



MISSISSAUGAS OF THE NEW CREDIT FIRST NATION
CEMETERY POLICY
2017/18

FIRST LINE ROAD CEMETERY
TOWNLINER ROAD CEMETERY

Revised and accepted at November 6, 2017 I & D Council meeting

For information and forms contact
MNCFN Public Works Department
agimaw gamig (Administration Building)
2789 Mississauga Road
Hagersville, Ontario
N0A 1H0
905-768-1133

| <u>Table of Contents</u> | <u>Page</u> |
|--|-------------|
| 1.0 Purpose of the Policy | 3 |
| 2.0 Reserving or Purchasing of Lots | 3 |
| 3.0 Transferring of Purchased or Reserved Lots | 3 |
| 4.0 Interments and Disinterment | 4 |
| 5.0 Care of Lots | 5 |
| 6.0 Monuments and Markers | 6 |
| 7.0 Rules for Monument Dealers, Contractors, Workmen and Individuals | 6 |
| 8.0 Rules for Visitors | 7 |
| 9.0 Further Information | 7 |
| 10.0 Definitions | 8 |
| 11.0 Appendices: | |
| “A” - Cemetery Lot Agreement | 9 |
| “B” - Transfer Form | 10 |
| “C” - Cemetery Committee | 11 |
| “D” - Burial Form | 12 |
| “E” - Grave Cover | 13 |
| “F” - Trees/Shrubbery Plantings | 14 |
| “G” - Extent of Plantings | 15 |
| “H” - Flower Beds | 16 |
| “I” - Foundation of a Monument or Marker | 17 |
| “J” - Placement of Marker | 18 |
| “K” - Marker Size | 19 |
| “L” – MNCFN Niche Inscription Form | 20 |

MISSISSAUGAS OF THE NEW CREDIT FIRST NATION BAND COUNCIL

Note: Definitions are provided for all words and/or phrases of words in bold and italics.

1.0 PURPOSE OF THE POLICY

The purpose of the Cemetery Policy is to provide direction to the Mississaugas of the New Credit First Nation (**MNCFN**) community and family members for the respectful burial of every deceased person who will be buried at any MNCFN **Cemetery**.

2.0 RESERVING OR PURCHASING OF LOTS

Lots may be reserved or purchased from the MNCFN at the Administration Building as per the following criteria:

- a) MNCFN Registered **Band Members** have the right to reserve a **lot** and be buried at any MNCFN Cemetery at no charge.
- b) A non band member may purchase a lot to be buried at any MNCFN Cemetery at a cost of \$500.00.
- c) A non band member must have family ties within the MNCFN band membership.
- d) Individuals and/or families who have reserved or purchased lots at any MNCFN Cemetery acquire the right to construct or place monuments, subject to the rules and regulations of this policy.
- e) Individuals and/or families who have reserved or purchased a lot and paid in full shall be entitled to a **Cemetery Lot Agreement (Appendix "A")**.
- f) The Cemetery Lot Agreement shall specify the size of the lot, the number of the lots reserved or purchased the lot number and date of the cemetery plan and the amount paid.
- g) A non member who has purchased a lot may receive a full refund if they choose to withdraw their request to be buried at a MNCFN Cemetery. The request must be submitted in writing to the PW Department within 5 years of the purchase date. After 5 years, no refund will be paid out.

3.0 TRANSFERRING OF RESERVED OR PURCHASED LOTS

Reserved or purchased lots are allowed to be transferred to another individual or family provided all criteria in Section 2.0 are satisfied. In addition:

- a) A **transfer form (Appendix "B")** containing: full name, current address, current telephone number, lot number and a reason for requesting the transfer of both parties, is submitted into MNCFN and approved by the **Cemetery Committee (Appendix "C")**.
- b) If the Cemetery Committee has approved the transfer; a copy of all documentation will be signed, dated and will be retained on file at the Administration Building.
- c) If the Cemetery Committee has not approved the transfer; a written correspondence will be returned to both parties stating the reasons within ninety (90) days from the date of the application.
- d) In case of **intestacy**, the MNCFN will recognize the family representative or the executor responsible for the estate of the deceased.
- e) In the event of a lot transfer from a band member to a non band member, the fee of \$500.00 will apply.
- f) In the event of a lot transfer, the original 'Cemetery Lot Agreement' will be returned to the MNCFN Public Works Department.

4.0 INTERMENT AND DISINTERMENT

MNCFN will request that every family forward a representative or executor who will be responsible to act on behalf of the family and will be responsible for the following:

Interment permission

- a) Apply for and obtain a **burial form (Appendix "D")** that will be issued by a Funeral Director from a qualified funeral home. The burial form will show that the death has been registered and a copy given to the MNCFN Public Works Department before interment can take place.
- b) A written statement with: the full names, place of birth, late residence (with last known street address), age, date of death, place of death, current address for next of kin, time of interment, location of lot in cemetery, full name of funeral director and medical attendant.
- c) Submit a copy of the full specifications on the **casket, vault** and/or **urn** into the MNCFN Public Works Department.
- d) Verbal requests for interment will not be accepted.
- e) To order the lot and be responsible for charges incurred by the family.
- f) Be accountable to the family and responsible for maintaining the communication lines between joint lot owners and the MNCFN.
- g) An interment, disinterment and cremation burials shall be allowed in any MNCFN cemetery only between the hours of 9:00 am to 5:00 pm, unless by permission of MNCFN Council.

