

THE CORPORATION OF HALDIMAND COUNTY

By-law Number /24

Being a by-law to establish the regulation and management of cemeteries under the control of The Corporation of Haldimand County

WHEREAS the Council of The Corporation of Haldimand County deems it necessary to enact a by-law for the regulation and management of cemeteries under the control of the municipality;

WHEREAS on July 1st, 2012, the *Cemeteries Act*, R.S.O. 1990, chapter C.4, as amended, was repealed and replaced by the *Funeral, Burial and Cremation Services Act, 2002*;

WHEREAS it is necessary to repeal Haldimand County's Cemetery By-law No. 1501/15 and enact a new cemetery by-law in order to be compliant with the *Funeral, Burial and Cremation Services Act, 2002*;

AND WHEREAS no such by-law comes into force or takes effect until it is filed with and approved by the Registrar of Cemeteries, Funeral, Burial and Cremation Services Act, 2002, Cemeteries Regulations Unit, Ministry of Consumer Services,

NOW THEREFORE, the Council of The Corporation of Haldimand County enacts as follows:

1. DEFINITIONS

- a. **Base Stone:** The piece between the foundation and die stone of a monument or marker.
- b. **Burial:** The opening and closing of an in-ground lot or plot for the disposition of human remains or cremated human remains. Also known as an "interment" or "to inter".
- c. **Burial Vault:** A sealed container, typically made of concrete, that is placed into a lot to house a casket.
- d. **By-laws:** The rules and regulations under which the Corporation operates.
- e. **Care and Maintenance Fund:** is a prescribed amount or a percentage of the purchase price (excluding tax) of all interment and scattering rights sold, transferred, assigned or permitted; and prescribed amounts for monuments and markers, contributed into the care and maintenance fund.

- f. **Cemetery:** Shall mean the lands under the control of Haldimand County and set aside to be used for the interment of human remains and includes a mausoleum, columbarium or other structure intended for the interment of human remains.
- g. **Columbarium:** a structure designed for the interment of cremated human remains in sealed compartments called niches.
- h. **Contract:** For purposes of these by-laws, all purchasers of interment rights, or other cemetery supplies and services must receive a copy of the contract they and the cemetery operator have signed detailing the obligations of both parties, and acknowledging receipt and acceptance of the cemetery by-laws, a copy of the Consumer Information Guide and the Price List.
- i. **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.
- j. **Corporation:** Shall mean the municipal Corporation of Haldimand County.
- k. **Cremation Lot:** Shall mean a lot intended for the interment of cremated remains only.
- l. **Crypt:** An individual compartment in a mausoleum for the entombment of human remains.
- m. **Die Stone:** The portion of the monument containing the burial inscription.
- n. **FBCSA:** Shall mean the Funeral, Burial and Cremation Services Act 2002.
- o. **Foundation:** The load bearing portion on which the monument stands and that is placed below ground level.
- p. **Grave:** (also known as Lot) means any in-ground burial space intended for the interment of any human remains including cremated human remains.
- q. **Interment Right:** The right to require or direct the interment of human remains or cremated human remains in a grave, lot, niche or crypt and direct the associated memorialization.

- r. **Interment Rights Certificate:** The document issued by the Corporation to the purchaser once the interment rights have been paid in full, identifying ownership of the interment rights.
- s. **Interment Rights Holder:** Any person designated to hold the right to inter human remains in a specified lot.
- t. **Liner:** A container, typically made of concrete, that is placed into a lot to house a casket.
- u. **Lot:** For the purposes of this by-law, a lot is a single grave space.
- v. **Lot Sold in a Row:** Means a lot that may only be selected as the next available lot in a row located in a designated section of a cemetery.
- w. **Marker:** Shall mean any permanent memorial structure that is set flush and level with the ground and used to mark the location of an interment.
- x. **Monument:** Any permanent memorial projecting above the ground installed within the designated space to mark the location of a burial or lot. Refers to both the base and die stone portions.
- y. **Niche:** An individual compartment in a columbarium for the entombment of cremated human remains.
- z. **Niche Plate/Shutter:** Shall mean the engravable cover or door for the niche of a columbarium.
- aa. **Plot:** For the purposes of this by-law, a plot is a parcel of land, sold as a single unit, containing multiple lots.
- bb. **Preferred Lots/Plots:** Shall mean lots/plots that have previously been identified as being in a preferred location in designated areas of the cemeteries, and are to be sold at a specified rate as set out in the tariff of charges.
- cc. **Scattering:** Shall mean the act of spreading of cremated remains over a designated area within a cemetery with the knowledge and permission of the Corporation and in keeping with the cemetery by-law.
- dd. **Scattering Rights Holder:** Any person designated to hold the right to scatter cremated human remains in a specified lot or other designated area within the cemetery.

