

## CITY OF MORDEN POLICY & PROCEDURES MANUAL

<i>Section</i>	<i>Classification</i>
Parks and Urban Forestry	Policy
<i>Subject</i>	<i>Pages</i>
Lakeside Cemetery	10
<i>Authority</i>	<i>Effective Date</i>
Council	SEPT 25, 2023
<i>Approved</i>	<i>Index Number</i>
SEPT 25, 2023	PUF 008

### **PURPOSE**

The City of Morden shall operate and maintain its municipal cemeteries in such a manner to provide a peaceful resting place for loved ones that have passed on. The purpose of the cemetery policy is to ensure a service level standard, establish rules and regulations, and set forth the operational and administrative structure.

*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 along with interments under *The Public Health Act*, Dead Bodies Regulation.

### **LOCATION**

Lakeside Cemetery is located south of Morden along the west side of highway 432 with a legal description of Lot 6, Plan 47135 within NE 36-2-6W of the RM of Stanley and a civic address of 11102 PR 432. A location Map can be found in Schedule "G."

### **DEFINITIONS**

**"Administrator"** means City Manager or his/her designate.

**"At-Need"** means when funeral arrangements are made at the time of death, usually by the surviving members of the family.

**"Block"** means the division of a lot.

**"Casket"** means a coffin, or a box in which the body of a (1) deceased person is buried.

**"Caretaker"** means a city employee or contractor under the direction of the city given the duties for maintenance and care of the cemetery.

**"Cemetery"** means land that is set apart by the City and used as a place for the burial of human remains, including cremated remains.

**"Cemetery Staff"** means the person(s) hired by the City of Morden to care for the Cemetery.

**"City"** means the City of Morden.

**“Columbarium”** means an above-ground structure with niches designed for storing urns containing the ashes of human remains that have been cremated.

**“Concrete Runner”** means the permanent foundation providing a base for a monument.

**“Council”** means the elected Council of the City of Morden.

**“Cremated Remains”** means the ashes of a cremated human body.

**“Flat Marker”** means a flat lawn marker that is placed flush with the surrounding turf used for the name, date of birth/death and applicable messages.

**“Funeral Home or Funeral Director”** means an individual, firm, partnership or corporation who arranges funerals on behalf of their private clients.

**“Grave”** means a place of burial for human remains including cremated remains, within a plot in the Cemetery, but does not include a Columbarium.

**“Green Burial”** means bodies are prepared without the use of embalming, and may be buried directly into the earth. A cloth shroud or unfinished wood casket are acceptable means of covering prior to placement. Depth of burial must conform to the applicable provincial Acts and Regulations.

**“Headstone”** means the structure placed at ground level to mark the location of a grave, similar to monument.

**“Heir”** means a person legally entitled to the property of another upon that person’s death.

**“Infant”** means any person from 0 to 10 years of age.

**“Inherit”** means to come into possession of or receive especially as a right or divine portion; to receive from an ancestor as a right or title descendible by law at the ancestor’s death; to receive as a devise or legacy; to receive from a parent or ancestor by genetic transmission; to have turn or receive as if from an ancestor.

**“Interment”** means the burial of human remains or cremated remains in a grave, or in a columbarium niche. *Burial of a dead body must be made in such a manner as to allow the body to be completely covered by earth to a depth of at least three feet (0.91 m) as measured up to the level of the surrounding ground.*

**“Interment Fee”** means the charges for the opening and closing of a grave, use of lowering device, earth cover, and other necessary services.

**“Interment Rights”** means the right to use a plot or niche in the cemetery for burying human remains and erecting a suitable memorial, subject to policies established by the City of Morden.

**“Kin”** meaning ones family or relations.

**“Lot”** indicates the section of the cemetery.

**“Memorial”** means a tree, bench or other approved permanent structures placed in the cemetery.

**“Monument”** means an upright, pillow or flat style structure used to mark a grave location and contains the name, date of birth and date of death information.

**“Monument Dealer”** means individuals, firms, partnerships and corporations who manufacture, sell or install monuments, headstones, and or plaques.

**“Niche”** means a small compartment within a Columbarium designed for storing an urn containing the ashes of a cremated human body.

**“Plaque”** means an approved label to be placed on a niche or marker.

**“Perpetual Care”** means the preservation, improvement, embellishment, and maintenance, in perpetuity and in a proper manner of the Cemetery, plots, and niches in a Columbarium, provided by the City of Morden.

**“Plot”** means the division of a block and the area of land where the interment will take place.

**“Pre-Need”** means the funeral arrangements, including the purchase of a plot, niche or memorial occur prior to the death of an individual.

**“Rights Owner”** means the person who has purchased the right to use a plot or niche in the cemetery for burying human remains and erecting a suitable memorial, subject to policies established by the City of Morden.

