

BY-LAW NUMBER 168-1999

OF THE MUNICIPALITY OF CHATHAM-KENT

A By-law to regulate the operation of the Cemeteries
in the Municipality of Chatham-Kent

FINALLY PASSED the 19th day of July, 1999.

WHEREAS it is deemed expedient to provide for the regulations of the Municipally operated Cemeteries in the Municipality of Chatham-Kent.

AND WHEREAS there are Cemeteries known as Bothwell Cemetery, Bothwell; Dresden Cemetery, Dresden; Evergreen Cemetery, Blenheim; Maple Leaf Cemetery, Chatham; Riverview Cemetery, Wallaceburg and all other municipal abandoned and pioneer cemeteries.

AND WHEREAS the above mentioned Cemeteries are licensed to act as cemeteries in accord with the Cemeteries Act (Revised), R.S.O., 1990.

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the Municipality of Chatham-Kent as follows:

A) **Administration:**

1. The Corporation of the Municipality of Chatham-Kent reserves full and complete control and management of all assets of the Corporation including but without limiting the generality of the foregoing: land, buildings, plantings, roads, utilities, books and records of the cemetery and complete authority to administer these By-laws.
2. The Superintendent shall have custody of the Cemetery under the direction of the Corporation. No interment or removal of bodies shall take place without notice to the Superintendent, who shall see that a proper Burial Permit or other certificate required is furnished in each instance.
3. The Corporation shall take reasonable precautions to protect the property of Interment Rights Holders but it assumes no liability or responsibility for the loss or damage to any article of any type that is placed on any lot or grave.
4. The Superintendent of Cemeteries or his representative shall uphold the provisions of the By-laws and the Cemeteries Act. The Superintendent has the authority to make final and binding decisions based on the By-laws. Appeals to the Superintendent's decision can be made to the General Manager of Public Works.
5. All notices required by any By-law or regulation to be given to any Interment Rights Holder may be given personally, or may be mailed to the last known post office address of such Rights Holder or his legal personal representatives, and proof that such notice was so mailed shall be good and proof that such notice was given.

B) **Definitions:**

1. **"Care and Maintenance Fund"** is the trust fund in which all monies received by the Corporation of the Municipality of Chatham-Kent for the care and maintenance of lots, plots and monuments have been invested.

2. **“Cemetery”** means Evergreen Cemetery, Maple Leaf Cemetery, Riverview Cemetery, Dresden Cemetery and Bothwell Cemetery and Cemeteries means all of them, including pioneer and abandoned.
3. **“Certificate of Interment Rights”** means the certificate issued by the Corporation of the Municipality of Chatham-Kent to the purchaser of interment rights in a lot.
4. **“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.
5. **“Corporation”** means The Corporation of the Municipality of Chatham-Kent.
6. **“Grave”** means the description as set out in Schedule "A".
7. **“Interment Rights”** includes the right to require or direct the interment of human remains in a lot.
8. **“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.
9. **“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.
10. **“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.
11. **“Ministry”** means the Ministry of Consumer and Commercial Relations for Ontario.
12. **“Monument”** means any permanent memorial made of granite or marble projecting above the ground level.
13. **“Non-Resident”** means any person who resides beyond the corporate limits of the Municipality of Chatham-Kent, and whose name does not appear on the last revised assessment roll.
14. **“Plan”** means the plan of the Cemetery, approved by the Ministry of Consumer and Commercial Relations for Ontario.
15. **“Register”** means electronic, or written records, kept in accordance with the Cemeteries Act (Revised) R.S.O. 1990, Chapter C.4.
16. **“Resident”** means any person who resides within the corporate limits of the Municipality of Chatham-Kent; or any person who resides beyond the corporate limits, but whose name appears on the last revised assessment roll as a property owner, or who is assessed for business tax.
17. **“Schedule of Tariffs”** means the tariff of fees and charges as set out by the Municipality of Chatham-Kent.
18. **“Superintendent”** means the Superintendent of Cemeteries of Municipality of Chatham-Kent as appointed by Council.
19. **“Director of Accounting”** means the Municipal Director of Accounting of the Municipality of Chatham-Kent.

