

THE CORPORATION OF THE CITY OF TEMISKAMING SHORES
BY-LAW NO.2005-004
BEING A BY-LAW FOR THE OPERATION OF
MUNICIPALLY OWNED CEMETERIES

WHEREAS the Cemeteries Act, R.S.O., 1990, chapter C.4 provides regulations for the acquisition, operation and management of Cemeteries;

AND WHEREAS The Corporation of the City of Temiskaming Shores is licensed to operate, maintain and regulate four (4) municipally owned cemeteries;

AND WHEREAS the former municipalities of Haileybury and New Liskeard have existing by-laws for the regulating of cemeteries, each containing different provisions and fees.

AND WHEREAS City Council wishes to consolidate the existing by-laws for the regulating of cemeteries to provide consistent regulations throughout the entire city.

AND WHEREAS in accordance with the Revised Cemeteries Act, R.S.O., 1990, c. C.4, no by-law made by a cemetery owner is effective until it is filed with and approved by the Registrar.

AND WHEREAS city council received and considered recommendations from the Mount Pleasant /Farr Historical Cemetery Board and from the Valleyview/Pioneer Cemetery Board during the development of regulations governing our municipally owned cemeteries;

NOW THEREFORE the municipal council of The Corporation of the City of Temiskaming Shores enacts as follows:

1. That council for the City of Temiskaming Shores adopts the attached regulations for the governing of municipally owned cemeteries, said regulations identified as Schedule "A" and forming part of this by-law;
2. That the said regulations come into force and effect on the date approval has been received from the Registrar; and
3. That By-law No. 2002-013 of the former Town of Haileybury and By-law No. 2396 of the former Town of New Liskeard for the regulating of cemeteries are hereby repealed.

4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantical or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law.

READ a FIRST and SECOND TIME this 10th day of January, 2005.

MAYOR

CLERK

READ a THIRD TIME and FINALLY PASSED this 10th day of January, 2005.

MAYOR

CLERK



SCHEDULE "A"
TO BY-LAW 2005-004

BY-LAW FOR THE REGULATING OF
CITY CEMETERIES

REGULATIONS FOR THE GOVERNING OF CITY CEMETERIES

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**MOUNT PLEASANT CEMETERY/FARR HISTORICAL/VALLEYVIEW/PIONEER
CEMETERIES**

PREFACE:

This By-law governs the following cemetery:

"Mount Pleasant Cemetery"

"Valleyview Cemetery"

"Pioneer Cemetery"

"Farr Historical Cemetery"

The Council of The Corporation of the City of Temiskaming Shores in the discharge of their responsibilities, appeal to the public to aid them by following this by-law, which has been adopted for the improvement and upkeep of the cemetery, to keep it a becoming and respectful place for the burial of the dead.

The above mentioned Cemetery is licensed to act as a cemetery in accordance with the Cemeteries Act, R.S.O., 1990.

It is our hope that by a co-operative effort we can keep the cemetery attractive and peaceful.

A) ADMINISTRATION

- 1. The Corporation of the City of Temiskaming Shores reserves full and complete control and management of the land, buildings, plantings, roads, utilities, books and records of the cemetery and complete authority to administer the by-law.**
- 2. The Caretaker shall have custody of the cemetery under the direction of the Corporation. No interments or removal of bodies shall take place without notice to the Caretaker, and he shall see that a proper Burial Permit or other certificate required by law is furnished to him in each instance.**
- 3. The Corporation distinctly disclaims all responsibility for loss or damage from causes beyond their control and especially from damage caused by the elements, and acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, accidents, invasion, insurrections, riots, or order of any military or civil authority, whether damage be direct or collateral.**
- 4. The Corporation shall take reasonable precautions to protect the property of interment rights holders but they assume no liability or responsibility for the loss of, damage to any article or any type that is placed on any lot or plot.**

