

**ANGLICAN CEMETERY COMMITTEE OF  
ST. JOHN'S AND MOUNT PEARL  
ANGLICAN CEMETERY COLUMBARIA REGULATIONS**

The following regulations are for the mutual protection and benefit of niche purchasers and the Anglican Cemetery Committee of St. John's and Mount Pearl, here termed the "Cemetery Committee". They are established with certain restrictions to ensure uniformity and control of operations.

Since the Forest Road Anglican Cemetery was consecrated in 1849, and Kenmount Road Anglican Cemetery in 1971, it has been the Cemetery Committee's tradition to provide a dignified burial place, dedicated to the Glory of God, and in keeping with the spiritual values and beliefs of the Anglican Church. The "Cemetery Supervisor" is appointed by the Cemetery Committee to manage the care, maintenance and operation of our two cemeteries.

In Forest Road and Kenmount Road cemeteries, granite columbaria with numerous enclosed compartments called niches, are used for above ground interment of cremated human remains. Each columbarium is on a patio enhanced by flowerbeds and park benches, which provide an appropriate atmosphere for remembrance and meditation.

**1. COLUMBARIA AND URNS**

The Columbaria in Forest Road and Kenmount Road cemeteries are owned and operated by the Cemetery Committee.

A variety of urns are available from funeral homes and monument suppliers. As of 2015, non-biodegradable urns, such as bronze, brass, pewter, granite, marble, onyx, ceramic, pottery, and plastic are required for cremated remains in all columbaria.

- Wooden urns are not acceptable in niches as over time they may show significant deterioration.
- Up to two cremated human remains, either sealed in two single urns or one companion urn may be placed in one niche by a Funeral Director. Each urn shall contain permanent markers provided by the Funeral Director identifying the deceased and funeral home responsible for the cremation.
- The urn (s) must be smaller than the inside niche measurements of the columbarium selected to allow for clearances. Oversize urns are not the responsibility of the Committee.
- No articles other than urns are permitted in the niche.

<u>Location</u>	<u>Columbarium Number</u>	<u>Inside niche measurements</u>
Forest Road Columbaria:	2000 to 2012,	30.5 x30.5 x 30.5 cm
Forest Road Columbaria:	2014 to 2020	30.5 x30.5 x 35.5 cm
Forest Road Columbaria:	2021, 2023	30.5 x30.5 x 38.0 cm
Kenmount Road Columbaria:	2015, 2018, 2022	30.5 x30.5 x 38.0 cm

## **2. NICHE PURCHASE**

- A niche may be acquired for immediate need or for future use by up to two individuals who wish to share the same niche (the Agreement beneficiaries) or by a purchaser acting on their behalf such as the Executor, or a Funeral Director.
- Payment is due in full at the time a Niche Purchase Agreement is completed and signed.
- Within 40 days of invoicing by the Cemetery Committee, the funeral home will remit payment to: Anglican Cemetery Committee of St. John's and Mount Pearl.
- A Niche Purchase Agreement must be completed and signed by both the seller and the purchaser, with originals for both parties. (See Niche Purchase Agreement for details.)
- The Cemetery Supervisor will file a signed and completed Agreement in the Cemetery register.
- Niche prices as well as cancellation, exchange, and disinterment fees and associated policies are given in the Schedule of Fees.
- The resale of niches by the purchaser to any party other than the Cemetery Committee is strictly prohibited.
- No organization shall be entitled to purchase niches for resale to members.

A specific amount from the sale of a niche is placed in a trust fund by the Cemetery Committee for cemetery care and maintenance, including columbaria and columbaria sites.

## **3. CANCELLATION OF PURCHASE AGREEMENT & EXCHANGE**

Any purchase of a niche paid in full to the Cemetery Supervisor may be cancelled, providing the niche is unused and unmarked, and the purchaser provides notice in writing of this request and proof of ownership to the Cemetery Supervisor.

- If cancelled within thirty (30) days of making a purchase, all money paid at the time of sale, shall be refunded in full, providing the niche is unused.
- If cancelled after thirty (30) days, all money paid at the time of the sale shall be refunded less a Cancellation Fee as specified in the Schedule of Fees. If the niche is unused but the niche panel has been engraved, there is a replacement and repair service fee.
- A purchaser may exchange an unused niche for another in either Forest Road or Kenmount Road Cemetery. The original purchase is first cancelled and refunded and a new niche is then purchased at the current rate. (See the Schedule of Fees).

