

The By-Laws
of the
Town of Cochrane
Cemeteries

TOWN OF COCHRANE - CEMETERIES

THE CORPORATION OF THE TOWN OF COCHRANE

BY-LAW NO xxxx-2017

**BEING A BY-LAW FOR THE OPERATION AND
MANAGEMENT OF MUNICIPALLY OWEND
CEMETERIES**

WHEREAS, the Funeral, Burial and Cremation Services Act, S.O. 2002, Chapter 33, licences and regulates Cemeteries, Crematoriums, Funeral Establishments, Burial Sites, Casket Retailing Businesses, Marker Retailing Businesses, and the Operations of Transfer Services;

WHEREAS, The Funeral, Burial and Cremation Services Act, 2002 Subsection 50 (2) 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

AND WHEREAS the Corporation of the Town of Cochrane is licensed to operate, maintain and regulate three (3) municipally owned cemeteries. The Roman Catholic, The Cochrane Civic and the Notre Dame des Oliviers cemeteries.

AND WHEREAS in accordance with the Funeral, Burial and Cremation Services Act, 2002, no by-law made by a cemetery owner is effective until it is filed with and approved by the Registrar of the Funeral, Burial and Cremation Services Act, 2002:

NOWHEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF COCHRANE ENACTS AS FOLLOWS:

1. **THAT** the Corporation of the Town of Cochrane adopts the 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** the Clerk of the Corporation is hereby authorized to make any minor modifications or corrections of an administrative nature to the by-law, where such modifications or corrections so not alter the intent of the by-law.
4. **THAT** By-Law Number 830-2011 be and is hereby repealed.

TOWN OF COCHRANE - CEMETERIES

READ a first and second time this 28th day of November, 2017.

MAYOR

CLERK

READ a third time and finally passed this 28th day of November, 2017.

MAYOR

CLERK

TOWN OF COCHRANE - CEMETERIES

Preface	3
Administration	3
Definitions	3
Sale & Transfer of Interment Rights	5
Interments and Disinterment	7
Care of Lots-General	10
Care of Lots-Flowers	11
Monuments and Markers- General Information	12
Monuments	14
Markers	16
Rules for Monument Dealers, Contractors and Workers	17
Mortuary Regulations	18
Rules for Visitors	19

TOWN OF COCHRANE - CEMETERIES

PREFACE:

These by-laws govern the following cemeteries:

The Cochrane Civic Cemetery
The Roman Catholic Cemetery
Notre Dame des Oliviers Cemetery

The Council of the Corporation of the Town of Cochrane in the discharge of their responsibilities appeals to the public to aid them by following this by-law, which have been adopted for the improvement and upkeep of the Cemeteries, to keep it a becoming and respectful place for the burial of the deceased.

The above-mentioned Cemeteries are licensed to act as a cemetery in accord with the Funeral, Burial and Cremation Services Act, 2002

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

A) ADMINISTRATION

1. The Corporation of the Town of Cochrane reserves full and complete control and management of the land, buildings, plantings, roads, utilities, books and records of the cemeteries and complete authority to administer the by-law
2. The Caretaker shall have custody of the Cemeteries 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 them in each instance.
3. The Corporation will not be held liable and distinctly disclaims all responsibility for the loss or damage from causes beyond their control and especially from damage caused by elements, and acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, accidents, invasions, insurrections, riots or order of any military or civil authority, whether damage be direct or collateral to any lot, plot, columbarium niche, mausoleum crypt, monument, marker, save and except for direct loss or damage caused by gross negligence of the Corporation of the Town of Cochrane.
4. The Corporation shall take reasonable precautions to protect the property of Interment Rights but they assume no liability or responsibility for the loss of or damage to any article of any type that is placed on any lot or plot.

