy of the Will and Probate, or in the case of intestacy, or where the Interment Rights Certificate has been listed in the Will, the Board will recognize as Rights Owner, those designated in a signed agreement, executed by the immediate heirs. Interment Rights Holders are advised to bequeath Interment Rights to avoid confusion of Rights ownership.
- 4.5 Interment Rights reserved for future use must be paid for within ninety days unless alternate arrangements are made at the Cemetery Office.
- 4.6 Each Interment Rights purchaser shall receive at the time of sale: a copy of the contract for said purchase; a copy of the cemetery By-laws; and, upon payment in full, a certificate of interment rights.
- 4.7 In the event of an error regarding interment rights, the Cemetery Board shall correct that error at its expense when possible. Should it not be possible to correct the error the Board shall provide an interment right of comparable value at no extra charge or refund the entire Interment Rights fee. The Cemetery Board has the option and discretion as to which reimbursement to choose.

## **5.0 Interments and Disinterments**

- 5.1 Notice of each interment must be given to the Operations Manager during regular office hours at least 48 hours prior to the proposed date for the interment. A priest or deacon of the Roman Catholic Faith and a Funeral Director or Cemetery Official must be present at the Liturgical cemetery service of all Roman Catholics. A Minister of another faith may officiate at the cemetery service of a non-Catholic. A Cemetery employee shall be in attendance at each interment and a burial permit or, in the case of the interment of cremated remains, a cremation certificate must be delivered to him or to the Cemetery Office before the interment can take place. Interments will take place between the hours of 9:00AM to 4:00 PM, Monday to Friday. Interments may take place on Saturdays before noon if arrangements have been made with the Cemetery Office. No interments shall take place on Sundays or statutory holidays except by order of an appropriate civil authority.
- 5.2 Precise instructions in writing must be given to the Cemetery Office regarding the particulars and location of every burial. Orders given by

telephone are liable to cause errors and the Board will not accept responsibility for any misunderstanding or error which might be caused.

- 5.3 The person or persons ordering the burial will be held responsible for the charges incurred.
- 5.4 No interment will be made in a grave except of the Rights Owner and his or her direct heirs without the written permission of the Rights Owner. If there is more than one Owner or direct heir, and no one has been given signing authority over the use of the grave, the Cemetery Board may accept the order of any one of the Rights Owners or direct heirs for the use of the grave.
- 5.5 Graves must be opened to sufficient depth to satisfy the regulations of the *Funeral, Burial and Cremation Act*. In St. Mary's Cemetery, each natural grave space may be used for the interment of one (1) standard casket and one (1) cremation container **OR** two (2) cremation containers unless previous arrangements were made at the time of the original purchase of interment rights.

In Holy Cross Cemetery, each natural grave space may be used for the interment of two (2) standard caskets (providing double-depth burial was elected the time of the first casket interment) **OR** two (2) cremation containers **OR** one (1) standard casket and one (1) cremation container unless previous arrangements were made at the time of the original purchase of interment rights.

Each Cremation plot is intended for a maximum of two (2) cremation containers unless other arrangements were made at the time of the original purchase of interment rights.

- 5.6 The interment fee includes the opening and closing of the grave, the use of the Cemetery Chapel, and the restoration of the grave site after the interment. Grave side services are permitted at Holy Cross Cemetery during the summer season. There are no grave side services at Holy Cross during the winter months. Due to ground conditions, grave side services are NOT permitted in St. Mary's Cemetery at any time. A family can be notified after the casket is lowered and the grave partially filled and made safe should the family wish to be present prior to the grave being completely backfilled. These arrangements must be made with the Operations Manager **prior to the date of the burial**.
- 5.7 No interments will be allowed in a grave against which there are previous charges due and unpaid.

