



Upper Hutt City Council

AKATARAWA CEMETERY RULES

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CEMETERIES

1. BURIALS AND SALE OF PLOTS

- A. Burials may be made in any cemetery for the time being vested in the local authority or under its control and not closed in a manner provided by law in that behalf subject to the conditions prescribed in this Part of this bylaw.
- B. Burial plots shall be sold upon such terms and conditions as may be decided by the local authority and the exclusive right of burial may be granted for such limited period as the local authority by resolution decides.

2. BURIAL PLOTS

- A. Where the exclusive right of burial for such limited period as the local authority by resolution decides, has not been purchased and the full purchase price thereof paid, and where the human remains to be buried are not that of a poor person as mentioned in clause 1424 hereof, such burial shall take place only upon production to the Clerk of a Certificate by a relative of the deceased in the form set out in the Eighth Schedule to this Part of this bylaw or to the like effect.
- B. such burial shall take place in such plot as the sexton shall determined and no fence or headstone shall be erected thereon unless the exclusive right of burial therein shall have been purchased as provided in the next preceding sub clause.
- C. Any friend or relative of a person so buried may, at any time within two years from the date of such burial or such extended time as the local authority sees fit, purchase the exclusive right of burial for such limited period as the local authority by resolution decides in such plot in the manner provided in this Part of this bylaw for the purchase of such rights.

3. PROVISIONS FOR ALL INTERMENTS

- A. No burial whatever shall be made in any cemetery without a burial warrant for that purpose obtained from the Clerk.
- B. "Out of district fees" shall be payable in the case of the burial of a deceased person not residing in the district for at least 5 years immediately prior to date of death, and in the case of a still born child unless one of whose parents was a resident or a ratepayer of the district for 5 years prior to the birth of such child. Residence by a person in a hospital or institution in the district shall not be deemed resident in the district and the Council shall decide in each case whether an "out of district" fee is payable in respect of such a person.
- C. In all cases of intended burials, the funeral director or person having the management or control of the same shall make application in the form of the Second Schedule to this Part of this bylaw to the Council for warrant for such burial, and shall produce to the Council such evidence of death as may be required; the Council, for or on behalf of the local authority is hereby authorized to grant such warrant in the form of the Third Schedule to this Part of this bylaw.
- D. No such warrant shall be issued until there shall have been paid the fee for interment specified in the First Schedule to this Part of this bylaw: Provided, however that in the case of an interment under the management or control of a funeral director, the Council may, at its discretion, waive the foregoing requirement as to prior payment and charge the cost of the same against the funeral director concerned on the basis of a monthly account, or such period as the Council decides.

- E. Notification of the intended burial shall be given to the sexton at least 8 working hours prior to the time fixed for the funeral, and no such burial shall take place until the delivery to the sexton of the said warrant has been made.

4. WARRANT TO BE AUTHORITY TO SEXTON

The burial warrant, when received by the sexton, shall be sufficient authority to him for such burial, and after such burial he shall sign the certificate at the foot of such warrant.

5. HOURS FOR FUNERALS

No funeral shall be held on any day except between the hours of 8am and 5pm Monday to Friday, and 8am to 1pm on Saturday, or such other hours as the local authority by direction may determine.

6. BURIAL OF ASHES

Upon application being made in that behalf and the prescribed fees paid to the local authority the urn containing the ashes of any deceased person may be buried in the special portion of the cemetery set aside for that purpose or in any plot subject to an exclusive right of burial. "Ashes are buried in the special portion of the cemetery set aside for that purpose in 600mm x 600mm plots; the size of the plaque or tablet in the area shall not exceed 300mm x 225mm and shall comply with Clause 1434.1 of the Upper Hutt City General Bylaws 1977".

7. FEES

All fees required by this Part of this bylaw and as referred to in the First Schedule hereto shall be as the local authority by resolution decides. A search fee as prescribed in the First Schedule hereto shall be payable for every inspection of the cemetery plan and records held at the office of the local authority, and where a signed extract is required therefore shall be as prescribed in the said First Schedule.