20. **“Trust Funds”** means those funds in which a trustee may invest, which are defined in the “Trustee Act”, R.S.O. 1989.
21. **“Crypt and Niche Markers”** means any memorial on the face of a crypt or niche used to mark the crypt or niche.

C) **Sale and Transfer of Lots:**

1. No person shall sell interments rights unless that person does so on behalf of the Municipality of Chatham-Kent.
2. (a) No resident shall be permitted to purchase interments rights for or on behalf of a non-resident unless the said resident shall have first paid the difference between the resident and non-resident rates as set forth in the Schedule of Tariffs.

(b) Paragraph (a) shall not apply to the owner's spouse, a child under the age of eighteen years, or dependent child over the age of eighteen.
3. Interment rights may be purchased from the Municipality of Chatham-Kent at the rates filed with the Ministry and according to the plans approved by the Ministry of Consumer and Commercial Relations for Ontario that are on file in the Cemetery office. The prices for interment rights include the applicable portion for deposit to the Cemetery's Care and Maintenance Fund.
4. The deposit to the Care and Maintenance Fund shall be as specified in the regulation made under the Cemeteries Act (Revised), R.S.O. 1990, Chapter C.4.
5. Payment for interment rights shall be made at the Cemetery office for the Municipality of Chatham-Kent.
6. The Corporation shall provide each interment rights owner at the time of sale with:
 1. A copy of the contract.
 2. A copy of the Cemetery By-law.
 3. Upon payment in full, a Certificate of Interment Rights.
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-laws from time to time in force and approved by the Ministry of Consumer and Commercial Relations.
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 Cemetery Clerk 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 interments rights, the Municipality of Chatham-Kent reserves the right to require the production of a notarial copy of the will or other evidence sufficient to prove ownership.
10. (i) An interment rights holder may require, by written demand, The Corporation of the Municipality of Chatham-Kent to repurchase the rights at any time before they are used.

- (ii) The repurchase price shall be the amount paid by the purchaser less the amount paid into the Care and Maintenance Fund.
 - (iii) This Section applies to all purchases or contracts made under any preceding By-law or Statute governing Cemeteries.
11. If the original selling price is unknown, the repurchase price shall be deemed to be \$50.00.
 12. The Corporation is not required to repurchase the interment rights for more than four lots held by the same interment rights owner in a twelve month period.
 13. No refund will be made for any lot if any interment rights have been exercised.
 14. If any lot is sold and has not been used after a 20-year period, it may be considered abandoned. The Corporation 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 within thirty (30) days of Notice of the Registrar's Declaration, the Corporation may resell the lot in question.
 15. 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.
 16.
 - (a) The Corporation may accept payment by instalments for interment rights sold on a pre-need basis. No interment shall be made therein, nor a monument erected until all indebtedness has been satisfied.
 - (b) The total purchase price as per the Schedule of Tariffs shall be paid in five (5) equal instalments over a two (2) year period. The first instalment shall be paid with the signing of the contract. Subsequent instalments will be made every six (6) months, with the last instalment due 2 years from the date of the signing of the contract.
 - (c) The purchaser may pay any outstanding balance at any time within the 2-year term of the contract without penalty.
 - (d) A percentage of each instalment shall be placed into a Care and Maintenance Fund as prescribed by the Cemeteries Act (Revised), R.S.O., 1990.
 - (e) Should a default in payment occur, the purchaser will be given notice of default by regular mail at his or her last known address. If payment is not received within 30 days of the notice of default, the contract will be terminated and the Cemetery Owner is entitled to take possession of the interment rights with refund of payment received less Care and Maintenance received and may sell them to any other purchaser for value.
 - (f) If at least two-thirds of the purchase price has been paid, the Cemetery Owner is not entitled to take possession of interment rights

upon default in payment without leave of a judge of the Ontario Court (General Division).

