



# **RULES AND REGULATIONS**

**for the Care and Control of**

**The Corporation of the  
Municipality of Machin  
Cemeteries**

**By Law # 17-2019 - Schedule "A"**

**Approved by the  
Bereavement Authority of Ontario and**

**Filed Effective April 30, 2019**

**For the following Cemeteries:**

**Vermilion Bay, Vermilion Bay North,**

**Eagle River, Minnitaki**

# **The Corporation of the Municipality**

## **of Machin**

### **By-law Number 17-2019 Schedule "A"**

#### **A By-Law to Establish Rules & Regulations to be used in connection with the Vermilion Bay, Vermilion Bay North, Eagle River, Minnitaki Cemeteries**

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Whereas the Cemeteries in the Municipality of Machin are owned by the Corporation of the Municipality of Machin; and

Whereas the Funeral, Burial & Cremation Services Act (2002) (FBCSA), provides that an owner of a cemetery may make by-laws for regulating the operation of the cemetery;

Now Therefore the Council of the Municipality of Machin hereby enacts as follows:

#### **PART I. Interpretation and Definitions**

In this By-law unless the context shall otherwise require:

- (A) "grave" shall mean any burial space of 8' x4' minimum and intended for the burial of one full size casket and/or up to four cremated remains. A grave sits east/south in a cemetery.
- (B) "burial" shall mean the opening and closing of an in ground grave for the disposition of human remains or cremated human remains.
- (C) "by-laws and by-law amendments" shall mean the rules and regulations under which the Cemetery operates. The cemetery shall be governed by these by-laws, and all procedures will comply with the Funeral, Burial and Cremation Services Act (2002) and O Reg. 30/11 and 184/12, which may be amended periodically.
- (D) "care and maintenance fund" it is a requirement under the Funeral, Burial and Cremation Services Act (2002) and O. Reg. 30/11 and 184/12 that a prescribed amount or a percentage of the purchase price (excluding tax) of all interment and scattering rights sold, transferred, assigned or permitted; and prescribed amounts for monument and makers, is contributed into care and maintenance fund. If no scattering rights are sold but scattering is permitted a prescribed amount must be contributed to the fund when the scattering is conducted. Interest earned from this fund is used to provide care and maintenance of lots, markers and monuments at the cemetery.

**(E)** "Cemetery" shall mean the Vermilion Bay, Vermilion Bay North, Minnitaki, and Eagle River Cemeteries.

**(F)** "Public Works Staff" shall mean an employee of the Corporation, employed at the Cemetery.

**(G)** "Cemetery Plan" shall mean a Plan of the Cemetery approved by the Municipality of Machin and the Bereavement Authority of Ontario.

**(H)** "Certificate of Interment Rights" shall mean a Certificate issued by the owner of the Cemetery to an Interment Rights Holder.

**(I)** "Public Works Foreman" shall mean the Public Works Foreman of the Corporation.

**(J)** "Committee" shall mean the Cemetery Committee which will be the Council of the Municipality of Machin and has jurisdiction over the Cemeteries.

**(K)** "corner stone" shall mean any stone or other land mark set flush with the surface of the ground and used to identify and mark the boundaries or location of a grave or lot.

**(L)** "Corporation" shall mean the Corporation of the Municipality of Machin.

**(M)** "Council" shall mean the Municipal Council of the Municipality of Machin.

**(N)** "Cremation Grave" shall mean a burial space of 8' x 4' and intended for the interment of up to eight cremated remains.

**(O)** "inter" (see burial) means the burial of human remains and includes the placing of human remains in a lot.

**(P)** "interment rights" includes the right to require or direct the interment of human remains or cremated human remains in a grave, lot, niche or crypt and to direct the associated memorialization.

**(Q)** "Interment Rights Holder" means any person designated to hold the right to inter human remains in a specified lot.

**(R)** "lot" shall mean an area of land in the Cemeteries containing, or set aside to contain, human remains.

**(S)** "marker" shall mean any stone, bronze, metal, granite or marble set flush with the surface of the ground and used to identify and mark the location of a grave or lot but shall not mean a "corner stone".