B) DEFINITIONS

1. **"Cemetery"** means the
 - i) **Farr Historical and Mount Pleasant Cemetery located on Parcels 1314SST, 7101SST, 14419SST, being the North Part of Lot 13, Concession 2, and Lots 261 to 298 on Plan M-52N.B., formerly in the Township of Bucke, now forming part of the City of Temiskaming Shores, District of Temiskaming; or**
 - ii) **Pioneer Cemetery located on Lot 297, Block C and G, formerly in the Town of New Liskeard, now forming part of the City of Temiskaming Shores, District of Temiskaming; or**
 - iii) **Valleyview Cemetery located in Concession 2, formerly in the Town of New Liskeard, now forming part of the City of Temiskaming Shores, District of Temiskaming.**
2. **"Burial Permit"** means a burial permit issued by the Division Registrar or its appointed agent.
3. **"Care and Maintenance Fund"** means a trust fund in which all monies received by the Corporation for the care and maintenance of lots, plots and monuments have been invested.
4. **"Caretaker"** means the person responsible for the operation of the Cemetery.
5. **"Certificate of Interment Rights"** means the certificate issued by the Corporation to the purchaser of interment rights in either a lot or plot.
6. **"Clerk"** means the Clerk of The Corporation of the City of Temiskaming Shores.
7. **"Corner posts"** means any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot.
8. **"Corporation"** means The Corporation of the City of Temiskaming Shores.
9. **"Cremation Lot"** available ONLY in Pioneer and Valleyview Cemeteries means any burial space intended to receive not more than two (2) cremated remains and having a minimum size of 0.660 meters (2'2" feet) by 0.508 meters (1'8" feet).
10. **"Child Lot"** available ONLY in Pioneer and Valleyview Cemeteries means any burial space intended to receive not more than one (1) child interment and having a size of 1.524 meters (5' feet) by .5588 meters (1'10" feet).

11. **"Grave"** means any burial space intended for an adult or child, and having a minimum size of 1.22 meters (4 feet) by 3 meters (10 feet).
12. **"Interment Rights"** means the right to require or direct the interment of human remains in a lot.
13. **"Interment Rights Holder"** means a person with interment rights with respect to a lot and includes a purchaser of interment rights under the Cemeteries Act, being chapter C.3 of the Revised Statutes of Ontario, or a predecessor of that Act.
14. **"Lot"** means an area of land in a cemetery containing, or set aside to contain human remains.
15. **"Marker"** means any memorial of Granite, marble, or bronze set flush with the surface of the ground, and used to mark the location of a lot.
16. **"Ministry"** means the Ministry of Consumer and Business Services of Ontario.
17. **"Monument"** means any permanent memorial projecting above the ground level.
18. **"Non-resident"** means a person who does not reside within the limits of The Corporation of the City of Temiskaming Shores.
19. **"Owner"** means The Corporation of the City of Temiskaming Shores.
20. **"Plan"** means the plan of the cemetery, approved by the Ministry of Consumer and Business Services of Ontario.
21. **"Plot"** means two or more lots in which the rights to inter have been sold as a unit.
22. **"Price List"** means the Price List of fees and charges as set out by the Corporation.
23. **"Register"** means electronic, or written records, kept in accordance with the Cemeteries Act.
24. **"Resident"** means a person who resides within the limits of The Corporation of the City of Temiskaming Shores.
25. **"Trust funds"** means those funds in which a trustee may invest, which are defined in the "Trustee" Act, R.S.O. 1989.