17. (a) A purchase of interment rights providing for instalment payments may be cancelled on written notice being delivered to the Superintendent at the Cemetery Office for the Municipality of Chatham-Kent.
- (b) Upon written notice of cancellation within 30 days of the signing of the contract, all monies received for the purchase of the Interment Rights will be refunded.
- (c) Upon written notice of cancellation after 30 days from the date the contract was signed, all monies received less the amount set aside in trust in the Care and Maintenance Fund or predecessor of such fund, will be refunded.

D) **Interment and Disinterment:**

1. Winter burials shall take place weather permitting.
2. (i) A single Adult Grave may contain:
 1. a casket containing human remains and the cremains of two persons; or
 2. the cremated remains of four persons, or
 3. two (2) still-born remains in addition to a casket containing adult human remains; or
 4. a 60.96 x 30.48 (24" x 12") infant container 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.
- (ii) A single crypt may contain only one (1) casket containing human remains.
- (iii) No more than two (2) interments shall be permitted in a single niche.
- (iv) The cremains of two persons may be interred in a child's grave only after the remains of a child have been interred there.
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. Burial of a deceased person who has a communicable disease shall be in accordance with the Health Protection and Promotion Act, R.S.O., 1990, Chapter H.7.
5. All interments must be authorized in writing by the Interment Rights Holder, except the interment of the Interment Rights Holder. Authorization shall be in the form of a Permission Letter and an Interment Authorization Form. When interment rights in a lot are held jointly by two or more persons, an Interment Authorization Form will be accepted from either or any of them or their authorized representatives, for interment in such part of the lot as may be requested. Where the Interment Rights Holder is

deceased, Permission Letters must be obtained from all living heirs of the Interment Rights Holder prior to any interment.

6. All interment charges shall be paid prior to any interments. The interment fee includes the opening and closing of the lot and the registration of the burial.
7. The Cemetery Clerk and/or designated Deputy Division Registrar, prior to any interment shall issue a Burial Permit and a Work Order.
8. In the case of a cremation interment or inurnment, the cremation certificate and the prescribed fee for this service according to the Schedule of Tariffs must be deposited with the Cemetery Clerk of the Corporation.
9. Persons requesting interments in lots shall be held responsible for charges incurred.
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. No person shall remove human remains that have not been cremated from a cemetery unless a certificate of a Medical Officer of Health or the Corporation confirming that the Cemeteries Act (Revised), R.S.O., 1990 and the Regulations thereto have been complied with is affixed to the container. A burial certificate under the Vital Statistics Act, R.S.O., 1990, is not required to reinter human remains that have been disinterred according to the Cemeteries Act (Revised), R.S.O., 1990 and the Regulations thereto.
12. 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.
13. Funeral corteges within the cemetery shall follow the route indicated by the Superintendent.
14. 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 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 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 owner.
15. The Corporation shall not be held responsible for any errors made for any funeral arrangements made over the phone or by electronic transmission. These arrangements should be made in writing.
16. Notice of each interment to be made shall be given to the Cemetery Superintendent at least 24 hours in advance, 8 hours of which must be regular working hours. The Corporation cannot be held responsible for having burial lots prepared for funerals unless such notice is given.
17. The Superintendent of Cemeteries shall direct that at the times when the ground in the Cemetery is soft from spring thaw, rain or other cause,

committal services shall be held in the Cemetery Chapel, instead of at the grave.

18. The Municipality will not do any Sunday, Christmas Day, Good Friday or New Year's Day interments unless ordered to do so by a representative of the Ministry of Health.
19. Extra charges may be incurred in accordance with the Schedule of Tariffs for Interments.
20. The Cemetery shall in no way be held liable for any delay in the interment of a body where a protest to the interment has been made, or where these By-laws have not been complied with; and further, the Cemetery reserves the right under such circumstances to place the body in a receiving vault until the full rights have been determined. The Cemetery shall be under no obligation to recognize any protests of interments unless they are made in writing and filed with the Cemetery Superintendent.
21. From the passing of this By-law, concrete liners will be required in all future interments.