TOWN OF COCHRANE - CEMETERIES

B) DEFINITIONS

1. "Burial" means the opening and closing of an in-ground lot or plot for the disposition of human remains or cremated human remains.
2. "By-law" means the rules and regulations under which the Cemeteries operates.
3. "*Cemetery*" means the Cochrane Civic Cemetery, located on Part Lot 21, Concession 11, Township of Glackmeyer, District of Cochrane; the Cochrane Roman Catholic Cemetery is located on Part Lot 18, Concession 3, Township of Glackmeyer, District of Cochrane; and Notre Dame des Oliviers Cemetery, located on (north part) Con 4 Part Lot 18 Township of Glackmeyer, Parcel 2800 LG, (main part) Con 4 Part Lot 18 RP CR596 Part 1 Parcel 3248 LG, Township of Glackmeyer, Genier.
4. "Burial Permit" means a burial permit issued by the Division Registrar or its appointed agent.
5. "*Ministry*" means Bereavement Authority of Ontario.
6. "Office of the Corporation" means The Town Hall at 171 Fourth Avenue Cochrane.
7. "*Corporation*" means the Corporation of the Town of Cochrane.
8. "*Treasurer*" means the Municipal Treasurer of the Corporation of the Town of Cochrane.
9. "*Caretaker*" means the Director of Infrastructure or an alternate of the Town of Cochrane, as appointed by the Council.
10. "*Price List*" means the Price List of fees and charges as set out by the Corporation.
11. "*Lot*" means an area of land in a Cemetery containing, or set aside to contain human remains.
12. "*Grave*" means any burial space intended for an adult or child, and having an approximate size of 1.22 meters (4 feet) by 3 meters (10 feet).
13. "Columbarium" means a structure designed for the purpose of interring cremated human remains in sealed compartments.
14. "*Infant Grave*" means any burial space intended for an infant, and having an approximate size of 0.91 meters (3feet) by 1.83 meters (6 feet).

TOWN OF COCHRANE - CEMETERIES

15. *“Cremation Lot”* means any burial space intended to receive not more than 4 (four) cremated remains and having a minimum size of 1.22 meters (4 feet) by 3.05 meters (10 feet).
16. *“Interment Rights”* includes the right to require or direct the interment of human remains in a lot.
17. *“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.
18. *“Plan”* means the plan of the Cemetery, approved by Bereavement Authority of Ontario.
19. *“Plot”* means two or more lots in which the rights to inter have been sold as a unit.
20. *“Register”* means electronic or written records, kept in accordance with the Cemeteries Act.
21. *“Certificate or Interment Rights”* means the certificate issued by the Corporation of the purchaser of Interment Rights in either a lot or a plot.
22. *“Care and Maintenance Fund”* is the trust fund in which all monies received by the Corporation for the care and maintenance of lots; plots and monuments have been invested.
23. *“Resident”* means a ratepayer of the Corporation of the Town of Cochrane.
24. *“Trust Funds”* means those funds in which a trustee may invest, which are defined in the “Trustee Act”, R.S.O. 1989.
25. *“Monument”* means any permanent memorial projecting above the ground level.
26. *“Niche”* means a sealed individual compartment in a columbarium for the entombment of cremated human remains.
27. *“Niche cover”* means the panel in front of each of the columbarium compartments used to seal and secure cremated human remains.
28. *“Marker”* means any permanent memorial of granite; marble or bronze set flush with the surface of the ground, and used to mark the location of a lot.
29. *“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.

TOWN OF COCHRANE - CEMETERIES

C) SALE AND TRANSFER OF INTERMENT RIGHTS

1. No person shall sell Interment Rights unless that person does so, on behalf of the Corporation.
2. Interment Rights may be purchased from the Corporation at the rates listed in the cemetery's Price List on file in the office of the Corporation.
3. A Care and Maintenance fee is applicable to each lot, marker, monument, or niche sold by the Corporation. The deposit to the Care and Maintenance Fund shall be as specified by the application.
 - a) In the case of an in-ground grave for the burial of an adult, the greater of 40% of the selling price or \$150.00.
 - b) In the case of an in-ground grave for the burial of a child or of cremated remains, 40% of the selling price.
 - c) Payments for Interment Rights shall be made at the office of the Corporation.
4. The Corporation shall provide each Interment Rights Holder at the time of sale with:
 - a) A copy of the contract;
 - b) A copy of the Cemetery by-law;
 - c) Upon payment in full, a Certificate of Interment Rights.