**“Scattering”** shall mean the act of spreading cremated human remains over a designated area within the cemetery, with the knowledge and permission of the cemetery operator and in keeping with the cemetery regulations.

**“Scattering Garden”** are an area within the cemetery designated for the scattering of cremated human remains.

**“Urn”** means a container used to hold the cremated remains of a (1) deceased person.

## **RULES**

All persons are prohibited from writing upon, scratching, defacing, mutilating, willfully destroying, or injuring any monument, fence or other structure in or belonging to the Cemetery.

No person except a person authorized by the City shall pick flowers, either wild or cultivated, or damage or injure any tree, shrub or plant in the Cemetery. No person shall plant tree(s), shrub(s) or perennial flowers.

No vehicle is permitted to enter the Cemetery except through the regular entrances. No unauthorized person shall drive a vehicle over any part of the Cemetery except on the roadways 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. Cars and other vehicles shall be driven with care to a maximum speed limit of twenty (20) kilometres per hour.

No off-road vehicles, ATV's, snowmobiles, or dirt bikes are permitted in the Cemetery, except for city vehicles.

No person shall ride a bicycle on any Grave, or lean same against any Monument or Marker.

No person shall deposit or allow any object or possession to sit or rest in any manner on a Memorial.

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.

No person shall discharge any firearms, or disturb persons assembled for a burial, commit a nuisance, or behave in any indecent or unseemly manner in the Cemetery.

The City 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 policy.

The City reserves the right to designate special sections within the Cemetery and to impose restrictions including types of Memorials to be used.

The City 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 upon any Plot.

No alcohol, smoking, or drug use is permitted in the Cemetery.

The use of mylar, plastic or other non-biodegradable balloons and/or ribbon may not be left in the cemetery.

No person shall engage in any game or sport or discharge any type or form of fireworks in the Cemetery.

The Cemetery may only be used for Interment of human bodies or their cremated remains. No pets shall be interred in the Cemetery.

A plan of the Cemetery, including columbaria, shall be duly filed and kept on file in the City of Morden Civic Centre office.

## **PURCHASE AND CONVEYANCE**

Any person wishing to purchase a Plot, Niche or Memorial must proceed to the City of Morden Civic Centre office to pay for the selected Plot, Niche, or Memorial at such rates as are set out in Schedule "A".

Reservation of a plot prior to payment may only occur "at need" through an approved funeral director and establishment who are directly involved with the family for the funeral arrangements and have written approval from the City to proceed. In such cases, the funeral director may collect fees and make payment to the City.

Pre-need plot, niche or memorial purchases must be done through the City of Morden Civic Centre office. Upon receipt of payment in the proper amount, the City shall issue a Deed in the form set out in Schedule "F". No Plot, Niche or Memorial is reserved, no Interment shall be made, no deed may be given, and no monument or plaque may be installed or erected until all information is provided and all fees have been paid in full.

Any owner or inheritance of a plot, niche or memorial is prohibited from re-sale, transfer, exchange, or gift without the approval from the City accompanied by all required documents and all associated fees.

When a Plot, Niche or Memorial 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 Plot, Niche or Memorial shall be provided to the City at the time of purchase and will be recorded on the deed.

Fees to be paid for the purchase of Plots, Niches or Memorials in the Cemetery, for Interment or disinterment, and all related surcharges, shall be reviewed by Council from time to time, set out in Schedule "A" and may be revised by resolution of Council.

In the event where a purchased Plot, Niche or Memorial stays vacant for a duration of 99 years, the City reserves the right to re-open that Plot, Niche or Memorial for re-sale. No reimbursement will occur between the City and the original owner and no fee reduction will occur at the re-sale. The City will fill out the appropriate paper work and records indicating the removal of the original owner.

No transfer or gift of any Plot, Niche, or Memorial or any interest therein, will be accepted by the City until a duly executed application (Schedule "C") 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 or sale must be presented prior to the transfer taking place. Upon meeting all requirements, a new deed will be issued in the name of the new Owner.

Where a Lot, Plot or Niche is inherited, the new Owner must provide proof of ownership to the City 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 City.

Where an owner wishes to return an unused plot, niche or memorial they must complete the return form Schedule "D" and pay the associated fees. Any refund will be the original purchase price as stated on the original deed less the current administration fee.

Where an owner wishes to exchange an unused plot, niche or memorial they are subject to an additional administration fee as set out in Schedule "A" and approval by the City. Any price difference between the original purchased plot and the new exchanged plot will be calculated by the City.

All fees collected by the city for the cemetery operations and administration will be used solely for the maintenance, development, and improvement of municipal cemeteries operated by the City of Morden in perpetuity. (Cemetery Reserve Fund?)

## **INTERMENTS**

No cremated remains shall be interred or scattered on any public property, or otherwise than as set out in this Policy.