C) SALE & TRANSFER OF INTERMENT RIGHTS

1. No person shall sell interment rights unless that person does so on behalf of the Corporation.
2. Interment rights of lots may be purchased from the Corporation at the rates filed with the Ministry and according to the plans approved by the Ministry of Consumer and Business Services for Ontario that are on file in the office of the Corporation.
3. **EXCEPTION - Haileybury Cemetery:**
Interment rights for a full casket burial, can only be purchased for a deceased person, and at that particular time the spouse of the deceased has the option to purchase the lot next to the deceased to be reserved for his/her use only. In other words we do not provide pre-need services UNLESS SAID LOT IS TO BE USED SOLELY FOR THE PURPOSE OF INTERRING CREMATED REMAINS ONLY.
4. A Care and Maintenance fee is applicable to each lot sold by the Corporation. The deposit to the Care and Maintenance Fund shall be as specified in the regulation made under the Cemeteries Act R.S.O., 1990 and that came into effect April 1st, 1992.
5. Payments for interment rights shall be made at the office of the Clerk.
6. The Corporation shall provide each Rights Holder at the time of sale with:
 - a copy of the Contract;
 - a copy of the Cemetery By-law; and
 - a Certificate of Interment Rights, upon payment in full.
7. Purchasers of interment rights acquire only the right and privilege of burial of the dead, and of constructing monuments or placing markers, subject to the Cemetery By-law from time to time in force and approved by the Ministry of Consumer and Business Services.
8. To ensure the correctness of records of ownership and interments, no transfer of any interment rights or any interest therein shall be binding upon the Corporation until notice is given in writing to the Clerk of the Corporation specifying the name and address of the proposed transferee and date of transfer, and such particulars have been entered in a register for that purpose. Upon receipt of such notice, and payment of a fee, the transfer shall be made.
9. In cases of transmission of ownership by will or bequest of interment rights, the management reserves the right to require the production of a notarial copy of the will or other evidence sufficient to prove ownership.

10. **An Interment Rights Holder may require, by written demand, the Cemetery to repurchase the rights at any time before they are used. The Cemetery shall repurchase the rights within thirty days from the date that the request was received.**
11. **The repurchase price of the interment rights, shall be the amount paid by the purchaser of the rights less the amount paid by the cemetery owner to the Care and Maintenance Fund. This also applies to all purchases or contracts that were made before this Act came into being.**
12. **If the original selling price is unknown, the repurchase price shall be deemed to be \$50.00 as according to the Cemeteries Act, R.S.O., 1990.**
13. **In accordance with the Cemeteries Act, R.S.O. 1990, the Corporation is not required to repurchase the interment rights for more than four lots held by the same Interment Rights Holder in a twelve month period.**
14. **NO REFUND will be made for any lot if any interment rights have been exercised.**
15. **Any purchaser of pre-need supplies or services from the Corporation may cancel, by written notice to the Corporation, and by returning the original contract to purchase to the Corporation, at any time before the services or the supplies are provided. No supplies will be ordered or service supplied until the 30 day grace period has passed.**
16. **Section 14 does not apply if the supplies or services are provided within thirty days after the contract is made because of the death of the person for whom the supplies or services were contracted.**
17. **Any person whose interment rights have been resold after being declared abandoned may apply to the Registrar for redress. Upon receiving an application for redress, the Registrar shall order the Corporation to provide better or equivalent interment rights in that cemetery or to refund the amount that it would cost to purchase better or equivalent interment rights in the cemetery or if no interment rights are available in the cemetery, in the closest cemetery appropriate to the religious or ethnic affinities of the person whose interment rights have been resold.**

D) INTERMENTS AND DISINTERMENTS

1. No burials shall take place once the ground has reached a certain frost level making it too difficult for the opening of graves. During this period, bodies shall be placed in the vault for spring burial.

2. The following interments are allowed in any single grave:

MOUNT PLEASANT CEMETERY

- one (1) full casket interment can be made at the lower level with two (2) additional cremated remains interments on top; OR
- the cremated remains of not more than three (3) persons; or
- in a single grave in which a full casket containing human remains has been buried, a 24"x 12" (60.96cm X 30.48cm) infant container may be buried on top, provided space is available.

VALLEYVIEW AND PIONEER CEMETERIES

- one (1) full casket interment can be made at the lower level with two (2) additional cremated remains interments on top; OR
- the cremated remains of not more than four (4) persons; or
- in a single grave in which a full casket containing human remains has been buried, a 24"x 12" (60.96cm X 30.48cm) infant container may be buried on top, provided space is available.

3. Remains to be buried in a grave must be enclosed in a container, sealed securely, and of sufficient strength to permit burial with the container remaining intact. The container must be of a size to permit burial within the size of the lot.

4. All interments shall be authorized in writing by the interment rights holder except the interment of the interment rights holder.

5. The Caretaker of the cemetery, his assistant or someone in the employ of the Corporation shall be in attendance at each interment.

6. A burial permit issued by the Division Registrar, showing that the death has been registered, must be deposited with the Caretaker or City Clerk's Office before the interment. The fee for the opening of the lot, according to the fee found in the attached Price List, must be deposited with an official of the Corporation before interment can take place.