Interment

- a) Notice of interment shall be given to the MNCFN no less than twenty-four (24) hours prior to the interment taking place, except under **special circumstances**.
- b) No **grave**, vault and/or urn shall be opened for burial or disinterment by any person other than the family representative or executor.
- c) Every grave shall be of sufficient depth to give a covering of at least three feet (3'-0") of earth over the outside cover or shell of the coffin or other receptacle (**Appendix "E"**).
- d) Not more than (1) adult interment may be made in the same lot (standard vault/casket). Adult shall mean eighteen (18) years of age or older for the purpose of this policy, except under special circumstances.
- e) No animals shall be buried in any MNCFN cemetery.
- f) Funeral processions within the cemetery shall follow the existing roadway.

Disinterment

- a) No disinterment shall be made without the written consent of MNCFN Council, the local medical officer of health except on an order from the court or as provided in the Regulations under the Cemeteries Act, (R.S.O. 1970, O.r. 80).
- b) The remains of persons dying from smallpox, scarlet fever, measles, diphtheria, croup, bubonic plague, cholera, epidemic cerebrospinal meningitis, or epidemic anterior poliomyelitis, shall not be disinterred except in accordance with the requirements of The Cemeteries Act and the regulations under the Public Health Act.

Cremation

- a) Cremation burial is allowable and must have 1½ feet of cover and must be recorded with the MNCFN Public Works Department at the Administration Building.
- b) Cremation Burial- Designate an Area permissible in a lot- Max 4 ft
- c) A maximum of 4 cremation interments allowed in a full size occupied lot.

Columbarium

- a) Niches are for MNCFN status members, spouses and the children of the members only
- b) Niches cannot be reserved
- c) Niches will be assigned by the MNCFN Public Works Department. Assignment of the niches will begin on the west side of the columbarium in the left hand corner (Column A Row 1) and will progress from top to bottom for each row. The front panel will be assigned first.

- d) Payment for the inscription on the niche plaque must be paid prior to the niche being opened; the cost of which is \$500.00
- e) Inscriptions on each niche plaque will be arranged by the MNCFN Public Works Department to ensure uniformity & that specifications are met. A form for inscription (Appendix L) will be provided by the Public Works office.
- f) Only live cut flowers may be displayed on the ground in front of the niches. These will be removed when they become unsightly
- g) Potted plants may not be left
- h) No items may be attached to the outside of any niche
- i) Only the Public Works Assistant or the Infrastructure Maintenance Worker or designate is permitted to open and/or close a niche.

5.0 CARE OF LOTS

Family members, friends of the family, representatives and/or executors may undertake the general care of the lot.

- a) April 15th to October 15th real plants and flowers may be used.
- b) October 15th to April 15th artificial plants and flowers may be used.
- c) Trees/shrubbery planting is allowable with a maximum growth of 3'-0" in height and 1'-6" in diameter. (**Appendix "F"**)
- d) Real or artificial plantings must not extend beyond the specified area of the lot. (**Appendix "G"**)
- e) Real or artificial plantings must not interfere with the maintenance of the cemetery grounds.
- f) Real or artificial plantings clearly infringing upon and detrimental to the adjacent lots, drainage, roads, or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public will be removed.
- g) Flower beds not exceeding 1'-6" in width shall be permitted around the bases of monuments and where there is no monument, can only be made by permission of and under the supervision of the Public Works Department. (**Appendix "H"**)
- h) No person shall do any other work upon a burial lot without the permission of the Public Works Department.
- i) Flower beds are required to be cleared of tender plants after the first frost in the autumn. Lot owners desiring to take any plants away should do so before their removal becomes necessary. To ensure that there is no unauthorized interference with flowers or decorations upon the graves or elsewhere in the cemetery, it is necessary to secure permission from the Public Works Department before removing flowers, plants, ribbons or other articles from the graves or lots. In order to assist the MNCFN to protect the graves; owners and relatives are asked to observe this rule.
- j) Vases, urns and flower stands not properly cared for and not filled with plants by the twentieth of June in any year may be removed from the lot; and any stand, holder, vase or other receptacle for flowers deemed unsightly or unsuitable may be prohibited or removed by the Public Works Department.
- k) The erection hereafter of borders, fences, railings, walls and hedges is prohibited in or around lots.
- l) Rubbish shall not be thrown out on roads, walks, or any part of the grounds. Receptacles are provided at convenient points on the grounds for the deposit of weeds, decayed flowers, plants, etc.
- m) No lot owner shall change the grading of his lot, and in case of any such change, the Public Works Department may restore the lot to its original grade at the cost of the family representative.
- n) No unauthorized person shall make any walk; cut any sod or move corner posts or grave markers in the cemetery.
- o) The MNCFN shall not be responsible for loss of or damage to any portable articles left upon any lot or grave.
- p) Any funds received from the **Last Post Fund** will be used to maintain the cemetery and be considered the Care & Maintenance Fee

6.0 MONUMENTS AND MARKERS

For the purpose of this policy, a monument shall be understood to mean any permanent memorial projecting above ground level or marker level with the ground. Traditional beliefs and burials will be respected and permitted with consultation with the MNCFN Council.

