

+BY-LAW NO. 162-13

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of the Corporation of the City of Cambridge  
for the Management, Regulation & Control of Cemeteries  
and to repeal By-law 97-09 as amended.

WHEREAS pursuant to The Funeral, Burial and Cremation Services Act 2002, O.Reg. 30/11, s. 150 (1) an owner of a cemetery or crematorium may make by-laws affecting the operation of the cemetery or crematorium;

AND WHEREAS the Corporation of the City of Cambridge is the owner of cemeteries;

AND WHEREAS it is deemed desirable to repeal by-law 97-09, as amended;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE ENACTS AS FOLLOWS:-

1. THAT the articles hereto attached as schedule "A" forms part of this by-law;
2. THAT this by-law be known as the Cemetery By-law;
3. THAT By-law 97-09, as amended is hereby repealed upon approval of this by-law by the Ministry of Small Business and Consumer Services;
4. THAT this by-law shall not come into force and effect until approved by the Ministry of Small Business and Consumer Services;
5. This By-law No. 162-13 will supersede and make obsolete any by-law to the contrary.

READ A FIRST, SECOND AND THIRD TIME

ENACTED AND PASSED THIS 9TH DAY OF SEPTEMBER, 2013, A.D.

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MAYOR

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DEPUTY CLERK

**Article 1**  
**DEFINITIONS, APPOINTMENTS, AND DUTIES**

**1.1 Definitions**

In this chapter "by-laws" means the rules under which the Corporation of the City of Cambridge Cemeteries operate.

"cemetery" means lands set aside and approved for the interment of human remains and includes a mausoleum, columbarium, scattering garden, chapel or other similar structures;

"FBCSA" means The Funeral, Burial and Cremation Services Act 2002

"city" means the Corporation of the City of Cambridge;

"columbarium" means a structure designed for the interment of cremated human remains in sealed compartments;

"interment rights" is the right to require or direct the interment of human remains in any lot;

"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;

"lot" means an area of land containing or set aside to contain human remains and includes a tomb, crypt, a compartment in a mausoleum and a niche in a columbarium or mausoleum;

"marker" means any monument, tombstone, headstone, or other ornament affixed to any lot, crypt, niche or other structure intended for the memorialisation, or deposit of human remains;

"manager" means the Manager of Cemeteries or designate;

"mausoleum" means a structure other than a columbarium designed for the deposit of human remains;

"owner" means the Corporation of the City of Cambridge;

"plot" means two or more lots in which the rights to inter have been sold as a unit;

"tariff of rates" means the price list for the Corporation of the City of Cambridge Cemeteries section.

**1.2 Appointments**

City Council shall appoint a Manager of Cemeteries and assistants, as required.

**1.3 Duties**

The Manager of Cemeteries and/or assistants shall perform the duties set out in Section 1.4 through 1.8

**1.4 Applicable Law**

Observe and carry out all the provisions of this Chapter and of the F.B.C.S.A. and the regulations made there under.

**1.5 Graves - Crypts - Niche**

Mark all graves, open and close all lots, crypts and niche in the City Cemeteries.

**1.6 Funerals**

Be readily available at all funerals held in the Cemeteries and fill in all graves after interment services.

**1.7 Maintenance**

Attend to the regular and proper maintenance of the Cemeteries.

**1.8 Other Duties**

Perform such other duties as directed by City Council.

**Article 2  
RULES AND REGULATIONS**

**2.1 Entry - Limitations**

No person shall enter the cemeteries except through an established gate, nor shall they enter or be within any cemetery after 7 pm and before 6 am October 1-March 31, or after 9 pm and before 6 am April 1 – September 30. Police constables and authorized City staff are exempt.

**2.2 Adult Supervision**

People over the age of 12 years are considered adults. Children attended by an adult responsible for their conduct, or children with cemetery office approval only may enter the cemeteries.