- 5.8 Disinterments must be made as provided in the *Funeral, Burial and Cremation Services Act* and Regulations thereto. Any request for disinterment must be made in writing to the Cemetery Board. Written permission from the Interment Rights Owner must also be obtained. Before a disinterment can take place, all costs (including arrears) must be paid in full and notification given to the North Bay Parry Sound District Health Unit.
- 5.9 The Staff of the Cemetery shall have the authority to direct the route and conduct of funeral processions within the cemetery grounds. Cemetery Staff shall have the right to restrict the numbers and kinds of vehicles allowed on the roads.
- 5.10 Cemetery Grounds are for the interment of human remains only as per the *Funeral, Burial and Cremation Services Act*.
- 5.11 No interment shall take place of a body not contained within a suitable covered container. The body must be prepared, prior to arrival at the cemetery, in such a container and in a such manner to allow for the lowering of the body into a grave with the dignity befitting the human body. The body must also be contained in such a manner as to protect cemetery personal from any health concerns. Suitable containers can be supplied by the Cemetery Office for a set fee. Arrangements for a container must be made in advance of the proposed interment date.
- 5.12 The opening and closing of graves, crypts and niches may only be conducted by cemetery staff or those designated to work on behalf of the cemetery.
- 5.13 Cremated remains are not permitted to be scattered on a grave.

## **6.0 Care and Beautification of Plots**

### **6.1 General**

- 6.1.1 Borders, fences, gravel, or any other type of structures are strictly forbidden at both St. Mary's and Holy Cross Cemetery.
- 6.1.2 Special attention to lots, shrubs, flowers and materials can be arranged at the Cemetery Office. If you intend to have anyone perform any work on a plot, please furnish them with written authority or we cannot permit them to work

on the grounds. We must know what work is to be done, otherwise we cannot protect Cemetery property.

- 6.1.3 Flower Beds and pots are required to be cleared of all tender plants before the first frost. Rights Owners must remove all plants and containers before the end of September or they could be disposed of by the Cemetery staff when cleaning the grounds. The Cemetery cannot be held responsible for flowers or any other articles left upon a grave. Rights Owners should inform the Cemetery Staff when removing anything from a grave. Winter wreaths will be removed and disposed of by June 1<sup>st</sup> of each year.
- 6.1.4 Vases, urns and flower holders of any kind not properly cared for and/or those that are not filled with flowers by the last day of June in each year may be removed from the grave site. Seats, benches and other articles are strictly forbidden.
- 6.1.5 Please do not use glass, either in summer or winter to hold or cover flowers. It is easily broken and can seriously injure our employees or the visiting public. Any glass articles left on cemetery property will be removed by cemetery staff.
- 6.1.6 No person shall change the grading of a plot, nor erect nor remove anything on or around it without the written permission of the Operations Manager. No markers, corner posts or planting should be removed or altered without written permission of the Operations Manager.
- 6.1.7 Any planting or article place at a grave site that presents a hazard to the cemetery workers or the visiting public will be removed immediately without notice.
- 6.1.8 Please do not throw rubbish anywhere except in the waste containers provided at convenient points throughout the grounds.

## **6.2 St. Mary's Cemetery**

- 6.2.1 Trees, shrubs, flowering, or other plants may be cultivated on plots but only such varieties as are suitable for Cemetery planting and in such locations as will not interfere with the roads, paths, or adjoining graves. Any planting that presents a hazard to cemetery workers or the visiting public will be removed immediately. All planting construction must have the written approval of the Operations Manager.

6.2.2 If any trees or shrubs situated on any grave shall become, by means of their roots, branches or in any other way detrimental to adjacent graves, drains, roads, or paths, or prejudicial to the general appearance of the grounds, the Cemetery Staff will remove such trees, shrubs or parts thereof without notification.

6.2.3 Flower beds not exceeding six inches in width may be planted in front of the base of a monument, or where the monument would normally be placed. Care must be taken to plant only on a grave and only in the area indicated. This work can be done by the Cemetery staff and it is in good judgement to have them verify the location of your proposed flower bed before digging.

#### **6.2.4 Bronze Marker Cremation Section**

Sections 6.2.1 through 6.2.3, inclusive, shall not apply to sections of St. Mary's Cemetery designated as Bronze marker Cremation Sections. No permanent decoration, planting, or other ornamentation shall be permitted in these sections. The grave shall be permitted the installation of a flat bronze memorial only.