**(T)** Authority shall mean the Bereavement Authority of Ontario.

**(U)** "monument" shall mean any permanent memorial projecting above the ground installed within the designated space to mark the location of a burial or lot.

**(V)** "price list" shall mean the tariff of fees and charges for interment rights and Cemetery services and supplies, as revised from time to time, duly filed with the Registrar and not disallowed.

**(W)** "Registrar" shall mean the Registrar appointed under the Funeral, Burial and Cremation Services Act (2002).

**(X)** "vault" shall mean a sealed shell made of pre-cast concrete or equal material (metal, copper etc.) as approved by the Clerk Treasurer placed entirely below the surface of the ground. A vault may be refused where there is insufficient space.

**(y)** "Clerk Treasurer" shall mean an employee of the Corporation, employed at the Cemetery as administrator.

**(z)** "Private Family Columbarium" shall mean an above-ground structure designed for the purpose of interring cremated human remains in compartments or niches. A granite above-ground Columbarium is an external free-standing building constructed as a monument enclosing the interment space for up to 16 Niches that may hold 2 cremated human remains in each. A single columbarium is 41"W x 55"L x 40"H with 4" (inch) walls.

**(aa)** "Niche" shall mean an individual compartment in a Columbarium for the entombment of cremated human remains (14" x 10"x 10" – niche size in existing Columbaria)

**(bb)** "Columbarium Inscriptions" shall mean an engraved sunken lettering placed on the outside of the Columbarium to designate each niche with the occupant's name and year of birth and death.

**(cc)** "War Veteran" shall mean Canadian Armed Forces members and Reserve Force Members who meet Military Occupation Classification requirements. (MOC qualified – Officer, Warrant Officer & Enlisted Personnel), who have served in a war. Included in this definition, is a War Veteran who has given their life or for those who have been released from the forces with an honourable discharge.

**(dd)** "Above-Ground Mausoleum" - A granite above-ground mausoleum is an external free-standing building constructed as a monument enclosing the interment space for one or more full burials. This alternate means of disposition will supply an above-ground entombment. A single crypt is 46"W x 104"L x 40"H with 4" (inch) walls. A double crypt is 86"W x 104"L x 40" with 4"H walls.

## **PART II – Cemetery Plan**

1. The Cemetery Plan shall remain on file at the office of the Clerk.
2. No alterations shall be made to the Cemetery Plan without the approval of the Council, expressed by resolution thereof, and filed with Bereavement Authority of Ontario.
3. No portion of the Cemetery not subdivided into lots or single graves according to the Cemetery Plan shall be sold or disposed of for the purpose of a burial or burials.
4. All dealings with respect to any lot or grave shall be by reference to the Cemetery Plan.

## **PART III – Hours of Operation**

Office Hours: 8 a.m. – 4:00 p.m. (Monday – Friday)  
Burial Hours: Monday – Friday – 8 a.m. – 3:00 p.m. and  
Saturdays – 8 a.m. – 3:00 p.m. (overtime charges apply)

## **PART IV – General Conduct**

5. During a burial service all work in the immediate vicinity shall cease.
6. Children under the age of twelve years shall not be admitted to the Cemeteries except in charge of an adult, who shall be responsible for their good conduct.
7. No vehicle shall be driven at a rate of speed greater than fifteen kilometers per hour, nor parked or left in or upon any portion of the Cemeteries except upon driveways thereof.
8. No vehicle shall be parked or left on any driveway so as to obstruct traffic and whenever required the person in charge thereof shall remove the same.
9. No snowmobiling, skiing, snow sliding, golfing, roller blading or skate boarding allowed in any part of the Cemeteries.
10. The owner of any vehicle as well as any person in charge thereof shall be liable for any damage or injury caused or sustained by or through the same in the Cemeteries in violation of any of the provisions of this By-law or of the Regulations.
11. No commercial vehicle except a hearse shall be allowed in the Cemeteries unless making deliveries of materials required for Cemeteries purposes.
12. No parties shall be held in the Cemeteries.
13. Pets or other animals, including cremated animal remains are not allowed to be buried on Cemeteries grounds.
14. No person shall write upon, deface, mark or injure any monument, fence or other structure or any tree.
15. No person shall break, injure or interfere with any tree or shrub, or pick, injure or remove any flower, wild or cultivated.
16. No person shall carry or bring any firearms within the Cemeteries or discharge the same therein, except in connection with a Military funeral.
17. No person shall pay any money to any Cemeteries employee in reward for any personal services or attention.