7. In the case of a cremated remains interment, the Certificate of Cremation and the prescribed fee for this service according to the Price List must be deposited with an official of the Corporation.

8. **Persons requesting interments in lots or plots shall be held responsible for charges incurred.**
9. **When interment rights in a lot/plot are held jointly by two or more persons, an order will be accepted from either or any of them or their authorized representatives, for interment in such part of the lot/plot as may be requested.**
10. **No lot shall be opened for interment or disinterment by any person not in the employ of, or under the direction of the Corporation, except under special circumstances, and by permission of the Corporation.**
11. **The interment fee includes the opening and closing of the lot and the registration of the interment.**
12. **The scale of fees for lot openings is based on the size of the lot and labour involved.**
13. **No person shall remove human remains, except cremated remains, from a cemetery unless a certificate of a Medical Officer of Health or the Corporation confirming that the Cemeteries Act and the regulations have been complied with is affixed to the container. A burial certificate under the Vital Statistics Act is not required to re-inter human remains that have been disinterred according to the Cemeteries Act and regulations.**
14. **The Corporation will exercise all due care in making burials and interments, but is not responsible for damage to any casket, urn or other container sustained during disinterment.**
15. **No interment shall be permitted in any lot where the burial rights have not been paid in full.**
16. **Funeral Corteges within the cemetery shall follow the route indicated by the Caretaker.**
17. **The Corporation reserves the right, at its cost to correct any error that may be made by it, in making interments, in the description of the lot, or the transfer or conveyance of any interment rights. The Corporation may either cancel such grant and substitute other interment rights, or lot of equal value and similar location, as far as is reasonably possible; or refund all money paid on account for such purchase. Notice will be given personally to the Interment Rights Holder. If necessary, it may be mailed to the Interment Rights Holder or their legal representatives, at their last appearing address in the record books of the Corporation. In the event any such error may involve the disinterment of remains, the Corporation shall first obtain the approval of any regulatory authority and the Interment Rights Holder.**

18. The Corporation shall not be held responsible for any errors made for any funeral arrangements made over the phone. These arrangements should be made in writing or in person.
19. Notice of each interment to be made shall be given to the Clerk of the Corporation or the Caretaker of the Cemetery at least twenty four (24) hours in advance, eight (8) hours of which must be regular working hours. The Corporation cannot be held responsible for having lots prepared for funerals unless such notice is given.
20. Interments - Mount Pleasant Cemetery:
There are no full interments performed in this cemetery on Saturday, Sunday, or Statutory Holidays, and no interments during the winter months unless ordered to do so by a representative of the Ministry of Health.
21. Interments - Valleyview/Pioneer Cemeteries:
Interments that are performed in these cemeteries on Saturdays are subject to extra charges as listed in the price list.

No interments are performed during the winter months unless ordered to do so by a representative of the Ministry of Health.

E) CARE OF LOTS - GENERAL

1. All lots and plots shall be maintained and kept properly graded, sodded and mowed by employees of the Corporation.
2. No person shall do any work upon a burial lot without the permission of the Caretaker.
3. Trees, shrubs, flowering or other plants may be cultivated on lots, but only such varieties that are in keeping with the general plan of the grounds and subject to the approval of the Caretaker. No trees or shrubs growing within any lot may be removed or altered without the consent of the Caretaker.
4. Dwarf evergreens are permitted only on lots having a monument and only one shall be planted on either side of the monument. All plantings must be approved by the Caretaker.
5. The height of such shrubs and/or ornamental trees shall at no time exceed 0.91 meter (3 feet) above adjacent ground level.
6. The diameter of such shrubs and/or ornamental trees at their widest point, including all foliage shall at no time exceed 35.56 cm. (14 inches), or obstruct adjacent lots.