2. GENERAL INFORMATION

- a. **General Conduct:**

- i. The Corporation reserves full control over the cemetery operations and management of land within the cemetery grounds for those cemeteries under its control.
 - ii. No person may damage, destroy, remove or deface any property within the cemetery. Any persons found engaging in these behaviours is subject to prosecution and/or cost recovery charges for any required repairs.
 - iii. All visitors should conduct themselves in a quiet manner that shall not disturb any service being held.
- b. **Tariff of Charges:**
 - i. The Corporation has established a tariff of charges to regulate the fees and charges to be paid by persons purchasing interment rights in the cemeteries under its control under the Haldimand County User Fees and Service Charges By-law. Interment fees shall cover the opening and closing of the grave.
- c. **Liability:**
 - i. The Corporation 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 or scattering right, save and except for direct loss or damage caused by gross negligence of the Corporation.
- d. **Public Register:**
 - i. 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.
- e. **Pets or Other Animals:**
 - i. Pets or other lower animals, including cremated animal remains, are not allowed to be buried on cemetery grounds.
- f. **Right to Re-Survey:**
 - i. The Corporation has the right at any time to re-survey, enlarge, diminish, re-plot, 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.

3. CANCELLATION, RESALE OR TRANSFER OF INTERMENT RIGHTS

- a. Purchasers of interment or scattering rights acquire only the right to direct the burial of human remains and the scattering of cremated human remains and the installation of monuments, markers and inscriptions, subject to the conditions set out in the cemetery by-laws. In accordance with cemetery by-laws, no burial, entombment, scattering 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.
- b. The Corporation prohibits the resale of interment or scattering rights to a third party. Interment rights holder(s) wishing the Corporation to re-purchase their interment rights must advise the Corporation of their intention in writing and cannot seek a third-party buyer. The Corporation is not required to re-purchase unused interment rights in a plot (more than one lot) if one of the interment rights in the plot has been exercised. The Corporation is also not required to re-purchase unused scattering rights in a scattering ground if other scattering interment rights in the same scattering ground have been exercised.
- c. Transfer of interment or scattering rights is permitted as long as the purchaser meets the qualifications and requirements as outlined in the cemetery by-laws.
- d. **Cancellation of Interment or Scattering Rights within 30-Day Cooling-Off Period:**
 - i. A purchaser has the right to cancel an interment or scattering rights contract within thirty (30) days of signing the interment or scattering rights contract, by providing written notice of the cancellation to the Corporation. The Corporation will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.
- e. **Cancellation of Interment or Scattering Rights after the 30-Day Cooling-Off Period:**
 - i. Upon receiving written notice from the purchaser of the interment or scattering rights, the Corporation will cancel the contract and issue a refund to the purchaser for the amount paid for the interment or scattering rights 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 notice. If the interment rights certificate has been issued to the interment rights holder(s), the certificate must be returned to the Corporation along with the written notice of cancellation.

