

THE CORPORATION OF THE TOWN OF HANOVER

BY-LAW NO. 2759-12, as amended by BY-LAW NO. 2889-15

BEING A BY-LAW TO MAINTAIN, MANAGE, REGULATE AND CONTROL THE TOWN OF HANOVER CEMETERY.

WHEREAS The Corporation of the Town of Hanover is desirous of establishing control and regulations for the management of the Hanover Cemetery, and;

AND WHEREAS The Corporation of the Town of Hanover is desirous of enacting provisions respecting the cost of lots in the Hanover Cemetery and services rendered by the Cemetery staff.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HANOVER HEREBY ENACTS AS FOLLOWS:

SECTION 1 - DEFINITIONS

- 1.1 **BOARD** shall mean the Hanover Cemetery Board, duly appointed by the Council of the Town of Hanover for the purpose of managing the Hanover Cemetery.
- 1.2 **CARE AND MAINTENANCE** means the upkeep of all lots and graves by the cemetery staff. Such care shall include the mowing of the grass, trimming around monuments and markers, and the refilling of sunken lots and other maintenance deemed necessary by the Caretaker and the Manager.
- 1.3 **CARE AND MAINTENANCE FUND** shall mean that fund of the Corporation of Town of Hanover in which all moneys received for the care of lots or graves is held or invested, in trust.
- 1.4 **CARETAKER** shall mean the person appointed by the Town to act as caretaker of the Hanover Cemetery.
- 1.5 **CEMETERY** means the lands set aside and approved for the interment of human remains and includes a columbarium, chapel, or other such structures known as the Hanover Cemetery.
- 1.6 **CEMETERY OPERATOR** means The Corporation of the Town of Hanover.
- 1.7 **CERTIFICATE** means the Certificate of Interment Rights issued by the Cemetery Operator to the purchaser for the use of interment space or lot.
- 1.7 **CHAIRPERSON** shall mean the chairperson duly appointed by the Cemetery Board.
- 1.9 **COLUMBARIUM** shall mean a structure designed for the purpose of interring cremated human remains in sealed compartments, referred to as niches.
- 1.10 **FUNERAL, BURIAL AND CREMATION SERVICES ACT, 2002 (FBCSA)** means an Act respecting funerals, burials, cremations and related services and providing for the amendment of other statutes, and the Regulations thereunder.
- 1.11 **INTERMENT RIGHTS** is the right to require or direct the interment of human remains in any lot.
- 1.12 **INTERMENT RIGHTS HOLDER** means the person with interment rights with respect to a lot and includes a purchaser of interment rights.
- 1.13 **LOT** means ground used for or intended for the interment of human remains and includes a tomb, crypt or compartment in a mausoleum and a niche or compartment in a columbarium.
- 1.14 **MANAGER** shall mean the person appointed by the Town to be responsible for the supervision and overall operation of the Hanover Cemetery.

- 1.15 **MARKER** means any stone of granite or marble flush with the surface of the ground, to mark the location of a grave.
- 1.16 **MONUMENT** means any permanent memorial of granite or marble projecting above ground level.
- 1.17 **NICHE** shall mean a self contained, secure, weather proof compartment located in a columbarium.
- 1.18 **PLOT** means two or more lots in which the rights to inter have been sold as a unit.
- 1.19 **PRICE LIST** means all costs associated with the purchase of lots, crypts, and niches or any contracted service for the Hanover Cemetery.
- 1.20 **TOWN** shall mean the Corporation of the Town of Hanover.
- 1.21 **VEHICLE** means a motor vehicle, trailer, traction engine, farm tractor, road-building machine, and any vehicle drawn, propelled, or driven by any kind of power including muscular power.

SECTION 2 – DUTIES OF THE TOWN OF HANOVER

Section 2.1.4
amended by
By-law 2889-15

- 2.1.1 Hanover Cemetery has been established to perform the interment rights of the Interment Rights Holders with dignity, respect and care, while maintaining and beautifying the property.
- 2.1.2 These rules may be changed, modified or repealed from time to time, subject to Ministry of Consumer Services approval, should the Town feel it in the best interest of all concerned to do so. In exceptional circumstances, the Cemetery Operator may temporarily suspend the enforcement of any rule if in their opinion it can be done without detriment to the interest of others, and without affecting the general enforcement of them.
- 2.1.3 Cemetery staff may from time to time have to move monuments and drive on cemetery plots in the performance of their duties. These disruptions to individual lots will be carried out with due respect to the lot and it's amenities.
- 2.1.4 The management of the Cemetery shall be carried on by a Board of Five (5) members duly appointed by the Municipal Council, who shall hold office during the term of the Municipal Council and the said Board shall have the full control and management of the Hanover Cemetery, and the said Board shall have and may exercise all the powers and perform all the duties of the Municipal Council with respect to the Hanover Cemetery.
- 2.1.5 The Board shall consist of five (5) members appointed as follows:
 - 1 Member of Hanover Council.
 - 2 Representatives from the public, appointed by Hanover Council.
 - 2 Members from the Hanover Holy Family Catholic Parish appointed by the Parish Priest.The Chairperson of the Cemetery Board shall be appointed by the Board. The term shall coincide with the term of Council.
The Chair of the Hanover Ministerial Association or his/her designate shall be appointed as a non-voting member of the Hanover Cemetery Board.
The local funeral director shall be invited to attend meetings of the Hanover Cemetery Board in an advisory capacity.
- 2.1.6 The Board shall meet at such time or times as may be necessary, at the call of the Chairperson of the Hanover Cemetery Board.