E) Care of Lots – General:

1. All lots sold or assigned shall be maintained and kept properly graded, seeded and mown by employees or contractors of the Corporation.
2. No person shall do any work upon a burial lot without the permission of the Superintendent.
3. No lots or graves shall be raised higher than the surface level of the ground as laid out by the Superintendent in the first instance.
4. Trees, shrubs, flowering or other plants 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.
5. (a) Dwarf evergreens are permitted only on lots having a monument and only one shall be planted on either side of the monument. The Superintendent must approve all planting.
 (b) The height of such shrubs and/or ornamental trees shall at no time exceed the height of the monument next to which it grows.
6. (a) Shrubs shall only be allowed on lots in the section of Maple Leaf Cemetery known as Chapel Drive 8 and half of Chapel Drives 9,15,16, where concrete foundation strips were installed to a depth of 30.48 centimetres (12 inches) in front of the base of a stone or monument.
 (b) The diameter of such shrubs and/or ornamental trees at their widest point, including all foliage shall at no time exceed 35.56 centimetres (14 inches), or obstruct adjacent lots.
7. Interment rights owners desiring outside gardeners to do work on their lots must furnish the Superintendent with written authority for the same. 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, after 30 days notice to the interment rights holder.

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 potentially could create a hazard to workmen and to visitors when neglected or broken are not allowed in the Cemetery and will be removed by the Superintendent.
11. Since borders, fences, railing, walls, cut-stone coping and hedges in or around lots become unsightly, they are prohibited except those in existence at the time of the passing of this by-law of all cemeteries. Small landscaping edging used to separate the small flower beds from the surrounding grass area will be allowed, but if they are left unkempt or cause a hazard to the public or workers they will be removed by the Superintendent. Decorative stone is not permitted. Organic mulching material will be allowed.
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 Superintendent 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 personal shall move corner-posts or lot markers.
16. Plantings or stones placed on the plot or around the monument without the permission of the Superintendent may be removed without notice.
17. The Corporation shall not be responsible for loss or damage to any articles left upon any lot or plot.
18. An interment rights holder or his agent, who changes or disarranges a lot after it has been graded and prepared, shall be charged the cost of restoring it to the original condition.

F) Care of Lots – Flowers:

1. The Corporation reserves the right to remove all flowers, potted plants, wreaths and baskets of flowers when they become withered, or for any other reason, such removals to be in the best interest of the Cemetery.
2. Vases, urns, and flower stands not properly cared for and not filled with plants by the twentieth of June 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 Superintendent.
3. Flower beds may be permitted in front of the base of a stone or a monument to a depth of one foot, and no wider than the width of the base, and where there is no stone or monument, can only be made under the supervision of the Superintendent.

4. Potted plants are permitted to remain on the lots for a period of two (2) days before or four (4) days after the following occasions; Easter, Mother's Day, Father's Day, Decoration Day and Remembrance Day. The Superintendent may remove any potted plants after any of the above periods.
5. Potted plants must not be buried, but must be placed on the top of the ground as close to the monument base as practical.
6. Those who place potted plants or urns, not planted by the Corporation, are responsible for their upkeep.
7. Artificial wreaths without glass or plastic covers are allowed to be placed on the lot after November 1st, provided they are securely fastened to the monument, or where there is no monument, mounted on a stand of at least 76.20 centimetres (30 inches) high and securely anchored to the ground.
8. To preserve the proper appearance of the grounds, any artificial wreaths that become unsightly, must be removed before April 1st of each year, otherwise Corporation authorities will remove them.