Purchasers of Interments Rights acquire only the right to direct the burial of human remains or cremated human remains in a grave or niche and the installation of monuments, markers and inscriptions, subject to the Cemetery by-law. The purchase of Interment Rights is not a purchase of Real Estate or real.

5. To ensure the correctness of records of ownership and interments, no transfer of any Interments Rights or any interest therein shall be binding upon the Corporation until notice is given in writing to the Treasurer 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 fee, the transfer shall be made.
6. In cases of transmission ownership by will or bequest of Interment Rights, the management reserves the right to require the production of a national copy of the will or other evidence sufficient to prove ownership.

TOWN OF COCHRANE - CEMETERIES

A purchaser has the right to cancel an Interment Rights contract with thirty (30) days of signing the Interment Rights contract by providing written notice of the cancellation to the Corporation. The Corporation will refund all monies paid by the purchaser within thirty (30) days from the date of the receipt of the request for cancellation as well as original Interment Rights certificate and service contract.

7. The repurchase price of the Interment Rights shall be the amount of 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 purchasers or contracts that were made before this Act came into being.
8. 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.
9. In accordance with the Cemeteries Act, R.S.O., 1990, the Corporation is not required to repurchase the Interment Rights for more than 4 lots held by the same Interment Right owner in a 12-month period.
10. The Corporation after receiving such a demand shall repurchase the Interment Rights within 30 days after receiving the demand.
11. *NO REFUND* will be made for any lot if any Interment Rights have been exercised.
12. Any purchaser of pre-need supplies or services from the Corporation may cancel, by written notice to the Corporation, the contract to purchase 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.
13. Section 14 does not apply if the supplies or services are provided within 30 days after the contract is made because of the death of the person for whom the supplies or services were contracted.
14. Any person who's Interment Rights has 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.
15. The Corporation will accept payment by installments for Interment Rights sold on a pre-need basis only as follows:

TOWN OF COCHRANE - CEMETERIES

- a) We require a deposit of at least 35% of the purchase price at the time the application for purchase is signed.
- b) The balance is to be paid by regular equal monthly payments.
- c) Should the payments fall behind for a period of three months unless at least two thirds of the purchase price has been paid. In this case the Corporation would approach the Ontario Court, General Division, for authorization to repossess.
- d) Any interments shall not be made therein, nor a monument erected until all indebtedness has been satisfied.

D) INTERMENTS AND DISINTERMENT

1. No burials shall take place once the ground has reached a certain frost level making it too difficult for the opening of graves as determined by the Corporation from year to year. During the period of time when burials no longer can be performed,, bodies shall be placed in the vault for burial for spring interment.
2. Not more than one burial shall be made in any single grave except:
 - a) When requested, the first interment must be made at the lower level.
 - b) The cremated remains, in a cremation pot, of not more than 4 persons.
 - c) A 60.96 x 30.48 cm (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.
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.
 - a) In the case of a vaulted casket notification must be received prior to the excavation of the grave.
4. The Interment Rights Holder must authorize all interments in writing, except for his own interment.
5. The Caretaker of the Cemetery, his assistant or someone in the employ of the Corporation or in the employ of a Funeral Home shall be in attendance at each interment.