- ii. If any portion of the interment or scattering rights has been exercised, the purchaser or the interment rights holder(s) are not entitled to cancel the contract or re-sell the interment or scattering rights.
- f. **Resale of Interment or Scattering Rights after 30-Day Cooling-Off Period:**
- i. The Corporation prohibits the resale of interment or scattering rights to a third party. Unless the interment or scattering rights have been exercised, the purchaser retains the right to cancel the contract or request that the Corporation re-purchase their interment or scattering rights. Once payment for the interment or scattering rights has been made in full and an interment rights certificate has been issued, the interment or scattering rights holder(s) as recorded on the cemetery records has the right to request that the Corporation re-purchase their interment rights. Any re-purchase of interment rights shall be in accordance with the requirements of the cemetery by-laws and in keeping with the FBCSA.
 - ii. If any portion of the interment or scattering rights has been exercised, the purchaser or the interment rights holder(s) are not entitled to request that the Corporation re-purchase their interment or scattering rights.
 - iii. If a rights holder(s) wishes the Corporation to re-purchase the interment or scattering rights, they must make the request to the Corporation in writing. The Corporation will re-purchase the interment or scattering rights at the price listed on the Corporation's current price list less the Care and Maintenance Fund contribution made at the time of purchase. The re-purchase and payment to the rights holder(s) making the request must be completed within thirty (30) days of the request.
 - iv. The interment or scattering rights holder(s) requesting the Corporation re-purchase their rights must return the interment or scattering rights certificate to the Corporation and must endorse the interment or scattering rights certificate, transferring all rights, title and interest back to the Corporation. The appropriate paperwork must be completed before the Corporation will make payment to the rights holder(s).
- g. **Care and Maintenance Fund Contributions:**
- i. It is a requirement under the FBCSA and O. Reg. 30/11 and 184/12 that a prescribed amount or a percentage of the purchase price (excluding tax) of all interment and scattering rights sold; and prescribed amounts for monuments and markers is contributed into the care and maintenance fund. If no scattering

rights are sold but scattering is permitted a prescribed amount must be contributed to the fund when the scattering is conducted. Interest earned from this fund is used to provide care and maintenance of lots, pots, markers and monuments at the cemetery. Contributions to the care and maintenance fund are not refundable except when interment or scattering rights are cancelled within the 30-day cooling off period.

h. Transfer of Interment or Scattering Rights:

- i. Any rights holder(s) wishing to transfer interment or scattering rights must notify the Corporation in writing specifying the name and address of the proposed transferee and the date of original interment rights purchase. The rights holder(s) must also supply the Corporation with the original Certificate of Interment Rights or signed affidavit of ownership and the required transfer fee.

4. BURIAL OR SCATTERING OF CREMATED REMAINS

- a. Interment or scattering rights holder(s) must provide written authorization prior to a burial, scattering or an entombment taking place. Should the interment or scattering rights holder(s) be deceased, authorization 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.
- b. A burial permit issued by the Registrar General or equivalent document showing that the death has been registered with the province must be provided to the Corporation prior to a burial, scattering or entombment taking place. A Certificate of Cremation must be submitted to the Corporation prior to the burial of cremated remains or scattering of cremated remains taking place.
- c. In accordance with the FBCSA, the purchaser of interment or scattering rights must enter into a cemetery contract, providing such information as may be required by the Corporation for the completion of the contract and the public register prior to each burial or entombment of human remains or each scattering of cremated human remains.
- d. Payment must be made to the Corporation before a burial can take place.
- e. The Corporation shall be given forty-eight (48) hours notice for each burial of human remains or scattering of cremated human remains. Saturday, Sunday or statutory holidays are not to be included when calculating forty-eight (48) hours notice. The Corporation will not be responsible for having lots prepared for interments unless sufficient notice is provided.

- f. Arrival times at the cemeteries for Interment or Funeral Services shall be between 9:00 a.m. and 3:00 p.m.
- g. Funerals arriving after 3:00 pm, necessitating work by Corporation employees, or those working on behalf of the corporation, after 4:00 pm will be charged an additional fee as set out in the price list. This fee will be applied after 4pm, and will reoccur every hour thereafter.
- h. Burial services for casket and cremation interments are available all year round. No funeral service shall be held and no interment shall be made in any cemetery operated by the Corporation on New Year's Day, Good Friday, Easter Sunday, and Christmas Day, except pursuant to an order of the Regional Medical Officer of Health.
- i. The opening and closing of graves, crypts and niches or the scattering of cremated remains may only be conducted by Corporation staff or those designated to do work on behalf of the Corporation.
- j. Only one (1) casket may be interred in a single lot and a maximum of four (4) cremations are permitted in a single lot. Only two (2) cremations are permitted in a cremation lot or columbarium niche.
- k. When a vault, liner, or outer container is used, it shall be installed into the ground prior to the interment taking place. No above ground vault interments for casket burials shall be permitted.
- l. Each lot opening must be a minimum of 1.5 m (5') depth and provide a minimum covering of 0.6 m (2') of earth over the outside cover of the casket, vault shell or concrete liner.
- m. Cremated remains may be scattered within designated area(s) as determined by the Corporation.
- n. Cremated remains are not permitted to be scattered on a grave.
- o. A scattering rights contract must be completed and the payment of the scattering fee must be received before the scattering of cremated human remains can take place.
- p. Once scattered, cremated remains cannot be retrieved.
- q. Human remains may be disinterred from a lot by the Corporation or authorized designate only, provided that the written consent (authorization) from the interment rights holder(s) has been received by the Corporation. A certificate from the local Medical Officer of Health must be received by the Corporation 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.