G. Monument 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 is allowed on the backside of monuments unless burials are on both sides of said monument or unless minor changes to location of inscriptions have been approved by the Superintendent.
3. No monument, footnote, marker or memorial of any kind shall be placed, moved, altered or removed without permission from the Superintendent.
4. No book or pillow markers shall be allowed in the Cemetery.
5. Every person installing a monument or marker in the Cemetery shall pay the prescribed amount, as set out in the Cemeteries Act (Revised), R.S.O., 1990 as amended, to the Corporation Care and Maintenance Fund. The interest earned from this fund will be used to maintain the markers or monuments in a safe condition.
6. All photographs attached to any memorials or placed within the Cemetery grounds shall be the sole responsibility of the owner.
7. All foundations for monuments and markers that are built by, or contracted to be built for the Corporation are at the expense of the Interment Rights Holder.
8. No inscription shall be placed on any monument and or marker, which are not in keeping with the dignity and decorum of the cemetery.
9. If a monument or marker in a 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 monument or marker to remove the risk.
10. Within the Dresden Cemetery, all stone and monuments erected after May 4th, 1959 must face South and all head markers shall be flush with the ground, on Trerice Street Cemetery and New Cemetery portion.

11. Within the Bothwell Cemetery, the following shall apply; Ranges 25, 27, 29, 31, the headstones shall be erected on the East side of the lot next to the pathway;

In Ranges 26, 28, 30, the headstones shall be erected on the West side of the lot next to the pathway;

In Range 32, flat markers only shall be allowed;

In Range 33, the headstones shall be erected on the West side of the lot next to the driveway;

In Highway Range, the headstones shall be erected on the North side of the lot next to Highway No. 2.

H) **Monuments:**

1. Minor scraping of the base portion of the upright monument due to the turf mowing operation is considered by the Corporation to be normal wear.
2. In multiple adult lots, not more than one upright monument shall be allowed.
3. 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.

(a) Candleholders must be included in determining the overall size of the memorial.

(b) A maximum of two candles or vases shall be placed on the base of a monument. They must be centred on the end or ends of the base.

(c) A candleholder must be adequately drained to prevent any collection of water.

(d) Candleholders must be fully enclosed on all sides by a door or lid.

4. Monument Die stones shall not exceed the following dimensions;

(a) Single lot:

Height	91.44 centimetres (36 inches)
Width	76.20 centimetres (30 inches)
Thickness	35.56 centimetres (14 inches)
	15.24 centimetres (6 inches minimum)

(b) Two grave lot:

Height	122.92 centimetres (48 inches)
Width	142.24 centimetres (56 inches)
Thickness	35.56 centimetres (14 inches)
	15.24 centimetres (6 inches minimum)

(c) Three or more grave lot:

Height	122.92 centimetres (48 inches)
Width	1.83 metres (6 feet)
Thickness	35.56 centimetres (14 inches)
	15.24 centimetres (6 inches minimum)

(d) Child lots:

Height	60.96 centimetres (24 inches)
Width	45.72 centimetres (18 inches)
Thickness	30.48 centimetres (12 inches)
	35.56 centimetres (4 inches minimum)

5. The Monument Die stones must be installed on a granite base. The height of the base shall be a minimum of 20.3 centimetres (8 inches). The top surface of the base must be both wider and longer than the die in order to provide a minimum border of 5.08 centimetres (2 inches) of the surface of the base exposed on all sides. Bottoms of the base shall be smooth.

Height - Base	20.50 centimetres (8 inches)
Border	5.08 centimetres (2 inches)

6. The maximum width of a base is controlled by the width of the lot where it will be installed. No base shall be closer than 7.6 centimetres (3 inches) to the lot width side-lines on which it is to be installed.
7. Minor changes to the size of monuments are permitted subject to the approval of the Superintendent.
8. Monuments can only be erected on lots designated for monuments and not in any area designated for "Flat Markers Only."
9. Monuments cannot be placed "Back-to-back" against another without permission from the Superintendent, or in designated areas.
10. Monuments must be placed at the centre of the head end of the lot except where alignment with existing nearby monuments justifies another location.
11. A concrete base common to all grave lots in that section of the Maple Leaf Cemetery designated as Chapel Drive 8, 9, 14 and 15 shall be constructed at the head or foot of said lots. The cost of the said concrete base shall be recovered from the purchaser of the lots in addition to the approved sale price of the lots.

l) **Markers:**

1. Each single grave shall be provided with a ground marker by the Municipality of Chatham-Kent on which shall be inscribed the number of the grave.
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.

