

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2021-017

BEING A BY-LAW TO AMEND BY-LAW
2020-042, BEING A BY-LAW TO PROVIDE
FOR RULES AND REGULATIONS FOR THE
CARE AND CONTROL OF CEMETERIES
OWNED BY THE TOWNSHIP OF MAPLETON

WHEREAS Section 10 of the Municipal Act, 2001 provides that municipalities may provide any service that the municipality considers necessary or desirable for the public; and

WHEREAS the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 (the "Act"), which comes into effect July 1st, 2012, regulates the operation of cemeteries in Ontario; and

WHEREAS a new by-law respecting the regulation and management of Township cemeteries is required to comply with the amendments to the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33 (the "Act") which came into effect in July 2012; and

WHEREAS the Council of the Corporation of the Township of Mapleton deems it desirable to enact a By-Law to regulate the operation, care, and control of cemeteries, described as Drayton Cemetery (previously named St. Martin's Cemetery and Victoria Cemetery) located at 187 Wellington Street North, Drayton and Hollen Cemetery located at 8051 Hollen Road in the Township of Mapleton: and

WHEREAS Public Notice of Council's intention to pass this By-Law was provided in accordance with the Act; and

NOW THEREFORE the Council of the Corporation of the Township of Mapleton hereby enacts as follows:

Index to Contents

Section A:	Definitions
Section B:	General Information
Section C:	Sale of Interment Rights (including transfer)
Section D:	Cancellation or Resale of Interment Rights
Section E:	Interment of Remains and Cremains
Section F:	Memorialization - Monuments and Markers
Section G:	Columbarium Regulations
Section H:	Care and Planting
Section I:	Items that are Prohibited and Permitted
Section J:	Contractor/Monument Dealers

Preface

1. THAT this By-law may be cited and known as "The Cemetery By-law".
2. THAT The Corporation of the Township of Mapleton reserves full and complete control and management of all assets of the Corporation including but not limited to the generality of the foregoing, all lands, buildings, plantings, roads, utilities, books and records of the cemetery and complete authority to administer the by-law.
3. THAT the Director of Public Works shall have custody of the Cemetery under the direction of the Corporation. The Director has the authority to make final and binding decisions based on the by-law.
4. THAT the Cemeteries shall be managed and governed by the Rules and Regulations set out in this by-law.
5. THAT any current by-laws and any other by-laws or resolutions or parts of by-laws or resolutions relating to the rules and regulations for the operation, care and control of municipality owned cemeteries inconsistent with this by-law are hereby repealed.
6. THAT this By-Law shall come into force and take effect on the date of approval of the Registrar appointed under the Act.

SECTION A: DEFINITIONS

Act: Funeral, Burial & Cremation Services Act, 2002, S.O. 2002, c.33, (FBCSA) including any provincial Regulations made pursuant to said Act, and specifically Ontario Reg 30/11.

Burial: The opening of a lot and then the placing of dead human remains, or cremated human remains in that lot, followed by closing the lot. The lot may be a grave in the ground, or a niche in a columbarium.

Cemetery By-Law: This By-Law and any amendments hereto under which a Cemetery operates or as approved by the Council of the Corporation of the Township of Mapleton.

Care and Maintenance Fund: It is a requirement under the Act that a percentage of the purchase price of all Interment Rights and set amounts for marker and monument installations is contributed into the Care and Maintenance Fund. Interest earned from this fund is used to provide care and maintenance of plots, lots, markers, and monuments at the Cemetery.

Cemetery: Land, owned and operated by the Corporation of the Township of Mapleton, that has been established as a cemetery under the Act, a private Act or a predecessor of one of them that related to cemeteries, or land that was recognized by the Registrar as a cemetery under a predecessor of the Act that related to cemeteries and includes land that in the prescribed circumstances has been otherwise set aside for the interment of human remains and a Columbarium intended for the interment of human remains.

Cemetery Operator: The Corporation of the Township of Mapleton which reserves full control over the cemetery management and operation of the land within the cemetery grounds.

Cemetery Services:

Offered as listed:

- (i) interment rights
- (ii) opening or closing of a grave
- (ii) interring or disinterring human remains
- (iv) providing temporary storage in a receiving vault
- (v) installation of a foundation for a marker
- (vi) inspection of markers, and any editing
- (vii) setting of corner posts and footstones
- (viii) transfer fee

Contract: For purposes of the Cemetery By-Law, all purchasers of interment rights must sign a contract with the Cemetery Operator or Designate, detailing obligations of both parties and acceptance of the Cemetery By-Law.