18. Any person disturbing the quiet or good order of the Cemeteries by noise or other improper conduct, or who shall violate any of the By-laws or Regulations shall be compelled to leave the grounds forthwith.
20. The Municipality of Machin will not allow the rental of any Cemeteries equipment (which includes graveside greens and lowering device) to anyone.
21. Any unusual circumstances not dealt with in the Cemeteries Rules and Regulations, must receive approval in writing from the Clerk Treasurer.
22. The following procedures shall ensure both consumers and businesses of fair treatment. These procedures include funeral homes, memorial companies and/or any other business that consumers may use for the purpose of services regarding the funeral industry. These services may include funeral arrangements, marker purchases, floral arrangements etc. Cemeteries Staff shall not promote any funeral home, Memorial Company, and/or any other business for any services they may offer.

#### **PART V – By Law Amendment:**

23. The Cemeteries shall be governed by these bylaws, and all procedures will comply with the Funeral Burial & Cremation Services Act, (2002) and Ontario Regulation 30/11, which may be amended periodically.
24. All by-law amendments must be:
  - a) published once in a newspaper with general circulation in the locality in which the Cemeteries is located;
  - b) delivered to each supplier of markers who has delivered a marker to the Cemeteries during the previous year, if the by-law or by-law amendment pertains to markers or their installation.
  - c) By-Laws are to be posted at the entrance to each cemetery.
25. All by-laws and by-law amendments are subject to the approval of the Registrar, Funeral, Burial and Cremation Act (2002) and Bereavement Authority of Ontario.

#### **PART VI – Liability**

26. The Corporation assumes no responsibility for damages should an interment be made in a wrong location due to wrong or insufficient information and any extra expense in connection with an error of this kind shall be paid by the parties ordering the interment.
27. The Corporation reserves, and shall have the right to correct any errors that may be made by it either in making interments, disinterments or removals, or in the description, transfer or conveyance of any interment property, either by cancelling such conveyance and substituting any conveying in lieu thereof other interment property of equal value and similar location as far as possible, or by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Cemetery reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof, and all charges incurred shall be borne by the Corporation.

28. The Corporation disclaims all responsibility for loss or damage from causes beyond its control, and especially from damage caused by the elements, Acts of God, common enemy, thieves, vandals, malicious mischief makers, explosions, accidents, invasions, and insurrections, whether damage be direct or collateral. Except for direct loss or damage caused by gross negligence of the cemetery.
29. The Corporation may take reasonable precautions to protect the property of the Interment Rights Holder, but it assumes no liability or responsibility for loss of, damage to, any article of any type that is placed on any lot or plot.

### **PART VII – Public Register**

30. Provincial legislation – Section 110 of Ontario Regulation 30/11 requires all cemeteries to maintain a public register that is available to the public during regular working hours.

### **PART VIII – General Administration**

31. Subject to the jurisdiction of Council has complete control and management of the land, buildings, planning, roads, utilities, books and records of the Municipality of Machin and complete authority to administer this bylaw.
32. A Committee will be the Council of the Corporation, The Committee may provide advice and/or recommendations to the Municipal Staff in respect of any matter in connection with the administration, the budget or rate changes related to the Cemeteries, updating of rules and regulations and/or with any major projects in connection with the Cemeteries.
33. In addition to the Regulations set forth in this By-law, the Municipal Council, may make further regulations and may vary, alter, amend, or rescind any Regulations, but these shall only come into effect when approved by the Ministry.
34. The Clerk Treasurer shall keep such Registers, Records and Books as are necessary for properly recording all matters, acts, deeds and things pertaining to the Cemetery, and as may be prescribed.
35. The Clerk Treasurer shall keep such books, accounts and records as are necessary for properly recording and exhibiting all financial matters pertaining to the Cemetery, and as may be prescribed.
36. All revenue and other monies belonging or pertaining to the Cemetery shall be paid and received by the Clerk Treasurer.
37. The Clerk Treasurer shall make and render such reports as may be prescribed or as the Council may require.
38. All fees and charges shall be in accordance with the price list filed with the Bereavement Authority of Ontario which shall govern in all matters pertaining thereto.

