

THE CORPORATION OF THE CITY OF BROCKVILLE

BY-LAW NO. 021- 2003

*Being a By-law to adopt rules and regulations for Cemeteries
governed by the Brockville Cemetery Board*

WHEREAS, the Cemeteries Act, R.S.O. 1990, c.C3 permits the Council of a Local Municipality to pass by-laws for the acquisition, operation and management of a Cemetery situated within the Municipality; and

WHEREAS, the Cemeteries Act, R.S.O. 1990, c.C3 permits the Council of a Local Municipality to pass by-laws appointing a Board of Management for the purpose of operating cemeteries owned or controlled by the Municipality; and

WHEREAS, By-law 285-89 establishes the said Board to exercise management control over City owned cemeteries in accordance with established operating procedures of the City of Brockville and under the direction of the Council; and

WHEREAS, the Ministry of Consumer and Commercial Affairs requires the enactment of updated criteria for the operation of the said cemeteries; and

WHEREAS, the Council of the Corporation of the City of Brockville deems it expedient to authorize and incorporate such criteria in the operating procedures;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:

A) ADMINISTRATION

1. The administration of the above mentioned cemeteries shall be under the supervision of a Superintendent who shall be appointed by The Brockville Cemeteries Board.
2. The Superintendent shall have custody, under The Brockville Cemeteries Board, of the above Cemeteries. No interment or removal of bodies shall take place without notice to the Superintendent, 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 it 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 of any type that is placed on any lot or plot.

B) DEFINITIONS

1. "Board" shall mean the duly appointed or elected Board of Trustees for The Brockville Cemeteries.
2. "Care and Maintenance Fund" . This is the trust fund in which all monies received by the cemetery for the care and maintenance of lots, plots and monuments have been invested. This trust fund is held by the Corporation of the City of Brockville Cemeteries Board.
3. "Cemetery" shall mean Oakland Cemetery, Old Brockville Cemetery, Old St. Peter's Cemetery, or any of them, and the Brockville Cemetery Board.
4. "Certificate of Interment Rights" shall mean the certificate issued by The Brockville Cemeteries to the purchaser of interment rights in either a lot, plot or niche.
5. "Chairman" shall mean the chairman of The Brockville Cemeteries Board.
6. "Children's Grave" shall mean any burial space of .91 metres (3 feet) by 3.05 metres (10 feet) or less.
7. "Columbarium" means a structure designed for interring cremated human remains in sealed compartments.
8. "Corner-posts" shall mean any stone or other land marker set flush with the surface of the ground and used to indicate the location of a lot.
9. "Corporation" shall mean The Corporation of The City of Brockville.
10. "Cremation Lot" shall mean any burial space intended to receive not more than 2 (two) cremated remains and having a minimum size of 60.96 cm (24 inches) by 152.40 cm (60 inches).
11. "General Maintenance Account" shall mean the account that has been set aside for maintenance of the cemetery and for services rendered in connection with its operation.
12. "Grave" shall mean any burial space intended for an adult, and having a size of .91 metres (3 feet) by 3.05 metres (10 feet).
13. "Infant Grave" shall mean any burial space intended for an infant, and having a minimum size of 5.05 metres (2 feet) by 15.25 metres (5 feet).
14. "Interment Rights" includes the right to require or direct the interment of human remains in a lot.
15. "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, 1990, or a predecessor of that Act.
16. "Lot" means an area of land in a cemetery containing, or set aside to contain, human remains and includes a tomb, crypt or compartment in a mausoleum and a niche or compartment in a columbarium.

17. "Marker" shall mean any memorial of granite, marble or bronze set flush with the surface of the ground, and used to mark the location of a lot. A marker also may mean an ornament affixed to or intended to be affixed to a lot such as a columbarium niche or other structure or place intended for the deposit of human remains.

18. "Ministry" shall mean the Ministry of Consumer and Business Relations for Ontario.

19. "Monument" shall mean any permanent memorial projecting above the ground level.