**2.3 Gratuities - Prohibited**

No gratuities shall at any time be given to an officer or employee of The Corporation, nor shall any reward be given for any personal service or attention.

**2.4 Bicycles - Restricted**

Bicycles shall be permitted only on Cemetery roads.

**2.5 Animals – Restricted**

No person shall permit any animal, including dogs, to enter or remain in the said Cemeteries. Leader dogs are exempted.

## **2.6 Alcoholic Beverages - Prohibited**

No person shall bring any alcoholic beverage upon Cemetery properties.

## **2.6 Damage**

No person shall:

- a) damage any marker, mausoleum, chapel or structure within the Cemeteries;
- b) damage any tree, shrub, plant or flowers (be they private or public property) within the limits of the Cemeteries;
- c) damage any fence, railing, or gate used for the protection of the Cemeteries,
- d) play any game of sport on Cemetery property;
- e) discharge any firearms (save at a military funeral);
- f) disturb any person or persons assembled for the interment of any other person;
- g) create a nuisance in the Cemeteries

## **2.8 Debris**

No person shall deposit rubbish on the grounds of the Cemeteries except in the receptacles provided.

## **2.9 Soliciting**

Soliciting in the Cemeteries is strictly prohibited save for the placement of identifying memorialist tags. Such tags shall be placed at the left rear bottom edge of the upright marker between the die and the base. They shall be dark in colour and the exposed area of the tag shall not exceed 7.62cm (3") in width and 2.56cm (1") in height. Such tags will only be permitted on upright markers.

## **2.10 Manager- Direction - Control**

All workers in any capacity within the Cemeteries, whether as masons, carvers, stonecutters, monument contractor, vault dealer, helpers, are subject to the direction and control of the Manager.

## **2.11 Vehicular Traffic - Restrictions**

The Manager may restrict vehicular access to the Cemeteries when the roads are soft or otherwise impassable. Cemeteries may not be used as a "short cut" to access roadways surrounding the cemetery.

## **2.12 Vehicular Traffic - Speed Limit**

No person driving a vehicle shall:

- a) leave the travelled portion of the road; or
- b) exceed a speed of 20 km/h

## **2.13 Staff Requirements**

Municipal staff or authorized personnel only, may perform the following services within Cambridge Municipal Cemeteries:

- all interments, inurnments, entombments and marking out graves
- install all monument foundations, flush markers, and in ground vases.

- prepare all flower beds
- install all shrubbery

### **2.14 Encroachment**

Without written consent from the municipality, no person shall encroach upon or take possession of any cemetery or part thereof by any means whatsoever, including but not limited to:

- (a) the construction, installation or maintenance of any fence or structure;
- (b) the planting, installation or maintenance of any plant, plant material, shrub, tree or garden;
- (c) leave, deposit, store or dump any waste or plant material of any kind what so ever;
- (d) store, maintain, repair or construct a vehicle of any description, trailer, building, structure, fence or playground equipment in any cemetery;
- (e) remove, destroy or construct any new pavement, sidewalk, crosswalk, trail, grass plot or roadway or any part thereof without written consent from the municipality.

## **Article 3 SALE OF INTERMENT RIGHTS**

### **3.1 Interment Rights and Cemetery Services**

All charges for interment rights and cemetery services sold are due in full within 90 days from the date of invoicing. After the 90 days period is ended, a monthly interest charge may be charged on the outstanding balance.

### **3.2 Interments Sold In Advance**

Interments sold in advance of need shall be deemed to cover all costs incurred with a standard grave opening. Any unforeseen costs such as overtime shall be an additional charge levied to the Interment Rights Holder or their representative.

### **3.3 Interments - Licensing Fee**

All interments (cremation excluded) sold shall include all appropriate license fees.