Corner Posts: Shall mean any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot or plot.

Corporation: The Corporation of the Township of Mapleton.

Council: Means the Council of The Corporation of the Township of Mapleton.

Director of Public Works: The Corporation of the Township of Mapleton Director of Public Works or Designate.

Fees & Charges: The list of Cemetery Fees & Charges approved by Council.

Grave: (Also known as Lot); any in ground burial space intended for the interment of a child, adult or cremated human remains.

Interment Right: The rights to require or direct the interment of human remains or cremated human remains in a grave, lot, niche, or crypt and to direct the associated memorialization.

Interment Rights Certificate: The document issued by the Cemetery Operator or Designate to the purchaser once the interment rights have been paid in full, identifying ownership of the interment rights.

Interment Rights Holder: Any person or persons designated to hold the right to inter human remains in a specified lot, and "Rights Holder" shall have the same meaning.

Lot: For the purposes of these rules and regulations a lot is a single grave space.

Lot - Cremation Gardens: An area of land in the cemetery set aside in the Cremation Gardens to contain human cremains including space for a marker.

Marker: Shall mean any permanent memorial structure that is set flush and level with the ground and used to mark the location of a burial or lot.

Monument: Any permanent memorial projecting above the ground installed within the designated space to mark the location of a burial or lot.

Niche: An individual compartment in a columbarium for the entombment of cremated human remains.

Pre-need supplies or services: Cemetery supplies or services that are not required to be provided until the death of a person alive at the time the arrangements are made.

Township: The Corporation of the Township of Mapleton.

Transfer of Interment Rights: An inter vivos (during lifetime) or postmortem (after death) transfer made without any consideration or receipt of funds for such transfer. Such transfer is to be distinguished from a re-sale which is prohibited except to the Cemetery Operator on the terms and conditions as herein forth set out.

Transfer Form: Means the form to be completed for any transfer or resale of interment rights.

SECTION B: GENERAL INFORMATION

Hours of Operation:

Visitation Hours: Dawn to dusk

Children under the age of 12 must be accompanied by an adult who will be responsible for their conduct.

Burial Hours: Monday to Saturday 10:00 a.m. - 5:00 p.m.

*Interments on Sunday and Civic/Statutory Holidays will only take place due to extenuating circumstances and with the expressed consent of the Public Works Director or Designate.

Winter interments and disinterment's are permitted; however, they will be at the approval of the Director of Public Works or Designate.

Fee for service is in accordance with the Fees and Charges By-law, as amended from time to time.

General Conduct:

The Cemetery Operator reserves full control over the cemetery operations and management of land within the cemetery grounds including the following:

- All sales of lots and cemetery services for the maintenance of cemetery records and shall administer the Cemetery budget as approved by Council.
- Ensure that all accounts are rendered and notices in connection with cemetery business are carried out and shall transact all routine business in accordance with this by-law.
- Shall maintain up-to-date records of the plans or surveys of the cemeteries; the names of all interment rights holders and their addresses, copies of all contracts for the purchase of cemetery supplies and/or services.

Township of Mapleton
By-law Number 2021-017

- Copies of all transfers of interment rights. The date of and location of all interments within the cemeteries, and whether such interments are of cremated remains.
- A copy of the contract of the interment rights holder for each interment.
- Applications for each contract with respect to the placement of markers.

No person shall or cause to damage, destroy, remove, or deface any property within the cemetery.

All visitors must conduct themselves in a quiet manner and shall not disturb any service being held.

By-Law Amendments:

The cemetery shall be governed by the Cemetery By-Law, and all procedures will comply with the Funeral Burial & Cremation Services Act, 2002 and Ontario Regulation 30/11, which may be amended periodically.

All By-Law amendments must be:

- a) published once in a newspaper with general circulation in the locality in which the cemetery is located;
- b) conspicuously posted on a sign at the entrance of the cemetery; and
- c) delivered to each supplier of markers who has delivered a marker to the cemetery during the previous year if the by-law or by-law amendment pertains to markers of their installation.

A copy of proposed amendments will be provided to the local Funeral Home Directors located within the Township of Mapleton service area for review and comment prior to submission for approval by Council.

All By-Laws and By-Law amendments are subject to the approval of the Registrar, Bereavement Authority of Ontario (BAO).

Liability:

The Cemetery Operator or Designate will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to, any lot, plot, columbarium niche, mausoleum crypt, monument, marker, or other article that has been placed in relation to an interment save and except for direct loss or damage caused by gross negligence of the cemetery.