8. PURCHASE OF THE EXCLUSIVE RIGHT OF BURIAL

- A. Every application for the purchase of the exclusive right of burial for such limited period as the local authority by resolution decides in any part of the cemetery shall be in the form set out in the Fourth Schedule to this Part of this bylaw or to the like effect.
- B. An agreement in the form set out in the Fifth Schedule hereto shall be entered into between the local authority and the purchaser and the purchaser shall pay to the Council the purchase money for such exclusive right of burial.
- C. Upon satisfactory proof being given to him of the original having been lost, and upon payment to him of a fee of \$10-00 therefore. The Council may issue to the person entitled thereto a duplicate of such agreement. Should the original subsequently be found, any person holding such duplicate shall return the same immediately to the Council for cancellation.
- D. No burial shall take place in any plot in respect of which the exclusive right of burial shall be held by any person unless such person shall have consented to such burial in the form set out in the Sixth Schedule hereto or the funeral director has satisfied himself that such burial is authorised.

9. PURCHASER OR OWNER OF PRIVATE GROUND MAY TRANSFER

- A. Any purchaser or owner of the exclusive right of burial in any plot in which no burial shall have taken place may, with the consent of the local authority, transfer his or her interest in such ground to any other person upon payment to the Council of such fee as the local authority by resolution decides.
- B. Where such exclusive right of interment has been purchased local authority may, in lieu of consenting to any such transfer, require the holder of such right to surrender the same to the local authority upon payment to such holder of the price paid by him for such right, or a sum bearing the same proportion to such price, as the area proposed to be transferred bears to the original area over which such right was purchased, and any such holder shall comply with any such requirement.

10. KEEPING GRAVES IN ORDER

The local authority may agree to keep any grave in any cemetery in order upon payment of the fees in that behalf prescribed in the First Schedule hereto.

11. LAPSING OF APPLICATIONS

Any application for the purchase of the exclusive right of burial in any plot or ground not previously used for interment shall lapse unless the purchase is completed by payment within 6 calendar months from the date of the application.

12. KEEPING IN ORDER

All kerbs, enclosures, tombstones, headstones and other monuments shall be kept in proper order or repair by the purchasers of lots or their representatives or assigns. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, all monuments, tablets, and fences or erections of any kind which shall fall into a state of decay or disrepair may at any time be removed from the cemetery by order of the local authority subject to section 9 of the Burial and Cremation Act 1964. In the event of there being no one available to effect repairs or permit removal, a photographic record of the plot shall be taken before removal and filed with cemetery records.

13. SHRUBS AND TREES

- A. Shrubs planted in any portion of any cemetery may at any time be trimmed, removed, or cut down by order of the local authority.
- B. No tree shall be planted in any cemetery by any person without the consent of the local authority being first obtained.

14. WHAT FEES COVER

The fees mentioned in the First Schedule (except those specified for keeping graves in order) do not include payment for any work required to be done beyond the actual digging of an ordinary grave, and after burial, filling in the same.

15. LEVELLING

- A. Every person who encloses any plot of ground shall do all levelling required at his own cost and in accordance with the requirements of the local authority.

- B. Every such person shall, without delay, remove from the cemetery all rubbish and earth not required in the filling in of the grave, or in connection with such levelling to a place approved by the sexton.