7. **Interment Rights Holders desiring outside gardeners to do work on their lots, are responsible for informing the gardeners of the Cemetery regulations with this respect. Gardeners or florists or their employees shall not enter the Cemetery on Sunday for business purposes.**
8. **If any trees or shrubs situated in any lot shall have become by means of their roots or branches or in any other way, detrimental to the adjacent lots, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public, the Corporation may remove such trees, shrubs or parts thereof. Every attempt will be made to notify the Interment Rights Holder of such removal.**
9. **NO GLASS CONTAINERS of any kind are allowed in the cemetery at any time.**
10. **Nails, wires, wooden crosses, articles of glass or pottery or any other material that create a hazard to workmen and to visitors when neglected or broken are not allowed in the cemetery.**
11. **Cut-stone copings can only be installed by permission of, and under the supervision of the Caretaker.**
12. **Rubbish shall not be thrown out on roads, walks or any part of the grounds, but must be placed in receptacles provided at convenient points on the grounds.**
13. **Implements or materials used in doing any work within the cemetery shall be removed without delay and if this is not done, the Caretaker shall remove the same.**
14. **No Interment Rights Holder shall change the grading of his lot, and in case of any such change, the Corporation may restore the lot to its original grade at the expense of the Interment Rights Holder.**
15. **No unauthorized person shall sod, move corner posts or lot markers.**
16. **The Corporation shall not be responsible for loss or damage to any articles left upon any lot or plot.**

F) CARE OF LOTS - FLOWERS

1. **The Cemetery reserves the right to remove all flowers, potted plants, wreaths and baskets of flowers when they become withered or unsightly, or for any other reason such removals are in the best interest of the Cemetery.**

2. During the months of May to September, artificial flowers in any form, including wreaths, are permitted at the head of graves or lots and in front of the marker, if one exists.
3. Vases, urns and flower stands not properly cared for or not filled with plants by June 20th in any year may be removed from the lot; and Any stand, holder, vase or other receptacle for flowers which are unsightly or unsuitable may be prohibited or removed by the Caretaker.
4. Flower beds not exceeding 45.72cm (18 inches) in width shall be permitted in front of the bases of monuments and where there is no monument, can only be made by permission of, and under the supervision of the Caretaker. Planting of borders around lots is prohibited, AND WILL BE REMOVED TO FACILITATE GRASS CUTTING.
5. To preserve the orderly appearance in the Cemetery, any flower bed of the previous year which has not been planted by June 15th, may be sodded or seeded by the Corporation.
6. Flower beds require to be cleared of tender plants after the first frost of the autumn. Interment Rights Holders desiring to take any plants away should do so before their removal becomes necessary.
7. Potted plants must not be buried but must be placed on top of the ground as close to the monument base as practical.
8. Those who place potted plants or urns, not planted by the Corporation, are responsible for their upkeep and must remove them by the end of September.
9. Larger cement flower pots are allowed to remain after September on the cemetery lots but must be placed upside down as close to the monument base as possible.
10. Artificial wreaths without glass or plastic covers are allowed to remain on the lot year-round, provided they are securely fastened to the monument or mounted on a stand of at least 76.20cm (30 inches) high and securely anchored to the ground.

G) MONUMENTS AND MARKERS - GENERAL INFORMATION

1. No monument or other structure shall be erected or permitted on a lot until accrued charges have been paid in full.
2. No inscription shall be placed on any monument that is not in keeping with the dignity and decorum of the Cemetery.

3. All installations of monuments and markers and their foundations shall be arranged for by the Interment Rights Holder through monument dealers or contractors subject to the conditions of this by-law.
4. No monument, footstone, marker or memorial of any kind shall be placed, moved, altered or removed without permission from the Caretaker.
5. Candle holders and vases may constitute part of a monument if they are made principally of bronze or stainless steel. If a translucent section is necessary, it must be made of an unbreakable, heat-resistant glass or of a plastic material that is fire resistant.
 - Candle holders must be included in determining the overall size of the memorial.
 - A maximum of two candles or vases may be placed on the base of a monument and must be centered on the end or ends of the base.
 - A candle holder must be adequately drained to prevent any collection of water.
 - Candle holders must be fully enclosed on all sides by a door or lid.
6. No monument or marker shall be delivered or erected in the Cemetery without first submitting proper forms containing the following information:
 - The Interment Rights Holder's name and address;
 - Information on the placement of the marker or monument;
 - The dimensions of the marker;
 - In the case of a monument:
 - the dimensions of the die (height, width, length);
 - the dimensions of the base (height, width, length);
 - the overall size of the monument; and