#### **4. RIGHTS ACQUIRED BY PURCHASER OF A NICHE**

Individual purchased niches are subject to these Regulations. The purchaser does not acquire any of the Columbarium property itself, but only the "Right of Interment" (*also known as "Right of Burial"*).

"Right of Interment" means a right, acquired by purchase, inheritance or transfer, for the interment of cremated human remains in a niche.

"Transfer" means the Right of Interment may be transferred (excluding resale) to another party (e.g. spouse, relative, common-law partner) by making written application to the Cemetery Supervisor.

- The purchaser has the right to:
  - use the niche for interment of up to two cremated human remains.
  - up to 2 openings and closings or as otherwise set in the regulations. Additional openings and closings are an extra fee. (See Schedule of Fees).
  - engrave the frontal granite panel of the niche as per Cemetery specifications (Engraving is an extra fee payable to a monument company).
  - plant flowers or potted plants in the commemorative on site planters. Limited patio space is available for temporary display of wreaths, cut flowers, and potted plants, and will be removed by cemetery staff as they become unsightly.
  - Flowers, ornaments, photos and decorations shall not be attached or placed on or in the Columbarium.
  - Glass containers are prohibited.



## **5. COLUMBARIUM INTERMENT PROCEDURES**

- The Purchaser shall provide the Cemetery Supervisor with the Purchase Agreement.
- A Companion Urn must contain the cremated remains of two persons before final interment in a columbarium niche (See Cemetery Committee Regulation " Use of Companion Urns").
- Only the Cemetery Supervisor or designate approved by the Cemetery Committee, shall open and close a niche.
- All provincial laws and Cemetery regulations relative to interment must be complied with. A Death Certificate must be provided.
- The Funeral Director or person (s) acting on behalf of the deceased, may arrange for a minister to conduct a brief interment service at the appropriate site.
- The Cemetery Supervisor shall keep a Burial Register which shall include the full name and age of every deceased person whose remains are interred in a niche, the dates of death and interment, and the columbarium and niche reference numbers.

## **6. COLUMBARIUM DISINTERMENT**

- An urn containing cremated remains may be disinterred and removed from the Cemetery with written consent of the person (s) lawfully authorized to control the final disposition of the cremated human remains. This request shall be made to the Cemetery Supervisor or a Funeral Director and shall require approval of the Cemetery Committee, subject to provincial (NL) statutes.
- The Cemetery Committee may permit an urn to be reinterred within either Forest Road or Kenmount Road cemeteries to meet the wishes of the person (s) lawfully authorized to control the final disposition of the cremated human remains, subject to provincial (NL) statutes.
- A fee will be charged for disinterment and reinterment. (See Schedule of Fees).

## **7. ENGRAVING**

Engraving of niche panels can be arranged through the appropriate monument company. A fee applies. The purchaser must submit a draft copy of the proposed inscription to the monument company.

- **Muir's Marble Works Limited**, is entitled to exclusive rights to engrave niche panels in Forest Road Columbaria 2000 through to 2014. Engraving font is Roman

Classic (Newfont) sunk. Surname and given names shall be one and 1/8 " high, engraved on a maximum of two lines with a maximum of 12 characters /spaces per line. Years are engraved 7/8" high on a maximum of one line with a maximum of 11 characters and spaces per line.

- **Heritage Memorials Ltd.** is entitled to exclusive rights to engrave niche panels in Forest Road Columbaria 2016 through to 2023 and Kenmount Road Columbaria 2015, 2018 and 2022. Engraving font is Common Gothic with 1:25" high surname on top line, 1" high given names on middle and 1" high birth and death years on bottom.
- The Cemetery Committee may refuse installation of an engraved panel if it deems quality of workmanship to be unacceptable.

## **8. LIABILITY**

The Cemetery Committee will endeavour to provide reasonable security checks and safeguards and to protect the Columbaria and contents from deterioration and damage, including vandalism. The Cemetery Committee does not assume liability for loss or damage to Columbaria and contents caused by vandalism or other natural factors beyond its control, including any deterioration of urns within niches that may take place over time. Persons found damaging the Columbaria, contents, and site, are liable for prosecution. Unauthorized removal of cremated remains from a niche is strictly prohibited and a legal offence.

Approved November 21, 2023

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