Notice of Transfer of Interment Rights:

The Cemetery Operator prohibits the resale of interment rights to a third party and will repurchase these rights at the original purchase price - less the applicable portion for deposit to the Cemetery's Care and Maintenance Fund.

In the case of a request received by the Cemetery Operator or Designate for transmission of ownership by Interment Rights by reason of a bequest made in a validly executed Last Will and Testament, the Cemetery Operator or Designate reserves the right to require the production of a Notarial Copy and/or Court Certified Copy of the Last Will and Testament or a Certificate of Appointment of Estate Trustee; or other evidence sufficient to prove the proper transmission of ownership on death of the rights holder.

Township of Mapleton
By-law Number 2021-017

Where the deceased Interment Rights Holder has left a Last Will and Testament containing a specific bequest of the Lot, a Notarial Copy and/or Court Certified Copy of the said Last Will and Testament or a Certificate of Appointment of Estate is required.

If the Will does not contain a specific bequest of the Lot, a request in writing from the Estate Trustee(s) for the transfer is required.

Where the Interment Rights Holder dies without a will, a request in writing from the Estate Trustee(s) or, if no Estate Trustee has been appointed, from all of the heirs-at-law.

Where the Interment Rights Holder wishes to transfer such rights during his or her lifetime, the Rights Holder shall so advise the Cemetery Operator, who may request reasonable proof that such transfer does not constitute a resale before effecting same.

All transfer of interment rights shall be subject to payment of the required Cemetery Fees & Charges as established from time to time, and in compliance with all other provisions of the Cemetery By-Laws.

Public Register:

Provincial legislation - Section 110 of Ontario Regulation 30/11 requires all cemeteries and crematoriums to maintain a public register that is available to the public during regular office hours.

Pets or Other Animals:

Pets or other lower animals, including cremated animal remains, are not allowed to be buried on cemetery grounds.

Right to Re-Survey:

The Cemetery Operator has the right at any time to re-survey, enlarge, diminish, replot, change, or remove plantings, grade, close pathways, or roads, alter in shape, or size, or otherwise change all or any part of the cemetery, subject to approval of the appropriate authorities.

SECTION C: SALE OF INTERMENT RIGHTS

Interment Rights to a lot, plot or niche may be purchased from the cemetery at the rate as set out in the Township of Mapleton Fees & Charges By-Law and in accordance with approved plans. The prices for Interment Rights include the applicable portion for deposit to the Cemetery's Care and Maintenance Fund.

The purchase of services will be made directly through the Cemetery Operator or Designate by way of completing the contract form.

A Representative may, on behalf of the Interment Rights Holder(s), make full payment for cemetery services at the time of need and may accept full payment for the services.

A monument company may submit and or accept and submit payment payable to the Cemetery Operator or Designate for monument/marker care and maintenance.

All payments for Interment Rights shall be made to the Cemetery Operator or Designate.

The Cemetery Operator or Designate shall provide the following to the Interment Rights Holder upon full payment:

- a) Interment Rights Certificate
- b) Invoice marked paid
- c) Copy of the Cemetery By-Law & Rules & Regulations
- d) Price list
- e) Consumer Information Guide to Funeral, Burials and Cremation Services

If interment rights are sold and are not exercised within 80 years of the date of sale, the Cemetery Operator or Designate may, after the 80 years has elapsed, apply to the registrar for a declaration that the rights are abandoned.

SECTION D: CANCELLATION, RESALE OR TRANSFER OF INTERMENT RIGHTS

Purchasers of interment rights acquire only the right to direct the burial of human remains and the installation of monuments, markers, and inscriptions, subject to the conditions set out in the Cemetery By-Law. No burial, entombment, or installation of any monument, marker, inscription, or memorialization is permitted until the interment rights have been paid in full.

In accordance with cemetery by-laws, no burial, or installation of any monument, marker, inscription, or memorialization is permitted until the interment rights have been paid in full. An interment rights certificate will be issued to the interment rights holder(s) when payment has been made in full. The purchase of interment rights is not a purchase of real estate or real property.

Cancellation of Interment Rights within 30 Day Cooling-Off Period:

- A purchaser has the right to cancel an interment rights contract within thirty (30) days of signing the interment rights contract, by providing written notice of the cancellation to the Cemetery Operator. The Cemetery Operator will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.

