



BY-LAW NO. 3
A BY-LAW FOR THE PROPER OPERATION OF
THE CATARAQUI CEMETERY CREMATORIUM

The Cataraqui Cemetery Company
Incorporated August, 10, 1850
927 Purdy's Mill Rd. • Kingston Ontario • K7M 3N1
(613)546-6545 • cataraquicemetery.ca

June 4, 2020

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A By-Law for the Proper Operation of the Cataraqui Cemetery Crematorium

DEFINITIONS:

For the purpose of this by-law **FBCSA** means The Funeral, Burial and Cremation Services Act, 2002 and its Regulations. In this by-law, unless the context otherwise requires:

“BAO” means the Bereavement Authority of Ontario;

“Board” means the duly elected Board of Trustees, sometimes known as Directors, for The Cataraqui Cemetery Company;

“By-laws” means this by-law and all other by-laws of The Cataraqui Cemetery Company as amended and which are from time to time, in force;

“Crematorium” means the crematorium owned and operated by The Cataraqui Cemetery Company, 927 Purdy’s Mill Road, Kingston, Ontario;

“General Manager” means the General Manager appointed by the Board of The Cataraqui Cemetery Company or his/her duly authorized representative.

“Purchaser” means the individual purchasing the products or services.

“Radioactive Implant” means any permanently implanted radioactive seed or object used as a form of internal radiation therapy;

“Registrar” means the Registrar of the Bereavement Authority of Ontario as directed by the FBCSA;

“Urn” means any container used to hold cremated remains;

SECTION 1 - CREMATORIUM

- 1.1 Only human remains may be cremated.
- 1.2 The remains of only one person will be cremated in a cremation unit at a time.
- 1.3 Prior to cremation, the purchaser must enter into a Sales Contract providing such information as may be required by the Crematorium for the completion, as required, of the Sales Contract and the public register in accordance with provincial legislation. In addition, the following documents shall be submitted to the Crematorium’s office with the completed original copy of the Crematorium’s application for cremation: the Coroner’s Cremation Certificate; and the Burial Permit. Upon submission of these documents, the requisite fees, as prescribed in the Cemetery’s Price List, shall be paid.
- 1.4 Crematorium services and related products shall be set out in the most recent Price List.
- 1.5 Remains slated for cremation are accepted at the Crematorium from 8:00 a.m. to 4:45 p.m. Monday to Fridays and must be clearly identified and accompanied with the required documentation.
- 1.6 The casket or container that must be used for cremation shall be constructed in a proper rigid form, shall have or contain the necessary precautions to prevent leakage and be readily combustible. No casket or container, for the purpose of cremation, shall be constructed of, or contain, non-flammable, hazardous or prescribed material.

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- 1.7 Once received by the crematorium personnel, the casket/container will remain closed unless permission is given by the purchaser or Judge's order allowing the licensed funeral director to open the casket/ container. Under no circumstances will the crematorium staff be allowed to open the casket /container. The deceased will be cremated in the delivered casket/container, which must be made of readily combustible materials. All non-combustible parts on the outside of the casket/container will be removed prior to cremation, if possible.
- 1.8 The Crematorium will not cremate a dead human body containing:
 - 1.8.1 a pacemaker device. Any such pacemaker device must be removed prior to delivery to the crematorium; and/or
 - 1.8.2 radioactive implants that have been implanted for two (2) years or less. However, a dead human body that has radioactive implants that were implanted two (2) years + one (1) day, or greater, may be cremated. Such radioactive implants must be declared on the Crematorium's cremation application. The Crematorium operator reserves the right to demand, to his or her satisfaction, of the cremation applicant, additional or supplementary written instruments to confirm the date of implant and/or the type of radioactive implant.
- 1.9 Requests to witness the actual cremation process must be made to the General Manager prior to the body being delivered to the Crematorium. A time suitable to the schedule of the Crematorium will be assigned for witnessing. No more than five persons plus a religious representative or funeral director shall be admitted within the area in which the cremator is located. At no time during the charge process shall anyone come in contact with the casket or container. Those individuals permitted to witness this process shall be under the direction and follow the instructions of Crematorium personnel. Upon ignition of the burners all non-crematorium staff must leave the area in which the cremator is located.
- 1.10 Except if required by a welfare administrator or for the purpose of compliance with the FBCSA, the Crematorium has the right to refuse to cremate any human remains.
- 1.11 Upon completion of the actual cremation, foreign materials such as metal fragments from the casket or container are removed for disposal by the Cataraqui Cemetery. The calcium material is then refined to a calcium ash, which is placed in a temporary urn provided by the Crematorium at no additional charge. The precious metal content of jewelry or articles enclosed within the casket or container normally vaporize due to the temperatures reached during the actual cremation process. The remaining representation of these articles shall be considered a foreign material and is disposed of as such.
- 1.12 Where written instructions for the disposition of cremated human remains has not been provided to the Crematorium Office, the Crematorium shall return the cremated remains to the funeral director, transfer service or executor/personal representative of the deceased.