TOWN OF COCHRANE - CEMETERIES

6. A burial permit issued by the Division Registrar, showing that the death has been registered and the fee found in the Price List for the opening of the lot has been deposited with an official of the Corporation before interment can take place.
7. In the case of a cremation interment, the cremation certificate and the prescribed fee for this service according to the Price List must be deposited with an official of the Corporation. The urn shall not be any larger than 24" x 12" for in-ground grave burial and no larger than 8" square or 8" in diameter by 8" high for niche.
8. Persons requesting interments in lots or plots shall be held responsible for charges incurred.
9. When two or more persons hold Interment Rights in a lot or plot, niche jointly, an order will be accepted from either or any of them or their authorized representatives, for interment in such part of the plot / niches 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 burial.
12. The scale of fees for lot opening is based on the size of the lot and labor involved.
13. No person shall remove human remains, except cremated remains, from a Cemetery unless a certificate of a Medical Officer of Health of the Corporation confirming that the Cemeteries Act and the regulations have been complied with is affixed to the container. A burial certificate under vital Statistics Act is not required to reinter human remains that have been disinterred according to the Act and regulations.
 - a) Disinterment is the sole responsibility of the Funeral Homes with supervision only, by the Caretaker or alternate.
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.

TOWN OF COCHRANE - CEMETERIES

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 Rights Holder. If necessary, it may be mailed to the 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 Treasurer of the Cemetery at least 24 hours in advance, 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. The Corporation will not do any Sunday interments unless ordered to do so by a representative of the Ministry of Health.
21. Extra charges are included in the Price List for:
 - a) Sunday or Holiday interments subjected to item 20 above.
 - b) Winter burials subject to item 20 above.
 - c) Double depth grave openings, in the first instance, or where an additional interment is required for a grave space already occupied at the regulation depth for the purpose of deepening the original interment.
 - d) Funerals arriving at the Cemetery between 12 noon and 1:00 p.m. and from 3 p.m. onwards.

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.

TOWN OF COCHRANE - CEMETERIES

2. No person shall do any work upon a burial lot without the permission of the Caretaker. Any commercial business related to the care of lots will require permission in writing form the Corporation. The Business will be required to carry WSIB coverage and provide proof of insurance naming the Corporation as a third party insured.
3. Lot decorations shall be deemed to include all ornaments/figurines, plants, or other embellishments, which are placed on Cemetery lots with the intention of improving their appearance. No lot decorations permitted by this By-law shall be placed on a lot if outstanding fees are unpaid. The Town of Cochrane is not responsible for lost or stolen items.

4. Lot Decoration Rules (May 1st to October 31st.)

The Town of Cochrane recognizes that there is significant value to the interment rights holders in decorating cemetery lots. At the same time the Town of Cochrane has an obligation to provide a safe and visually pleasing environment. In the interest of these objectives, it is imperative that the following rules be followed:

- a) Lot decorations for one interment rights holder, must not infringe on the property of another interment rights holder.
- b) Candles and Solar Lights (Plastic Containers—No glass or ceramics) Enclosed candles or solar lights, and which are securely placed, will be allowed in any combination to a maximum of three in total. Interment Rights Holders may have candle/solar light on either side of the monument and in line with the monument row. As an alternative, Interment Rights Holders may have any combination of candles and/or solar lights up to a maximum of three in total in front of the monument and securely placed in the 36 cm (14") garden area. No open candles will be permitted. Candles or solar lights will only be allowed in the upright monument sections.

Candles and /or Solar Lights are allowed to be displayed on shepherd hooks. Candles or solar lights must not exceed the height of the monument. For monuments less than 61 cm (2') in height, candles or solar lights are allowed to be maximum height of 61 cm (2').

- c) Artificial Wreaths Artificial and/or silk flower arrangements/wreaths, attached to a stand or monument, may be placed and remain on gravesites, from the Friday before Thanksgiving to May 21st of the following year. Dates will be posted in local newspapers with regard to lot decoration rules and any volunteer clean-ups. (i.e. Beautification Days). All items not conforming to lot decoration rules, which remain after June 1st, will be removed by cemetery staff and will be discarded.