- a) The foundation of a monument or marker must be six (6) inches larger than the largest part of the base of the monument or marker and be placed normally at the Western end of a grave (**Appendix "I"**).
- b) Monuments to be erected by or for lot owners shall be set up on adequate concrete foundation and shall not be less than 3'-0" in depth or the full depth of the grave.
- c) Not more than one monument shall be erected on any one lot, and this must be placed in the space reserved for it unless special permission is given by the MNCFN Council for placing it otherwise.
- d) All markers and monuments shall be constructed of granite, bronze, or, any other durable material. Marble is not acceptable as it is a soft material and susceptible to erosion and machinery damage. The bottom bed of all foundations and markers shall be cut level and true.
- e) No inscription shall be placed on any monument which in the opinion of the MNCFN Council is not in keeping with the dignity and decorum of the cemetery.
- f) One marker with a flat and level surface set flush with the ground may be placed at each grave in addition to the monument. The marker may be placed at the end of the grave farthest from the monument. (**Appendix "J"**)
- g) Markers or **footstones** of marble or granite are permitted but must not exceed twelve (12) by eighteen (18) inches with a depth of three (3) to five (5) inches. The upper surface must be flat with no projections and shall be set level with the ground surface. (**Appendix "K"**)
- h) If any monument or other structure, or any inscription be placed in or upon any lot which shall be determined by the MNCFN Council to be improper, may enter the cemetery and remove the said improper object or objects at the cost of the family representative.
- i) Public Works Department shall be required to keep ground only in a safe condition. All stones and monuments that may be defective shall be laid flat until the same can be repaired by the family representative.
- j) When any monument, gravestone, or memorial of any kind is to be removed, or any inscription made or cleaning done, permission shall be obtained from the Public Works Department. Application for such permission shall be made in writing by the family representative/owner of the lot, with a description of the work proposed.

7.0 RULES FOR MONUMENT DEALERS, CONTRACTORS, WORKMEN AND INDIVIDUALS

Contractors and/or individuals employed to erect monuments or any other work in the cemetery, shall comply with the following:

- a) Present an application to the Public Works Department, signed by the lot owner or the family representative, requesting permission to employ such contractor or individual to do the work herein specified. This application shall designate the section and lot.
- b) Contractors, masons and stone-cutters shall lay planks on the lots and paths over which heavy materials are to be moved, in order to protect the surface from damage.
- c) Workmen shall cease work if in the immediate vicinity of a funeral and retire to a secluded area of the cemetery until the conclusion of the service.
- d) All work must be done during Public Works Department's regular working hours (Monday to Friday, 8:30am- 4:30pm), unless by special permission of the Public Works Department.
- e) No work shall commence on Saturday that cannot be finished, and the litter and debris removed, by the end of that day.
- f) Heavy loads shall not be permitted in the cemetery when the roads are in an unfit condition.
- g) No monumental work shall be delivered at the cemetery until the foundation is completed and the contractor is ready to proceed with the work of erection.

- h) All implements and materials used in the performance of any work shall be placed where the Public Works Department may direct, and all rubbish and surplus earth shall be removed in such manner and at such time and to such place as the Public Works Department may order. Otherwise the obstructions will be removed, and the expense charged to the contractor.
- i) Any workmen who damages any lot or structure, or otherwise does any injury in the cemetery, shall be personally responsible for such damage or injury, and in addition thereto, the contractor shall be liable therefore.

8.0 RULES FOR VISITORS

Visitors are always welcome at the cemetery during the open hours and are asked to respect the grounds, deceased and traditional beliefs. In addition will comply with the following:

- a) No parades, other than funeral processions shall be admitted to or be organized within the cemetery, without permission of the MNCFN Council.
- b) Children under the age of twelve (12) years are recommended to be accompanied by an adult, who shall be responsible for their good conduct.
- c) Vehicles within a cemetery shall be driven at a moderate rate of speed and shall not leave the driveway.
- d) Discharging of firearms, other than in regular volleys at burial services is prohibited in and around the cemetery.
- e) No animals off leash shall be allowed in the cemetery.
- f) No parties shall be permitted in the cemetery grounds.
- g) All persons, with the exception of lot owners who may do so from their own lots only, are prohibited from taking flowers, plants or other materials from lots or graves in the cemetery or from picking any flowers, either wild or cultivated, or breaking any tree, shrub or plant; or writing upon, defacing or injuring any monument, fence or other structure within or belonging to the cemetery; or from making any paths or short cuts across any part of the cemetery.
- h) Any complaints by lot owners or visitors should be made in writing to the Public Works Department and not to workmen on the grounds and controversies with workers or others on the grounds are to be avoided.
- i) Gratuities can be made at the First Nation Band Administration Building.
- j) Any person disturbing the quiet and good order of the cemetery by noise or other improper conduct or who violates these rules, may be expelled from the grounds.

9.0 FURTHER INFORMATION

Any questions or requests for further information and forms mentioned within this policy can be obtained at the Public Works Department, agimaw gamig (Administration Office). (905) 768-1133.

10.0 DEFINITIONS

"MNCFN" shall mean the Mississaugas of the New Credit First Nation.

"Band Member" shall mean a registered band member of the Mississaugas of the New Credit First Nation.

"Cemetery" shall mean New Credit 1st Line Cemetery and New Credit Townline Cemetery.

"Lot" shall mean any plot or grave space containing 40 superficial square feet or more.

"Intestacy" shall mean a band member who passes away without making a will.

"Casket" shall mean a coffin.

"Vault" shall mean a strengthened compartment to secure the coffin.

"Urn" shall mean a sealed vase in which the ashes of the deceased are kept.

"Grave" shall mean any burial space of sufficient area for one (1) opening for an adult, and having a minimum size of eight (8) feet by three (3) feet.

"Records" shall indicate the party or parties listed in the records of the cemetery as reserved or actual burial of a grave or lot.