Any person installing a monument/marker in the Cemetery shall first pay the prescribed amount, as set out in the Cemeteries Act R.S.O. 1990, to the Cemetery's Care and Maintenance Fund. The interest earned from this fund will be used to maintain the markers or monuments in a safe condition.
7. If a monument or marker in the Cemetery presents a risk to public safety because it is unstable, the Corporation shall do whatever is necessary by way of repairing, resetting or laying down the marker to remove the risk.
8. All markers and monuments shall be constructed of bronze, granite or marble. The bottom bed of all bases and markers shall be cut level and true.

H) MONUMENTS

1. For the purpose of the regulations, a monument shall be understood to mean any permanent memorial projecting above ground level.

2. **Minor scraping of the base portion of the upright monuments due to the turf mowing operation is considered by the Corporation to be normal wear.**
3. **The Corporation will take reasonable precautions to protect the property of Interment Rights Holders, but it assumes no liability for the loss of, or damage to, any monument, or part thereof except where such damage or loss is due to its negligence.**
4. **The Corporation reserves the right to determine the maximum size of monuments, their number and their location on each lot or plot. They must not be of a size that it would interfere with any future interments.**
5. **A single lot is allowed one upright monument and two (2) flat markers. Due to the work involved to keep these level, we must restrict the quantity allowed on a lot.**
6. **The maximum size of a monument (die) allowed on a single lot is:
Height 111.76cm. (44") from ground and including base
Width 96.52 cm. (38") including the base**
7. **The maximum size of a monument (die) allowed on a double lot is:
Height 111.76cm. (44") from ground and including base
Width 142.24cm. (56") including the base**
8. **The minimum thickness of a die should be 15.24cm (6 inches).**
9. **The die stones must be installed on a granite base. The top surface of the base must be both wider and longer than the die in order to provide a minimum border of 7.62 cm. (3 inches) of the surface of the base exposed on all sides. Bottoms of the base shall be smooth sawn.**
10. **The maximum width of a base is controlled by the width of the plot or lot where it will be installed. No base shall be closer than 7.62 cm (3 inches) to the lot width side lines on which it is to be installed.**
11. **Only family names on back of monuments will be permitted.**
12. **Unless adjoining lots are owned, both sides of the stone cannot be used. Monuments cannot be placed "Back-to-back" against another.**
13. **Monuments must be placed at the center of the head of the lot except where alignment with existing nearby monuments justifies another location. Approval of the location must be obtained from the Caretaker before a monument is set.**

14. All photographs attached to any memorials or placed within the Cemetery grounds shall be the sole responsibility of the owner.
15. No foundations may be constructed after Nov. 15th in any year and approximately before May 15th in the following year, depending on weather conditions.
16. All markers taller than one foot shall have a foundation built by the Corporation in the designated space and in the proper dimensions of the monument base with a four inch apron. If incorrect dimensions have been given on the application form, signed by the Interment Rights Holder and/or the supplier, the foundation must be immediately removed and rebuilt by the Corporation at the expense of the Interment Rights Holder. Foundations will be constructed of no less than 10.16cm (4 inches) deep of concrete, and it shall rest on a compacted base. *Foundations must be cured for a minimum of 48 hours before placing the monument. The surface area shall be flush with the surrounding ground level and shall provide a level surface free of defects.*

D) **MARKERS**

1. Corner Posts:

The owner may on the receipt of his Rights Certificate and at his own expense, as outlined in the price list, have an official of the Corporation place bronze, stone or concrete land marks 15.24cm (6 inches) square and not less than 15.24cm (6 inches) deep, dressed on all sides and bearing the lot and section number legibly and permanently marked thereon, at the corners of the lot or lots conveyed to him, such posts to be planted flush with the ground.