16. DEPOSIT OF MATERIALS

- A. No monumental mason or other person erecting or repairing any headstone, monument, fence, or other work in, on, or around any grave, or constructing or repairing any vault, in any cemetery shall make use of any footpath or other part of such cemetery for placing or depositing thereon any tools, planks, casks, or material in connection with the work of such erection, construction, or repair for a longer time than is reasonably necessary for the purpose of completing such work; any such mason or other person who, after service upon him of a notice in writing signed by the Clerk, requesting the removal thereof within a time specified in such notice.
- B. No person shall make use of any footpath or roadway in the cemetery for the purpose of mixing cement or mortar otherwise than upon a proper mixing board or in other approved manner.
- C. The local authority may construct sheds or other buildings for the storage of tools, planks, casks or other material belonging to such masons or other persons and may make such charges for the use of the same and for the supply of turf or of water or for such other services whatsoever as the local authority may from time to time fix by resolution.
- D. If the local authority so requires a deposit of \$20-00 shall be lodged with every application for a permit to carry out any work. Such deposit shall be refunded when the work has been completed to the satisfaction of the sexton.
- E. If the local authority shall provide any such shed or building, the local authority may require any such mason or other person to remove either from the cemetery or into such shed or building all tools, planks, casks or other material and any such mason or other person failing to comply with any such direction shall be liable to prosecution for an offence against this Part of this bylaw.

17. VEHICLES

- A. No person shall take any vehicle of any kind into any cemetery except between the hours of sunrise and sunset, or at such time as the local authority in any particular case by resolution decides.
- B. No person shall permit any vehicle of any kind under his control to remain in the cemetery after sunset on any day without the permission of the local authority.
- C. No person in control of any vehicle unless authorized by the local authority shall drive or conduct the same or permit the same to be on any part of any cemetery except the roads open for vehicular traffic.
- D. No person shall drive or conduct any vehicle of any kind in any cemetery at a greater speed than 24 km/h or than indicated on any road within any cemetery.
- E. No person shall drive or conduct any vehicle in any cemetery except in the direction indicated by traffic notices.

18. REMOVAL OF FENCES, HEADSTONES, PLANTS ETC

No person shall without authority, remove or take from any cemetery, or from any grave in any cemetery, any vase, wreath, plant, flower, or any other thing, except that the local authority may cause to be removed any neglected or broken material of this nature.

19. MISCONDUCT

No person shall in any part of the cemetery, by any violent or improper behaviour, prevent, interrupt, or delay the funeral service.

20. SOLICITING OF ORDERS

- A. No person shall, in any cemetery, advertise or solicit any order or custom from any other person for any work whatsoever to be done in or in connection with any cemetery, or for the sale, preparation, or supply of any article, material, or thing to be set up, affixed, placed, or used in any cemetery.
- B. Except at the specific request of a purchaser of plots or their representatives or assigns, no person shall in any cemetery, accept or take any such order or custom as aforesaid.
- C. No commercial photographer shall, without the consent of the funeral director, or special permit in writing for the occasion from the Clerk, attend any funeral for the purpose of taking photographs
- D. All Akatarawa Cemetery staff shall refer any person requesting information on the supply of services or materials (not supplied by the Cemetery) in respect of a burial or funeral to the appointed Funeral Director. In the event there is no appointed funeral Director they shall be referred to the current edition of the yellow Pages.

21. INTERMENT CHARGES: POOR PERSONS

Where application is made to the local authority for the interment at reduced charges of any deceased poor person, the applicant shall, on making such application, furnish to the local authority a certificate duly signed by him certifying that such deceased person has not left sufficient means to pay the ordinary charge of interment fixed by this Part of this bylaw, and that his relatives and friends are unable to pay the same. Such certificate shall be in the form specified in the Seventh Schedule to this Part of this bylaw or to the like effect.

22. DECEASED SERVICEMEN

Notwithstanding anything to the contrary contained in this Part of this bylaw, the fee payable to the local authority for the disinterment of any deceased serviceman and the reinterment thereof in the war graves section of the cemetery, if application is made therefore by the War Graves Branch of the Department of Internal Affairs, shall be as may be agreed upon between the parties from time to time.

23. DISINTERMENT

Where an application for a disinterment is received by a local authority, the disinterment shall be conducted pursuant to sections 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of such fees as the local authority by resolution decides.

24. DOGS

No person shall take any dog or allow any dog in his custody or charge under his control to go within the limits of the cemetery unless such dog is led on a leash. Every person, while having in his or her care or control, any dog which fouls anywhere within the cemetery with faecal matter, is required to remove such faecal matter immediately. The faecal matter is to be disposed of responsibly.