Adult lots:

Single lot maximum	60.96 cm x 45.72 cm (24" x 18")
Double lot maximum	122.92 cm x 45.72 cm (48" x 18")
or two markers	60.96 cm x 45.72 cm (24" x 18")

Infant and Cremation lots:

Single lot maximum	40.64 cm x 30.48 (16" x 12")
Double lot maximum	91.44 cm x 40.64 (36" x 16")
maximum thickness	15.24 cm (6")

3. A concrete border not exceeding 7.6 centimetres (3 inches) may be allowed beyond the face area of the marker.
4. Cremation and stillborn plots will have flat markers only and be flush with the ground.
5. Flat markers are to be flat on top and set level with the ground so that a lawnmower can pass safely over them.
6. 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 60.96 centimetres by 42.6 centimetres (24 inches x 16 inches).
7. Granite markers shall not be more than 10 centimetres (4 inches) or less than 7.62 centimetres (3 inches) in thickness throughout and smoothly finished on the top surface.
8. All bronze markers must be attached to a concrete or granite base of not less than 10 centimetres (4 inches) in thickness.
9. The Cemetery assumes no responsibility for the damage to pictures of photographs on markers.
10. All inscriptions for crypts and niches shall be according to the following:

	<u>CRYPTS</u>	<u>NICHES</u>
LETTERING STYLE	LYDIAN	CLASSIC
LETTERING SIZE:		
Last Name	2" (5.08 cm)	3/4"
First Name	1½" (3.81 cm)	1/2"
Dates	1"	1/2"
Inscription (maximum 1 line)	1"	Nil

J) **Installation of Monuments, Markers, Liners and Vaults:**

1. No monument or marker will be delivered to the Cemetery without the Request for Installation Form containing the following information:
 - (a) The interment rights owner's name and address.
 - (b) Instructions for placement of the marker or monument.
 - (c) The dimensions in the case of a flat marker.
 - (d) In the case of a monument:
 - (i) The dimensions of the die, height, width, length.
 - (ii) The dimensions of the base, height, width, length.
 - (iii) The overall size of the monument.
 - (iv) A description of the monument; colour and design.

- (v) The appropriate amount for the care and maintenance in relation to the size of the marker/monument as set out in the Cemeteries Act (Revised) R.S.O. 1990, must accompany the monument.
2. All monument installers who do work in the Municipality of Chatham-Kent cemeteries shall have Worker's Compensation coverage for their workers, as well as sufficient liability insurance.
 3. Installers of Monuments, Markers, Liners and Vaults shall lay planks or use motorized carts on the lots and paths over which heavy materials are to be moved during wet conditions or at the Superintendent's discretion.
 4. There shall not be a variance of more than 1.27 centimetres ($\frac{1}{2}$ inch) in the size of the foundation required as stated on the work order and the size of the monument delivered.
 5. The demeanour and behaviour of all workmen employed by others in the Cemeteries shall be subject to the control of the Superintendent.
 6. Workers shall cease work, if in the immediate vicinity of a funeral, until the conclusion of the service.
 7. All work must be done during regular Cemetery hours unless by special permission of the Superintendent. No work shall be commenced that cannot be finished and the litter and debris removed by the hour of 5:00 p.m. Friday of that week.
 8. There will be no work allowed in the Cemetery after 1:00 p.m. on Saturdays.
 9. Heavy loads shall not be permitted in the Cemetery when the roads are in unfit condition.
 10. No monument dealer shall park on the grass unless otherwise directed to do so by the Superintendent.
 11. 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 a manner as the Superintendent may order. Otherwise the obstructions will be removed, and the expense charged to the monument dealer.
 12. The foundation shall be at least 1.22 metres (4 feet) deep. The foundation shall not rise above the grade of the surrounding ground.
 13. 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 Corporation at the expense of the interment rights holder. Foundations will be not less than 1.22 metres (4 feet) deep and they will be set at the Superintendent's direction.
 - (a) 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