TOWN OF COCHRANE - CEMETERIES

- d) Saddle Wreaths
Saddle wreaths must follow the season. All saddle wreaths that become unsightly will be removed by cemetery staff. No Christmas saddle wreaths will be allowed during summer months. No wreaths, other than saddle wreaths will be allowed to be fastened to a monument, after May 1st.
- e) Bushes and Shrubs
Dwarf style shrubs are permitted where there is an upright monument centered on two or more graves. One shrub may be planted on either side of the monument and in line with the monument row.
- Only miniature rose bushes are allowed to be planted within a prescribed garden area.
- Shrubs must be planted approximately seven inches away from the side of the monument base, cannot exceed lot limitations or the height of the monument.
- Interment Rights Holders are responsible for the trimming of shrubs. If interment rights holders do not trim the shrubs within a one month notice, shrubs may be removed by cemetery staff.
- No permanent plant material shall be permitted in flat marker sections. Natural cut flowers or dried flower arrangements may be placed in an approved vase.
- f) Borders/Edging
Border or edging made of rubberized plastic, treated wood or pre-formed concrete, no thicker than two inches will be allowed only if it is installed properly and totally flush to the soil. Raised scalloped concrete borders are not allowed. Borders/edging must be installed within the 36 cm (14") permitted for the flowerbed. Flower beds can not exceed the width of the memorial.
- Interment Rights Holders are responsible to ensure that all flowerbed borders are completely flush to the surrounding ground. If interment rights holders are unable to keep borders flush within a one-month notice, borders may be removed by cemetery staff.
- g) Wood Crosses
Wooden crosses will be allowed, as temporary markers on any unmarked graves for a period of one year from time of burial. Time extensions may be considered after one year on a case by case basis.

TOWN OF COCHRANE - CEMETERIES

The interment right holder will be responsible for removal of the cross. Cemetery staff will remove the cross after the allowable time if the holder has not undertaken this (The only exception to this rule will be veteran's crosses in the veteran sections.) Wood crosses may be between 61 cm (2') to 91 cm (3') in height above the ground and 30 cm (12") to 46 cm (18") in width.

Vertical and horizontal pieces of the cross are to be a maximum of 5 cm (2") in thickness and 10 cm (4") in width. Crosses are to be constructed of wood only. All crosses must be properly maintained by the interment rights holder.

- h) Monuments
Monuments must be made of granite. Upright monuments may have attachments made of granite. Attachments must be placed off-centre on the monument.
- i) Shepherd's Hooks
A maximum of (2) shepherd hooks for the hanging of contents will be permitted within the 35.4 cm (14) flowerbed provided that the hooks are not greater than the height of the monument.
- j) Figurines
Figurines are defined as any type of allowable lot decoration within the 36 cm (14") garden area of upright monuments. Figurines cannot be made of glass or ceramics. Figurines are only allowed with upright monuments.
Stone mulch is not allowed for safety reasons.
- h) Potted Plants
A maximum of 2 potted plants (a maximum pot size of 25 cm (10") in height and width) within the 36 cm (14") garden area once the foundation has been completed. Pots must not be made of breakable materials (e.g. glass, clay). In flat marker sections, 1 maximum 25 cm (10") potted plants placed on the monument, will be permitted. City staff will remove any unsightly plants.
- l) Flat Markers
Approved vases can be either cone shaped, spiked containers, which are non-breakable, or retractable vases, which sit flush to the ground when not in use. 1 vase per flat marker is permitted however if the marker is centered on more than 1 gravesite then a maximum of 1 vase per grave will be permitted.

TOWN OF COCHRANE - CEMETERIES

- m) Photographs
Only those reproductions of photographic images, which are an integral part of the memorial, are permitted. Approved methods include sandblasting and/or etching. Non-breakable photo attachments are also permitted on the front of any upright marker.
- n) Damage – Limitations of Liability
The Town shall not be responsible for any damage to lots and structures or objects therein, or flowers or articles removed from a grave except for damage that has been shown to have been caused by Municipality. For any damages shown to have been caused by a Municipality, city staff will attempt to contact the interment rights holder at the last known address to advise of the damages.
- o) Lot Decorations-Safety
Lot decorations will be addressed as required where a particular lot decoration is deemed unsafe by the Caretaker or designate.