20. "Plan" shall mean the plan of the cemetery, approved by the Ministry of Consumer and Business Relations for Ontario.

21. "Plot" means two or more lots in which the rights to inter have been sold as a unit.

22. "Secretary-Treasurer" shall mean the Secretary-Treasurer appointed by The Brockville Cemeteries Board.

23. "Superintendent" shall mean the person appointed by the Board as caretaker of The Brockville Cemeteries.

24. "Trust Funds" shall mean 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 this licensed cemetery.

2. Interment rights in lots and plots may be purchased from the Cemetery at the rates filed with the Ministry and according to the plans approved by the Ministry of Consumer and Business Relations for Ontario that are on file in the office of the Superintendent of the Cemetery. The prices for lots include the applicable portion for deposit to the Cemetery's Care and Maintenance Fund.

3. 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 1, 1992 and as may be amended from time to time.

1. In the case of an in-ground grave for the burial of an adult, the greater of 40% of the selling price or \$150.

2. In the case of an in-ground grave for the burial of a child or of cremated remains, 40% of the selling price.

3. In the case of a crypt in a mausoleum, the greater of 20% of the selling price or \$500.

4. In the case of a niche or compartment in a columbarium, the greater of 15% of the selling price or \$100.

4. Purchasers of interment rights acquire only the right and privilege of burial of the dead and constructing monuments or placing markers, subject to the Cemetery By-laws from time to time in force and approved by the Ministry of Consumer and Business Relations.
5. Payments for interment rights shall be made at the office of the Superintendent.
6. The Superintendent shall provide each Rights Holder at the time of sale with: 1. A copy of the contract. 2. A copy of the Cemetery By-laws. 3. Upon payment in full, a Certificate of Interment Rights.
7. 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 Superintendent 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.
8. 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.
9. 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.
10. The repurchase price of the interment rights, shall be the amount paid by the purchaser for 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.
11. If the original selling price is unknown, the repurchase price shall be deemed to be \$50.00 according to the Cemeteries Act, R.S.O., 1990.
12. In accordance with the Cemeteries Act, R.S.O., 1990, the cemetery is not required to repurchase the interment rights for more than four lots held by the same interment right holder in a twelve month period.
13. The Brockville Cemeteries Board after receiving such a demand, shall repurchase the interment rights within thirty days after receiving the demand.
14. NO REFUND will be made for any lot if any interment rights have been exercised.
15. If any interment rights have not been used after a 20 year period has passed, they may be considered abandoned. The cemetery may apply to the Registrar for a declaration that the interment rights are abandoned after making inquiries and giving reasonable notices to find the interment rights holders or beneficiaries. Upon being satisfied that the rights are abandoned, the Registrar shall issue a declaration to that effect. If there is not an appeal by the end of time period allowed for appeal, the Cemetery may resell the lot in question.

16. 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 cemetery to provide better or equivalent interment rights in that cemetery or 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.

17. The Cemetery will accept payment by installments for interment rights sold on a pre-need basis only as follows:

1. A deposit is required of at least 20% of the purchase price at the time of the application for purchase is signed.
2. The balance is to be paid by regular equal monthly payments.
3. Should the payments fall behind for a period of three months, the lots may be repossessed by the cemetery and a refund of payments less Care and Maintenance received unless at least two thirds of the purchase price has been paid. In this case the cemetery would approach the Ontario Court, General Division, for authorization to repossess.
4. No interments shall be made therein, nor a monument erected until all indebtedness has been satisfied.

D) INTERMENTS AND DISINTERMENTS

1. Winter burials shall take place weather permitting.
2. Not more than one burial shall be made in any single grave except:
 1. in areas designated for double depth burial. The first interment must be made at the lower level
 2. that of the cremated remains of two persons
 3. or a 60.96 x 30.48 cm (24" x 12") infant container or cremation may be buried at the head end of a single grave in which a casket containing human remains has been buried, 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. Outer wooden containers are discouraged, however, a surcharge will apply when such a container is used.
4. All interments must be authorized in writing by the interment rights holder except the interment of the interment rights holder.
5. The Superintendent of the cemetery, his assistant or someone in the employ of the Cemetery shall be in attendance at each interment.