## **Article 4 SALE OF INTERMENT RIGHTS - CAMBRIDGE**

### **4.1 Tariff of Rates**

The purchase price of lots, crypts, and niches (otherwise known as interment rights) shall be set forth in the Tariff of Rates as prescribed by Council from time to time and shall set aside the following percentages for care and maintenance:

- a) all graves - Care & Maintenance Fund **40%** or **\$250**, whichever is greater.
- b) all crypts - Care & Maintenance Fund **20%** or **\$500**, whichever is greater.
- c) all niches - Care & Maintenance Fund **15%** or **\$100**, whichever is greater.

#### **4.2 Payments - City Treasury Department**

All payments shall be made payable to the City of Cambridge. Cheques only will be accepted at the Cemetery office.

#### **4.3 Payment - Certificate of Interment Rights**

No Certificate of Interment Rights is valid until payment has been received in full.

#### **4.4 Payment Not Made - Contract Void**

Unless the full purchase price of the contract is paid in full within 6 months after the application for purchase is made, the contract shall be null and void and of no further effect and all monies paid by the applicant shall be refunded by the City unless other arrangements have been approved.

#### **4.5 Purchase - Limitations**

No person, group or organization shall be entitled to hold the interment rights for more than 30 unused grave spaces in any one cemetery. Those individuals listed as the Interment Rights Holders through such organizations will have exclusive Interment Rights for the entire plot. Regular updates of those Interment Rights Holders filed with the cemetery office are mandatory to maintain proper order of these plots.

#### **4.6 Non-Resident - Surcharge**

A surcharge of 15% will be levied to any Interment Rights Holder or deceased who does not reside in, or has not resided or owned property within the City tax base within the previous three (3) years.

### **Article 5** **TRANSFER/PRIVATE SALE OF INTERMENT RIGHTS**

#### **5.1 Transfer/Private Sale of Interment Rights**

1. The re-sale of interment rights to any party other than to the Cemetery is strictly prohibited. Interment rights will be repurchased from the Interment Rights Holder under the terms and conditions of The Funeral, Burial and Cremation Services **Act** 2002.

#### **5.2 Transfer**

Interment rights may be transferred to another party. Such rights will be transferred by making application at the Cemetery Office and by completing the transfer portion of the Interment Rights Certificate and paying the fee as prescribed in the Tariff of Rates.

#### **5.3 Archaeological Assessment**

Any change to an interment rights holder, see 5.2, must have an archaeological assessment in order to insure that all interment options are available to the new rights holder. A charge, as outlined in the tariff of charges will apply where an assessment is required.

**Article 6**

***INTERMENTS***

**6.1 Burial Permit - Cremation Certificate Required**

No interment shall take place without a Burial Permit or a Cremation Certificate as is applicable, nor until the person making an arrangement for the interment have complied with all laws, rules and regulations relative to burials. Persons contracting for interment rights and/or making arrangements for burials shall be responsible for all charges incurred.

**6.2 Interments - Conditions Precedent**

The Manager shall not make any interment, entombment, inurnment or scattering on any grave or in any crypt or niche unless and until the person/persons ordering the same shall first exhibit:

- a) a signed contract respecting the purchase of the interment right, crypt, or niche and the authorization to proceed with the interment, entombment, inurnment or scattering (as is the case); or
- b) a Certificate of Interment Rights indicating the party is the rightful owner of the interment rights upon which the interment activity is requested; however, for indigent burials, approval of the Regional Social Services Department indicating that they will be responsible for the payment of such burial and authorization number will be required. Interment rights, sold for indigent use, will be selected in the flush marker section, by the Manager or designate.
- c) In those circumstances where the party requesting the interment activity is unable to provide evidence of ownership, the Manager may require the party to have their solicitor complete a "Letter of Permission" as provided by the cemetery administration office.

**6.3 Grave Opening - Notice**

Under normal circumstances when the opening of a grave is required, not less than 8 working hours notice of such requirement shall be given to the Manager by the owner or owner's agent of the interment right upon which the grave is to be opened. For the purposes of this section, Saturdays, Sundays and Holidays shall not be considered working hours.