## **PART IX – Sales & Transfer of Interment Rights**

39. The Clerk Treasurer shall have charge of the sale of Interment Rights and all sales shall be for cash and at the prescribed fees and charges as set forth in the Price List filed with the Municipality of Machin.
40. In order to facilitate the orderly and economic development of the Cemetery Interment Rights locations, immediate need single graves shall be sold in rotation and no selection thereof shall be permitted.
41. Upon the sale of an Interment Right and on payment of the required tariff, the Clerk Treasurer shall record the particulars thereof in the Register and deliver to the purchaser a receipt, Certificate of Interment Rights, and a copy of the Cemetery Operating By-law and a copy of the Consumer Information Guide. The receipt and Certificate of Interment Rights shall indicate the lot or grave number as shown on the Cemetery Plan.
42. A purchaser has the right to cancel an interment rights contract within thirty (30) days of signing the interment rights contract, by providing written notice of the cancellation to the Clerk Treasurer. The Clerk Treasurer will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.
43. After the 30 day Cooling-Off Period: Upon receiving written notice from the purchaser of the interment rights, the Clerk Treasurer will cancel the contract and issue a refund to the purchaser for the amount paid for the interment rights less the appropriate amount that is required to be deposited into the Care and Maintenance Fund. If any portion of the interment rights has been exercised, the purchaser, or the interment rights holder are not entitled to re-sell the interment rights.
44. The Corporation shall have the right to repurchase any Interment Rights sold or conveyed or any part of an interment Right in which no interment has been made pursuant to the provision of the Funeral, Burial and Cremation Services Act (2002) and Regulations there under. The Corporation must buy the rights from you at market value (the price on the cemetery's current price list, less any payments that were made to the cemetery's care and maintenance fund).
45. The sale by the Clerk Treasurer of an Interment Right shall be deemed cancelled unless within 10 days thereafter the purchaser makes payment to the Municipality of Machin for the prescribed sale price.
46. Any Interment Right Holder may transmit or transfer same, subject to the provisions of the Funeral, Burial and Cremation Services Act (2002) Regulations, and otherwise no transmission or transfer shall be binding upon or be recognized by the Corporation or its Officers.
47. A transfer shall be recorded by production and delivery to the Clerk Treasurer of a duly executed Certificate.
48. To ensure the correctness of records of Interment Rights Holder and interments, no sale or other transfer of any Interment Rights or any interest therein, shall be binding upon the Corporation until the prescribed transfer fee, as set forth in the Price List, has been paid and a new Certificate of Interment Rights has been issued.



49. No transfer or transmission of an Interment Right which prior thereto has not been placed under the Care and Maintenance Fund, shall be recorded by the Clerk Treasurer unless and until it is placed under such Fund.
50. No sale or transfer of any Interment Rights shall be made or recognized by the Corporation until all arrears due for upkeep or purchase have been paid.
51. The Corporation agrees to buy back pre-purchased Interment Rights on written request from the Interment Rights Holder. The amount to be paid by the Corporation to buy back the aforementioned Interment Rights shall be the amount listed on the current price list less the portion of that amount paid into the Care and Maintenance Fund.
52. Any holder of Interment Rights which has not heretofore had the required payment made to the Care and Maintenance Fund may pay to the Treasurer the amount specified in the Price List on the classification of his Interment Right, and the money so paid shall be set aside for the Care and Maintenance Fund.
53. In the case of application being made by an Interment Rights Holder for a Monument Permit or Burial Permit for an Interment Right which has not heretofore been placed under the Care and Maintenance Fund, there shall be paid to the Municipality of Machin the amount specified in the Price List for care and maintenance calculated on the classification of the Interment Right, of which the whole amount shall be set aside for Perpetual Care, and no such Monument Permit or Burial Permit shall be granted until such sum has been paid.
54. The purchase price of Interment Rights shall be set forth in the Price List and shall include care and maintenance.