6. A burial permit issued by the Division Registrar, showing that the death has been registered and the fee for the opening of the lot according to the fee found in the Price List, must be deposited with an official of the Cemetery before interment can take place.
7. In the case of a cremation interment or inurnment, the cremation certificate and the prescribed fee for this service according to the Price List must be deposited with an official of the Cemetery.
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 plot as may be requested.
10. No lot or niche shall be opened for interment or disinterment by any person not in the employ of, or under the direction of the Cemetery, except under special circumstances, and by permission of the Cemetery.
11. The interment fee includes the opening and closing of the lot or niche and use of lowering devices, grave linings and earth cover and the registration of the burial.
12. The scale of fees for lot/niche 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 Cemetery 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 reinter human remains that have been disinterred according to the Cemeteries Act and regulations.
14. The Cemetery 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 or niche where the burial rights have not been paid in full.
16. Funeral corteges within the cemetery shall follow the route indicated by the Superintendent.
17. The Cemetery 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 Cemetery may either cancel such grant and substitute other interment rights or, 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 in writing to the rights owners. If necessary, it may be mailed to the rights owners or their legal representatives, at their last appearing address in the record books of the Cemetery. In the event any such error may involve the disinterment of remains, the Cemetery shall first obtain the approval of any regulatory authority and the interment rights holder.

18. The Cemetery shall not be held responsible for any errors made for any funeral arrangements made over the phone.
19. Notice of each interment to be made shall be given to the Superintendent of the Cemetery at least 24 hours in advance, eight (8) hours of which must be regular working hours. The Cemetery cannot be held responsible for having lots prepared for funerals unless such notice is given.
20. Interments shall be permitted between the hours of 9 a.m. and 4 p.m. on weekdays, and 9 a.m. and 4:30 p.m. on Saturdays and Sundays, except by special arrangement with the Superintendent.
21. The Cemetery will not do any Statutory Holiday interments unless ordered to do so by a representative of the Ministry of Health.
22. Extra charges are included in the price List for:
 1. Saturday and Sunday interments
 2. Holiday interments subject to item 21 above
 3. Where an additional interment is required for a grave space already occupied at the regulation depth for the purpose of deepening the original interment
 4. Funerals reaching the Cemetery after the hour of 4:30 p.m.

E) CARE OF LOTS - GENERAL

1. All lots and plots shall be maintained and kept properly graded, sodded and mown by employees of the Cemetery, and the rights holder shall not hinder the Cemetery in carrying out this responsibility.
2. No person shall do any work upon a burial lot without the permission of the Superintendent.
3. Small shrubs may be cultivated on lots, but only such varieties that are in good taste and in keeping with the general plan of the grounds and subject to the approval of the Superintendent. No trees or shrubs growing within any lot may be removed or altered without the consent of the Superintendent.
4. Small shrubs 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 Superintendent.
5. Rights Holders desiring outside gardeners to do work on their lots must furnish the Superintendent with written authority to do so. Gardeners or florists or their employees shall not enter the Cemetery without permission of the Superintendent.
6. Trees or shrubs situated in any lot that 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 Cemetery Board may remove such trees, shrubs or parts thereof. Where possible, the rights holder shall be contacted.
7. No glass containers are allowed in the cemetery at any time.