**6.4 Funerals – Conditions**

All funerals within the said Cemeteries shall be under the jurisdiction of the Manager or designate. No funeral service shall be held and no interment shall be made in the said cemeteries on New Year's Day, Good Friday, Easter Sunday or Christmas Day, except pursuant to an Order of the Regional Medical Officer of Health.

**6.5 Funerals - Late - Additional Fee**

Funerals arriving after 3:00 pm, necessitating work by Municipal employees after 4:00 p.m. will be charged an additional fee as set forth in the Tariff of Rates.

**6.6 Location of Graves - Errors**

The City shall not assume any responsibility for errors in the location of graves, when improper instructions have been given by the interment rights holder, or designate. All costs resulting from improper instructions received will be charged to the consumer who signed the service contract.

## **6.7 Multiple Interments - Limitations**

In those cases where the first burial in an adult grave is at extra depth, a second burial above the first is permitted (once approved by the Manager); but no more than two casket burials may be made in any one adult grave; provided that cremated remains to a maximum of two (2) may be buried above the other burial or burials in any one grave. A maximum of six (6) cremation burials are permitted on any adult traditional grave where no casket burials will take place. A maximum of two (2) cremation burials are permitted on any one flush marker cremation grave, or 4 cremation burials on any one upright marker cremation grave. Due to safety concerns no extra depth burials will be permitted on any plot sold after July 1<sup>st</sup> 1997. All adult extra depth burials must be made in a permanent outer case.

### **6.71 Multiple Interments, Crypt - Limitations**

As crypts are designed to entomb a single casket the only option for crypts will be the entombment of a single casket. Additional cremations with a casket or cremation only interments will not be permitted.

## **6.8 Interment Equipment**

No interment equipment except that provided by the City shall be used, except as noted in Section 6.10 below.

### **6.9 Elevated Mounds - Prohibited**

No elevated mounds shall be built over graves and no lot shall be filled above the grade established for the Cemeteries except temporarily for maintenance reasons by Municipal employees.

### **6.10 Burial Vaults - Installation**

When burial vaults are used, they shall be installed by the supplier who shall use their own equipment. The supplier shall be responsible for any damage to the grounds or casket, which was caused due to the supplier's equipment or operator error.

### **6.11 Soft Ground-Alternative Arrangements**

At times when the ground in said Cemeteries is soft from spring thaws, rain or other cause or where personal safety is at risk, committal services shall be held in the Chapel, or a mock graveside setup at the appropriate Cemetery instead of at the grave. No charge shall be made for such service in the Chapel.

### **6.12 Temporary Storage - Burial Delayed**

If for any reason the Manager determines that a burial cannot be made on the day of the funeral, the Manager may direct that the committal service be held in the Chapel at the Cemetery and the body be placed in temporary storage. The burial shall be made as soon after the day of the funeral as conditions permit. For such services, no charge shall be made for the use of Chapel.

### **6.13 Temporary Storage - Limitations**

Temporary storage may be made in the Chapel at Mountview Cemetery. Charges shall be as outlined in the Tariff of Rates.

### **6.14 Cemetery Staff As Pall Bearers**

Two cemetery staff will be available to act as pall bearers for the interment if requested when the interment order is taken. Six (6) persons must assist with the lifting and placement of the casket. Additional pall bearers must be arranged by the funeral director to avoid any heavy lifting safety concerns. Cemetery staff will wear their regular work clothes when performing these duties.



**Article 7  
DISINTERMENTS**

**7.1 Approval**

No disinterment of human remains shall take place without the written approval of the Interment Rights Holder and notification of The Regional Medical Officer of Health as required by law.

**7.2 Approval - Funeral, Burial and Cremation Services Act 2002**

All other requirements under The Funeral, Burial and Cremation Services Act 2002 and Regulations must be met in order for a disinterment to proceed.

