

Cemetery Operations - Exchange of Interment Rights

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Purpose statement

The Corporation of the Town of Oakville (Town), in its capacity as a cemetery operator, has a responsibility to provide products and services to meet new and existing legislated obligations for interment rights holders, including the opportunity to exchange or upgrade already purchased interment or scattering rights.

Scope

This procedure applies to all exchanges or upgrades for interment or scattering rights within the Town of Oakville Cemeteries, including: Bronte, Merton, Munn's, Oakville/St. Mary's, Palermo, St. Jude's, Trafalgar Lawn and Wedgewood.

Procedure

The purpose of this procedure is to provide a framework for exchanges with respect to interment or scattering rights.

Terms:

1. All exchange requests must be submitted, in writing, from the interment or scattering rights holder(s) in a form provided by the Parks & Open Space department.
2. A straight exchange of rights will only be permitted where the value of the rights is equal to or less than the interment or scattering rights already purchased.
3. If an exchange is requested where the interment or scattering rights are being upgraded, the interment or scattering rights holder must pay the difference in cost between the original purchase price and the purchase price of the new interment rights at the current tariff of rates and in accordance with the Cemetery Operations – Payment Procedure.
4. The interment or scattering rights holder(s) shall be required to surrender the original Certificate of Interment or Scattering Rights (or Deed or Indenture if interment rights were granted under previous legislation).
5. Where there is more than one interment or scattering rights holder, the consent of all holders shall be required.

When an exchange of interment or scattering rights is complete, all office records will be adjusted accordingly and a new Certificate of Interment or Scattering Rights will be forwarded to the rights holder.

References and related documents

Funeral, Burial and Cremation Services Act, 2002, and Regulations
The Cemeteries By-Law
MS-CEM-001 Cemetery Services Policy
MS-CEM-001-002 Cemetery Operations – Payment Procedure |

Definitions

Columbarium – an above ground structure designed for the purpose of placing cremated remains in a niche.

Lot –an area of land in a cemetery containing, or set aside to contain, human remains and includes a tomb, crypt or compartment in a mausoleum and a niche or compartment in a columbarium and any other similar facility or receptacle.

Interment – the burial of human remains and includes the placing of human remains in a lot.

Interment Rights – the right to require or direct the interment of human remains in a lot.

Interment Rights Holder – a person with Interment Rights with respect to a grave, niche or scattering right.

Niche – a compartment within the Columbarium used to contain cremated human remains.

Pre-Need Purchase – a purchase that has been made in advance of death.

Scattering Right – the right to require or direct the placement or scattering of human remains in the common burial ground designated in the Master Plan for the placement or scattering of cremated remains removed from a container.

Responsibilities

The Supervisor of Cemeteries & Environmental Services shall be responsible for the administration of and ensuring compliance with this procedure.]