25. INTERMENTS

Interments may be made from time to time in ground in the cemetery set apart by the local authority for the purpose of a memorial park (berm or garden cemetery) and shown on a plan prepared by the local authority, but no fences or monuments other than headstones shall be erected or trees, shrubs or flowers planted except as approved by the local authority, and no kerbings shall be erected anywhere within the precincts of such memorial park cemetery.

26. PURCHASE OF ALLOTMENTS

Any person may upon payment of the fees and charges set out in the First Schedule hereto purchase allotments, the number of plots to be sold any one time shall be left to the discretion of the local authority.

27. ERECTION OF MEMORIALS

- A. The local authority shall construct or cause to be constructed a continuous concrete platform or berm at ground level or below as required, of a width suitable to maintain stability, ranging from 650mm if underground set on solid sub-soil, to 1m if flush with surface on which base or platform foundation work for all memorials will be placed. The cost of the platform shall be included in the purchase price of the plot.
- B. Concrete based work for all memorials shall not stand higher than 150mm above the highest point of the concrete berm or ground level, whichever is the higher, and shall be of a depth (front to back) of 650mm and shall, where required, allow insets for flower containers.
- C. On surface berms (or platforms) a space of 150mm clear of such memorial foundation base shall be maintained, both front and back.
- D. No erected memorial shall, at the head of the plot, be wider than 1m in the case of a single plot, or 2m in the case of a double width (family) plot.
- E. No monument including the foundation thereof, shall be erected of greater width than 900mm in the case of adult plots and 500mm in the case of children's plots centrally placed at the head of each plot, or of a greater height than 700mm in the case of adults or 450mm in the case of children's plots above the concrete headstone base. Such monument shall comply with sound engineering principles and shall be aesthetically acceptable to the controlling authority. The plan of such monument shall be submitted to, and approved by, the local authority before the erection of any such monument be permitted.
- F. No erected memorial shall be of any other material than granite. Concrete shall be finished in grey cement; no coloured cements shall be added or used.
- G. In constructing bases and in erecting memorials, the adjoining roads, paths or allotments shall not be injured.

- H. All memorials shall be kept in good repair by the purchaser of the allotment or the assignee. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, all memorials of any kind which shall fall into a state of decay or disrepair, may at any time be removed from the cemetery by order of the local authority, and in the event of there being no one available to effect repairs or permit removal, a photographic record of the plot shall be taken before removal and filed with cemetery records.

28. SHRUBS, TREES AND FLOWERS

No shrubs, trees or flowers shall be planted and maintained in the cemetery except such as shall be planted as and where directed by the local authority or its duly authorized officer.

29. VAULTS AND BRICK OR WALLED-IN GRAVES

- A. No vaults or brick or walled-in graves above ground shall be constructed in a memorial park cemetery except in such portion as may be set aside for the purpose by the local authority and subject to complying with engineering and aesthetic requirements of the local authority.
- B. Statuary may be permitted within a memorial park cemetery subject to any conditions and requirements of the local authority.

30. VASES OR CONTAINERS

All vases or containers for flowers shall be housed in insets set into the base on which the memorial is placed in such manner as shall be approved by the local authority.

31. INTERPRETATION

In this section of this Part of this bylaw, unless inconsistent with the context –
PLAQUE LAWN CEMETERY means a cemetery in which the surface is laid down as a grass lawn, no headstones project above the ground and which is declared to be such by the local authority.

32. STRUCTURES, PLAQUES AND TABLES ON PLOTS

In any plaque lawn cemetery no person shall –

- (a) Erect any kerb, railing, fence, building, or other structure on or around any single plot or part thereof;
- (b) Construct or place any tombstone, headstone, monument, or structure upon any plot in such manner that any part thereof shall project above the level of the ground immediately adjoining; or
- (c) Install or place any memorial plaque, memorial tablet, or other thing on any plot without the prior permission in writing of the Clerk, and subject to compliance with the following conditions;
- (1) Any such memorial tablet or memorial plaque shall consist of a permanent material as may be approved from time to time by the local authority.
- (2) Such tablet or plaque shall be of an approved sized and set in an approved position in an approved manner.