All Interments must be conducted in strict compliance with provincial and/or federal legislation.

Before Interment is allowed, all persons applying for an Interment in the Cemetery, whether as principals, agents or funeral directors, shall furnish to the City:

- an acknowledgement that the death has been registered.
- original cremation certificate &/or burial permit issued by the Event Registrar; and
- the personal particulars of the deceased person in the prescribed form, including:

the name and age of the deceased individual:

- the date of death and place of death
- the date of birth
- the Lot, Block, and Plot into which the deceased is to be interred, as well as the Owner's full name and the name of the funeral director
- the date and time of the Interment.

No plot shall be used for any other purpose than for the burial of human remains.

No interment shall be permitted in the Cemetery until it has been properly registered with the City.

Upon receipt of the information required, the City shall issue an Interment order and provide a designated City employee as authorization for Interment.

If a Lot is owned by two or more persons, an order for Interment in the Plot, or any part thereof, will be accepted by the City from any one of them or their personal representative.

Funeral directors are responsible for making the arrangements with the grave digger or columbarium niche opening. Also, ensuring that every casket or urn is closed and securely fastened before Interment can proceed; and must remain for the duration of the service and provide notice to the City as to the date and time of the interment or any changes to the date and time.

The City will make its best effort to ensure the location of interment is clearly marked, labelled or communicated prior to the pre-interment works. The City will be responsible for snow clearing the main road and parking area on a regular basis and will clear an interment area as needed.

The grave digger and or funeral home who has contracted the grave digger is responsible for the closing of the earth on top of the plot and the disposal of any excess material to a designated site.

Plots and niches shall be opened and closed only by person(s) approved by the City at the time the interment is registered under the supervision of the Parks & Urban Forestry Department or a Licensed Funeral Director.

The maximum number of interments permitted in a columbarium niche is two (2) urns of human ashes, Urns must be made of non-biodegradable bronze, marble, or granite for interment in a columbarium niche or Cemetery plot.

The number of options for interments in a **traditional plot** (5'x10') include the following:

- One full casket burial
- One full casket burial and one ash burial
- Two ash burials
- One Green Burial
- One Green Burial and one ash burial

The number of options for interments in a **cremation plot** (lawn area) (4'x4') include the following:

One ash burial

Two ash burials

The number of options for interments in the **columaria** include the following:

No more than 2 urns per niche (size of niche may vary which will determine the size of urn) Other sections include:

**Infant Plot** (up to 10 years of age)

**Green burials** only (naturalized space)

**Islamic**

**Ash Scattering Garden**

The City shall make available plots in the Cemetery for unclaimed bodies of deceased persons and for the bodies of indigent persons and the current fees for plot and interment shall be charged to the appropriate government agency which is liable for the burial of such indigent person. If so desired, the City may provide such plots at no cost.

No remains shall be disinterred or removed from the Cemetery for any purpose unless a Licensed Funeral Director is in charge, a disinterment permit has been issued by the Director of Vital Statistics, and disinterment has been registered with the City. All disinterment costs, including provincial and legal fees shall be borne by the person requesting the disinterment.

All disinterment's 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.

## **HEADSTONES, MONUMENTS, MARKERS AND PLAQUES**

No curbing, covering, fencing, ground cover (rocks, gravel, asphalt), plant material is permitted in, on or adjacent to a plot or memorial. No additional items or objects permanent or removeable are permitted to be placed at the plot, niche or memorial other than those approved by the city.

All headstones, monuments, markers and plaques shall be made from approved materials and be sourced from an approved monument dealer. The use of wood, concrete or glass is prohibited.

To maintain uniformity, a standard memorial plaque will adorn all Niches with the inscription layout and design as per City specifications. The plaques shall be ordered through a City approved supplier.

For traditional burial Lots (5' x10'), a 2' wide concrete runner will be used for the placement of the headstone. Each plot will be defined with an etched line 5' in length with the headstone placed equidistant from the edges of the width and length. Pillow, Upright and Flat style monuments are acceptable on the concrete runner and the monument base may not exceed 20 inches in width. Any styles of monuments other than those indicated must be approved by the City. The deceased's Name, DOB and DOD inscription shall be located on the east side of the upright monument or face east for a pillow or flat monument. In the case of a double traditional plot (10'x10') the double monument will also be placed in the center or equidistant from the edges of the width and length.

For the Lawn burial plots, only ash interments are permitted with flat markers placed flush with the surrounding turf. At time of installation, excavation is not to exceed the same surface area of the flat marker and the depth of the turf/soil to be excavated is 6-7inches. This depth allowance is to provide for 2-3 inches of compacted gravel that will be levelled into the space and the height of the granite flat marker to ensure it is flush with the surrounding turf.