Cancellation of Interment Rights after the 30-Day Cooling-Off Period:

- Upon receiving written notice from the purchaser of the interment rights, the Cemetery Operator will determine if it will repurchase the interment rights and issue a refund to the purchaser for the amount paid for the interment, less the appropriate amount that is required to be deposited into the Care and Maintenance Fund. This refund will be made within thirty (30) days of receiving said written notice, if applicable. If the Interment Rights Certificate has been issued to the interment rights holder, the certificate must be returned to the Cemetery Operator along with the written notice of cancellation. Any services provided, such as the purchase of corner posts, will not be refunded.
- If any portion of the interment rights has been exercised, the purchaser, or the interment rights holder are not entitled

to cancel the contract or re-sell the interment rights, and no refund will be permitted.

Resale of Interment Rights after 30 Day Cooling-Off Period:

ALL RESALES OF INTERMENT RIGHTS TO A THIRD PARTY ARE PROHIBITED; AND FURTHER MUST BE CARRIED OUT THROUGH THE CEMETERY OPERATOR OR DESIGNATE

- If a rights holder(s) wishes to re-sell the interment the rights holder(s) must make the request to the Cemetery Operator in writing. The Cemetery Operator will repurchase the interment rights at the price listed on the Cemetery Operator original price list less the Care & Maintenance Fund contribution made at the time of purchase. The re-purchase and payment to the rights holder requesting the sale must be completed within 30 days of the request.
- The interment rights holder requesting the resale of the rights must return the interment rights certificate to the Cemetery Operator and the rights holder(s) must endorse the interment rights certificate, transferring all rights, title, and interest back to the Cemetery Operator. The appropriate paperwork with applicable fee must be submitted before the Cemetery Operator or Designate reimburses the rights holder(s).

SECTION E: INTERMENT OF REMAINS AND CREMAINS

- Interment rights holder must provide written authorization prior to an interment taking place. Should the interment rights holder be deceased, authorization to the satisfaction of the Cemetery Operator or Designate must be provided in writing by the person authorized to act on behalf of the interment rights holder i.e., Personal Representative, Estate Trustee, Executor or next of kin.
- A burial permit issued by the Registrar General or equivalent document showing the death has been registered with the province must be provided to the Cemetery Operator or Designate prior to a burial taking place. A Certificate of Cremation must be submitted to the Cemetery Operator or Designate Office prior to the burial of cremated remains taking place.
- In accordance with the Act the purchaser of interment rights must enter into a cemetery contract, providing such information as may be required by the Cemetery Operator or Designate for the completion of the contract and the public register prior to each burial or entombment of human remains or cremated human remains.
- Payment must be made to the Cemetery Operator or Designate before a burial can take place.
- The Cemetery Operator or Designate shall be given a minimum 24 hours of notice for each burial of human remains.

Township of Mapleton
By-law Number 2021-017

- The opening and closing of graves and niches may only be conducted by cemetery staff or those designated to do work on behalf of the cemetery.
- Cremated remains are not permitted to be scattered on a grave.
- Human remains may be disinterred from a lot provided that the written consent (authorization) of the interment rights holder has been received by the Cemetery Operator or Designate and the prior notification of the Medical Officer of Health. A certificate from the local Medical Officer of Health must be received at the Cemetery Operator or Designate office before the removal of casketed human remains may take place. A certificate from the local Medical Officer of Health is not required for the removal of cremated remains.
- In special circumstances, the removal of human remains may also be ordered by certain public officials without the consent of the interment rights holder and/or next of kin(s).
- A single grave may contain the following:
 - a) One (1) non-cremated interment; vaulted or unvaulted or
 - b) One (1) non-cremated interment plus four (4) cremains placed on top where there is sufficient ground cover to do so: or
 - c) A maximum of Six (6) cremains.
- Double depth burials are not permitted as of the date of passing of this by-law, however, double depth burials in Drayton Cemetery are permitted where graves were purchased between January 1, 2003 and June 22, 2010 when
 - a) the first interment was placed in a concrete vault or grave liner at double depth; and
 - b) certificate of interment rights indicates that the purchase was to accommodate a double depth burial.

SECTION F: MEMORIALIZATION - MONUMENTS AND MARKERS

- F.1 No memorial or other structure shall be erected or permitted on a lot until all charges have been paid in full.
- F.2 No monument or marker of any description shall be placed, moved, altered, or removed without the permission from the Cemetery Operator or Designate.
- F.3 Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered to be normal wear, and repair of same shall not be the responsibility of the Cemetery Operator or Designate.
- F.4 The Cemetery Operator or Designate will take reasonable precautions to protect the property of interment rights holders, but it assumes no liability for the loss, or damage to, any monument, marker, or other structure, or part thereof.
- F.5 The Cemetery Operator or Designate reserves the right to determine the maximum size of monuments, number and location on each lot or plot. They must not be of a size that would interfere with any future interments.