- r. In special circumstances the removal of human remains may also be ordered by certain public officials without the consent of the interment rights holder(s) and/or next of kin(s).

5. MEMORIALIZATION

- a. No monument, private mausoleum or other structure shall be erected until the specific design plans have been submitted to and approved by the Corporation including: dimensions, material of structure, construction details and proposed location.
- b. The Corporation reserves the right to determine the minimum and maximum size of monuments and markers, their number and their location on each (p)lot. They must not be of a size that would interfere with any future interments.
- c. No memorial or other structure shall be erected or permitted on a lot until all charges have been paid in full.
- d. No inscription, monument, footstone, marker or memorial of any description shall be placed, moved, altered, repaired, cleaned or removed without permission from the Corporation.
- e. Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered to be normal wear.
- f. The Corporation will take reasonable precautions to protect the property of interment rights holder(s), but it assumes no liability for the loss of or damage to any monument, marker or other structure or part thereof.
- g. Should any monument or marker present a risk to public safety because it has become unstable, the Corporation shall do whatever it deems necessary by way of repairing, resetting or laying down the monument/marker or any other remedy so as to remove the risk.
- h. The Corporation 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 as determined by the Corporation.
- i. Concrete foundations are required for all monuments and may only be installed under the direction and approval of the Corporation. Any improper installations resulting from incorrect dimensions beyond this allowance will result in the foundation removal and replacement with corresponding costs billed to the person making the request. Foundations must be installed 1.2 m (4') deep.

- j. For each interment, only one monument shall be permitted on any plot. Monuments must be centred over a (p)lot in the allocated space determined by the Corporation. Monuments are prohibited on cremation lots and designated flat marker only lots. One flat marker is permitted for each interment per lot therein. No monument shall exceed either the width or length of a foundation.
- k. No monument shall be delivered to the cemetery for installation until the monument foundation has been completed and the interment rights holder(s) and/or monument dealer have been notified by the Corporation. No memorial shall be delivered to the cemetery unless the Corporation has been notified and has approved the delivery.
- l. All markers shall be delivered to a location designated by the Corporation and such markers will be set in place by Corporation staff. The charge for installation shall be set in the Tariff of Charges. Winter storage of markers at the cemeteries is prohibited. Markers will not be accepted at the cemetery between November 1st and April 15th.
- m. All monuments and markers shall be constructed of bronze or granite. The Corporation reserves the right to restrict the material used for markers contained in memorial walls. Artificial or perishable materials such as marble, sandstone, limestone or wood are prohibited.
- n. Wooden crosses will be allowed, as temporary markers on any unmarked graves for a period of one year following an interment, or until such time that a permanent marker/monument is placed if it is installed within a year of the interment. An extension past the one year cut off will be considered on a case-by-case basis, with the Rights Holder providing confirmation a permanent marker/monument has been ordered
 - i. The rights holder will be required to remove the cross in a timely manner at the end of the allotted time period, or prior to installation of permanent marker/monument.
 - ii. Crosses shall not exceed 36" in height, and 18" in width, with a maximum thickness of 2".
 - iii. Crosses must be placed on the portion of the (p)lot allocated for the headstone. Any cross improperly installed will be moved to the correct spot by Corporation Staff.
 - iv. Wooden crosses are prohibited on cremation lots and designated flat marker lots.