- (3) All lettering and names of persons buried in each plot shall be placed on the one tablet or plaque.
- (4) Payment of fees shall be made as prescribed in the First Schedule hereto.

33. DIMENSIONS OF PLOTS

The dimensions of plots shall be determined by resolution of the local authority.

34. WREATHS ETC

No person shall plant anything on any plot, but during a period of two days or such other period as the local authority decides following interment any wreath or other floral tribute may be placed on a plot, but shall be removed at the expiration of such period.

35. SPECIAL RECEPTACLE FOR FLOWERS

- (a) After such period of two days has expired no person shall place on a plot any floral tribute except flowers and foliage which shall be placed in a special receptacle of an approved type. Any such floral tribute may be removed by the sexton at any time after the fifth day from the latest interment in that plot.
- (b) The special receptacle hereinbefore referred to shall be installed adjoining any tablet or plaque on the side nearest the head of the plot.
- (c) Every part of such receptacle shall be 50mm or more below the level of the adjoining ground surface.
- (d) The sexton shall be at liberty at any time to remove damaged receptacles or receptacles of a type not approved by the local authority, and he may also remove at any time dead flowers and dead foliage.

36. COMPLIANCE WITH CONDITIONS PRIOR TO CREMATION

- (a) No cremation shall take place in any crematorium maintained by the local authority unless the provisions of the Cremation Regulations 1939 and of every regulation made in substitution therefore or in amendment thereof shall have been complied with.
- (b) No cremation shall take place in such crematorium unless there shall first have been paid to the Clerk the fees chargeable in respect of such cremation in accordance with the scale of fees as the local authority by resolution decides and due notice given to the sexton, or by such other arrangement for the payment of fees as the Clerk decides.

37. URNS FOR ASHES

An approved urn containing the ashes of a deceased person may be left for 14 days from the date of the cremation free of charge. At the expiry of this period such fee per month as the local authority may from time to time prescribe shall be paid; but the local authority will not hold ashes on these terms beyond three months from the date of such cremation and at the expiration of such three months may dispose of the ashes in accordance with the aforesaid regulations.

38. CASKET CONSTRUCTION

- (a) The casket containing any deceased person intended for cremation shall be made of an approved combustible material and the specification as to overall size shall be such as will be accepted by the incinerating process.
- (b) Two persons properly concerned with the cremation of the deceased may see the casket placed in the incinerating hall after the service in the chapel.
- (c) No inspection of the actual process of incineration shall be permitted.
- (d) Without the consent of the sexton no casket shall be opened after admission to the crematorium.

39. MISCELLANEOUS PROVISIONS

- (a) No cremation shall be held on any day except between the hours of 8am and 5pm Monday to Friday, and 8am to 1pm on Saturday or such other hours as the local authority by direction may determine.
- (b) Every application for cremation, together with all necessary certificates, shall be deposited with the Clerk prior to cremation.

40. AGAINST DAMAGE AND INTERFERENCE

No person shall:-

- (a) In any way damage or injure the crematorium or any part thereof;
- (b) Pain, write, or carve on or in any way whatever disfigure the crematorium or any part thereof; or
- (c) Unlawfully or improperly interfere with, or interrupt the carrying out of, any cremation in the crematorium or of any service or ceremony in connection therewith.

FIRST SCHEDULE

Scale of Fees

[Refer to Current list of Fees and Charges](#)

SECOND SCHEDULE**AKATARAWA CEMETERY
MEMORIAL SIZES
Effective 1 July 2007****HEADSTONES**

Adults	Maximum width 900mm	Maximum height 700mm
Children	Maximum width 530mm	Maximum height 450mm
Ashes	Maximum width 530mm	Maximum height 450mm

NB Adult headstones are to be set at 50mm in from the rear of the base to the back of the headstone. In the case of the children's and other headstones, 20mm shall apply.

