

BY-LAW NUMBER 2017-21

BEING A BY-LAW TO ESTABLISH A CEMETERY PRICE LIST FOR THE TOWNSHIP OF NAIRN AND HYMAN

WHEREAS Section 391 of the *Municipal Act, 2001* authorizes a municipality to impose fees or charges on persons for services or activities, for costs payable for services or activities and for the use of property including property under its control; and

WHEREAS Section 398 of the *Municipal Act, 2001* provides that fees and charges imposed by a municipality on a person constitutes a debt of the person to the municipality; and

NOW THEREFORE the Council of the Corporation of the Township of Nairn and Hyman **HEREBY ENACTS AS FOLLOWS:**

Part 1 – Preamble and Defined Terms

Short Title

1. This by-law may be referred to as the “Cemetery Price List By-law”.

Headings

2. The division of this by-law into parts and the insertion of headings are for convenient reference only and shall not affect interpretation of the by-law.

Reference to Applicable Law

3. All references to applicable law are ambulatory and apply as amended from time to time.

Interpretation

4. For the purposes of this by-law:
“Township” means the Corporation of the Township of Nairn and Hyman.
“*Municipal Act, 2001*” means the *Municipal Act, 2001, S.O. 2001 c.25*.

Part 2 – Cemetery Price List

Cemetery Price List set out in Schedule

5. The Cemetery Price List for the Township set out in the following Schedule of this By-law are hereby approved and deemed to form part of this by-law”
 - a. Schedule A – Cemetery Price List

Fees Subject to Change

6. The fees and charges approved under section 5 of this by-law are subject to any adjustment authorized by a statute, regulation or by-law.
7. Subject to section 6 of this by-law, the fees and charges set out in this by-law shall continue in force until amended, repealed or replaced.

Applicable Taxes

- 8. All fees and charges are subject to all applicable taxes required by any act or regulation.

Part 3 – Conflict and Transition

- 9. In the event that any fees or charges set out in this by-law conflicts with any fees or charges set out in another Township by-law, the fees or charges set out in this by-law shall prevail.

Conflict

- 10. In the event the provisions of this by-law are inconsistent with the provisions of the *Municipal Act, 2001*, its Regulations or any other Act, the provisions of the Act or Regulation shall prevail.

Terms Severable

- 11. The terms and provisions of this by-law shall be severable and should any term or provision be found by a court of competent jurisdiction to be legally unenforceable, in operative or invalid, the remainder of the by-law shall continue to be in full force and effect.

Repeal

- 12. By-law Number 2005-19 is hereby repealed.

Enactment

- 13. This by-law shall come into full force and effect upon the final passing thereof.

Read a first and second time this 10th day of October, 2017.

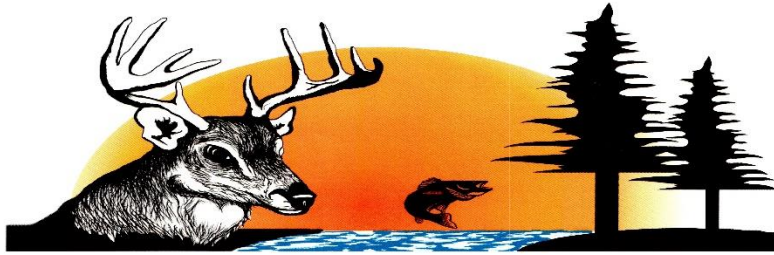
Read a third time and passed in open Council this 10th day of October, 2017.

(Original Signature on File)

Mayor

(Original Signature on File)

Clerk



TOWNSHIP OF NAIRN AND HYMAN

64 McIntyre Street, Nairn Centre, Ontario P0M 2L0 (Telephone 705-868-4232)

Schedule "A", Page 1 of 2 to By-law 2017-21

CEMETERY PRICE LIST

TOWNSHIP OF NAIRN AND HYMAN CEMETERY

1. Prices are shown for Residents and Non-Residents:
 - 1.1 "Resident" for the purposes of the purchase of Interment Rights means a person who resides in the Township of Nairn and Hyman or who is the owner or tenant of land in the Township of Nairn and Hyman, or the spouse of such owner or tenant.
2. The following trusting provisions are in effect and are shown as the Care and Maintenance Fee:
 - In-ground grave: 40 per cent of the selling price or \$250, whichever is greater.

Price List per Grave – Sale of Interment Rights

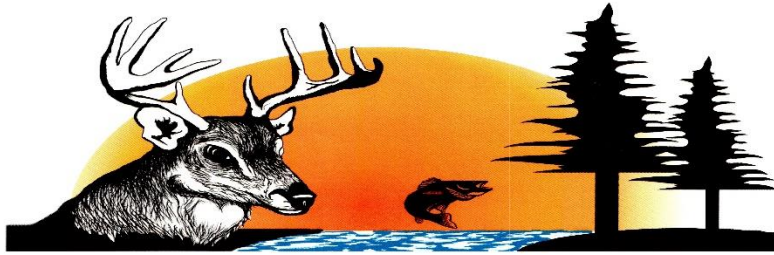
	Description	General Fund	Care & Maintenance Fund	Total
Resident Fee	In-ground grave (5 ft. X 10 ft.)	\$250.00	\$250.00	\$500.00
Non Resident Fee	In-ground grave (5 ft. X 10 ft.)	\$525.00	\$350.00	\$875.00

Price List per Grave – Interment Fees

	Description	Fee
Resident Fee	Regular Interment (Casket)	\$500.00
Resident Fee	Cremation Interment	\$125.00
Non-Resident Fee	Regular Interment (Casket)	\$625.00
Non-Resident Fee	Cremation Interment	\$250.00

Price List per Grave – Disinterment and Re-interment Fees

	Description	Fee
Resident Fee	Disinterment & Re-interment	\$600.00
Non-Resident Fee	Disinterment & Re-interment	\$1,050.00



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CEMETERY PRICE LIST

TOWNSHIP OF NAIRN AND HYMAN CEMETERY

Price List per Grave – Services

Description	Fee
Transfer of Interment Rights	\$20.00
Issue Duplicate Certificate	\$20.00

Contributions to the Care and Maintenance Fund for Markers and Monuments

Markers	Amount Prescribed per Marker Installed
In the case of installing a flat marker measuring less than 1,116.13 cm ² (173 in ²)	\$0
In the case of installing a flat marker measuring over 1,116.13 cm ² (173 in ²)	\$50.00
In the case of installing an upright monument measuring 1.22 meters (4 feet) or less in height or length, including the base	\$100.00
In the case of installing an upright monument measuring more than 1.22 meters (4 feet) in either height or length, including the base	\$200.00

All fees are subject to HST.