**7.3 Conditions**

Disinterments shall be made only when conditions are suitable to guarantee that a safe removal can take place except as ordered by the Coroner's Office.

**7.4 Outer Case - Provision of Same**

If the burial was made in other than a permanent type outer case, a new outer case must be supplied by the requesting party.

**7.5 Private Memorials - Removal Of**

Any flush or upright markers designating the location of an interment shall be removed at the time a disinterment is made at the expense of the Interment Rights Holder. Any loss of monument foundations as a result of cave-ins due to disinterment procedures will be replaced at the expense of the Interment Rights Holder or agent requesting the disinterment.

**Article 8  
LOT DECORATIONS**

**8.1 Definition of Lot Decorations**

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 City of Cambridge is not responsible for lost or stolen items.

**8.2 Lot Decoration Rules (May 1<sup>st</sup> to October 31<sup>st</sup>.)**

The City of Cambridge recognizes that there is significant value to the interment rights holders in decorating cemetery lots. At the same time the City of Cambridge 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 1<sup>st</sup> 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 May 1<sup>st</sup>, will be removed by cemetery staff and will be placed in a recovery area, visible to the public, and will remain in the area until July 1<sup>st</sup>, after which such items will be discarded.

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 1<sup>st</sup>.

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. 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 Marker Section**

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.

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 City 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 decorations is deemed unsafe by the Commissioner of Community Services or designate.

### **8.3) Lot Decorations Rules (November 1<sup>st</sup> to April 30<sup>th</sup>)**

**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:

**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) Solar Lamps and Candles - will only be allowed on attended grave sites. Ask Cemetery Manager about rules for attended grave sites. Anyone may apply for this option, and must sign an application form in this regard.
- c) Temporary wooden crosses must be between 61 cm (24") and 91 cm (36") above the ground to allow for good visibility.
- d) Other items within the allotted garden space (36 cm (14") out from the monument and no wider than the width of the memorial) will only be allowed on attended gravesites. Items within the garden area are not to exceed the height of the monument or encroach on neighbouring graves.
- e) Lot decorations will be addressed as required where a particular lot decoration is deemed unsafe by the Commissioner of Community Services, or designate.

## **Article 9 FLUSH MARKERS**

### **9.1 Flush Markers - Defined**

In this article "flush marker" means: a granite flat marker

### **9.2 Construction - Granite Required**

All grave memorials of any kind erected in the said Cemeteries shall be constructed wholly of granite. No material other than granite shall be placed on any memorial.

### **9.3 Construction - Other - Removal**

Memorials installed in cemeteries which are found to be in contravention of the By-Law, shall be ordered removed. The Manager or designate will contact the Interment Rights Holder (at their last known address) of the contravention and the Interment Rights Holder shall be given thirty (30) days within which he/she must comply with the by-law. If the contravention is not corrected within this period, the Manager or designate may have the memorial removed at the expense of the Interment Rights Holder.

### **9.4 Location - Centered**

All flush grave markers shall be centered at the head end of the grave.

- a) a maximum 0.36m x 0.77m (14" x 30"), minimum 0.31m x 0.51m (12" x 20"), flush marker may be centered over one, two or more adult spaces at the head end;
- b) only a 0.31m x 0.51m (12" x 20") marker is permitted in the following sections; veteran, infant, child, youth, or cremation.
- c) under no circumstances shall more than one marker be permitted on any full grave in the flush marker section.

- d) graves which have been subdivided to accommodate infant or youth burials will only be allowed one 0.31m x 0.51m (12" x 20") marker for each sub divided grave space.
- e) corner post installation is prohibited.

**9.5 Outstanding Charges - To Be Paid**

No flush markers shall be installed upon a lot unless the purchase price and any other outstanding charges for such lot have been paid in full.

**9.6 Uniform Thickness**

All flush markers shall be of a uniform thickness of 10 cm (4") plus or minus 1.28cm (1/2") and must be set so that the top is flush with the level of the ground. The allowed variance to all flush marker sizes shall be plus or minus 1.28cm (1/2") in total length and total width.