Township of Mapleton
By-law Number 2021-017

- F.6 All foundations for new monuments shall be built by, or contracted to be built for, the Cemetery Operator or Designate at the expense of the interment rights holder.
- F.7 Should any monument or marker present a risk to public safety because it has become unstable, the Cemetery Operator or Designate shall do whatever it deems necessary by way of repairing, resetting, or laying down the monument or marker or any other remedy so as to remove the risk (at the cost to the cemetery).
- F.8 The Cemetery Operator or Designate reserves the right to remove at its sole discretion any marker, monument or inscription which is not in keeping with the dignity and decorum of the cemetery by the Cemetery Operator or Designate.
- F.9 A monument or other structure shall be erected only after the specific design plans have been approved by the Cemetery Operator or Designate including dimensions, material of structure, construction details, and proposed location.
- F.10 In keeping with the Cemetery By-Laws only one monument and set of cornerstones shall be erected within the designated space of any lot.
- F.11 Cremation lot markers will be installed by the marker supplier under the supervision of the Cemetery Operator or Designate and may be centered over no more than two (2) cremation lots.
- F.12 The minimum thickness for flat markers is 4" or 10.16 cm.
- F.13 The minimum thickness for an upright monument is 6" or 15.24 cm.
- F.14 All monuments and markers shall be constructed of granite or bronze and permitted only in specific designated areas.
- F.15 Minimum thickness of the dies shall be 6" (15.24 cm) and able to withstand the 200lbs of horizontal force applied anywhere on the monument without toppling.
- F.16 All monuments will include a 12" or 30.48 cm thick base with no less than 4" or 10.16cm of rock finish from ground level. The top surface of the base must be both wider and longer than the die in order to provide a minimum border of 3" or 7.62cm on the surface of the base exposed on all sides. No part of the die shall exceed the width of the base at any point.
Foundations are required for upright markers.
- F.17 Inscriptions shall be in keeping with the dignity and decorum of the cemetery. All inscriptions not to the satisfaction of the Cemetery Operator or Designate shall be forthwith removed at the expense of the person who made, or cause to be made, the inscription.
- F.18 The maximum size of one monument allowed on a single lot, including a 12" or 30.48 cm thick base, is:

Height: 38" or 96.52cm overall height - maximum
Width: 24" or 60.96cm maximum

Township of Mapleton
By-law Number 2021-017

Thickness of die: 6" or 15.24 cm minimum
Base: 30" or 76.2 cm maximum x 12" or 30.48 cm minimum

F.19 The maximum size of one monument allowed on a double plot, including a 12" or 30.48 cm thick base, is:

Height: 48" or 121.92 cm overall height - maximum
Width: 48" or 121.92 cm maximum
Thickness of die: 6" or 15.24 cm minimum
Base: 54" or 137.16 cm maximum x 12" or 30.48 cm - minimum

F.20 The maximum size of one monument allowed on a triple plot (or greater), including a 12" or 30.48 cm thick base, is:

Height: 58" or 147.32 cm overall height - maximum
Width: 72" or 182.88 cm maximum
Thickness of die: 6" or 15.24 cm minimum
Base: 80" or 203.2 cm maximum x 12" or 30.48 minimum

F.21 No monument shall be delivered to the cemetery for installation until the monument foundation has been completed, and the interment rights holder and or monument retailer have been notified by the Cemetery Operator or Designate.

F.22 Markers of granite or bronze are permitted with size and quantity restrictions according to Cemetery By-Laws and the placement of such memorials shall not interfere with future interments.

Single lot maximum 1 marker - 24" x 18" (61 cm x 45.72 cm)
Double lot maximum 1 marker - 42" x 18" (106.68 cm x 45.72 cm)
Triple lot maximum 1 marker - 60" x 18" (152.4 cm x 45.72 cm)
Foot Marker maximum 1 per lot - 12" x 6" (30.5 cm x 15.24 cm)

F.23 Cremation Gardens lot

- Markers do not require a foundation
- On a single cremation lot, the marker shall be no greater than 20" X 16" (50.8 cm x 40.64 cm)
- On double cremation lots, the marker shall be no greater than 40" X 16" (101.6 cm X 40.64 cm) (See F.25 below)

F.24 Location of markers/monuments:

- One monument permitted to be centered on a single lot.
- One marker, centered, is permitted per single/double/triple lot.
- One monument shall be centered between two lots and one monument shall centered between three or more lots.
- One foot marker, centered at the foot of the lot, is permitted per lot that has an existing monument or marker.