- o. Openings drilled for vases or other items attached to memorials are prohibited. Any memorials that are not constructed of one formed piece must be adequately sealed and fastened to ensure stability and prevent weather damage.
- p. When a base and die stone are used, the base shall be of the same material as the die stone. Bases shall not exceed twenty-five percent (25%) of the total height of the monument. All bases must have a rough surface on all sides.
- q. No inscriptions are permitted on the back of a monument in cemeteries where back-to-back monument placement occurs.
- r. Inscriptions on the back of a monument may contain the family surnames, as well as inscriptions such as scriptures, poetry, phrases etc. Burial information may not be placed on the back side of a monument unless the interment rights owned on both sides of the monument are the same rights holder.
- s. The upper surface of the marker must be flat with no projections and shall be set flush with the ground.
- t. Monument and marker dimension requirements:

Monument – Single Lot	Maximum base size: 76.2 cm (30”) long x 35.6 cm (14”) wide Maximum overall height: 91.4 cm (36”)
Monument – 2 Lot Plots	Maximum base size: 111.8 cm (44”) long x 50.8 cm (20”) wide Maximum overall height: 121.9 cm (48”)
Monument – 3 Lot Plots	Maximum base size: 152.4 cm (60”) long x 53.3 cm (21”) wide Maximum overall height: 152.4 cm (60”)
Monument – 4 (or more) Lot Plots	Maximum base size: 200 cm (78.8”) long x 55.9 cm (22”) wide Maximum overall height: 182.9 cm (72”)
Monument Thickness	Less than 66 cm (26”) high, die stone must be between 15.2 cm (6”) and 20.3 cm (8”) thick Between 66 cm (26”) and 121.9 cm (48”) high, die stone must be 20.3 cm (8”) thick Greater than 121.9 cm (48”), die stone must be 25.4 cm (10”) thick
Marker – Granite	Maximum: 61 cm (24”) wide x 30.5 cm (12”) high
Marker – Bronze (Interior memorial wall only – Woodlawn Cemetery)	Maximum: 61 cm (24”) wide x 35.6 cm (14”) wide, set in a granite (only) base providing a 5.1 cm (2”) border

Marker – Cremation Lot (Exterior memorial wall only – Woodlawn Cemetery)	Maximum: 61 cm (24”) long x 35.6 cm (14”) wide
Marker – Infant Lot	Maximum: 45.7 cm (18”) wide x 30.5 cm (12”) high
Corner Post Dimensions	Between 15.2 cm (6”) and 17.8 cm (7”) square Between 10.2 cm (4”) and 17.8 cm (7”) in thickness

- u. Granite markers shall not be less than 10.2 cm (4”) in uniform thickness.
- v. Bronze markers are only permissible at Woodlawn Cemetery within the designated area in section 7 known as the “interior memorial wall” area.
- w. Bronze markers must be attached to a granite (only) base between 7.6 cm (3”) and 12.7 cm (5”) in thickness. The marker shall not be less than 7.6 cm (3”) or more than 12.7 cm (5”) in thickness. The base must be attached prior to delivery to the cemetery.
- x. Bronze markers must be cast and secured to the granite base with no less than four anchor lugs of brass or bronze not more than 12.7 cm (5”) across and not less than 9.53 mm (3/8”) in diameter.
- y. Bronze markers may be secured directly to the walls located in section 7 at Woodlawn Cemetery, so long as the lot is located adjacent to a wall within the interior memorial wall area. The plaque size must conform to the same dimension requirements as shown above.
- z. The alloy in bronze markers shall consist of 86-89% copper, 5-6% tin, 1.75% lead and 3.5-5% zinc with no more than 1.5% of other elements. Castings shall be true, free from defects, blemishes or imperfections, with smooth exposed surfaces. Rough, painted or pigmented lacquer finishes/ornamentations are not permitted.
- aa. Corner posts may be placed at the corners of (p)lots measuring no less than 1 m (3’ 4”) by 3 m (9’ 10”) only. Posts must be placed flush with the ground.
- bb. Seats or benches cannot be installed on (p)lots. Any person wishing to donate a seat or bench with a memorial plaque to be installed in the cemetery must contact the Corporation for approval. The Corporation will determine the seat, bench or plaque style and will work with the donor to determine a suitable location.