**9.7 Memorials - Other - Prohibited On Single Plot**

No memorials, other than flush markers may be set on any single grave sold after July 1, 1990, except on approved graves in designated upright monument sections.

**9.8 Delivery - Installations**

All flush markers shall be delivered to a location designated by the Manager and such flush markers shall be set in place by the municipal employees. The charge shall be as set forth in the Tariff of Rates. Such flush markers shall be accepted between April 15th and November 1st in any year. Flush markers will be installed within five (5) working days from the date of delivery when possible.

**9.9 Removals**

All removals and reinstalling of flush markers will be completed by Cemetery staff.

**Article 10  
UPRIGHT GRAVE MARKERS**

**10.1 Location - Centered**

Upright markers shall be placed at the centre of the head end of the lot except where alignment with existing upright markers justifies another location. Under no circumstances shall more than one memorial, or any part thereof, be permitted on any grave space and no upright marker shall be erected in sections designed as flush marker sections. No upright marker shall be placed upon a lot unless the purchase price and all other outstanding charges for such lot have been paid in full.

**10.2 Safety**

All upright markers must be able to withstand a force of 35 kgs. when such force is applied at any point on the memorial. Such markers must withstand this force when set in a dry mode (i.e. without the assistance of any adhesive material). Dowels (300 series stainless or equivalent) may be used to assist an upright marker in achieving the 35 kgs. minimum standard. The intended positioning of such dowels must be shown/stated on the contract requesting the installation of the marker. All portions of an upright marker must be sealed together with an appropriate sealing material and shall be sealed together in such a way as to provide an adequate level of stability.

**10.3 Foundations - Charges To Be Paid**

No upright marker may be set until the charges made for the foundation have been paid in full. Foundation contracts will be accepted from January 1 to October 18 in any year. Foundations shall be installed approximately three times during the year:

- 1) May 25th
- 2) August 15th
- 3) October 25th

These dates may extend later if warranted by staff. All request forms must be delivered no later than one week prior to the above dates.

**10.4 Upright Markers - Size Limitations**

No upright marker, with the exception of military-style grave markers as defined by Veterans Affairs, shall be erected on any lot unless the following regulations are met:

Foundation (Sub Base)

A concrete foundation of uniform thickness with measurements equal to that of the monument base and a depth of not less than 1.21m (48") below the ground must be constructed by Municipal employees or authorized personnel.

A signed contract as well as a detailed sketch showing all dimensions and location must accompany payment for the installation of foundations and any applicable care and maintenance fees.

Fees must be paid at the time of application by the person or persons ordering such foundation, or by the person or persons erecting such upright marker.

All upright marker bases shall have all vertical sides made of a rock pitch style.

No upright marker base shall be less than 15.2 cm (6") in thickness with the exception of pillow markers, which may be 10 cm (4") in thickness.

Depth for each base shall not exceed 45 cm (18")

<u>Number of Graves</u>	<u>Die Thickness</u>	<u>Maximum Monument Width (Base Included)</u>	<u>Maximum Monument Height (Base Included)</u>
1 Cremation upright	Minimum 8" Maximum 10"	76 cm (30")	91 cm (36")
1 Single adult	Minimum 8" Maximum 10"	76 cm (30")	97 cm (38")
2 Double adult	Minimum 8" Maximum 10"	1.37 m (54")	1.37 m (54")
3 Triple adult	Minimum 8" Maximum 10"	1.68 m (66")	1.68 m (66")
4 or more adult	Requests for monuments larger than 1.68 m (66"), approval of the Manager is required.		

**10.5 Inscriptions - Family Name, Etc.**

Family surnames or any inscriptions such as scriptures, poetry, prose, etc. on the back of upright markers will be permitted and must be approved by the Manager. Burial information may not be placed on the back of any monument unless, the interment rights are owned on both sides of the monument by the same rights holder. All inscriptions must be approved by the Manager.