"Plan" shall mean the plan of the cemetery, approved by the Mississauga's of the New Credit First Nation.

"Agreement" shall mean the recording of the cemetery plan layout of future grave(s) or lot(s).

"General Maintenance Account" shall mean that account which has been set aside for maintenance of the cemetery and for services rendered in connection with its operation as directed by the Mississaugas of the New Credit First Nation.

"Monument" shall mean any permanent memorial projecting above ground level or marker level with ground.

"Marker" shall mean any stone of granite or marble, set flush with the surface of the ground, and used to mark the location of a grave.

"Footstones" shall mean a memorial stone placed at the foot of a grave.

CEMETERY POLICY
MNCFN

2011/2012

Page 9 of 12

Appendix "A"

CEMETERY LOT AGREEMENT

I/we _____ agree to purchase/reserve _____

burial plot(s) at the MNCFN First Line Cemetery, identified as: _____

at the agreed price of \$ _____ per plot, for a total of \$ _____.

No charge for MNCFN Band Members

MNCFN hereby acknowledges payment of a down payment in the sum of \$ _____. The unpaid balance of will be paid in full within ninety (90) days.

Purchaser acknowledges that no burial may occur in the above-described burial plots until payment is made in full to MNCFN. Seller agrees that the above-described burial plots will not be sold to any other person during the payment period of this agreement.

Purchaser agrees to abide by the Cemetery Policy of the First Line Cemetery. Seller agrees that upon payment of the above-described sums, that Seller will assign Purchaser a certificate of license to bury in the above-described burial plot.

Purchaser may accelerate payments under this agreement.

Purchaser acknowledges that failure to make payments as set forth above will result in a loss and forfeiture of all payments made, and will permit Seller to resell the burial plots which are the subject of this agreement.

Dated this _____ day of _____, 20____.

Mississaugas of the New Credit First Nation

Purchaser #1 (Print Name)

Purchaser #2 (Print Name)

Purchaser #1 (Signature)

Purchaser #2 (Signature)

Address, Province, Postal Code

Address, Province, Postal Code

Daytime Telephone Number

Daytime Telephone Number

Evening Telephone Number

Evening Telephone Number

Appendix "B"

TRANSFER FORM

Transferor (Print Name)

Receiver (Print Name)

Transferor (Signature)

Receiver (Signature)

Address, Province, Postal Code

Address, Province, Postal Code

Daytime Telephone Number

Daytime Telephone Number

Evening Telephone Number

Evening Telephone Number

Lot Number and Reason for Transfer

Appendix “C”

CEMETERY COMMITTEE

The Cemetery Committee is composed of:

Two (2) MNCFN Public Works Department Staff members:

Infrastructure Maintenance Worker

Public Works Assistant

Three (3) community members

Three (3) MNCFN Councillors

For all information, forms and questions, please contact the Public Works Department at:

agimaw gamig (Administration Building)

2789 Mississauga Rd.

Hagersville, Ontario

N0A 1H0

Phone number – 905-768-1133

Fax number – 905-768-1225

Infrastructure Maintenance Worker: cell # 905-971-2981

Public Works Assistant: extension 237

Appendix "D"