6. CARE AND PLANTING

- a. A portion of the price of interment or scattering 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 can be provided through this fund include:
 - i. Re-levelling and sodding or seeding of lots or scattering grounds
 - ii. Maintenance of cemetery roads, sewers and water systems
 - iii. Maintenance of perimeter walls and fences
 - iv. Maintenance of cemetery landscaping
 - v. Maintenance of mausoleum and columbarium structures
 - vi. Repairs and general upkeep of cemetery maintenance buildings and equipment
- b. 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.
- c. No person shall leave debris in any area of the cemetery. The waste receptacles provided at each cemetery must be used for debris such as weeds, decayed flowers/plants, garbage, etc.
- d. The Corporation is not responsible for the loss of or damage to any portable articles left upon any (p)lot.
- e. No person shall plant trees or shrubs in the cemetery except with the approval of the Corporation. Any person wishing to donate trees, shrubs or other permanent plantings, must contact the Corporation for approval. The Corporation will work with the donor to determine a suitable location. No person shall remove or alter trees, flower beds or shrubs on cemetery grounds without the approval of the Corporation. Commemorative trees, being a tree which has a memorial plaque/marker, shall be prohibited in the cemeteries.
- f. Trees and shrubs will not be approved on single lots or cremation lots. Trees and shrubs may only be approved on plots where a monument is centered on two (2) or more lots.
- g. Trees or shrubs situated in any lots which have become detrimental to adjacent lots, drains, roads or walkways by means of their roots or branches, which negatively affect the general appearance of the cemetery, that are diseased or pose a safety hazard may be removed by the Corporation.
- h. Flower beds are permitted to be planted on (p)lots without prior approval, however are not permitted in cremation sections of any cemetery managed by the Corporation. On (p)lots where monuments have been erected, flower beds must be planted 35.6 cm (14”) directly in front of

the monument. If no monument has been erected, flower beds may be planted in the area normally used for the monument.

- i. No person shall place a glass encased flower arrangement on a lot.
- j. Flowers placed on a grave for a funeral shall be removed by the cemetery staff after a reasonable time to protect the sod and maintain the tidy appearance of the cemetery. All vases, urns and flower stands not properly cared for or not filled with plants before May 31st may be removed by the Corporation. Any flower arrangements, wreaths or receptacles that are unsightly, unsuitable or not maintained to an acceptable standard may be prohibited or removed by the Corporation without notification.
- k. No person shall erect borders, fences, railings, walls or hedges in or around (p)lots.

7. ITEMS THAT ARE PROHIBITED AND PERMITTED

- a. The Corporation reserves the right to regulate the articles placed on (p)lots that pose a threat to the safety of all interment rights holder(s), visitors to the cemetery and Corporation employees, prevents the Corporation from performing general cemetery operations or are not in keeping with the respect and dignity of the cemetery. Prohibited articles will be removed and disposed of without notification.
- b. No persons under the age of 16 shall enter cemetery property unless attended by an adult responsible for their conduct, care and control or until permission to enter has been obtained from the Corporation.
- c. No person shall permit domestic animals under their care or ownership to enter or remain in any cemetery, with the exception of service animals.
- d. No person shall carry or consume alcoholic beverages, conduct a picnic or play any game/sport on cemetery grounds. Any persons found disturbing the peace and order of a cemetery by noise or improper conduct may be expelled from the grounds.
- e. No person shall organize/conduct a parade on cemetery grounds without permission from the Corporation. Such requests must be sent to the Corporation in writing and shall outline details such as location, date, time and purpose.

- f. No person shall deposit rubbish on the grounds of the Cemeteries except in the provided receptacles. No person shall enter the cemeteries for the purpose of disposing of debris/rubbish at designated service areas or receptacles, unless said debris/rubbish originates from the cemetery.
- g. No person shall drive a vehicle or bicycle exceeding a speed of 25 km per hour (15 miles/hr) on cemetery grounds. All vehicles including bicycles must travel on designated roadways within cemetery grounds.
- h. Soliciting in the Cemeteries is strictly prohibited save for the placement of identifying memorialist tags. Such tags shall be placed at the left rear bottom edge of an upright marker between the die stone and base. They shall be dark in colour and the exposed are of the tag shall not exceed 7.63 cm (3") in width and 2.56 cm (1") in height. Such tags are only permitted on upright markers.
- i. No person shall offer a gratuity or reward to an employee of the Corporation for any personal service or attention.

