



CITY OF STEINBACH

CEMETERY POLICY

It is the objective of the City of Steinbach to operate and maintain its cemeteries in such a manner as to provide a peaceful resting place for loved ones that have passed on. The purpose of this policy is to ensure service level standards are established for the care and operation of the City owned cemeteries. In addition to this policy, operating procedures are also regulated by the Province of Manitoba's Cemetery Act.

1. DEFINITIONS

For purposes of this document –

- 1.1. **“Administrator”** means Manager, Parks and Recreation Department or his/her designate.
- 1.2. **“Casket”** means a coffin, or a box in which the body of a (1) deceased person is buried.
- 1.3. **“Cemetery”** means land that is set apart by the City and used as a place for the burial of human remains, including cremated remains.
- 1.4. **“Cemetery Staff”** means the person(s) hired by the City of Steinbach to care for the Cemetery.
- 1.5. **“Child”** means a person being under the age of 4 years old.
- 1.6. **“City”** means the Municipal Corporation of the City of Steinbach.
- 1.7. **“Columbarium”** means an above-ground structure with niches designed for storing urns containing the ashes of human remains that have been cremated.
- 1.8. **“Council”** means the elected Council of the City of Steinbach.
- 1.9. **“Cremated Remains”** means the ashes of a cremated human body.
- 1.10. **“Flat Marker”** means a flat lawn marker that is placed flush with the surrounding turf.
- 1.11. **“Funeral Home or Funeral Director”** means an individual, firm, partnership or corporation who arranges funerals on behalf of their private clients.
- 1.12. **“Grave”** means a place of burial for human remains including cremated remains, within a plot in the Cemetery, but does not include a Columbarium.
- 1.13. **“Heir”** means a person legally entitled to the property of another upon that person's death.
- 1.14. **“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.
- 1.15. **“Interment”** means the burial of human remains or cremated remains in a grave, or in a columbarium niche.

- 1.16. **“Interment Fee”** means the charges for the opening and closing of a grave, use of lowering device, earth cover, and other necessary services.
- 1.17. **“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 Steinbach.
- 1.18. **“Memorial”** means a monument, plaque, or flat marker installed in memory of a deceased person.
- 1.19. **“Monument”** means an upright memorial.
- 1.20. **“Monument Dealer”** means individuals, firms, partnerships and corporations who manufacture, sell or install memorials.
- 1.21. **“Niche”** means a small compartment within a Columbarium designed for storing an urn containing the ashes of a cremated human body.
- 1.22. **“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 Steinbach.
- 1.23. **“Plot”** means an area of land in a cemetery sufficient for a grave.
- 1.24. **“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 Steinbach.
- 1.25. **“Urn”** means a container used to hold the cremated remains of a (1) deceased person.

2. OPERATIONS AND MAINTENANCE

- 2.1. 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.
- 2.2. In the application of these regulations, all procedures will be conducted in accordance with applicable legislation and regulations of the Province of Manitoba.
- 2.3. 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.
- 2.4. The operation and general maintenance of the cemetery is carried out by employees of the Parks and Recreation Department.
- 2.5. 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.
- 2.6. Cemetery Staff has the right to access onto any plot to carry out work or perform an interment on an adjacent plot.
- 2.7. The Administrator shall ensure all necessary Cemetery records are kept, including sale of plots and niches, names of those interred and all related dates, and all other data necessary for City records. As well, a monthly account of all interments shall be submitted to the Manitoba Department of Health, Division of Vital Statistics, as per The Vital Statistics Act, section 18, subsection 2.
- 2.8. Cemetery Staff shall generally supervise the conduct and routine of all Cemetery matters.

