



TOWN OF WINDSOR BYLAW # 17 MAPLEWOOD CEMETERY BYLAW

- 17.01** The Public Works Committee appointed by the Town Council under these Bylaws shall have supervision and care of Maplewood Cemetery.
- 17.02** The plans of Cemetery made by John A. McCallum, Deputy Crown Land Surveyor dated 25th June A.D., 1887 and by Jacques Price, P.L.S. dated 15th December A.D. 1948 and W.S. Laurence, P.L.S. dated 4th day of August 1965 are hereby established as and declared to be the plans of the said Cemetery and of the lots laid off therein saving and excepting those sections deeded by the Town subsequently to James Frenette, Arthur Hartling and Ted Crocker.
- 17.03** Whole lots shall be eighteen feet by eighteen feet but anyone desiring so to do may purchase a half lot which shall be the half of a whole lot divided in the centre by a straight line drawn from north east to south west and a quarter lot which shall be one quarter of a whole lot divided by straight lines drawn from north east to south west.
- 17.04** The purchase price of lots and parts of lots in the Cemetery shall be as determined from time to time by resolution of the Town Council. The purchase price as determined by Council may be different for persons who are not resident in the Town at the time of purchase, than for those persons who are resident in the Town at the time of purchase. For all persons at the time of purchase the purchaser of each lot must provide perpetual care for the lot at the time of the purchase.
- 17.05** All lots shall be defined at the corners with suitable land marks of stone or iron and the number of the said lots shall be legibly and permanently marked thereon.
- 17.06** A portion of the Cemetery marked on the said plan and divided into lots three feet by nine feet shall be developed solely to the interment of persons who die having no lot in the Cemetery and shall be sold under the direction of the Committee or the Town Clerk to persons who reside in the Town and to persons who do not reside in the Town for the sum as determined from time to time by resolution of the Town Council.
- 17.07** The Town Clerk shall keep on file in his office
- (a) the said plans of the cemetery.
 - (b) a book in which shall be recorded a minute of the numbers of all lots sold and the names of parties purchasing the same.

- (c) books showing the receipts and expenditures on account of the said Cemetery in which a balance shall be struck at the end of every year.
- (d) a registration book in which shall be kept a record of all interments in the said Cemetery containing the name, age, sex, place and date of birth so far as the same can be ascertained, the place and date of death, occupation, cause of death and the number of the lot in which the person is buried and the date of interment.

17.08 The Town Council shall appoint a keeper of the Cemetery who shall receive such compensation or salary as the Town Council shall by resolution determine.

17.09 It shall be the duty of the said keeper under the direction of the Public Works Committee to dig all graves, bury the dead therein, lay out avenues and paths in the Cemetery according to the plan of the Cemetery, keep in repair all fences and gates surrounding the Cemetery, keep all roadways, walks, and paths in the Cemetery free from weeds and properly rolled, mow the grass on all lots owned by the Town in the Cemetery, keep all private lots therein which are entitled to perpetual care under the provisions of these Bylaws in a neat and trim condition, and otherwise take care of the Cemetery and beautify it and perform such other services in and about the Cemetery as the Public Works Committee may direct, and also take such care of and so such work in the Old Burying Ground as the said Committee may direct.

17.10 No person except the keeper shall dig a grave or bury any person in the cemetery without consent of the Public Works Committee.

17.11 When a person desires to make an interment in the Cemetery he shall apply at the Town Office for a permit and pay the burial fees chargeable therefore and upon production of the said permit signed by the Town Clerk or other authorized person, the keeper shall dig the grave and bury therein the person named in the permit.

17.12 The keeper of the Cemetery shall, if necessary, accompany persons wishing to purchase their lot in the Cemetery and shall point out to them the unsold lots and their number and position on the plan.

17.13 Any person paying for a lot shall have the privilege of selecting one of the unsold lots in any part of the Cemetery where the lots remains unsold.

- 17.14**
- (a) No person shall become the proprietor of more than one lot of eighteen feet square except by special permission of the Public Works Committee.
 - (b) Any person who has purchased a lot at the rates pertaining to town residents, and who at a later date becomes the proprietor of another lot, by special permission of the Public Works Committee, must purchase the latter lot at the then prevailing rates for non-residents, whether or not they are a resident of the Town.

17.15 The purchaser of a lot in the Cemetery who has paid for it shall receive from the Town a deed of the same and shall hold the same in perpetuity for him and his heirs and assigns and no person shall be buried therein without the consent of the owner.

- 17.16** No person shall be allowed to use any lot for purposes of enclosure or the erection of a monument or the cultivation of shrubs or plants unless he shall first produce his title to the said keeper who shall thereupon give permission provided the enclosure, monument, shrub, or plant is to be erected or grown in accordance with these Bylaws.
- 17.17** No lot shall be used for any purpose other than as a place for burial of the dead except that the proprietors of lots shall have the right to cultivate shrubs or plants in the same subject to any restrictions contained in these Bylaws.
- 17.18** Any proprietor may with the consent of the Committee exchange his lot if it has not been used for the purposes of interment and select another lot from those unappropriated, the right of the lot thus selected to be acquired by complying with the conditions hereinbefore specified and upon reconveyance to the Town of the lot which the said proprietor desires to exchange.
- 17.19** No proprietor of a lot or any part thereof shall erect any wall, fence, or railing within the boundary of his lot or lots or around any part thereof. No post, pillar, or ornament shall be so erected on any lot or part thereof as to protect in any part beyond the boundary of said lot or lots. It shall be the duty of the keeper of the Cemetery to require the terms of this Bylaw to be complied with and in all cases of violation hereof to give notice to the Public Works Committee.
- 17.20** Any person owning a lot or part thereof in the Cemetery shall pay in addition to the purchase price thereof all applicable fees for perpetual care. Upon payment of the fees for perpetual care the person shall be entitled to have the said lot or part thereof maintained in a neat and trim condition by the Town. The fees for such perpetual care shall be as determined from time to time by Resolution of the Town Council.
- 17.21** No trees shall be planted or grown in any lot in the cemetery but shrubs and plants may be planted and grown therein by the owner. If any trees are now growing in any lot or are hereafter planted therein or if any shrubs or plants situated in any of the lots shall by means of their roots, branches, or otherwise encroach upon or in any manner become detrimental to the adjacent lots, avenues or alleys or dangerous or inconvenient to pedestrians, the keeper shall in such way as he may deem necessary, remove the said trees and cut off their roots and branches of the said shrubs and plants or such parts thereof as he may deemed it necessary to cut off.
- 17.22** The title of a lot shall not be transferred without the consent of the Public Works Committee when the same is transferred notice thereof shall be given to the Town Clerk who shall make a minute of the transfer in his book and no person who acquires the title to a lot by assignment or by operation of law shall be deemed the proprietor thereof nor shall be entitled to use the lot until the said notice shall be given and the minute of the transfer shall have been made by the Town Clerk as aforesaid.