8. Nails, wires, articles of glass, pottery, wood, or any other material that creates a hazard are not allowed in the cemetery.
9. Borders, fences, railings, walls, cut-stone coping and hedges, and stone mulch in or around lots are prohibited.
10. Rubbish must be placed in receptacles provided at convenient points on the grounds.
11. Implements or materials used in doing any work within the cemetery shall be removed without delay and if this is not done, the Superintendent shall remove same.
12. No interment rights holder shall change the grading of his lot, and in case of any such change, the Cemetery may restore the lot to its original grade at the expense of the Interment Rights holder.
13. No unauthorized person shall remove cornerposts of lot markers.
14. The Cemetery 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. Flower beds not exceeding 45.72 cm (18 inches) in width shall be permitted in front of monuments, and where there is no monument, can only be made by permission of, and under the supervision of the Superintendent. Planting of borders around lots is prohibited.
3. To preserve the appearance of the cemeteries, any flower bed of the previous year which has not been planted by June 15, may be sodded by the Cemetery and the cost charged to the Interment Rights holder.
4. Flower beds must be cleared of tender plants after the first frost of the autumn. Lot owners desiring to take any plants away should do so before their removal becomes necessary.
5. Potted plants must not be buried but must be placed on top of the ground as close to the monument base as practical.
6. Those who place potted plants or urns, not planted by the Cemetery, are responsible for their upkeep and must remove them by October 1.
7. Only one artificial wreath or artificial flower arrangement without glass or plastic covers is allowed to be placed on the lot, provided it is securely fastened to the monument, or where there is no monument, mounted on a stand of at least 76.20 cm (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 monument, footstone, marker or memorial of any kind shall be placed, moved, altered or removed without permission from the Superintendent.
3. No inscription shall be placed on any monument which is not in keeping with the dignity and decorum of the cemetery.
4. Candle holders and vases may constitute part of a monument if they are made 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.
 1. Candle holders must be included in determining the overall size of the memorial.
 2. A maximum of two candles or vases shall be placed on the base of a monument. They must be centered on the end or ends of the base.
 3. A candle holder must be adequately drained to prevent any collection of water.
 4. Candle holders must be fully enclosed on all sides by a door or lid.
5. No monument or marker will be delivered to the cemetery without the Request for Installation form containing the following information:
 1. The Interment Rights owner's name and address.
 2. Instructions for placement of the marker or monument.
 3. The dimensions in the case of a flat marker.
 4. In the case of a monument:
 1. The dimensions of the die, height, width, length.
 2. The dimensions of the base, height, width, length.
 3. The overall size of the monument.
 4. A description of the monument; colour and design.
 5. The appropriate amount for the Care & Maintenance Fund in relation to the size of the marker/monument as set out in the Cemeteries Act R.S.O. 1990, must accompany the monument.
6. Every person installing a monument or marker in the cemetery shall pay the prescribed amount, as set out in the Cemeteries Act, to The Brockville Care and Maintenance Fund. The interest earned from this fund will be used to maintain the markers or monuments in a safe condition.
7. The amounts are as follows:
 1. In the case of installing a flat marker measuring at least 1115.85 square centimetres (173 square inches), \$50 plus taxes where applicable.
 2. In the case of installing an upright marker measuring 1.22 metres (4 feet) or less in height and 1.22 metres (4 feet) or less in length, including the base, \$100 plus taxes where applicable.
 3. In the case of installing an upright marker measuring more than 1.22 metres (4 feet) in either height or length, including the base, \$200 plus taxes where applicable.

8. If a monument or marker in a cemetery presents a risk to public safety because it is unstable, the Cemetery shall do whatever is necessary by way of repairing, resetting or laying down the marker to remove the risk.

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 Cemetery to be normal wear.
3. The Cemetery 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 Cemetery 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 would interfere with any future interments.
5. A double lot is only allowed two (2) headstones, two (2) footstones and four (4) cornerposts. Due to the work involved to keep these level, we must restrict the quantity allowed on a lot.
6. The maximum size monument allowed on a single lot is:

Height 1.52 metres (5 feet)
Width 86.36 cm (34 inches)
Base (minimum) 30.48 cm (12 inches)
Die (minimum) 15.24 cm (6 inches)
7. Should the monument exceed 100 cm (3 feet) overall height, the die must be 20.50 cm (8 inches).
8. 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 5.08 cm (2 inches) to the lot width side lines on which it is to be installed.
9. Monuments cannot be placed "back to back".
10. Monuments must be placed at the head end of the lot except where alignment with existing nearby monuments justifies another location. Approval of the location must be obtained from the Superintendent before a monument is set.
11. The die stones must be installed on a granite base. The height of the base shall be a minimum of 10.16 cm (4 inches). The top surface of the base must be both wider and longer than the die in order to provide a minimum border of 7.6 cm (3 inches) of the surface of the base exposed on all sides. Bottoms of the base shall be smooth sawn.
12. All foundations for monuments and markers shall be built by, or contracted to be built for, the cemetery at the expense of the interments rights holder.