## **10.6 Construction - Granite Required**

Upright markers (including base) are to be constructed wholly of granite. Attachments of any other materials will be removed and disposed of on all interment rights purchased after July 1<sup>st</sup> 1992. Field stones made of granite unless cut to meet specifications are prohibited.

## **10.7 Inscriptions - Reproductions - Photographic Images, Etc.**

Only those inscriptions, reproductions or photographic images, which are an integral part of the flush marker, shall be permitted. Photographs, images or inscriptions of any other kind are prohibited in the flush marker sections. Photographs made of a non-breakable poly material may be attached to upright monuments only. Other acceptable methods of producing such photographic images or inscriptions include etching, sand blasting, chiselling, or similar methods as approved by the Manager.

## **Article 11 ERECTION OF UPRIGHT MARKERS**

### **11.1 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.

### **11.2 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.

## **Article 12 CREMATION SECTIONS**

### **12.1 Interment - Placement of Cremated Remains**

Any placement, inurnment, or removal of cremated remains shall be performed by Municipal employees only. The placement of cremated remains is limited to two (2) such placements on any cremation flush marker grave, 4 such placements in any cremation upright marker grave. The fees for such placements are set out in the Tariff of Rates.

### **12.2 Columbarium Regulations**

Any person or company contracted to place an inscription on the face of the columbarium niche must;

- a) complete a contract with the cemetery office prior to commencing work.
- b) when engraving, the letters must be of block style and inset in order that the face of the niche remains consistent with its original finish, additives to any lettering prohibited
- c) the placement of engraved art work must be located at the upper left hand side of the face plate, and the art work is not to exceed an area larger than 116 cm<sup>2</sup> (18 square inches). In addition to an engraving on the upper left hand corner, war veterans may have a poppy engraved on the lower right hand corner of the faceplate. The colour, design and size of the poppy must be approved by the Manager of Cemeteries before engraving.
- d) the removal of the face plate for the purpose of engraving must not be for a period of longer than 48 hours between Monday and Friday inclusive.

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.

**Article 13  
LOT EMBELLISHMENTS**

**13.1 Lot Embellishments**

The use of glass containers and all other materials of an equally perishable nature are prohibited and shall be removed without notice. Floral receptacles of an approved type are permitted and must be installed by Municipal employees for a fee as set out in the Tariff of Rates where applicable. One floral receptacle per grave space is permitted with no more than three receptacles in total on any lot location. Fresh flowers or a dried flower arrangement in the approved vases are permitted at any time from April 1<sup>st</sup> to November of each year. One artificial wreath or arrangement set on a stand is permitted on each grave space and may be placed at any time from the Friday prior to Thanksgiving Day to the first day of May. All other decorations shall be removed without notice. **See article 8.**

**Article 14  
REQUESTS FOR SERVICE**

**14.1 Cemetery Office**

Any person or Funeral Director having a request for service shall make same at the Cemetery office.

**Article 15  
TARIFF OF RATES**

**15.1 Adoption - By Council**

Subject to the Funeral, Burial and Cremation Services Act 2002 and the regulations made there under, Council may from time to time adopt a Tariff of Rates to regulate the fees and charges to be paid by persons purchasing interment rights in the said Cemeteries or requiring service to be performed therein.

**Article 16  
OFFENCES**

**16 Offences**

A person is guilty of an offence if the person,

(a) knowingly furnishes false information in any application under the FBCSA or these By-Laws, in any certificate required to be issued or in any statement or return required to be furnished under the Act, the regulations or the City of Cambridge By-Laws;

**Article 17  
ENFORCEMENT**

**17 Penalty**

Where a specific penalty is not provided for an offence under the Cemeteries Act, any person who contravenes any of the provisions of this by-law shall, upon conviction be liable for a fine as provided for in the Provincial Offences Act.