BURIAL FORM

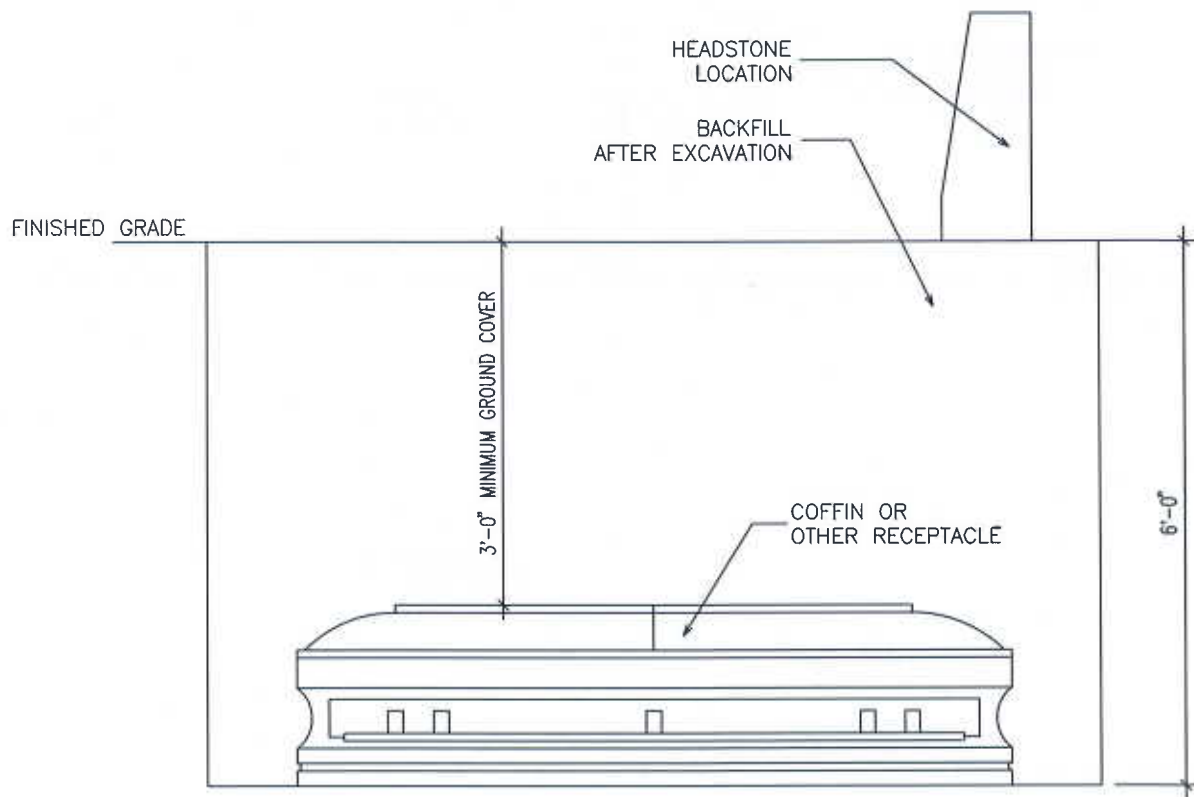
Name of Deceased

Funeral Director (Print Name)

Funeral Director (Signature)

Date of Death Registered

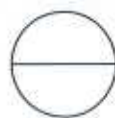
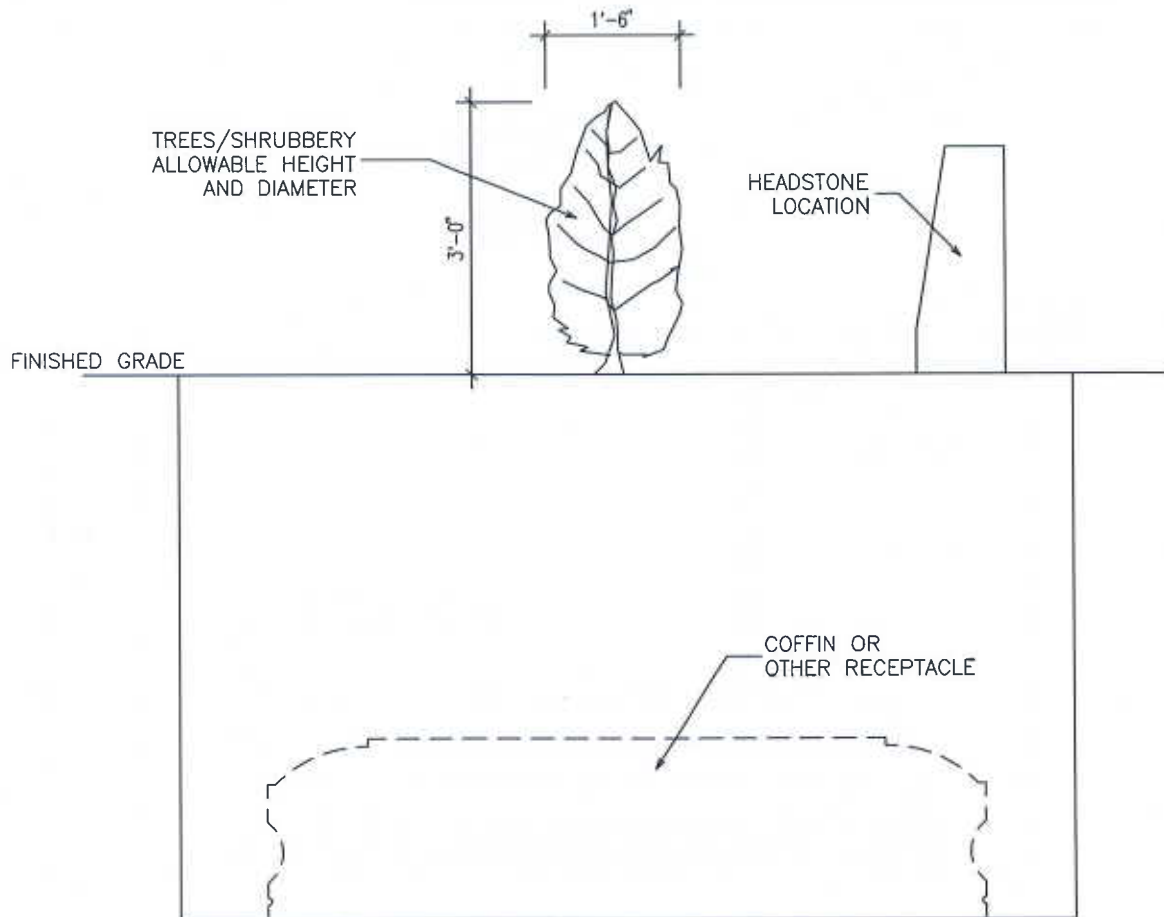
A copy of the Official Death Certificate is to be submitted by Funeral Director.



MINIMUM GROUND COVER (SECTION)
1/2"x1'-0"