- (b) The surface area must be formed and flush with the surrounding ground level and shall provide a level surface free of defects.
- (c) Foundations must be cured for a minimum of 48 hours before placing the monument.
- (d) Defective areas must be repaired to the approval of the Superintendent. 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 centimetres ($\frac{1}{2}$ inch). All rubbish and excavated material shall be removed from the excavation site to a place designated by the Superintendent.

K) **Rules for Visitors:**

1. The Cemeteries shall be open sunrise to sunset.
2. The Superintendent and his assistants are empowered and are required to preserve order and decorum in the Cemetery.
3. No parades shall be admitted to or be organized within the Cemetery without approval from the Superintendent.
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 avenues or park on the grass unless otherwise directed to do so by the Superintendent.
6. No pleasure ATV's (all terrain vehicles) or snowmobiles are allowed in the Cemeteries.
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 without prior authorization from the Superintendent.
11. Any person who damages or moves any tree, plant, marker, fence, structure, or other thing usually erected, planted or placed in the Cemetery, is liable to the Municipality 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 workmen on the grounds. Controversies with workmen or others on the grounds are to be avoided.
13. Rubbish shall not be thrown on the 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.

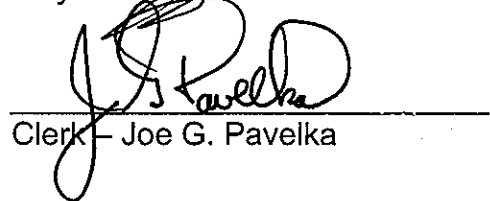
14. Any person disturbing the quiet and good order of the Cemetery by noise or other improper conduct, or who violates these by-laws, must be expelled from the grounds.
15. No tips or gratuities are to be given to cemetery workers by visitors or lot owners, nor shall any be accepted by any cemetery worker.
16. Solicitation for monetary consideration in the Cemeteries is strictly prohibited.
17. That By-law # 83-56 of the former Town of Wallaceburg, By-law # 8-93 of the former Town of Bothwell, By-law #1339 of the former Town of Dresden, By-law #10-93 of the former Town of Blenheim and By-law #10500 of the former City of Chatham be repealed.
18. The Municipality may remove any article, which is detrimental to efficient maintenance or constitutes a hazard to machinery, employees or visitors, or is unsightly or does not conform to the natural beauty or design of the Cemeteries. An article removed will be held at the Cemetery for collection. If not collected, it will be disposed of after one month.

THIS By-law shall come into full force and effect upon the approval of the Ministry of Consumer and Commercial Relations.

READ A FIRST, SECOND AND THIRD TIME, the 19th day of July, 1999.



 Mayor – William K. Erickson



 Clerk – Joe G. Pavelka

Schedule "A"

"Adult Grave" means any burial space intended for an adult, and having a size of:

No less than 101.60 centimetres (3 feet 4 inches) by 3.05 metres (10 feet) and no greater than 1.22 metres (4 feet) by 3.05 metres (10 feet)

"Children's Grave" means any burial space of the following dimensions:

No less than 60.96 centimetres (2 feet) by 1.22 metres (4 feet) and no greater than 1.22 metres (4 feet) by 1.83 metres (6 feet)

"Infant and Stillborn Grave" means any burial space intended for an infant, and having a minimum size of:

No less than 60.96 centimetres (2 feet) by 30.48 centimetres (1 foot) and no greater than 60.96 centimetres (2 feet) by 137.16 centimetres (4.5 feet)

"Cremation Lot" means any burial space intended to receive cremated remains and having a minimum size of:

No less than 60.96 centimetres (2 feet) by 60.96 centimetres (2 feet) and no greater than .91 metres (3 feet) by 2.70 metres (9 feet)