8. CONTRACTOR/MONUMENT DEALER REQUIREMENTS

- a. Any contract work to be performed within the cemetery requires the written pre-approval of the interment rights holder(s) and the Corporation 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 specifications 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 notify the Corporation and provide the necessary approvals before commencing work at any location on the cemetery property.
- b. Prior to the start of any said work, contractors must provide proof of:
 - i. WSIB coverage
 - ii. Occupational Health and Safety compliance standards
 - iii. AODA Accessible Customer Service Form for Contractors
 - iv. Environmental Protection
 - v. WHMIS
 - vi. Evidence of liability insurance meeting the Corporation's insurance requirements
- c. All cemetery by-laws apply to all contractors and all work carried out by contractors within the cemetery grounds.

- d. Contractors, monument dealers and suppliers shall not enter the cemetery in the evening, weekends or statutory holidays, unless approval has been granted by the Corporation.
- e. No work will be performed at the cemetery except during the regular business hours of the Corporation.
- f. Contractors shall temporarily cease all operations if they are working within 100 m (328') of a funeral until the conclusion of the service. The Corporation 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 to any funeral or public gathering within the cemetery.
- g. Contractors, monument dealers and suppliers must place wooden planks of an appropriate width and thickness, on burial lots and walkways for any vehicles/equipment to drive over in order to protect the ground surface from damage.
- h. All contractors, monument dealers and suppliers shall ensure no materials are delivered to the cemetery until the contractor is ready to proceed with the work.

9. DEDICATED CEMETERY SECTIONS

- a. Those persons eligible for interment in dedicated cemetery sections or structures for Veterans include:
 - i. Any person who served in His or Her Majesty's armed forces in any conflict in which Canada was engaged.
 - ii. Any person who served or is serving as a member of the Canadian Armed Forces (Regular) and whose services were terminated under conditions other than dishonourable discharge.
 - iii. A spouse of any of the above.

10. MAUSOLEUMS

- a. Full payment must be made to the Corporation before an entombment may take place.
- b. Only the Corporation may open and seal crypts for entombments. This applies to the inside sealer and the crypt front.

- c. To ensure quality control, desired uniformity and standard of workmanship, the Corporation reserves the right to inscribe all crypt fronts or install all lettering, vases, adornments or any other approved attachment.
- d. Photographs are permitted and must conform to the design, material and standards of the building.

11. COLUMBARIUMS

- a. Full payment must be made to the Corporation before an interment may take place.
- b. The columbarium located at Woodlawn Cemetery in section 14 (The Veteran Section) is dedicated for Veterans, and eligibility to purchase any niche in said unit will be subjected to the restrictions set out in I. *Dedicated Cemetery Sections* section outlined in this by-law. Niches in all other columbaria in the cemeteries are available to purchase by the general public.
- c. Any placement, inurnment or removal of cremated remains shall be performed by the Corporation employees only.
- d. The use of wood, cardboard or other biodegradable substances as containers for cremated remains shall be prohibited in columbarium niches. Urns must be constructed of ceramic, bronze, marble, plastic or other approved material.
- e. Any person or company contracted to place an inscription on the face of the columbarium niche must;
 - i. Complete a contract with the Corporation prior to commencing work
 - ii. When engraving, the letters must be of block style and inset in order that the face of the niche remains consistent with its original finish. Additives to any lettering including paint are prohibited
- f. The removal of the niche plate is required to undertake any engraving on the niche plate, with the exception of the Veterans Columbarium at Woodlawn Cemetery. The removal and installation of the niche plate will be performed by Corporation staff only. The removal of the niche plate for the purpose of engraving shall not exceed 120 hours between Monday and Friday. The Corporation must be provided a minimum of 48 hours' notice between Monday and Friday to remove the niche plate and make available for engraving.

- g. There should be no attachments, or placements of decorations on the columbarium, inside or outside units. There will be a maximum of 2 (two) urn placements only, in a columbarium niche.

12. REPEAL OF PREDECESSOR BY-LAWS

- a. By-law No. 1501/15 and any other by-law or provision of any by-law of the Corporation of Haldimand County inconsistent with this by-law is hereby repealed.

13. ENACTMENT

- a. This by-law comes into force and takes full effect on the date of its passage.

ENACTED this 15th day of November, 2024.

MAYOR

CLERK