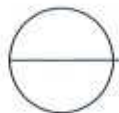
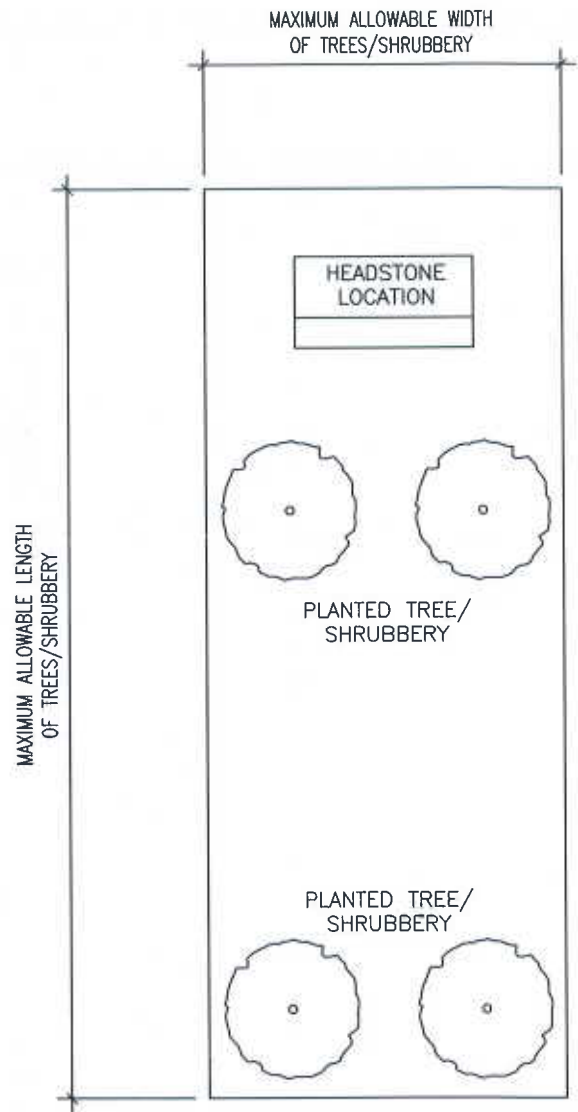
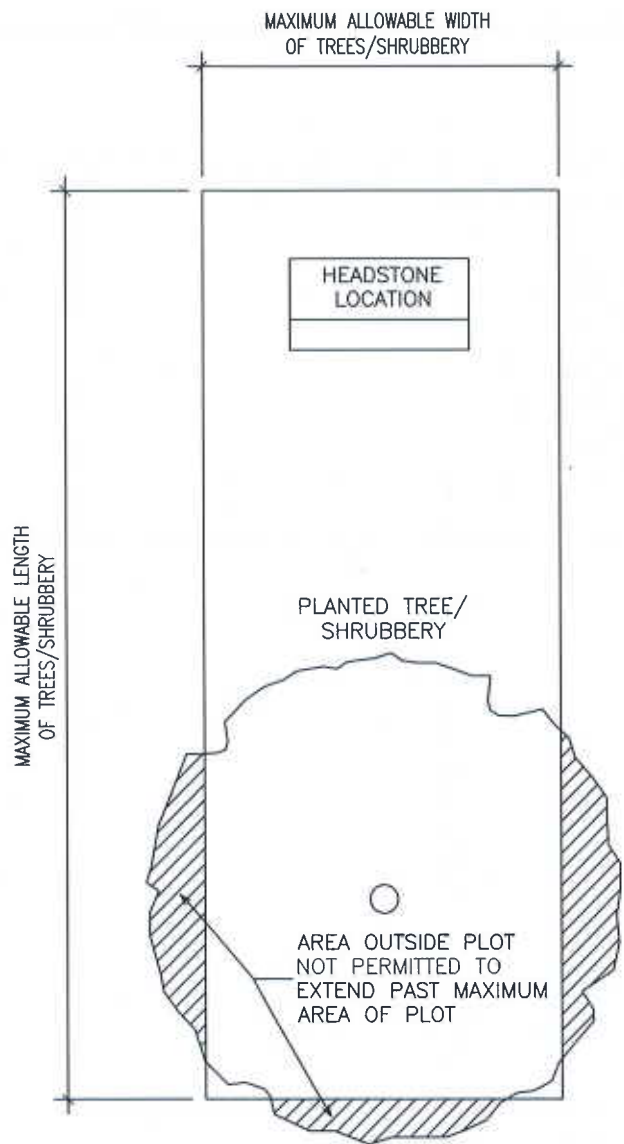
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| REVISIONS | NO. | DATE | | |
| DRAWING NAME | | | PROJECT NO. | DRAWING NO. |
| APPENDIX "E" | | | | |



TREES/SHRUBBERY PLANTINGS
1/2"=1'-0"



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| | | | DATE | |
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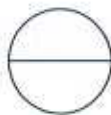
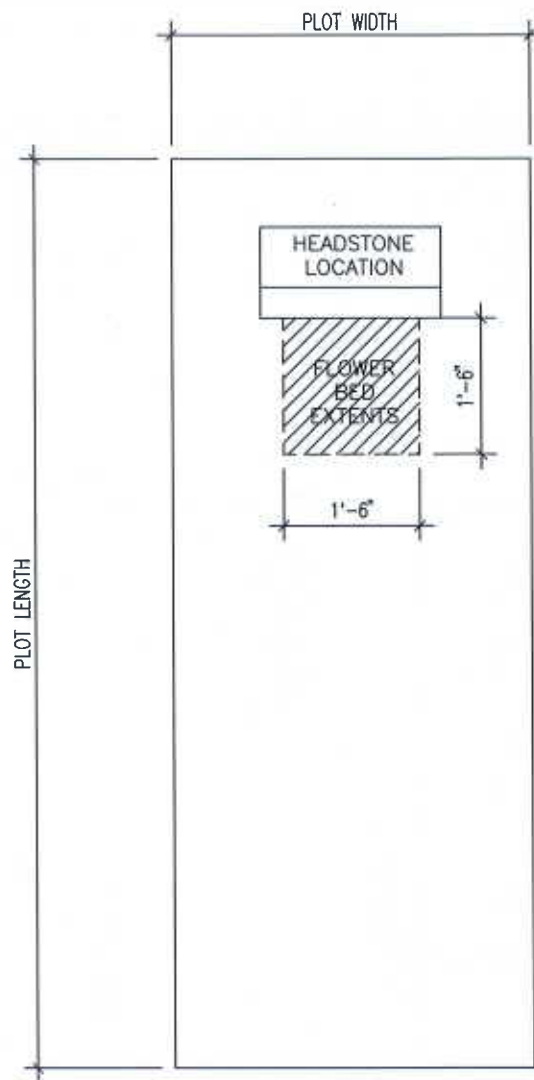
NOT ALLOWED FOR PLANTINGS
1/2"=1'-0"