5. Lot Decorations Rules (November 1st to April 30th)

Note: Winter maintenance of the Cemeteries requires that City staff may need access to any site on cemetery property. Therefore, it is imperative that the following rules be followed while access to the cemeteries is available:

What is Permitted:

- a) One wreath on a metal stand placed over flat markers and not in front or behind flat markers. For upright monuments, wreaths are to be placed in front of the monument and as close as possible to the monument. Wreaths are not to have plastic coverings.
 - b) Temporary wooden crosses must be between 61 cm (24”) and 91 cm (36”) above the ground to allow for good visibility.
 - c) Lot decorations will be addressed as required where a particular lot decoration is deemed unsafe by the Caretaker, or designate.
6. If any trees or shrubs situated on any lot have become by means of their roots, branches or in any other way, detrimental to the adjacent lots, drains, roads or walks; or prejudicial to the general appearance of the grounds, inconvenient to the public, the Corporation may remove such trees, shrubs or parts thereof after notifying to the Interment Rights Holder. Every attempt will be made to notify the Interment Rights Holder prior to removal.

TOWN OF COCHRANE - CEMETERIES

7. 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.
8. 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.
9. Implements or materials used in doing any work within the Cemetery shall be removed upon completion. If this is not done, the Caretaker shall remove the same.
10. 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.
11. No unauthorized person shall sod, move corner posts or lot markers.
12. The Corporation shall not be responsible for loss or damage to any articles left on any lot or plot.

Only the Corporation or / and the approved Funeral Homes may open and seal niches for interments. This applies to inside sealer and the niche front.

F) 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, which 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 Rights Holder through monument dealers or contractors subject to the conditions of these by-laws.
4. No monument, footstone, marker or memorial of any kind shall be placed, moved, altered or removed without permission from the Caretaker.
5. Candleholders 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.

TOWN OF COCHRANE - CEMETERIES

- a) Candleholders must be included in determining the overall size of memorial.
 - b) A maximum of 2 candles or vases shall be placed on the base of a monument. They must be centered 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.
6. Notification of installation of monument or marker must be made two (2) working days prior to installation. No monument or marker is to be delivered to the Cemetery without the Request for Installation form containing the following information:
- a) The Interment Rights Holder'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 monument:
 - i) The dimensions of the die, height, width and length.
 - ii) The dimensions of the base, height, width and length.
 - iii) The overall size of the monument.
 - iv) A description of the monument; color and design.
 - v) The appropriate amount for the Care and Maintenance Fund in relation to the size of the marker or monument as set out in the Cemeteries Act R.S.O., 1990, must accompany the monument.
7. Every person installing a monument or marker in the Cemetery shall pay the prescribed amount, as set out in the Act, 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.
8. 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 marker to remove the risk.

G) 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 operations considered by the Corporation to be normal wear.

TOWN OF COCHRANE - CEMETERIES

3. The Corporation will take reasonable precautions to protect the property of Interments Rights Holders, but it assumes no liability for the loss of or damage to, any monument, or part thereof 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 double lot is allowed 1 upright monument and only 2 footstones or 2 corner posts are allowed. Due to the work involved to keep this level, we must restrict the quantity allowed on a lot.
6. The maximum size monument allowed on a single lot is:

Height 1.22 m (4 feet)
Width 60.96 m (2 feet)
7. The maximum size monument allowed on a double lot is:

Height 1.22 m (4 feet)
Width 1.52 m (5 feet)
8. The minimum thickness of a die should be 20.50 cm (8 inches). Should the monument exceed 106.68 cm (42 inches) overall height, the die must be 25.40 cm (10 inches).
9. The die stones must be installed on a granite base. The height of the base shall be minimum of 20.50 cm (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 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 with sidelines on which it is to be installed.
11. Only family names on back monuments will be permitted.
12. Unless adjoining plots 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 end 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.