### **6.3 Holy Cross Cemetery**

6.3.1 Some plants suitable for Cemetery planting may be cultivated in Holy Cross Cemetery as follows:

#### **6.3.2 Upright Monument Sections (Continuous Foundation Rows)**

All planting must take place on the continuous cement foundation system in heavy clay or cement containers affixed to the cement foundation system OR in lighter containers suspended from metal "T" hangers which can be driven into the ground along the perimeter of the foundation system. Glass or ceramic containers will not be allowed.

#### **6.3.3 Bevel Marker Sections**

All planting must take place in containers on either side of the marker or where the marker would normally be placed. No glass or ceramic containers will be permitted in the Bevel Marker Sections. Total weight of containers is not to exceed fifty pounds (50 lbs).

#### **6.3.4 Flat Marker Sections**

No planting or fixtures are permitted in the flat marker sections.

- 6.3.5 Planting will only be permitted as set out in By-law 6.3.2 and 6.3.3 and Rights Holders would be wise to obtain written approval before proceeding with any work. If any planting exceeds the limitations provided in these By-laws or planting become unsightly, the Cemetery staff will remove them immediately without notification.

## **7.0 Monuments, Markers, Memorials and Outer Containers**

### **7.1 General Regulations**

- 7.1.1 The Cemetery reserves and shall have the right to regulate the kind, size, design, quality, and material of all memorials, outer containers, and foundations which are placed in the cemetery. The design or inscription on any memorial must be in keeping with the dignity and decorum of the Cemetery. The Cemetery reserves and shall have the right to remove or refuse to authorize the placement of any memorial, or inscription to be placed on same, or any embellishment whatsoever, that is not in keeping with the Cemetery By-laws. To this end, the Cemetery shall have the right to inspect the completed installation of all memorials and outer-containers installed by outside contractors.
- 7.1.2 Any monument or marker exceeding 360 square inches in surface area requires a foundation to be installed prior to its installation. All markers must be of bronze or natural stone. Permission to install must be obtained from Cemetery Authorities.
- 7.1.3 Single graves are permitted the use of flat or bevel markers only unless the grave is located in a section of the Cemetery reserved for upright markers.
- 7.1.4 No memorial, marker, or monument shall be erected or permitted on a plot or grave without all charges of the lot and services being paid in full.
- 7.1.5 Not more than one monument may be erected on a plot, regardless of the number of grave spaces in that plot, without the written permission of the Operations Manager. The additional memorial(s) must be placed in the space reserved for it (them) and must be a Flat Ground Setting ONLY.
- 7.1.6 All monument work which projects above ground level must be placed on an

adequate concrete foundation constructed by the Cemetery. Monuments or markers are not be delivered to the grounds until the foundation is complete and ready for the erection of the monument or marker. Preparation of foundations by the Cemetery shall be undertaken as time permits. Burial services and Cemetery care shall take precedence. Foundations will not be prepared from October 1<sup>st</sup> until June 1<sup>st</sup>.

- 7.1.7 The regular maintenance of foundations and the safety of monuments and other memorial objects in our Cemeteries is the responsibility of the Cemetery Owner. Should any monument or marker present a risk to public safety because it has become unstable, the cemetery operator shall do whatever it deems necessary by way of repairing, resetting, or laying down the monument or marker or any other remedy so as to remove the risk.
- 7.1.8 When any memorial or monument is to be removed or inscribed, permission must be first obtained from the Cemetery Staff. The Board will take every precaution to protect all monuments but cannot assume any responsibility for damage done to them from removal or inscription.
- 7.1.9 All monument or maker foundations shall be installed by the Cemetery staff or its agent only and are subject to the tariffs established by the Cemetery Board.
- 7.1.10 All monument and marker installations must take place only during the regular business hours as indicated in these By-laws. Any monument or memorial contractor found to be doing work in the cemetery outside of the prescribed hours or willfully disregarding the regulations regarding the installation of monuments and markers will be barred from doing work within the cemetery.
- 7.1.11 Any monument, memorial, or outer-container, installed without the permission of the Cemetery Office and/or not meeting the preceding or following regulations and specifications will be immediately removed from the Cemetery without notice. Any costs incurred by the Cemetery to remove such objects will be paid by the Company responsible for the installation or by the Rights Owner of the plot where said object was installed.
- 7.1.12 No monument or memorial designed to contain human remains shall be installed in the cemetery without the written permission of the Cemetery Board. Such a monument may be subject to an interment rights fee as set out in the *Funeral, Burial and Cremation Services Act* and prices listed on the Cemetery price list.