ALLOWED FOR PLANTINGS
1/2"=1'-0"



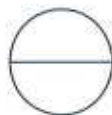
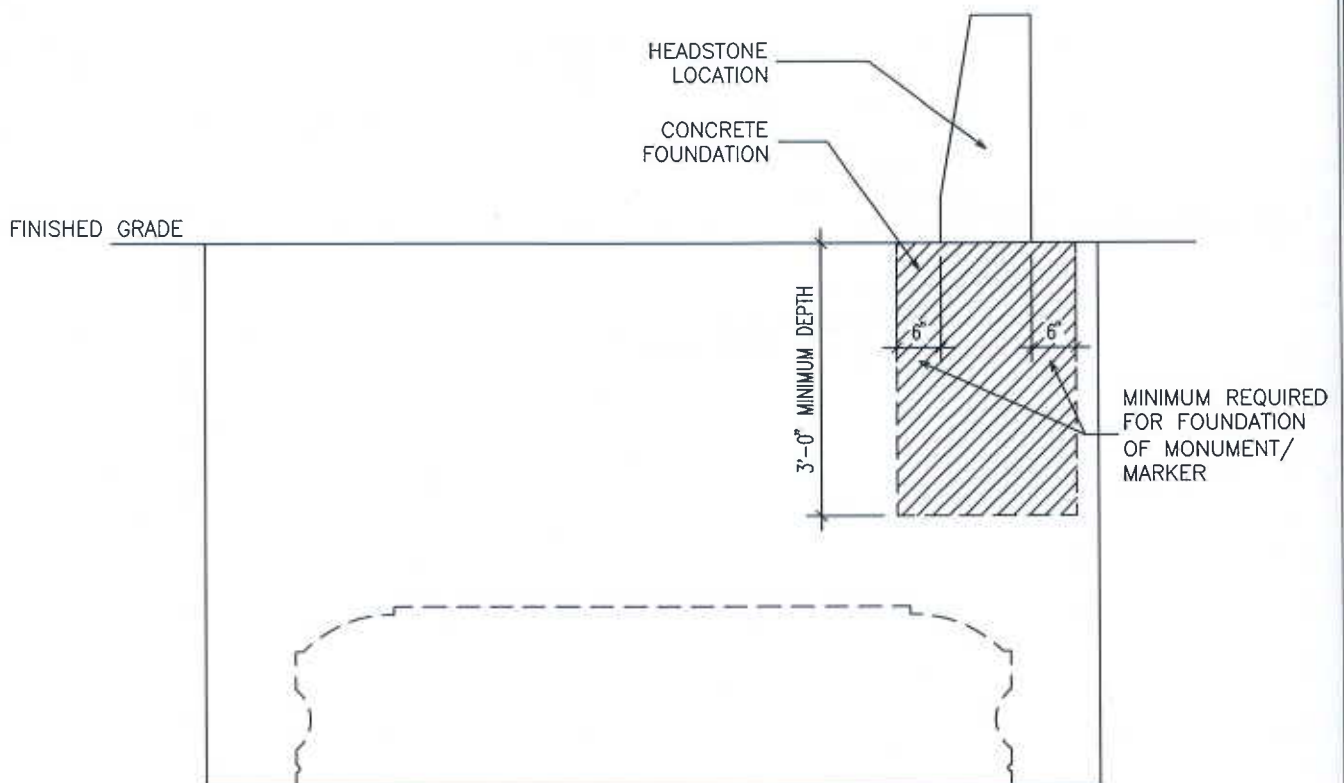
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| APPENDIX "G" | | | | |



MAXIMUM ALLOWABLE FLOWER BED SIZE
1/2"=1'-0"