For the Green burial lot, a raw wooden disk may be used to mark the burial site. Alternative markers must be approved by the city.

Tribute benches in the traditional plot sections that do not fit entirely onto the provided concrete runner will not be permitted. Please refer to the memorial tree and bench policy for bench options.

The City shall not assume any liability, responsibility, or costs incurred as a result of vandalism, damage, or loss to headstones, monuments, markers or plaques located in the Cemetery.

The City may remove any monument, headstone, marker, footing, grave covering, or curbing that becomes dilapidated, dangerous, or unsightly due to neglect, age, or a state of disrepair within 30 days after written notice has been forwarded to the person(s) listed on the deed (or their heirs) at the last known address. The City shall, in no way, be held responsible for failure to properly determine the legal successorship of the said plot owner.

No monument or headstone shall be delivered to the cemetery until the site is prepared and ready for immediate installation.

## **OPERATION AND MAINTENANCE**

The City reserves the right to full and complete control and management of the land, buildings, plantings, roadways, utilities, books and records of the Cemetery and complete authority to administer these regulations.

In the application of these regulations, all procedures will be conducted in accordance with applicable legislation and regulations of the Province of Manitoba.



If the enforcement of any regulation might cause hardship, the City may make exceptions to, or modify such regulations without notice but no such action shall be construed as limiting the general application of these regulations.

The City shall ensure all necessary Cemetery records are kept, including sale of plots, niches and memorials, names of those interred and all related dates, and all other data necessary for City records.

The city will maintain a publicly available cemetery map with search functions on the City of Morden website.

The operation and general maintenance of the cemetery is directed by the City.

All grave plots in the Cemetery shall be entitled to basic maintenance and care which includes leveling of the ground and the seeding and cutting of grass as required. It shall not include the maintenance, repair or replacement of monuments or markers.

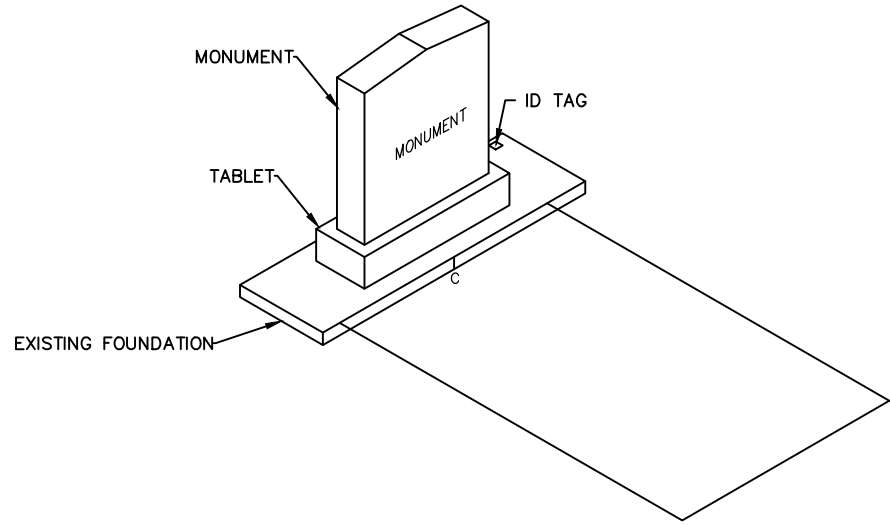
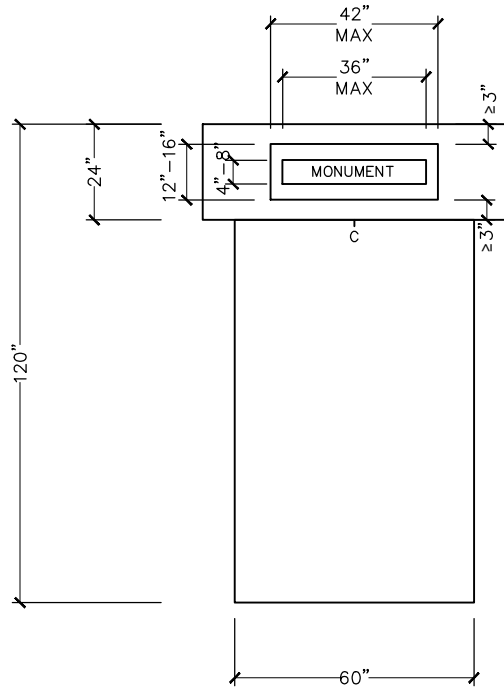
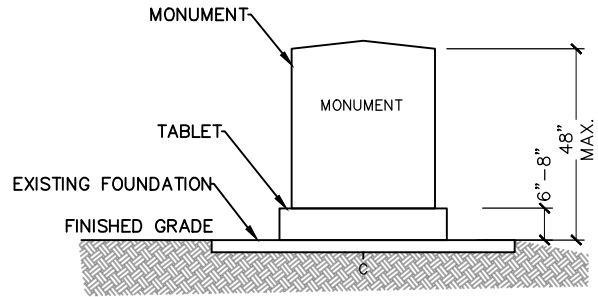
Cemetery Staff have the right to access onto any plot to carry out work or perform an interment on an adjacent plot.