TOWN OF COCHRANE - CEMETERIES

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 November 1st in any year and before May 1st in the following year (due to frost).
16. 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 not be less than 10.16 cm (4 inches) to 12.60 cm (5 inches) deep and made of steel reinforced concrete, and it shall rest on a compacted base of not less than 30.50 cm (12 inches) in depth and will be set at the Caretaker's direction.
 - a) The required concrete mix for the foundations will be:
 - 20.5 MPA
 - 75mm slump
 - 20mm aggregate
 - 5% +/- 1% Air Entraining agent
 - Trowels finish all edges
 - b) The surface area shall be flush with the surrounding ground level and free of defects.
 - c) Foundations must be cured for a minimum of 48 hours before placing the monument.
 - d) Contractors shall be under the supervision of the Corporation and shall be responsible to pay the supervisory fee as filed with the Ministry.
 - e) No concrete shall be placed until a representative of the Corporation 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.
 - f) Defective areas must be repaired to the approval of the Cemetery management. The finished concrete shall be protected from wind, rain and sun during the 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 materials shall be removed from the excavation site to a place designated by the Caretaker.

TOWN OF COCHRANE - CEMETERIES

H) MARKERS

1. The owner may on receipt of his Rights Certificate, at his own expense have an official of the Corporation place bronze, stone or concrete land marks 15.24 cm (6 inches) square and not less than 15.24 (6 inches) deep, dressed on all sides and bearing the lot and section number legibly and permanently unmarred thereon, at the corners of the lot or lots conveyed to him. Such posts are to be planted flush with ground.
2. Markers will be accepted for installation during the 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 lots in that section. Its placement must not interfere with future interments:

Single lot maximum	30.48 cm x 60.96 cm 12" x 24"
Double lot maximum	30.48 cm x 107.0 cm 12" x 42"
Cremation lot maximum	40.64 cm x 50.70 cm 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 the contractor, at the expense of the Interment Rights Holder.
5. Each single lot may be marked on the ground with a flat marker only, unless otherwise designated monument section.
6. One marker may be placed at each grave in addition to the monument. The marker shall be paced at the end of the grave farthest from the monument and shall not exceed 40.64 cm x 69.69 cm (16-24 inches).
7. Any flat marker that exceeds that standard width of 30.48 (12 inches) can only be installed after a full interment has taken place.
8. The minimum thickness for all flat markers including footstones is 10 cm (4 inches).
9. 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.

TOWN OF COCHRANE - CEMETERIES

10. Upright Markers - In Disrepair

If an upright marker or flush marker presents a risk to public safety because it is unstable the Manager shall do whatever is necessary by way of repairing, resetting or laying down the upright marker so as to remove the risk.

11. Columbarium Niche Markers

Niche covers serve as a memorial marker. Engraving of niche covers shall be scheduled through the Corporation. No other service provider shall be permitted to engrave covers other than the one appointed by the Corporation. The cost of engraving will be based on the number of characters/letters and the cost per character/letter as quoted by the Corporation's service provider. Logos, artwork, and designs shall not be permitted however a photo of the deceased is allowed on the niche cover. In order to provide a neat and conformed appearance, the same font and border will be used consistently for all engravings on niche covers.

There should be no attachments, or placements of decorations on the columbarium, inside or outside units.

There will be a maximum of 2 (two) urn placements only, in a columbarium niche.

I) RULES FOR MONUMENT DEALERS, CONTRACTORS AND WORKERS

1. No monument or marker is to be delivered to the Cemetery without proper paperwork. See section G-6 for description of paperwork.
2. No monument or marker is to be delivered to the Cemetery until the foundation is completed and the contractor is ready to proceed with the work of erection.
3. No monument or marker is to be removed without written permission from the Caretaker.
4. All companies who do work in the Town of Cochrane Cemeteries shall have Worker's Compensation coverage for their workers as well as sufficient liability insurance.
5. Contractors, masons and stonecutters shall lay planks on the lots and paths over which heavy materials are to be moved, in order to protect the surface from damage.
6. There shall not be a variance of more than 1.27 cm (1/2 inch) in the size of the base required, as stated on the work order, and the size of the monument delivered.