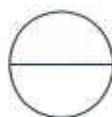
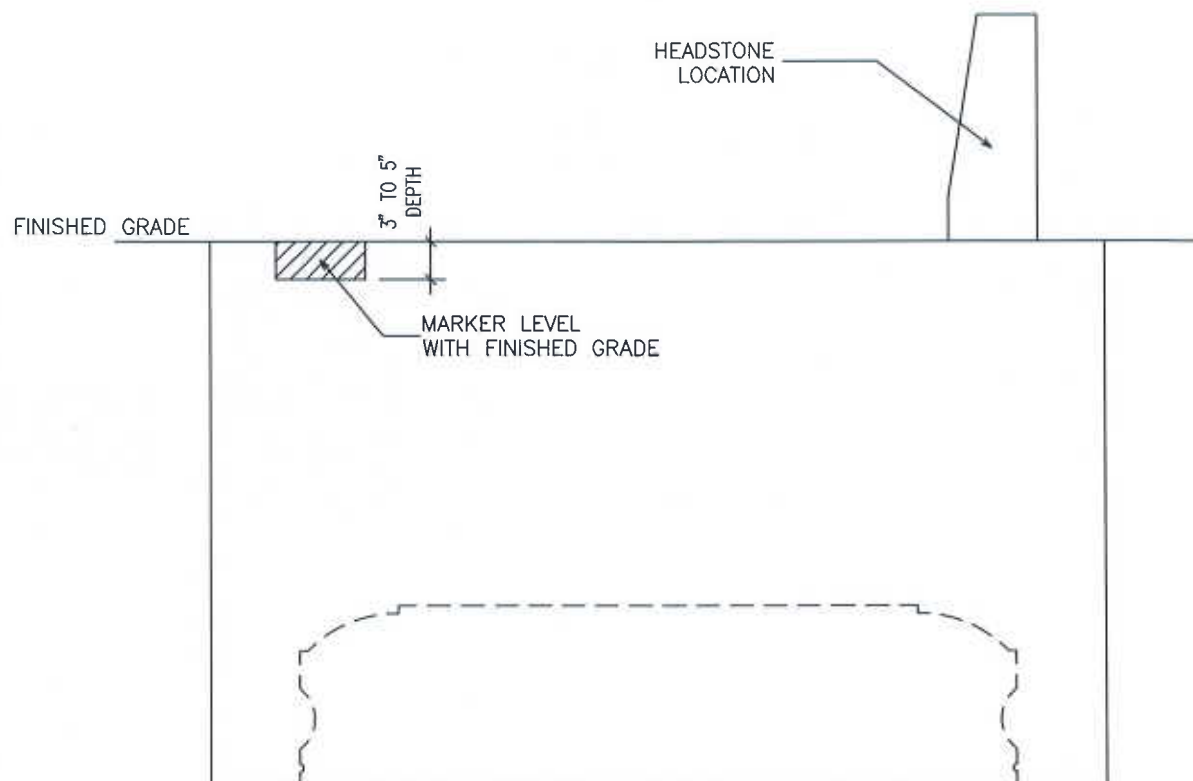
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FOUNDATION OF A MONUMENT/MARKER
1/2"=1'-0"



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|--------------|-----|------|-------------|-------------|
| | | | DATE | |
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| APPENDIX "I" | | | | |

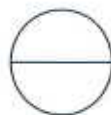
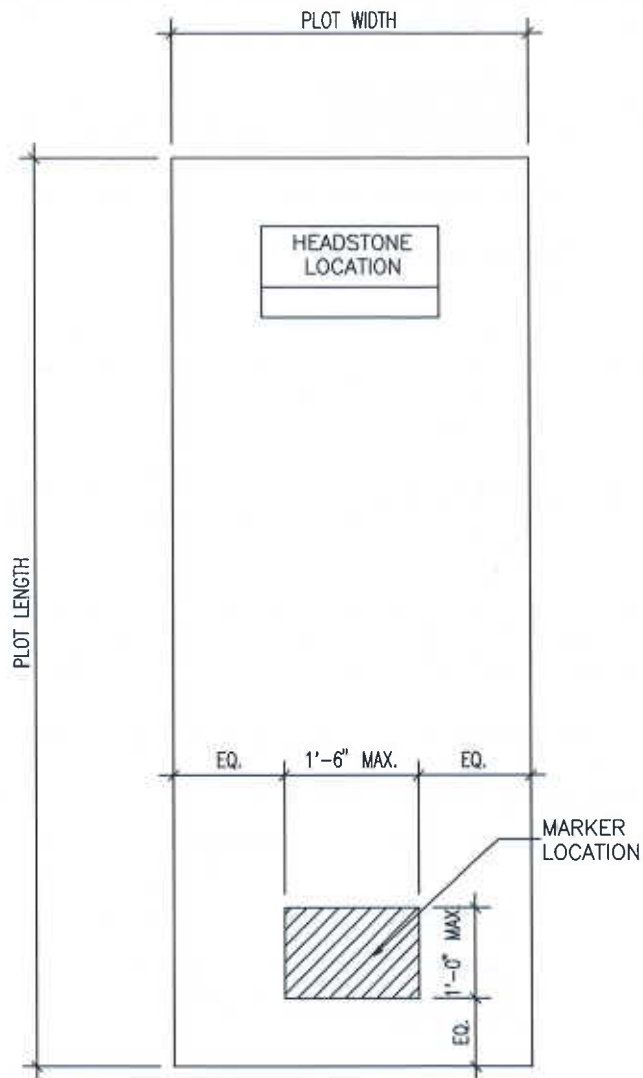


MARKER DEPTH

1/2"=1'-0"



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| REVISIONS | NO. | DATE | | |
| DRAWING NAME | | | PROJECT NO. | DRAWING NO. |
| APPENDIX "J" | | | | |



MARKER LOCATION

1/2" x 1'-0"



| | | | | |
|--------------|--------------|------|-------------|-------------|
| | | | DATE | |
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| REVISIONS | NO. | DATE | | |
| DRAWING NAME | APPENDIX "K" | | PROJECT NO. | DRAWING NO. |

Mississaugas of the New Credit First Nation

Cemetery Policy – Appendix L

Niche Inscription Form

Niche Location: _____

#1

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Line # 1 - Family Name (to maximum of 16 characters including spaces)

Line # 2 – First Inscription (to maximum of 16 characters including spaces)

Line # 3 - Dates (years only)

Line # 4 – Connection Line (example: His Beloved Wife) (smaller font)

Line # 5 – Second Inscription (to maximum of 16 characters including spaces)

Line # 6 – Dates (years only)

Line # 7 – Connection Line is optional (smaller font)

Line # 8 – Connection Line is optional (smaller font)