- 2.9. The grading and seeding or sodding of all plots shall be under the control of the City. Graves are mounded with rough earth following the burial, and are generally leveled with top soil and seeded as soon as possible, or when Cemetery Staff considers that the majority of subsidence has taken place. Raised graves will be leveled for winter due to hazard presented to snow-blowing equipment.
- 2.10. The City shall not be responsible for the maintenance of or damage to plantings on plots, or for stolen items. All due care will be taken to avoid damage to plantings. Cemetery Staff reserves the right to prune or remove any planting, or article which in the opinion of the Administrator poses a hazard, is found to be diseased, extends beyond the dimensions of the plot, or is necessary to remove for repair, maintenance or interment work to be undertaken.
- 2.11. A Perpetual Care Fund for each Cemetery is in place for the future care and maintenance of all cemetery plots. Perpetual care includes general maintenance of plots and common areas such as roadways, treed areas and cemetery enclosures.

3. FOUNDATIONS, MONUMENTS AND MARKERS

- 3.1. Any person wishing to install or relocate any monument or marker shall first complete and submit the Monument Installation Application, hereto attached as Schedule "E", which requires approval and authorization by the Administrator, prior to any work being done.
- 3.2. All monument and marker specifications shall be in accordance with the regulations listed below.
- 3.3. All monuments shall be constructed of durable materials as approved by the Administrator.
- 3.4. Memorials or other objects of like description shall be placed upon the plot only within the space provided. Where a concrete foundation does not already exist, one of appropriate size shall be securely installed flush to the ground prior to a monument being erected. All costs associated with the installation of the foundation are the responsibility of the Rights Owner and/or the Monument Dealer and not the responsibility of the City.
- 3.5. The size of a regular plot is five (5) feet wide by eight (8) feet long, and the size of a child or cremation plot is five (5) feet wide by five (5) feet long.
- 3.6. The interior size of a columbarium niche is 12.5 inches wide by 12.5 inches high and 13.5 inches deep.
- 3.7. Any flat marker must be installed flush with the surrounding turf.
- 3.8. Not more than one (1) monument shall be erected on a plot.
- 3.9. Additional flat markers shall be permitted on subsequent interments in any plot to a maximum of one (1), unless prior approval is granted by the Administrator.
- 3.10. The width of a monument shall not exceed 48 inches and the monument shall be centered on the plot. Where one monument is placed on adjacent plots, it may be centered on the two plots, and may exceed 48 inches in width upon approval of the Administrator. The monument and its base shall not exceed 18 inches in depth where the foundation is 24 inches, and in any case shall be a minimum of 3 inches smaller than the foundation on all sides.
- 3.11. The height of a monument shall not exceed 48 inches, including the base.
- 3.12. Monuments shall not be bonded permanently to the concrete foundation.
- 3.13. All monuments and markers will be set at the head of the grave.

- 3.14. All materials brought into the Cemetery must be transported and deposited in the Cemetery in such a manner as approved by the Administrator.
- 3.15. Monument Dealers and contractors shall ensure that all proper precautions are taken to ensure that no damage occurs to plots or elsewhere in the Cemetery during installation of monuments. Contractors shall be held liable for any damage to property while working in the Cemetery.
- 3.16. No form of grave covers, including concrete or granite ledgers shall be allowed, unless they were in existence prior to this policy. No plot may be covered by any loose materials.
- 3.17. Plastic Name Marker courtesy of the Funeral Home is meant as a temporary grave marker during interment only and is not the responsibility of the City.
- 3.18. Monuments, plaques, headstones, or any other type of landmark shall be exclusively for the purpose of memorializing deceased persons in the Cemetery. Any message which advertises a business, or condones a specific act, or is in any way inconsistent with the purpose of memorializing a deceased person or persons shall not be allowed in the Cemetery.
- 3.19. Mausoleums shall not be allowed in the Cemetery.
- 3.20. Should any memorial become unsightly, dilapidated or unsafe, the City may remove or repair it and where possible, recover the cost from the owner. The City shall not be responsible for any damages to memorials.
- 3.21. The City shall not be responsible for the cleaning of memorials or be required to repair memorials that have been vandalized or damaged by persons not hired by the City.