- 7.1.13 Minor scraping of the monument or marker due to grass/lawn maintenance is considered to be normal wear
- 7.1.14 The cemetery will take reasonable precautions to protect the property of interment rights holders, but it assumes no liability for the loss or, or damage to, any monument, marker, or other structure, or part there of.

## **7.2 Monument, Marker, and Memorial Specifications**

- 7.2.1 A monument, for the purposes of these regulations, is considered to be any memorial which projects above ground level. The maximum height allowed for any monument is forty two (42") from the foundation level to the top of the monument including any statuary or fixtures attached to the monument.
- 7.2.2 The maximum width for any memorial is the width of the grave(s) space less 12 inches (i.e. the maximum width of a memorial allowed on a single grave (4 feet in width) is 3 feet).
- 7.2.3 The maximum depth of any monument erected on the continuous foundation system at Holy Cross Cemetery is 17 inches. The maximum depth of any marker or memorial placed in other sections of Holy Cross Cemetery is 20 inches. The maximum depth of any monument, marker, or memorial placed in St. Mary's Cemetery is 20 inches.
- 7.2.4 An additional granite base may be installed underneath bevel or slant faced markers. This base must not exceed the maximum width or depth permitted in the preceding. The maximum height of such a granite base must not exceed 4 inches.
- 7.2.5 Cremation markers are to be a maximum size of 15" x 12", ground setting if the marker is for a single person. A cremation marker for two or more people is to be a maximum size of 30" x 12", ground setting.
- 7.2.6 All markers and corner posts must be finished level on all sides. Maximum tolerance of one-half inch will be allowed for a rock facing.
- 7.2.7 The minimum thickness for flat makers, including footstones, is 4 inches.
- 7.2.8 No lettering can be placed on the side of a monument facing an adjoining plot. The Operations Manager will authorize removal of that monument, structure, or object.
- 7.2.9 Bronze Markers are permitted as follows. A double bronze marker (a marker designed to designate the interment of two individuals) shall be a maximum size



of 24" x 12". It is a requirement for a granite base to be attached to the bronze marker. The granite base is permitted a visible boarder of no more than 2 inches surrounding the bronze memorial.

7.2.10 The Cemetery reserves the right to designate the type of memorial permitted in each section of the cemetery.

## **8.0 Mausoleum Regulations**

### **8.1 Purchase, sale and transfer of crypts and niches**

8.1.1 Plans or maps showing all crypts available for purchase shall be kept at the Cemetery Office. A copy of the plans or maps may also be kept at the sales office on the cemetery site. Should there be any discrepancy between the sales office plans or maps and those kept at the Cemetery Office, the documents kept at the Cemetery Office shall be considered correct.

8.1.2 The total crypt price, as listed with the Ministry of Consumer Services, includes: interment rights, care and maintenance fees, basic crypt memorialization, entombment of one (1) casket, opening of the crypt front for casket placement and sealing and closing of the crypt front.

8.1.3 No entombment shall be permitted until all payments due to the Cemetery have been made.

8.1.4 Purchase and transfer of entombment rights within the mausoleum(s) shall follow the rules and regulation as set out for interment rights in Section 4 of these By-laws.

### **8.2 Entombments**

8.2.1 Entombments within the mausoleum(s) shall follow the same procedure and restrictions as set out in section 4 of these By-laws.

8.2.2 Each crypt or compartment in the mausoleum is intended for the entombment of one (1) casket, unless the interment rights contract specifies more than one casket may be placed in the crypt. A cremation container, containing the cremated remains of one (1) individual, be placed in a crypt in addition to the casket, however, the cremated remains can only be placed prior to or

simultaneously with the interment of the casket. A specialized cremation container may be purchased from the cemetery office making it possible to inter cremated remains in a crypt at a time after the crypt has been used for a casket entombment. Regardless, no crypt can be used for the interment of more than one(1) casket and one (1) cremation container unless previous written arrangements have been made with the cemetery office. Written permission for the entombment of cremated remains within a crypt must be obtained from the Cemetery Office.