2. Markers or footstones of bronze, marble or granite are permitted with size and quantity restrictions according to the section of the Cemetery and the regulations deemed necessary as per the size of lot in that section. Its placement must not interfere with future interments.
 - single lot maximum 45.72cm x 60.96cm (18" x 24")
 - double lot maximum 50.8 cm x 106.68cm (20" x 42")
3. Flat markers are to be flat on top and set level with the ground so that a lawnmower can pass safely over them and shall be set by the Corporation, at the expense of the Interment Rights Holder.
4. Two (2) markers may be placed at each grave in addition to the monument. The markers shall be placed in the center and/or at the foot of the grave and shall not exceed 45.72cm x 60.96cm (18" x 24").

5. **The minimum thickness for all flat markers including footstones is 7.62cm (3 inches) and the maximum thickness for all flat markers including footstones is 10.16 cm (4 inches).**
6. **All markers and monuments shall be constructed of bronze, granite or marble. The bottom bed of all bases and markers shall be cut level and true.**

J) RULES FOR MONUMENT DEALERS, CONTRACTORS AND WORKERS

1. **No monument or marker will be delivered to the Cemetery without the proper paperwork. See Section G-6 for description of paperwork.**
2. **The length and width of the base shall be in accordance with the regulations for monuments.**
3. **No monument or marker will be delivered to the Cemetery until the foundation is completed and the contractor is ready to proceed with the work of erection.**
4. **No monument or marker will be removed without written permission from the Caretaker.**
5. **All companies who do work in the Cemetery, shall have Worker's Compensation coverage for their workers as well as sufficient liability insurance.**
6. **Contractors, masons and stone-cutters shall lay planks on the lots and paths over which heavy materials are to be moved, in order to protect the surface from injury.**
7. **There shall not be a variance of more than 1.27cm (1/2 inch) in the size of the base required as stated on the work order and the size of the monument delivered.**
8. **The demeanour and behaviour of all workmen employed by others in the Cemetery, shall be subject to the control of the Caretaker.**
9. **Workers shall cease work, if in the immediate vicinity of a funeral, until the conclusion of the service.**
10. **All work must be done during regular cemetery hours, unless by special permission of the Caretaker.**
11. **No work shall be commenced on Saturday that cannot be finished, and the litter and debris removed, by 4:00p.m. of that day.**

12. Heavy loads shall not be permitted in the cemetery when the roads are in unfit condition.
13. No monument dealer shall park on the grass unless otherwise directed to do so by the Caretaker.
14. All implements and materials used in the performance of any work shall be placed where the Caretaker directs it to be placed; and all rubbish and surplus earth shall be removed when, and to where, and in such a manner as the Caretaker may order. Otherwise the obstructions will be removed, and the expense charged to the monument dealer.
15. If a monument company desires to set a flat marker they must make written arrangements.
16. The erection of bushes or trees by individuals other than the Caretaker is not permitted in the cemetery.

K) MORTUARY REGULATIONS

1. The use of the Storage vault for any cemetery shall be billed at the rates filed with the Ministry.
2. Permits for the use of the storage vault must be obtained from the Secretary of the Cemetery.
3. Fees for the use of the vault are set forth in the Price List.
4. The Caretaker may remove a body deposited in the vault and inter it in a single grave at any time after the expiration of the time for which payment has been made, or at any time should the condition of the body render its interment necessary or expedient.
5. All Funeral Homes and/or Interment Rights Holders should have proper insurance coverage for any bodies stored in the vault.
6. All bodies must be removed from the vault as early as possible depending on the frost and thaw conditions in the Spring.
7. The bodies of persons dying from contagious diseases cannot be admitted to the vault but must be interred.

8. **The Caretaker reserves the right to determine if the weather conditions are adverse enough to prevent a burial. The vault may be used at no extra charge until the weather conditions permit the interment.**
9. **All bodies stored in our vault must for health reasons be embalmed.**
10. **All bodies stored in our vault shall be placed in a wooden or metal casket.**