## **PART X – Interments & Removals**

55. No burial other than that of the body or remains of a human being shall be permitted in those specific areas designated, as such, within any Cemeteries within the Municipality of Machin. A full grave can hold up to one full burial and/or eight cremated remains.
56. A certified Burial Permit or cremation certificate must be presented to the Clerk Treasurer before an interment will be permitted. All interments, including cremated remains must receive approval by the Clerk Treasurer and all proper forms and contracts must be filled out prior to any interment.
57. No Burial containers, wooden rough boxes or concrete liners are to be stored on the Cemetery grounds to be used for interment purposes by Funeral Homes. The burial containers are to be dropped off at the gravesite at the time of preparation of the site for interment.
58. Interment Rights Holders shall not allow interments to be made in any lot or grave for remuneration.
59. No interment shall be permitted unless the death has been duly registered as required by law. Exception to the rule: No burial permits are issued by the Registrar for infants under 20 weeks. The Cemetery can accept these infants on compassionate grounds if there is a release paper from the hospital. This is not considered an interment under the Funeral, Burial and Cremation Act (2002) but

- is to be treated as one.
60. No burial shall be permitted unless and until the lot or grave wherein the same is to take place, is placed under the Care and Maintenance Fund.
  61. No interment shall be made unless it is made a sufficient depth to give a covering of at least 2' (feet) of earth over the outside cover or shell of the coffin or other receptacle. The total depth of a cremation plot is to be 2' (feet).
  62. No person other than an employee of the Cemetery shall open any grave for the purpose of burial or removal of a body.
  63. No interment shall be made on a Sunday or Public Holiday except on a doctor's certificate that burial must be made within twenty-four hours of death in accordance with the regulations of the Bereavement Authority of Ontario for the control of communicable diseases, or unless prior arrangements have been made with the Corporation.
  64. No interment shall be made unless two working days notice of application of interment has been made to the Municipal Office.
  65. All interments (full burial and cremation) are permitted at any time Monday through to Saturday. BUT, overtime charges will apply to any services or grave closures which are conducted after 3:00 p.m., Monday to Friday. Overtime charges will also apply to any interments requested for Saturday. Due to extenuating circumstances, any other requested times must be pre-arranged with written approval from the Public Works Working Foreman. No interments shall be conducted on Sundays.
  66. No full burial disinterment shall be made without the written consent of the local Medical Officer of Health and the owner of the lot or grave, except on an order from the Court or as provided with the requirements of the Funeral, Burial and Cremation Services Act, (2002), (FBCSA) and the regulations and the disinterment shall be conducted under the supervision of the Medical Officer of Health. For the disinterment of cremated remains the presence of a Medical Officer of Health is not required but all other rules and regulations apply. The members of the public, friends, family and relatives shall not be allowed at the cemetery during disinterment. Family members and friends may be present when the remains are again interred.
  67. Prior to every burial there shall be a duly executed contract and the person signing such contract shall be responsible for all charges in connection therewith. These contracts are to be filled out at the Municipal Office by the Clerk Treasurer.

## **PART XI – Private Family Columbarium**

68. The Owners of the Private Family Columbarium may not sell any of the Niche to a non- family member.
71. Opening up of the urn for any reason, can only be done by an established Funeral Home or family member before interment takes place. Municipal Staff will not open an urn of cremated remains for any reason. Requests for opening up of the urn after the interment has taken place will be treated as a disinterment and subsequent disinterment and interment fees will be charged accordingly. All paper work must be filled out at the Municipal Office for the requested disinterment and interment.
72. The licensed contractor will prepare a foundation to hold four above-ground columbarium's at the purchaser's cost. The foundation will consist of 4" of compacted gravel and 4" of concrete for the placement of private family columbarium.