4. RIGHTS OWNER INFORMATION

- 4.1. Planting of annual or perennial flowers is allowed provided the plot has been stabilized and leveled. Plantings must be placed adjacent to the Memorial and must not extend more than two (2) feet from the Memorial or extend beyond the dimensions of the plot. Plantings that are not properly maintained will be removed by Cemetery Staff, and replaced with grass.
- 4.2. Plants or flowers, both artificial and real, may be placed on a grave or within the cups on columbarium plaques. Artificial flowers and wreaths for graves should be in a vase, pot, or stand placed on the concrete foundation, where such a foundation is present. Artificial and real flowers and wreaths shall not be placed as permanent adornment, and will be removed by Cemetery Staff after a reasonable time or when they have deteriorated, to maintain a neat appearance in the Cemetery. All markers, flowers, solar lights, etc. must be removed by October 1 of each year, unless they are placed on the concrete foundation within the dimensions of the plot.
- 4.3. The City reserves the right to enter onto any plot where the grave is in a mounded condition to carry out levelling activities, and to remove weeds, and to remove any structure or object that is in a state of disrepair or has become unsightly.
- 4.4. Any person maintaining a grave site shall ensure that all rubbish is removed from the area.
- 4.5. No tree or shrub shall be planted in the Cemetery except by the City. The City may arrange for the removal or pruning of any tree which, in its opinion, is detrimental to any adjacent plot, path, and driveway or to the general appearance of the Cemetery.
- 4.6. No glass containers or vases allowed.

- 4.7. No person may erect or maintain borders, fences, railings, copings, walls, curbs, benches, enclosures or hedges, or other objects in or around any plot that will interfere with Cemetery maintenance.
- 4.8. The City reserves the right to move any monument as required in order to carry out work in the Cemetery, such as digging a grave. The City shall not assume any liability for minor damages to the monument.
- 4.9. The City shall not assume any liability or responsibility for the loss of or damage to, any monument, and any part thereof, or any article of any type that may be placed on any plot or for any flowers or plants planted upon any plot.

5. INTERMENTS

- 5.1. The Cemetery may only be used for the interment of human remains or their cremated remains.
- 5.2. No person shall bury any dead human body or cremated remains in a City of Steinbach Cemetery unless and until the person has complied with the provisions of:
 - (i) *The Cemeteries Act* and regulations thereunder;
 - (ii) *The Public Health Act* and regulations thereunder;
 - (iii) *The Vital Statistics Act* and regulations thereunder;
 - (iv) This policy.
- 5.3. All persons applying for an interment in the Cemetery, whether as principals or undertakers, shall complete and submit to the City the Interment Order Form, hereto attached as Schedule "B", prior to such interment being authorized by the Administrator. A copy of the cremation certificate and/or the burial permit, and any other particulars required by the City are also required prior to interment. Minimum of twenty-four (24) hour notice prior to interment shall be provided. During the period of December 1 to April 30, not less than forty-eight (48) hour notice shall be provided. Saturdays, Sundays and Statutory Holidays shall not form part of the required notice time for opening a grave.
- 5.4. Upon receipt of the Interment Order Form and the issuance of the Certificate of Interment Rights, the Administrator shall provide authorization for the interment to Cemetery Staff. All fees and charges shall be prepaid at the cemetery administration office, or satisfactory arrangements made in advance before an interment can take place.
- 5.5. The City is not responsible for any errors or omissions in information received, or where orders for interments are given by telephone, or any other form of telecommunications the City will not be responsible for any errors or misunderstandings that may arise.
- 5.6. Persons ordering an interment shall be responsible for all fees and charges incurred, as set forth in Fees and Charges, hereto attached as Schedule "A", and may be revised by the City from time to time.
- 5.7. No grave or niche shall be opened, and interments made by any person not in the employ of or under hire to the City, or without the approval of the Administrator.
- 5.8. The Funeral Director is responsible for the secure closure of the casket or urn before interment can proceed.
- 5.9. The Funeral Director must remain for the duration of the service and provide notice to Cemetery Staff when the service has ended.