The City may 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.

SCHEDULE "A" – LAKESIDE CEMETERY FEES 2023

Type	Dimensions(ft)	Cost	Allowances (max)
Traditional Plot	5'X10'	\$1,250	1 Full and 1 Ash
Double TP	10'X10'	\$2,500	2 Full and 2 Ash
Lawn Plot (ash)	4'x4'	\$800	2 Ash
Infant Plot	4'x4'	\$250	1 Full or 1 Ash
Niche (primary opening)	1'X1'X1'	\$2,500	2 Urns
Niche (second opening)		\$250	
Green Plot	5'X10'	\$1,000	1 Full
Ash Scattering Garden	N/A	\$400	1 Ash
Administration Fees		\$250	Transfer/Refund/Disinterment

\*all Monument and Plaque fees are not associated with the City of Morden Fee Schedule.



**City of Morden**  
*Planning and Engineering*

100-195 Stephen St.  
 Morden, MB R8M 1V3  
 Tel: (204) 822-4434  
 Fax: (204) 822-6494

CEMETERY PLOT  
 SINGLE PLOT DETAIL  
 UPRIGHT MONUMENT

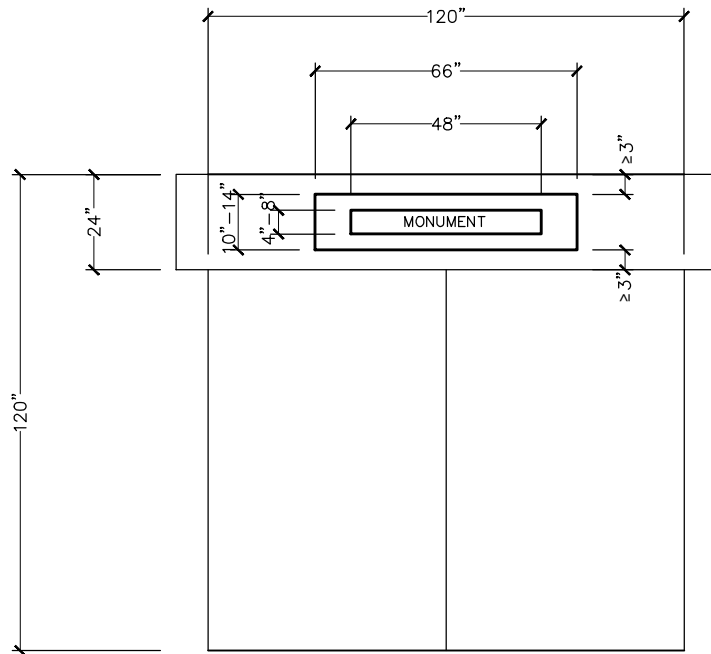
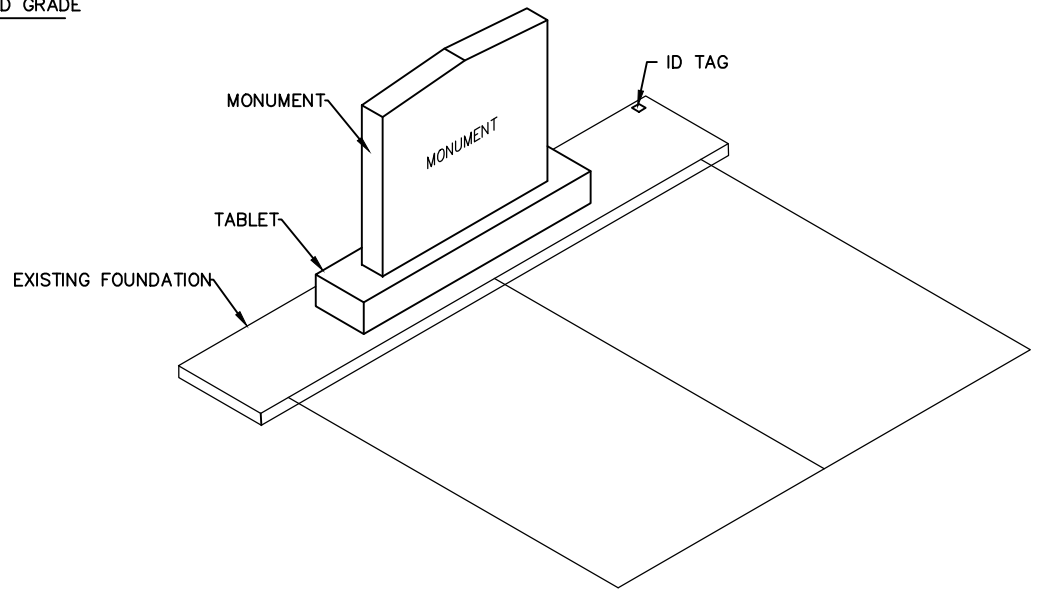
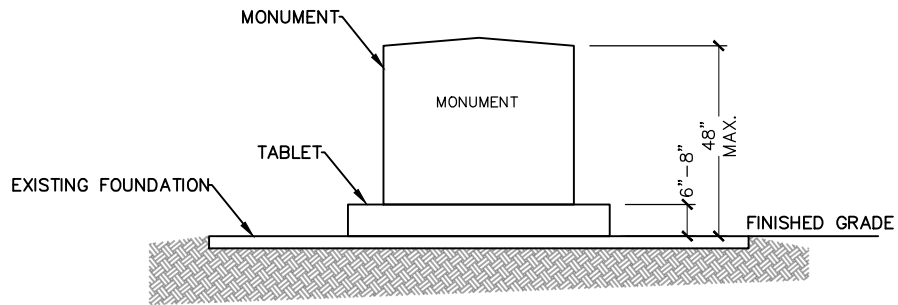
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DRAWING DATE