## **PART XII – Above-Ground Mausoleums (Vermilion Bay North Cemetery Only)**

73. All interments in the Above-Ground Mausoleums section must be approved by the Clerk Treasurer. No above- ground mausoleums will be held in reserve for customers, unless proper contracts are filled out and payment received.
74. Only Two full burial allowed per mausoleums and two cremated remains.
75. To ensure that body fluids and gases do not escape from the mausoleum the following precautions will be incorporated into the structure of the mausoleum:
  - Floors of mausoleum should have a 1% slope
  - A channel or groove in floor for fluids to drain
  - Multiple drain holes (minimum 2) at least 8" in width for fluids to drain
  - All internal walls to be sealed
  - Adjustment of mausoleum front opening so they are raised to prevent fluid flow
  - Recommend use of a seal-casket enclosure.
76. The licensed contractor will prepare a foundation to hold four above-ground mausoleums at the purchaser's cost. The foundation will consist of 6" of compacted gravel and 6" of concrete for the placement of four crypts.
77. Opening and closing of the above-ground mausoleums will be done by Public Works Staff only, in conjunction with a Funeral Home.
78. Inscription Fees are the responsibility of the purchaser.

## **PART XIII – Maintenance & Improvement**

79. The Public Works Foreman or designate, in the management, maintenance and improvement of the Cemetery, shall have the power at all times to enter in and upon every part of the Cemetery, without permission, let or hindrance, and to do, perform and execute such work as may be necessary, desirable or expedient for any such purpose, and without in any way rendering the Corporation or themselves liable in damages or otherwise whatsoever.
80. No Interment Rights Holder or person shall do any work upon a lot or grave without the permission of the Clerk Treasurer.
81. No flowers, plants, shrubs or trees shall be planted in any Cemetery.
82. All lots and graves shall be kept properly graded, sodded, mown, and flowers, plants, shrubs and trees kept trimmed.
83. No Interment Rights Holder or person shall change the grading of his lot, and in case of any such change, the Corporation may restore the lot or grave to its original grade at the expense of the Interment Rights Holder.
84. Where the required care and maintenance has been paid, the Corporation undertakes the grading, seeding, grass cutting and general care of the lot or grave.
85. Where the required care and maintenance has not been paid, this work shall be done by the Corporation, notwithstanding that provision for such work has not been made for under the Care and Maintenance Fund.
86. Vases, urns and flower stands not properly cared for may be removed from the lot or grave; and any stand, holder, vase or other receptacle for flowers which are unsightly or unsuitable may be prohibited or removed by the Public Works Staff. Glass or ceramic vases are prohibited. Shepherd's hooks may be put on the side of the memorial stone or in front of the memorial stone at the head of the grave or at the back of the memorial stone.
87. Borders, fences, railings, walls, cut-stone copings, covers, concrete or stone borders and hedges in or upon any lot or grave are prohibited. Existing enclosures which by reason of neglect or age have become unsightly may be removed.
88. Rubbish shall not be thrown out on roads, walks or any part of the Cemetery and shall be disposed of under the directions of the Public Works Staff.
89. Implements or materials used in doing any work within the Cemetery shall be removed without delay and if this is not done, the Public Works Staff may remove the same.
90. The installation of solar lights is allowed on gravesites within the cemeteries. The solar lights can be placed on either side of the memorial stone at the head of the grave, if room allows, or in front of the memorial stone at the head of the grave. Solar lights may be placed on shepherd's hooks. Solar lights are not to be placed on the grave proper. Solar lights must be removed by owner when inoperable.
91. The Corporation shall not be responsible for loss of or damage to any portable articles left upon any lot or grave.

92. Benches and memorial benches will be allowed within specific designated open space areas of the cemeteries. Written permission shall be required to install a bench in any cemetery by the Clerk Treasurer. All benches are to be made of granite. The base is the sole responsibility of the customer, at their expense. The base size for the bench is to be pre-approved by the Clerk Treasurer. At the expense of the customer, the Clerk Treasurer will be responsible for the foundation preparation that the base and bench will be placed on. At the expense of the Municipality of Machin, benches may have to be moved due to future cemetery development. The family will be notified whenever possible.