13. The charges for the construction of foundations are set forth in the Price List.

14. No foundations may be constructed after November 15 in any year and before April 1 in the following year, except with the permission of the Superintendent.

15. The foundation shall be built in the designated space and in the proper dimensions of the monument base. 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 cemetery at the expense of the interment rights holder. Foundations will be not less than 1.52 metres (5 feet) deep and they will be set at the Superintendent's direction.

1. The required concrete mix for foundations will be:

20.5 MPA

75 mm slump

20 mm aggregate

5% +/- 1% Air Entraining agent

Trowel finish all edges with a minimum 5.08 cm (2 inches) border.

2. The surface area shall be flush with the surrounding ground level and shall provide a level surface free of defects.

3. Foundations must be cured for a minimum of 48 hours before placing the monument.

4. No concrete shall be placed until a representative of the cemetery has approved the grades and all loose material is removed from the grade. The placing shall commence at the low point in the grade and the concrete shall be thoroughly consolidated to eliminate all air pockets and honeycombs. No concrete shall be placed to overlap concrete that is partially set.

5. Defective areas must be repaired to the approval of the cemetery. The finished concrete shall be protected from wind, rain or sun during curing, by covering it completely with a piece of plywood having a minimum thickness of 1.27 cm (1/2 inch). All rubbish and excavated material shall be removed from the excavation site to a place designated by the Superintendent.

1) MARKERS

1. The rights holder may on the receipt of his Rights Certificate, at his own expense have an official of the Cemetery place bronze, stone or concrete land marks 15.24 cm (6 inches) square and not less than 15.24 cm (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 will be accepted for installation during regular working hours. If weather and ground conditions permit, installations will be made within 30 days after acceptance. Markers will not be accepted from any monument dealer for storage during the winter months.

3. 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	40.64cm x 60.96cm	16" x 24"
Double lot maximum	60.96cm x 81.28cm	24" x 32"
Cremation lot maximum	40.64cm x 50.70cm	16" x 20"

4. 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 employees of the Cemetery, at the expense of the interment rights holder, on payment of the fee provided in the Price List.

5. One marker may be placed at each grave in addition to the monument. The marker shall be placed at the end of the grave farthest from the monument and shall not exceed 40.64cm x 60.96cm (16" x 24").

6. Any flat marker that exceeds the standard width of 30.48cm (12 inches) can only be installed after a full interment has taken place.

7. The minimum thickness for all flat markers including footstones is 10 cm (4 inches).

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.

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-5 for description of paperwork.

2. Monument dealers must state on each order the date they wish foundations ready and must give at least fifteen working days notice before the work is required.

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 Superintendent.

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 workers employed by others in the cemetery, shall be subject to the control of the Superintendent.
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 Superintendent.
11. Heavy loads shall not be permitted in the cemetery unless approved by the Superintendent.
12. No monument dealer shall park on the grass unless otherwise directed to do so by the Superintendent.
13. All implements and materials used in the performance of any work shall be placed where the Superintendent may direct, and all rubbish and surplus earth shall be removed when, and to where, and in such manner as the Superintendent may order. Otherwise the obstructions will be removed, and the expense charged to the monument dealer.
14. If bushes are allowed the intended monument should not exceed 50% of the lot width. ie. 1.83 metres (6 feet) width allows for .91 metres (3 foot) monument and 45.72cm (18 inches) for each bush.