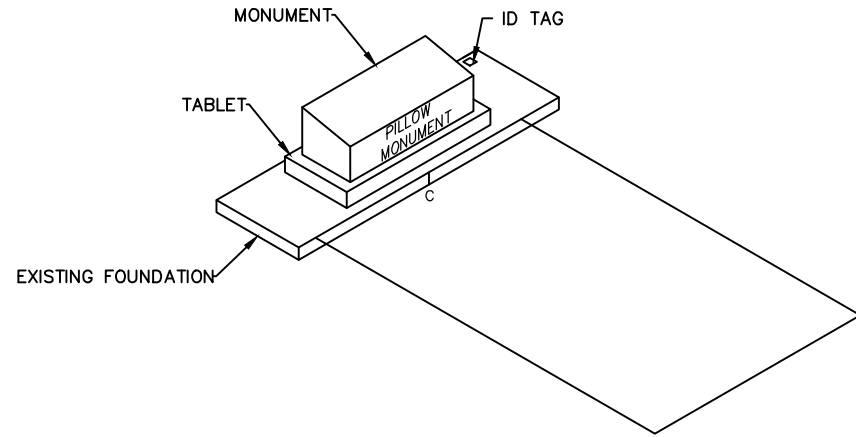
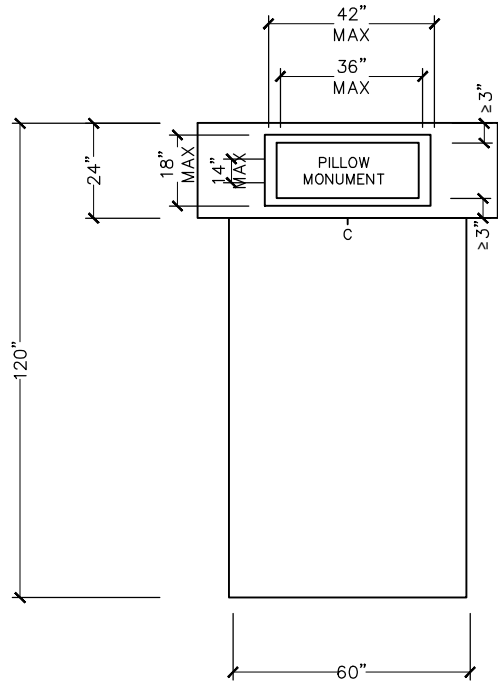
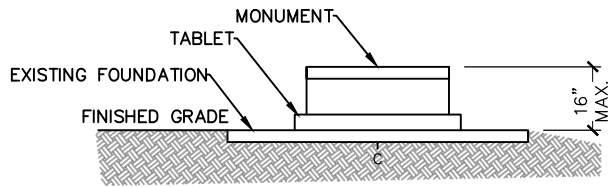
NOVEMBER 2023



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 Planning and Engineering  
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CEMETERY PLOT  
 DOUBLE PLOT DETAIL  
 UPRIGHT MONUMENT