#### **PART XIV – Monuments, Markers & Corner Stones**

93. No memorial or other structure shall be erected or permitted on a lot until all charges have been paid in full.
94. No monument, footstone, marker or memorial of any description shall be placed, moved, altered or removed without permission from the Clerk Treasurer.
95. No Monument, Marker or Corner-Stone shall be permitted in the Cemeteries without approval by the Clerk Treasurer. Within 4 days after installation, the Public Works Staff will inspect the site, make sure the stone is level and in line with the other stones and landscape the area (black top and seed).
96. All Markers shall be constructed of granite, bronze or marble or other material approved by the Clerk Treasurer. All flat markers shall be set flush with the surface of the ground. All monuments/markers are to be attached to the base by a pin(s) and/or sealant.
97. Any Interment Rights Holder of any lot or grave having authorized the erection or construction of any Monument, Marker or Corner-Stone which interferes with or prevents the interment of anybody in the Cemetery shall remove said Monument, Marker or Corner-Stone at his own expense and on failure to do so at the request of the Clerk Treasurer, the Clerk Treasurer shall do so forthwith and charge the cost of removal of said Monument, Marker or Corner-Stone to the Interment Rights Holder.
98. The Corporation shall be responsible for keeping all Monuments, Markers & Corner- Stones level and upright or put in a safe position.
99. Any Monument or other structure, or an inscription on a monument or structure upon any lot shall be in keeping with the dignity and decorum of the Cemetery.
100. Only one upright monument and four flat marker are allowed per grave. The upright marker will be placed at the head of the grave. The flat marker can be placed flush to the ground, at the head of the grave (if there is no upright), directly below the upright or at the foot of the grave.
101. The width of any marker or base shall not exceed 30" (inches). This size incorporates 12" for the base of the headstone.

## **PART XV – Rules for Monument Dealers, Contractors & Workers**

102. Every contractor employed to erect Monuments, Markers or Corner-Stones or to do any other work in the Cemetery shall first present an application to the Clerk Treasurer signed by the Interment Rights Holder of the lot or grave, requesting permission to employ such contractor to do the work therein specified. This application shall designate the lot or grave.
103. Any contractor or company doing work in the Cemetery shall provide proof of a valid certification and a business licence. Also supply evidence of liability insurance of not less than \$5 million and follow the pertinent Municipality of Machin Health & Safety policies.
104. The demeanour and behaviour of all workmen employed by others in the Cemetery shall be subject to the control of the Public Works Working Foreman or designate.
105. Contractors, masons and stone-cutters or other workmen who have received permission to do any work in the Cemetery shall lay planks on the lots and paths over which heavy materials are to be moved, in order to protect the surface from injury or damage and shall leave the area in which work was carried out in a neat and orderly condition.
106. Workmen shall cease work in the immediate vicinity of a funeral, until the conclusion of the service.
107. All work must be carried out during regular Cemetery hours unless by written permission of the Public Works Working Foreman or designate.
108. No work shall be carried out on a Saturday, Sunday or a Holiday observed by employees of the Corporation, unless by written permission of the Public Works Working Foreman or designate.
109. No Monuments, Markers or Corner-Stones shall be erected from October 15th to May 15th, unless weather permits otherwise. Written approval is required from the Public Works Working Foreman or designate for any monument, marker or corner stone that is requested to be installed after the Oct 15<sup>th</sup> deadline.
110. Heavy loads shall not be permitted in the Cemetery when roads are in an unfit condition to permit their use without damage.
111. No Monument, Marker or Corner-Stone shall be delivered at the Cemetery until the foundation is completed and the contractor is ready to proceed with the work of erection. All implements and materials used in the performance of any work by outside contractors shall be placed where the Clerk Treasurer may direct, and all rubbish and surplus earth shall be removed in such a manner and at such time and to such place as the Clerk Treasurer may order. Failure to comply will result in any obstruction being removed and the expense charged to the Interment Rights Holder of the lot.
112. Any workman who damages any lot, Monument, Marker or Corner-Stone or other structure, or otherwise does any injury in the Cemetery, shall be personally responsible for such damage or injury and in addition thereto, his Employer shall also be liable therefore.

**PART XVI - Implementation:**

113. By-law Number 37-2018 of the Municipality of Machin is hereby repealed.
114. By-law 17-2019 shall take effect and come into force upon approval of the Bereavement Authority of Ontario for the Province of Ontario.

**By-law read a First and Second Time this 23<sup>rd</sup> day of April, 2019 By-law  
read a Third and Final Time this 23<sup>rd</sup> day of April, 2019.**

**The Corporation of the Municipality of  
Machin:**

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**Gord Griffiths, Mayor**

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**Tammy Rob, Clerk Treasurer**