TOWN OF COCHRANE - CEMETERIES

7. The demeanor and behavior of all workmen employed by others in the Cemetery shall be subject to the control of the Caretaker.
8. Workers shall cease work if in the immediate vicinity of a funeral, until the conclusion of the service.
9. All work must be done during the regular Cemetery hours, unless by special permission of the Caretaker.
10. No work shall be commenced on Saturday, Sunday or Statutory Holiday.
11. Heavy loads shall not be permitted in the Cemetery when the roads are in unfit condition.
12. No monument dealer shall park on the grass unless otherwise directed to do so by the Caretaker.
13. All implements and materials used in the performance of any work shall be placed where the Caretaker may direct, and all rubbish and surplus earth shall be removed when, to where and in such manner as the Caretaker may order. Otherwise the obstructions will be removed and the expenses charged to the monument dealer.
14. If a monument company desires to set a flat marker they must make written arrangements.
15. A monument company must make their own foundations. Foundations will be not less than 10.16 cm (4 inches) to 12.70 cm (5 inches) deep and made of steel reinforced concrete and they shall rest on a compacted base of not less that 30.5 cm (12 inches) in depth, and be the length of the monument. The width of the base shall be in accordance with the regulations for monuments for the section. There shall not be a variance of more than 1.27 cm (1/2 inch) between the size of the monument and the foundation. This foundation shall be made of air-entrained cement and shall be level and true so as to not cause tipping. The foundation shall not rise above the grade of the surrounding ground.
16. If bushes are allowed, the intended monument should not exceed 50% of the lot width, i.e. 1.83 m (6 feet) width allows for 0.91 m (3 feet) monument and 45.72 cm (18 inches) for each bush.
17. Turf - Protection
Those persons engaged in the placing of, repairing of, or inscribing of upright markers shall provide planking and/or other protective materials adequate to protect turf and shall remove materials and equipment immediately upon completion of the work. The site shall be left in a clean, orderly condition.

TOWN OF COCHRANE - CEMETERIES

J) MORTUARY REGULATIONS

1. The use of storage vault for any Cemetery, other than the Town of Cochrane Cemeteries, shall be billed at the rates shown on the Price list.
2. Written requests must be submitted to the Town office for the use of either storage vault prior to storage.
3. Fees for the use of the vault are set forth on 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 the vault must, for health reasons, be embalmed.
10. No body shall be in a reinforced cardboard container for storage. Only bodies placed in a wooden or steel casket may be stored.

K) RULES FOR VISITORS

1. Visitors are always welcome in the Cemetery during daylight hours. They are asked to remember the respect due to the dead.
2. The Caretaker 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 12 years are welcome in the Cemetery when accompanied by an adult who shall be responsible for their good conduct.

TOWN OF COCHRANE - CEMETERIES

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 Caretaker.
6. No pleasure ATV's (all terrain vehicles) or snowmobiles are allowed in the Cemetery.
7. Owners 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 unless it is part of a religious belief and authorized by the Caretaker.
11. Any person who damages or moves any tree, plant, marker, fence, structure or other object usually erected, planted or placed in a Cemetery is liable to the Corporation and any Interments 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 Holder or visitors should be made to the Caretaker and not to the workmen on the grounds. Controversies with the workmen or others on the grounds are to be avoided.
13. Rubbish shall not be thrown on roadways, lots, 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, will be expelled from the grounds.
15. The Corporation 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 Cemetery.
16. No tips or gratuities are to be given to Cemetery workers by visitors or Interment Rights Holders, nor shall any Cemetery worker accept any tips or gratuities.

TOWN OF COCHRANE - CEMETERIES

The Cemetery is a place where people go to pay respect to their loved ones and others. Please give our departed the respect that they deserve by helping us in reporting any irregularities to the Town Office.