



Corporation of the Town of Greater Napanee, 124 John Street, P.O. Box 97 Napanee, Ontario K7R 3L4

## Sales Contract for the Purchase of Interment Rights

Sales Contract Number: \_\_\_\_\_ Date of Purchase: \_\_\_\_\_

PURSUANT TO the *Funeral, Burial and Cremation Services Act, 2002* and *Ontario Regulation 31/11* and all amendments thereto, the Interment Rights Holder (s) listed below have the right to direct/consent to the burial and memorialization associated with the Interment Rights in conjunction with the Town of Greater Napanee and the By-laws for The Napanee Cemetery Company, Riverside Cemetery & Riverview Cemetery. This Contract is between the Purchaser and The Town of Greater Napanee, concerning Cemetery Interment Rights for the Recipient(s) as identified in this Contract. The Purchaser represents being legally authorized or charged with the responsibility for the Recipient(s) Cemetery Interment Rights and Services as specified in this Contract. This agreement will be enforceable to the benefit of \_\_\_\_\_.

Purchaser Details			
Name			
Address			
Telephone		Email	
Recipient(s): List all recipients and contact information below.			
Name	Contact Information	Relationship to Recipient	

Interment Rights Details							
Cemetery							
No. of Graves		Section		Plot		Quadrant(s)	
Notes							

Deceased information (If applicable)			
Name			
Place of Death		Date of Death	

**Purchaser's Initials** \_\_\_\_\_

*The Corporation of the Town of Greater Napanee does not have legal ownership of the Riverview Cemetery (located at 336 Dundas Street West, Napanee) or the Riverside Cemetery (located at 303 Church Street, Napanee). The Assumption process began on May 19, 2020, and the Corporation holds an Acting role until the assumption process is complete. The Corporation of the Town of Greater Napanee is not liable or responsible for work done previous to May 19, 2020.*

<b>Services &amp; Other</b>			
<b>Sale Price</b>		<b>Care &amp; Maintenance Contribution</b>	
<b>Cornerstones</b>			
<b>Interment Fee</b>			
<b>Subtotal</b>			
<b>HST</b>			
<b>Total Price</b>			

<b>Cornerstone Text (Max. 9 characters)</b>	
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<b>By-laws</b>	<i>By-laws for The Napanee Cemetery Company, Riverside Cemetery &amp; Riverview Cemetery Updated: January 2014</i>
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It is agreed between the parties that this Contract is subject to the By-laws of The Napanee Cemetery Company; Riverside Cemetery & Riverview Cemetery, and the Purchaser hereby acknowledges receipt and review of a copy of the Cemetery By-laws, Cemetery Price List and the Ontario Consumer Information Guide.

I acknowledge I have read and reviewed the Contract's Terms & Conditions on the reverse and hereby confirm that the Interment Rights as specified are complete and correct. I direct the Town of Greater Napanee to proceed with the Interment Right(s) as identified in the Contract in accordance with the Cemetery By-law which is now in force or at any time in force.

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**The Corporation of The Town of Greater Napanee**  
GST/HST Registration Number: 86784 1454 RT0001

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**Signature of Purchaser**

I acknowledge receipt of a copy of this Contract.

**TERMS AND CONDITIONS GOVERNING THE PURCHASE OF INTERMENT RIGHTS**

1. The Rights Holder agrees to abide by the terms of this Contract and the approved By-laws of The Napanee Cemetery Company; Riverside Cemetery & Riverview Cemetery. The Rights Holder hereby acknowledges receipt of the By-laws, price list and the Ontario Consumer Information Guide as a condition of this Contract. The By-laws govern the operation of the Cemetery and set out the exercise of Interment Rights and restrictions with respect to the purchase of Cemetery supplies and services from a source other than the Cemetery.

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2. The following trusting provisions, as set out in the *Funeral, Burial and Cremation Services Act, 2002* and *Ontario Regulation 31/11*, are in effect. Such funds shall be deposited to the Care and Maintenance Fund of the Cemetery: the greater of 40% of the price of the Interment Rights as set out in the Price List, and \$250.
3. The contributions to the Care and Maintenance Fund of the Cemetery for the installation of markers, as set out in the *Funeral, Burial and Cremation Services Act, 2002* are as follows:
  - a. For any flat marker measuring more than or equal to 1116 sq cm or 173 sq in, \$50
  - b. For any upright marker measuring 1.22m (4ft) or less in both height and length, including the base, \$100
  - c. For any upright marker measuring more than 1.22m (4ft) in length, including the base, \$200.
4. If the Interment Rights *have not been used*, the Purchaser may, in writing to the Town of Greater Napanee within thirty (30) days from the signing of this agreement, cancel this Contract for a full refund.
5. The Rights Holder, by written demand, may request that the Town of Greater Napanee repurchase the Interment Rights described herein at any time *before they are used*. Upon receipt of notice and surrender of the endorsed Certificate of Interment Rights, the Rights Holder shall receive the current market price less the amount paid into the Care and Maintenance Fund of the Cemetery. **The resale of Interment Rights other than to the Town of Greater Napanee is prohibited.**
6. A Rights Holder wishing to transfer Interment Rights shall deliver written notification to the Town of Greater Napanee, accompanied by the Certificate of Interment Rights or predecessor easement. Upon receipt of this documentation and payment of the appropriate fee, a new Certificate of Interment Rights will be issued to the Transferee. The Town of Greater Napanee is entitled to require the production of certified or notarized copies of such wills, codicils, supporting affidavits, or other documents as the Municipality, in its sole discretion, deems to be necessary or advisable in the circumstances to establish authority to transfer the Interment Rights.
7. The exercise of Interment Rights shall be limited to the Rights Holder, their legal representative(s) or their heir(s)-at-law. Executors, legal representatives and heirs-at-law of the Rights Holder will be required to submit proof of identification, and an Order for Interment. The Town of Greater Napanee shall be entitled to require the production of certified/notarized copies of wills, codicils, supporting affidavits or any other such documents deemed to be necessary or advisable in the circumstances.
8. The following documents are required to exercise Interment Rights in the Cemetery:
  - a. Burial Permit OR Certificate of Cremation
  - b. Certificate of Interment Rights or predecessor easement
  - c. Order for Interment, signed by Rights Holder or their legal representativeAdditionally, the following documents may be required:
  - a. Interment Authorization, when the executors, legal representatives or heir(s)-at-law are exercising Interment Rights
  - b. Statutory Declaration
  - c. Any supporting documentation deemed necessary to establish authority to authorize interment.
9. The Purchaser acknowledges and provides consent to permit the Town of Greater Napanee to collect, use and disclose personal information in accordance with the requirements under the *Funeral, Burial and Cremation Services Act, 2002* and *Ontario Regulation 31/11* for information within the Cemetery Public Register. The Purchaser also understands that the Town of Greater Napanee does not rent or sell personal information to third party organizations.

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