- 5.10. No double depth casket interments are allowed. Graves for full-size caskets are to be six (6) feet deep. Graves for child caskets are to have a minimum of three (3) feet of cover. Graves for cremation interments are to have a minimum of two (2) feet of cover.
- 5.11. The maximum number of interments in a traditional plot is one (1) casket, and four (4) urns. The maximum number of interments in a cremation or child plot is one (1) casket and four (4) urns. The maximum number of interments in a niche is two (2) urns.
- 5.12. Remains of only one body shall be contained in each casket or urn, unless duly authorized by the Administrator.
- 5.13. Cemetery Staff will cease other work in the area of the burial until the conclusion of the service.
- 5.14. Interments taking place after 5:00 p.m. must be approved by the Administrator, and are subject to additional fees as set forth in Fees and Charges, hereto attached as Schedule "A".
- 5.15. Hand closing of a grave shall not be allowed, due to workplace safety regulations. A ceremonial hand closing may be allowed with a small amount of soil, and while all shoring and safety procedures are still in place. Closure of grave shall not be permitted until all persons have vacated the immediate area and are at a safe distance from the excavation site, with the exception of Cemetery Staff.
- 5.16. No pets shall be buried in any City of Steinbach Cemetery.

6. DISINTERMENTS

- 6.1. No disinterment shall occur without authorization by the Administrator and the provision of such documentation as required by the Province of Manitoba. The disinterment of bodies shall be attended by the Administrator or designate.
- 6.2. No grave or niche shall be opened for a disinterment by any person not in the employ of or under hire to the City, or without the approval of the Administrator.
- 6.3. Cemetery Staff will only expose to the liner or casket. All handling of interred remains is the responsibility of Funeral Director or other authorized person(s).
- 6.4. All disinterment fees, including provincial and legal fees shall be borne by the person requesting the disinterment. City fees and charges must be paid in full prior to disinterment, as set forth in Fees and Charges, hereto attached as Schedule "A".

7. CONDITIONS OF PURCHASE AND PRICING

- 7.1. Interment Rights to plots and niches shall be sold at such prices and on such terms as set forth in Fees and Charges, hereto attached as Schedule "A". No limitations on religion, residency and non-residency shall exist.
- 7.2. The Rights Owner at the time of sale and upon full payment shall receive a Certificate of Interment Rights for each plot or niche purchased, and a copy of the Cemetery Policy.
- 7.3. Interment Rights are for the use of the plot or niche only and all fees and charges relate solely to the plot or niche and do not include any other charges, including without limitation, charges for:

- (i) Grave services, such as opening and closing graves at time of interment or disinterment.
 - (ii) Provision of grave liners.
 - (iii) Provision of cremated remain liners.
 - 7.4. The charges for interments and disinterments are set forth in Fees and Charges, hereto attached as Schedule “A”.
 - 7.5. The charges for any extra work or miscellaneous items that may be required shall be set by the City.
 - 7.6. The sale of plots shall as much as possible be made in sequential rows and plots as required.
 - 7.7. The Rights Owner of a plot or niche may authorize the use of such a plot or niche for the interment of another person by submitting the name of the person to be interred to the City in writing, by completing and submitting to the City the Descent and Inheritance of Interment Rights form, hereto attached as Schedule “F”.
 - 7.8. When a plot or niche 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 or niche shall be given to the Administrator at the time of purchase and will be recorded on the Certificate of Interment Rights.
 - 7.9. Descent and Inheritance of Interment Rights – Interments by or of all heirs, after the original parties named on the original Certificate of Interment Rights are deceased, requires permissions of living heirs, in writing, on the Descent and Inheritance of Interment Rights form, hereto attached as Schedule “F”. The City shall, in no way, be held responsible for failure to properly determine the legal successorship of the said space owner. The heirs are entitled to the same use of the space as the original owners and are bound by the same policies and procedures.
 - 7.10. Other transfers of Interment Rights to plots and niches after the original sale shall be made back to the City only, at the refund of the original purchase price less any administration fee as set forth in Fees and Charges, hereto attached as Schedule “A”. Original Certificate of Interment Rights must be returned to the City, and the Repurchase of Interment Rights form, hereto attached as Schedule “D” must be completed prior to the transfer taking place.
 - 7.11. When a Rights Owner dies and the holding of the plot or niche passes to the new owner before the new owner can obtain registration of their interest to it, and where any other transfer takes place, the City requires proof of their right to such interest either by:
 - (i) A certified or notarial copy of the probate of the will shall be deposited with the City.
 - (ii) If there is no will, a certified or notarial copy of the letters of administration or such proof as is satisfactory to the Administrator shall be deposited with the City.
- The files located with the City are to be considered the correct record. The City reserves the right to recall, correct and reissue the correct certificate.
- 7.12. Transfer of ownership of Interment Rights is not binding upon the City until full payment has been received and a new Certificate of Interment Rights is issued by the Administrator.
 - 7.13. The City reserves the right to designate special sections within the Cemetery and impose restrictions including types on monuments and other markers to be utilized.
 - 7.14. Persons may exchange plots or niches with the City subject to first having paid the difference, if any for the said plot or niche.

7.15. The City does not sell pre-need interment services.

8. VISITING THE CEMETERY

- 8.1. A Cemetery is a sacred place and all persons shall conduct themselves in a quiet, orderly manner and shall not disturb any services being held, by noises or otherwise. No person may walk on any plot, except Cemetery Staff in the performance of their duties and responsibilities, and the public while gathering for a graveside service.
- 8.2. No person shall write upon, scratch, deface or damage any monument, fence, building or other structure or equipment in or belonging to the Cemetery.
- 8.3. No person shall pick any flower, damage any tree or shrub, or remove any tree, shrub or plant from the Cemetery, without authorization from the City of Steinbach.
- 8.4. No congregation or other large assembly shall be permitted at the Cemetery except for the purposes of a burial or a memorial service.
- 8.5. Pets must be leashed and owners must clean up after their pets.
- 8.6. Vehicles shall travel through the cemetery by way of roadways only and not in excess of 20 km/h. No person shall cause a vehicle to leave the roadway in such a way as to cause damage to any turf.
- 8.7. Persons entering the Cemetery do so at their own risk and waive any claims to redress from the City of Steinbach for injury or accidents while on the grounds.
- 8.8. Water available in the Cemetery is not fit for drinking.
- 8.9. The Cemetery will be open for visitors every day from sunrise to sunset.

FOR RIGHTS OWNERS

For regulations on plantings and other information regarding City of Steinbach Cemeteries please see Section 4 of this Policy or contact the City of Steinbach office at 51 Millwork Drive, phone 204-346-6216, or email cemeteries@steinbach.ca

9. BURIAL SEARCHES

Information related to burials within the City of Steinbach Cemeteries can be obtained through the Administration Office located at 51 Millwork Drive. Hours of operation are Monday to Friday, 8:00 am – 12:00 pm and 1:00 pm – 5:00 pm.

Phone: 204-346-6211 or 204-346-6216 Email: cemeteries@steinbach.ca

Searches can be done using the following criteria:

- Cemetery
- Last Name
- First Name(s)
- Interment Location – Section, Row, Plot
- Date of Birth
- Date of Death
- Date of Interment

10. CEMETERY LOCATIONS

- Pioneer Cemetery, located at 190 Reimer Avenue
- Memorial Cemetery, located at 20 Mackenzie Avenue
- Heritage Cemetery, located at 395 Loewen Boulevard