F.25 All markers larger than 20" x 16" (50.8 cm x 40.64 cm) shall be required to be set in concrete.

F.26 In any area within a cemetery which is designated as an area permitting markers only, no monument shall be placed except by specific permission in writing granted by the Cemetery Operator or Designate.

SECTION G: COLUMBARIUM REGULATIONS

- G.1 No person other than cemetery staff shall remove or alter niche fronts.
- G.2 All niche fronts inscribing must be approved by the Cemetery Operator or Designate to ensure quality control, desired uniformity and standard of workmanship.
- G.3 No person shall add attachments or decorations on the columbarium.
- G.4 Each niche will not be overcrowded and above its specified range. It is the responsibility of the rights holder to ensure that the urns used are sized to fit inside the niche.

SECTION H: CARE AND PLANTING

A portion of the price of interment rights is trusted into the Care and Maintenance Fund. The income generated from this fund is used to maintain, secure, and preserve the Cemetery grounds. Services that may be provided through this fund include:

- Re-levelling and sodding or seeding of lots
- Maintenance of cemetery roads, sewer, and water systems
- Maintenance of perimeter walls and fences
- Maintenance of cemetery landscaping
- Maintenance of mausoleum and columbarium
- Repairs and general upkeep of cemetery maintenance buildings and equipment

- No person other than cemetery staff shall remove any sod or in any other way change the surface of the burial lot in the cemetery.

- Flower beds not exceeding 12" (30.48 cm) in distance from the monument and no greater than the width of the base of the monument shall be permitted. Raised borders of any material are not permitted.

- Flowers or vases placed on a grave shall be removed by the cemetery staff after a reasonable time to protect the sod/seed and maintain the tidy appearance of the cemetery.

SECTION I: ITEMS THAT ARE PROHIBITED AND PERMITTED

The Cemetery Operator or Designate reserves the right to regulate the articles placed on lots or plots which may pose a threat to the safety of all interment rights holders, visitors to the cemetery and cemetery employees, or which prevent the cemetery from performing general cemetery operations, or which are not in keeping with the respect and dignity of the cemetery.

Prohibited articles include non-heat resistant glass, ceramics, corrosive metals, loose stones, sharp objects, trellises, arches, or benches, which will be removed and disposed of without notification or compensation.

No person shall be allowed to plant a tree or trees.

The Cemetery Operator or Designate reserves the right to disallow or remove quantities of memorial wreaths or flowers considered by the Cemetery Operator or Designate to be excessive or that diminishes the otherwise tidy appearance of the cemetery.

SECTION J: CONTRACTOR / MONUMENT DEALERS

Any contract work to be performed within the cemetery requires the written preapproval of the interment rights holder and the Cemetery Operator or Designate before the work may begin. Pre-approval includes but is not limited to: landscaping, delivery of monuments and markers, inscriptions, designs, drawings, plans, and detailed specification relating to the work, proof of all applicable government approvals and permits, and the location of the work to be performed. It is the responsibility of all contractors to report to the Cemetery Operator or Designate office and provide the necessary approvals before commencing work at any location on the cemetery property.

Prior to the start of any said work, contractors must provide proof of:

- WSIB coverage
- Occupational Health and Safety compliance standards
- Environmental Protection
- WHMIS
- Evidence of liability insurance of not less than \$5,000,000.00 (Five million dollars)

All Cemetery By-Laws apply to all contractors and all work carried out by contractors within the cemetery grounds.


Contractors, monument dealers and suppliers shall not enter the cemetery in the evening, weekends, or statutory holidays, unless approval has been granted by the Cemetery Operator or Designate.

No work will be performed at the cemetery except during regular business hours of the cemetery.


Contractors shall temporarily cease all operations if they are working and a funeral is in progress, until the conclusion of the service. The Cemetery Operator or Designate reserves the right to temporarily cease contractor operations at their sole discretion if the noise of the work being performed by the contractor is deemed to be a disturbance or disrespectful to any funeral or public gathering within the cemetery.

Contractors, monument dealers and suppliers shall lay wooden planks on the burial lots and paths over which heavy materials are to be moved in order to protect the surface from damage.

READ a first, second, and third time this 24th day of February 2021.



Mayor Gregg Davidson



Clerk Larry Wheeler