L) RULES FOR VISITORS

1. **Visitors are always welcome at the cemetery from 8:00a.m. until sundown.**
2. **The Caretaker and/or any of his assistants are empowered and are required to preserve order and decorum in the cemetery.**
3. **No parades other than funeral processions shall be admitted to or be organized within the cemetery.**
4. **Children under the age of twelve years are welcome in the cemetery grounds when accompanied by an adult, who shall be responsible for their good conduct and shall see that they do not run over the lots or climb upon the monuments.**
5. **Vehicles within the cemetery shall be driven at a moderate rate of speed and shall not leave the designated avenues or shall not park on the grass unless directed to do so by the Caretaker.**
6. **No pleasure ATV (all terrain vehicles) or snowmobiles are allowed in the cemetery.**
7. **Proprietors of vehicles and their drivers shall be held responsible for any damage done by them.**
8. **Discharging of firearms, other than in regular volleys at burial services is prohibited in and around the cemetery.**
9. **No dogs or other pets shall be allowed in the cemetery.**
10. **No picnic party shall be permitted in the cemetery grounds.**
11. **Any person who, while in the cemetery, damages or moves any tree, plant, marker, fence, structure or any other object usually erected, planted or placed in a cemetery, is liable to the Corporation and any Interment Rights Holders who, as a result, incurs**

- damage. The amount of damages shall be the amount required to restore the cemetery to the state that it was in before anything was damaged or moved by the person liable.
12. Any complaints by Interment Rights Holders or visitors should be made to the Caretaker of the Cemetery or to the Clerk's Office.
 13. Any person disturbing the quiet and good order of the cemetery by noise or other improper conduct or who violates these by-laws, will be expelled from the grounds.
 14. Any article which is detrimental to efficient maintenance or constitutes a hazard to machinery, employees or visitors, or is unsightly or does not conform with the natural beauty or design of the cemetery, may be removed by the Corporation. An article removed will be held at the cemetery for collection. If not collected within sixty (60) days, it will be disposed of.
 15. No tips or gratuities are to be given to cemetery workers by visitors or Interment Rights Holders, nor shall any be accepted by any cemetery worker. Donations can be made at the Clerk's Office where an official receipt will be given for income tax purposes.

AMENDMENTS TO THIS BY-LAW ARE DONE PERIODICALLY, THEREFORE I WOULD RECOMMEND THAT YOU CHECK WITH THE CEMETERY OFFICE TO ENSURE THAT THIS BY-LAW HAS NOT BEEN REVISED FURTHER, BEFORE PERFORMING ANY WORK OR MAKING ANY PURCHASES.

**CITY OF TEMISKAMING SHORES
PRICE LIST OF CEMETERY FEES
FOR CEMETERY LOTS, SERVICES & SUPPLIES**

ITEM	PURCHASE PRICE	
	Resident	Non-resident
Purchase of lot/Care & maintenance on lot		
Adult Lot	425.00	500.00
Care and Maintenance on Adult Lot (40% of lot price)	175.00	200.00
Cremation Lot (New Liskeard Cemetery ONLY)	125.00	250.00
Care and Maintenance on Cremation Lot (40% of lot price)	50.00	100.00
Child Lot (New Liskeard Cemetery ONLY)	75.00	150.00
Perpetual Care on Child Lot (40% of lot price)	30.00	60.00
Transfer of interment rights	25.00	25.00
Interment fees		
Adult Full Interment Fee – WEEKDAY BURIAL	425.00	525.00
Adult Full Interment Fee - SATURDAY BURIAL	825.00	925.00
Child Full Interment Fee	75.00	75.00
Provincial License (for each full burial)	10.00	10.00
Cremation Interment Fee - WEEKDAY BURIAL	100.00	200.00
Cremation Interment Fee - SATURDAY BURIAL	300.00	400.00
Vault storage		100.00
Foundation/care & maintenance on markers		
Foundation installation	150.00	150.00
Flat Marker - wet concrete setting	150.00	150.00
Flat Marker - ground setting	65.00	65.00
C & M Fund on Flat Marker over 172sq.inch & Pillow Marker	50.00	50.00
Care & Maintenance Fund on Upright Monument up to 4' wide	100.00	100.00
Care & Maintenance Fund on Upright Monument over 4' wide	200.00	200.00
Corner Post installation (set of 4)	40.00	40.00
Other services		
Disinterment (full casket burial)	1,200.00	1,200.00
Disinterment (cremated remains)	300.00	300.00
Flower Planting (including preparation of grounds & watering)	125.00	125.00
Removal of existing foundation and markers	Estimates upon request	

NOTE: G.S.T. is applicable to all above charges