K) MORTUARY REGULATIONS

1. The use of the storage vault for any cemetery other than the Brockville Cemeteries shall be billed at the current rates.
2. The Cemetery shall contact the Funeral Director to 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.
3. All bodies must be removed from the vault by May 31 in each year where possible.
4. The bodies of persons dying from contagious diseases cannot be admitted to the vault but must be interred.
5. The Superintendent reserves the right to determine if the weather conditions are adverse enough to prevent a burial. If it be deemed necessary, the vault may be used at no extra charge until the weather conditions permit the interment.
6. All bodies stored in the vault must be embalmed for health reasons.
7. No body shall be placed in a reinforced cardboard container for storage. Only bodies placed in a wooden or steel casket may be stored.
8. Rights Holders who desire the use of the chapel for funeral services may obtain same upon application to the Superintendent.

L) COLUMBARIUM REGULATIONS

1. All the general rules and regulations of The Brockville Cemeteries shall apply to the columbarium.
2. No inurnment shall be made without the permission from the burial rights holder or a proper representative of the estate if the burial rights holder is deceased.
3. Compartments will be opened only by employees of the Cemetery and sealed by them after an inurnment is made.
4. Each compartment is intended for one or two urns.
5. It is advisable that the name of the person for whom inurnment is intended, be registered on the books of the Cemetery, so that no complications may arise when request for inurnment is made.
6. No inurnment shall be permitted until all payments due to the Cemetery have been made.
7. Flowers or wreaths are not to be placed against or near any part of the Columbarium.
8. Glass vases or other breakable items shall not be placed around the Columbarium.
9. No transfer of burial rights to a columbarium niche shall be valid until approved by and recorded in the books of the Cemetery. A transfer fee will be charged.
10. The number of cremated remains to be placed in each niche is determined by the urn size and niche dimensions and in accordance with the designated policy for each columbarium.
11. No ornamentation shall be permitted on a columbarium niche.
12. the lettering on a columbarium niche shall comply with the specifications established.

M) MAUSOLEUM REGULATIONS

1. All the general rules and regulations of The Brockville Cemeteries shall apply to the Mausoleum.
2. Proper certificates of death and burial permits must accompany all bodies before entombment takes place in the mausoleum.
3. The Cemetery may remove the mausoleum. Should the maintenance fund for a private mausoleum become exhausted and further repairs become necessary, the Cemetery may remove the bodies from the vault and reinter the same somewhere else in the cemetery and take down and remove the structure in which case all claim to or in the land and vault by the former owners or owner, shall cease and be at an end.


N) RULES FOR VISITORS

1. Visitors are always welcome at the cemetery during the open hours, from dawn until dusk. They are asked to remember the respect due to the dead.
2. The Superintendent and 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 not admitted to the grounds unless 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 avenues or park on the grass unless directed to do so by the Superintendent.
6. No pleasure ATVs. (all terrain vehicles), dirt bikes 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 the cemetery.
9. Dogs or other pets must be on a leash.
10. No picnic party shall be permitted in the cemetery grounds except by permission of the Superintendent.
11. Any person who, in the cemetery, damages or moves any tree, plant, marker, fence, structure or other thing usually erected, planted or placed in a cemetery is liable to the cemetery and any interment rights holder 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 Superintendent, and not to workers on the grounds, and controversies with workers or others on the grounds are to be avoided.
13. Rubbish shall not be thrown on roadways, lots or walkways or any part of the grounds. Receptacles are provided at convenient points on the grounds for the deposit of weeds, decayed flowers, plants, etc.
14. Any person disturbing the quiet and good order of the cemetery by noise or other improper conduct or who violates these by-laws, must be expelled from the grounds.

15. 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 cemetery. An article removed will be held at the cemetery office for collection. If not collected, it will be disposed of after 60 days.

**GIVEN UNDER THE SEAL OF THE CORPORATION
OF THE CITY OF BROCKVILLE AND PASSED THIS
11th DAY OF MARCH 2003.**



MAYOR

CLERK

Approved by the Ministry of Consumer
and Business Services
pursuant to Cemeteries Act, R.S.O. 1990, as amended.

Dated the 13th day of January, 2003.

[signed Don Fleming]
Compliance Officer
Cemeteries Regulation