- 8.2.3 Remains which have been previously interred and are intended for entombment in the mausoleum must be delivered to the cemetery or mausoleum enclosed in a secure casket or other rigid container of a suitable size for placement in the designated crypt.
- 8.2.4 The Board of Directors may, from time to time, designate a crypt, crypts, or a compartment in the mausoleum as a “common crypt”. This crypt may be used for the interment of cremated remains at the discretion on the Board.

### **8.3 Care and Beautification of the Mausoleum(s)**

- 8.3.1 Flowers will be permitted only in the supplied vase unit. Flowers and flower arrangements must be of reasonable size and in no way obscure or extend over to adjacent crypts fronts. If the flowers or flower arrangements exceed the allowable size, the Cemetery reserves the right to remove them. Flowers placed anywhere other than in the supplied vase unit will be removed immediately.
- 8.3.2 Flowers that become unsightly will be removed by the Cemetery staff.
- 8.3.3 The adornment of the crypt front with any item other than those approved by the Cemetery Office is strictly prohibited. A list a approved items and the requirements for placement is available at the Cemetery Office.
- 8.3.4 Potted plants will not be permitted at the mausoleum(s).
- 8.3.5 The Cemetery will not be responsible for any loss of or damage to any articles placed at the mausoleum.
- 8.3.5 Candles or vesper lights (other than those approved by the Cemetery Office) are not permitted.

## **8.4 Memorialization and Lettering**

- 8.4.1 In order to preserve the appearance and uniformity of the mausoleum(s) all crypts and niches must be marked with lettering or memorials that are supplied by the cemetery and included in the cost of the crypt or niche. The style and type of memorialization and restrictions placed upon memorialization used for the mausoleum(s) will be available for viewing at the Cemetery Office or Cemetery site.
- 8.4.2 Additional lettering and ornamentation not included in the price of the crypt or niche will be permitted only as outlined by the regulations available at the Cemetery Office.
- 8.4.3 The contents of all lettering to be placed on any crypt or niche must be approved by the Cemetery Office.

## **9.0 Niches and Urns**

- 9.1 The total niche price, as shown on the Cemetery Price List, includes: interment rights, care and maintenance fees, niche memorialization (where applicable), entombment of one (1) urn, opening of the niche front for urn placement and closing of the niche front.
- 9.2 Only one (1) memorial urn may be placed in a niche unless the niche has been purchased with the written agreement that more than one (1) urn may be placed therein. All remains placed in a niche must be in a closed container.
- 9.3 Only memorial urns specifically intended for cremated remains may be placed in a niche.
- 9.4 The dimension of the urn must be so as to fit in the purchased niche. If the niche is intended for the entombment of more than one urn, 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 oversized or in any way inappropriate for use in the specified niche.
- 9.5 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) will be on display at the Cemetery Office.

- 9.6 Only artificial flowers will be permitted in the vase units on the memorial plaques. These flowers will be removed by Cemetery staff when they become unsightly. No flowers, real or artificial, wreaths, shrubs, herbage, or articles of any kind are to be placed or planted on or near the columbarium(s). The cemetery reserves the right to enhance the appearance to the columbarium(s).

# 10.0 Notes

*The By-laws for the Operations of St. Mary's Cemetery, All Saints Mausoleum, and Holy Cross Cemetery are approved for use by the Ministry of Consumer Services, Cemeteries Branch, of the Province of Ontario.*

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*Should you have any concerns regarding these By-laws, you are encouraged to contact the Operations Manager of the Cemeteries, or the Chairperson of the board in care of the following:*

**North Bay Roman Catholic Cemeteries  
132 Golf Club Road  
North Bay, Ontario  
P1B 9T8**

**Telephone: (705) 495-8986  
Fax: (705) 495-3667  
Web Site: [www.nbrcc.ca](http://www.nbrcc.ca)  
email: [info@nbrcc.ca](mailto:info@nbrcc.ca)**