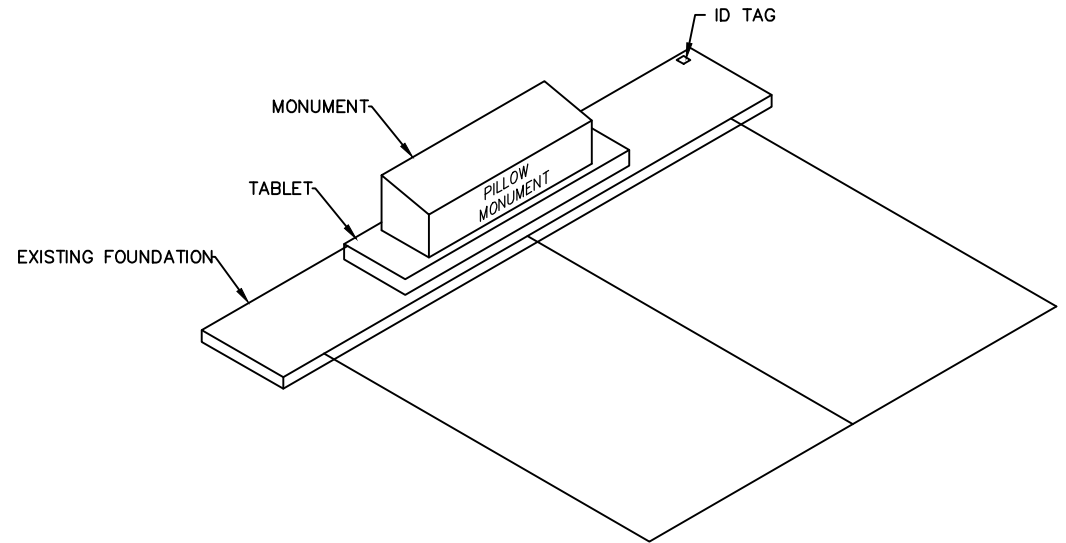
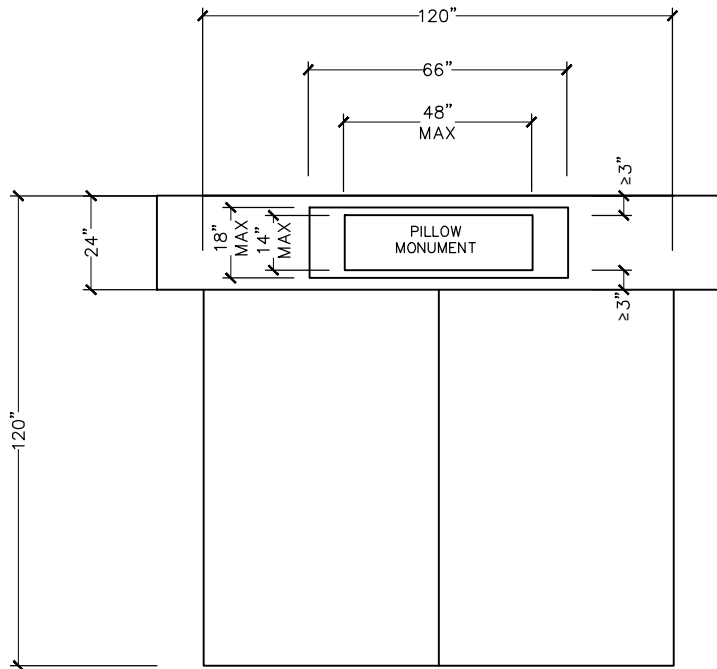
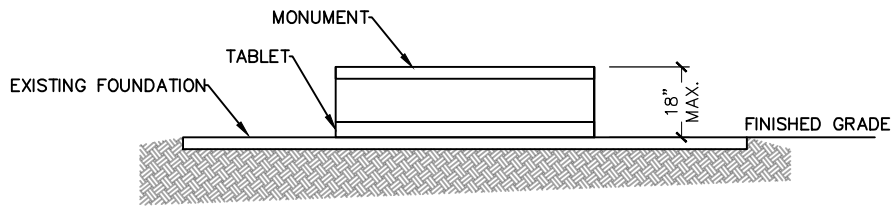
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DRAWING DATE NOVEMBER 2023



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CEMETERY PLOT  
 SINGLE PLOT DETAIL  
 PILLOW MONUMENT

SHEET ___ OF ___
DRAWING SCALE
NTS
DRAWING DATE NOVEMBER 2023



**City of Morden**  
 Planning and Engineering

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CEMETERY PLOT  
 DOUBLE PLOT DETAIL  
 PILLOW MONUMENT

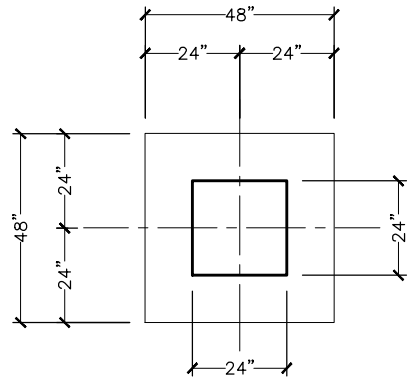
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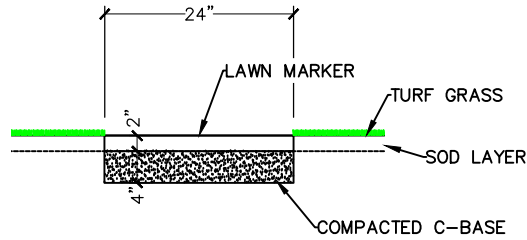
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NOVEMBER 2023



FLAT LAWN MARKER



FLAT LAWN MARKER  
CROSS SECTION

NOTES:

- Flat marker to be level with bottom of turf grass, on top of 4" compacted gravel
- Placed centred onto 4'x4' plot.
- Marker can be 16"x16" up to 24"x24" in size.