BASES

Adults	Single	900mm x 430mm neat size
	Double	1400mm x 430mm neat size
Children		600mm x 300mm neat size
Ashes		600mm x 300mm nat size

All bases must be no higher than 150mm from highest point of the concrete berm to the top of the base.

FLOWER VASES

All flower vases are to be inserted into the base. Trumpet vases are permitted in the headstone sections of the cemetery only.

FLOWER INSERTS IN BASE**PLAQUES**

Adults	500mm x 300mm neat size
Children	450mm x 250mm neat size
Ashes	500mm x 300mm neat size
Ashes General	300mm x 230mm neat size
Tree Ashes	300mm x 230mm neat size, with 75mm concrete surround
Memorial Gardens	300 x 230 x 150/50 recumbent desk. All polished
Adults only	900mm x 300mm x 50mm neat size A Plinth can be used in combination with a recumbent desk only, with the option of flower holes on either side, or both sides.

ALL MEMORIALS GRANITE ONLY**FLOWER INSERTS IN CONCRETE BERM – 1 PER PLAQUE**

No monument shall be removed from the cemetery without permission from the Sexton. Monumental work is to be carried out between the hours of:

Monday to Friday	8.00am – 5.00pm
Saturday	8.00am – 1.00pm (Excluding Public Holidays)

Prior arrangements must be made with the Sexton for Saturday installations.

Permits for all work must be obtained from the Sexton, prior to any work being carried out. No advertising of any sort will be permitted on any memorial.
In all upright headstone sections all wording and art work is to be placed on front side of stone only. Plaster is to be finished in grey cement only.

Permit Fee: \$22.80

For any enquiries, please contact the Sexton:

Telephone:	(04) 526-7030
Mobile:	(027) 249-4836
After Hours:	(04) 971-9453

THIRD SCHEDULE



AKATARAWA PUBLIC CEMETERY

Warrant for
Interment:

No:

Date:

Surname: _____

First Names: _____

Occupation: _____

Address: _____

Full Age: (yrs/mths) _____ Date of Death: _____ Interment Date: _____

Denomination: _____

Name of Clergy/Celebrant: _____

Funeral Director: _____

Date and Time of Funeral: _____

Next of Kin: _____

Relationship: _____

Address of Next of Kin: _____

Customer Code: _____ Invoice Number: _____

Send Account to: _____

Address: _____

Office Use Only

Plot No: _____ Grave or Ashes: _____

Plot Certificate No: _____ Plot Area: _____

Grave Description: _____ Date of Purchase: _____

Receipt No: _____ **Amount Paid:** \$ _____

Plot 4207155	Interment 4207156	M.I.P. 4207159	Lowering Device 4207158	Extra Depth Triple Depth 4207501	Oversize Casket 4207501	Out of District 4207160	Weekend Digging 4207501	Weekend Services 4207159	Mem Book Inscription 4207501
CPL	CIN	CMIP	CLD	CED	COC	COD	CWD		

TOTAL \$ _____

SEXTON

**FOURTH
SCHEDULE**

AKATARAWA PUBLIC CEMETERY

GRANT OF EXCLUSIVE RIGHT OF BURIAL

Certificate Number

Number

Grant of exclusive right of burial in perpetuity in the Public Cemetery at Akatarawa administered by the City of Upper Hutt, issued under the provisions of "The Cemeteries Act, 1908" and its amendments, and subject to the provisions of that Act and of the Bylaws of the Upper Hutt City Council.

In consideration of the payment of the sum of \$_____ received on the _____ day of _____ 20__, the Upper Hutt City Council hereby grants unto:

Name

the exclusive right of burial in perpetuity in the parcel of ground in the Akatarawa Cemetery, described as Plot No. _____ Section _____ in the portion of the said Cemetery.

Granted at Upper Hutt this _____ day of _____ 20__

SEXTON

FIFTH SCHEDULE

[Permit memorial \(PDF 8k\)](#)