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CEMETERY PLOT  
 FLAT LAWN MARKER  
 SINGLE. DOUBLE.

SHEET \_\_\_ OF \_\_\_

DRAWING SCALE

NTS

DRAWING DATE

NOVEMBER 2023

CITY OF MORDEN

Lakeside Cemetery

**SCHEDULE "C" TRANSFER OF RIGHTS FORM**

Name of Applicant:	
Date of Application:	
Mailing Address of Applicant:	
Email Address of Applicant:	
Phone Number of Applicant:	
Location of deeded property:	<i>(block/plot/niche)</i>
Full Name of person to be interred:	
Relationship to person(s) on the deed:	



The following declaration is signed by the owner or all living heirs of the owner of the original deed:

We, (the family of)						herby give our
permission for						to be interred
in the above noted plot/columbarium niche.						

We understand the implication of the interment and how it affects the remaining number of interments available for the property.

We have read and understand the Lakeside Cemetery Policy document.

Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	



<b>For Office Use Only:</b>	
<input type="checkbox"/>	Copy of original plot sale is attached
<input type="checkbox"/>	City records have been updated
<input type="checkbox"/>	Administration Fee paid





CITY OF MORDEN

Lakeside Cemetery

**SCHEDULE "D" RETURN FORM**

Name of Applicant:	
Date of Application:	
Mailing Address of Applicant:	
Email Address of Applicant:	
Phone Number of Applicant:	
Location of deeded property:	
	<i>(block/plot/niche)</i>
Name of person(s) original purchase:	
Relationship to original purchase:	

The following declaration is signed by the owner or all living heirs of the owner of the I/We, (the family of) \_\_\_\_\_ herby declare our intent to return the above noted plot/columbarium niche to the City of Morden for a refund of \$ \_\_\_\_\_ being the equivalent of the original purchase price. I/We understand that all of our rights to the above noted property are now relinquished and the City of Morden may use ir resell the property at their discretion. I/We understand that the refund will be issued to the applicant as identified above.

Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	

<b>For Office Use Only:</b>			
<input type="checkbox"/>	Copy of original plot sale is attached		
<input type="checkbox"/>	City records have been updated		
<input type="checkbox"/>	Administration Fee paid		

CITY OF MORDEN

Lakeside Cemetery

**SCHEDULE "E" DISINTERMENT FORM**

Name of Applicant:	
Date of Application:	
Mailing Address of Applicant:	
Email Address of Applicant:	
Phone Number of Applicant:	
Location of disinterment property:	<i>(block/plot/niche)</i>
Name of person to be disinterred:	
Relationship to original purchase:	
New Interment Location:	<i>(block/plot/niche)</i>

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

We the family of \_\_\_\_\_ hereby give permission for \_\_\_\_\_ to be disinterred at the above noted description

and acknowledge the new interment location as noted above.

Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	
Print Name:		Signature:	

<b>For Office Use Only:</b>	
<input type="checkbox"/>	Copy of original plot sale is attached
<input type="checkbox"/>	City records have been updated
<input type="checkbox"/>	Administration Fee paid

CITY OF MORDEN

Lakeside Cemetery

**SCHEDULE "F" OWNERSHIP DEED**

Name of Owner:	
Date of Purchase :	
Mailing Address of Owner:	
Email Address of Owner:	
Phone Number of Owner:	
Location of deeded property:	<i>(block/plot/niche)</i>
Full Name of person to be interred:	
Full Name of person to be interred:	

The Owner and the Owner's kin shall have, hold and have the use of the above noted deeded property location, provided always that the premises shall be used for the purpose of interment only, and are subject to all provincial laws, by-laws and policies set out by City of Morden in relation to Lakeside Cemetery.

We have read and understand the Lakeside Cemetery Policy document and acknowledge the number of interments permitted on the deeded property.

Print Name:		Signature:	
Print Name:		Signature:	

<b>For Office Use Only:</b>
<input type="checkbox"/> Copy of original plot sale is attached
<input type="checkbox"/> City records have been updated
<input type="checkbox"/> Fee paid

# CITY OF MORDEN CEMETERIES