COMPLY WITH FUNERAL, BURIAL AND CREMATION SERVICES ACT, 2002

- 2.2.1 Observe and carry out all of the provisions of the Funeral, Burial and Cremation Services Act, 2002, and the regulations thereunder.
- 2.2.2 Provide lot care.

- 2.2.3 Have full charge of Hanover Cemetery and shall attend to the general management thereof and shall, from time to time, originate and oversee all measures tending towards responsible maintenance of interment facilities at the Cemetery.
- 2.2.4 Be responsible for the general maintenance of the Cemetery, which is designed to improve its overall efficient service, appearance and condition. It shall include such items as the upkeep of drives, buildings, drainage, water lines and fences. It shall also include the following items of perpetual care on lots, annual spring cleanup, levelling of lots, periodic cutting of grass and raking of leaves. General maintenance shall apply to all lots and interment spaces.

INTERMENT AND DISINTERMENT

- 2.3 Cemetery staff shall perform all interments and disinterments, open and close all niches in the Cemetery.

ATTENDANCE AT INTERMENTS OR DISINTERMENTS

- 2.4 A Cemetery representative shall be on duty at each interment or disinterment.

SECTION 3 - RULES FOR VISITORS

VISITATION TIMES

- 3.1 The cemetery is open for visitation during the hours from 9:00 am to dusk daily, or otherwise by appointment with the Caretaker. The cemetery shall be closed to the public after dusk, unless by permission of the Caretaker.

CODE OF CONDUCT

- 3.2.1 No person shall disturb the quiet and/or good order of the cemetery by noise or other inappropriate conduct. Persons who violate these rules may be expelled from the grounds. The Caretaker and his assistants are authorized and empowered to maintain order and decorum in the cemetery.
- 3.2.2 No person who owns, harbours or possesses any dog shall allow the dog to run loose in the cemetery. To duly respect the interred, dogs shall be on a leash at all times and restricted to road and walkway areas only. Dog owners are responsible for the immediate removal and sanitary disposal of any excrement as per the Town of Hanover Dog Control By-law.

VEHICULAR TRAFFIC - RESTRICTIONS

- 3.3.1 No person shall operate a vehicle within the Cemetery at a rate of speed in excess of 20 km/hr and no person operating a vehicle shall cause the vehicle to leave the roadways.
- 3.3.2 No person shall operate a vehicle on an internal road that has not been cleared of snow.
- 3.3.3 No person shall operate a vehicle on an internal road when the road(s) are in an unfit condition that would cause the road(s) to be damaged by vehicular travel.
- 3.3.4 Owners of vehicles and their drivers shall be held responsible for any damage done by them. No person shall drive around any barricade indicating a road is closed to vehicular traffic.
- 3.3.5 Vehicle access and parking is limited to Cemetery visitors. Unauthorized vehicles will be towed at the owner's expense.

LOT CARE

- 3.4.1 No person shall change the grade of a lot. In the event of such change, the cemetery staff will restore the lot to the original grade at the expense of the owner of the lot.

- 3.4.2 No person shall cut any sod or move corner posts, markers or monuments in the cemetery. Authorization must be received from the Caretaker and the Interment Rights Holder, with a description of the work proposed.
- 3.4.3 No person shall cause any litter, refuse or waste paper, wrapper, container or garbage to be thrown out on roads, walks or any part of the grounds.
- 3.4.4 No person shall remove any flower, shrub or flower container from a cemetery lot, other than their own, without authority.

ALCOHOLIC BEVERAGES - PROHIBITED

- 3.5 No person shall bring any alcoholic beverage upon the cemetery property.

CLARIFICATION OR INQUIRY

- 3.6 All inquires are welcome at the Town Municipal Office.

SECTION 4 - SALE OF INTERMENT RIGHTS

CEMETERY BY-LAWS AND FUNERAL, BURIAL AND CREMATION SERVICES ACT, 2002

- 4.1 All sales of interment rights are subject to the rules set out in the Funeral, Burial and Cremation Services Act, 2002.

INTERMENT RIGHTS HOLDER - RIGHTS

- 4.2 The Interment Rights Holder acquires only the right and privilege of interment of human remains and the installation of monuments, markers and inscriptions, subject to the conditions set out in the cemetery by-laws.

PRICE LIST

- 4.3 The purchase price of lots, and niches shall be set forth in the Price List as prescribed by Hanover Council from time to time and attached hereto as Schedule 'A'.

INTERMENT RIGHTS SOLD

- 4.4 A contract for the purchase of interment rights for lots, niches, and crypts may be made in advance of need with payment in full at the time of purchase. All payments shall be made at the Town Municipal Office. An Interment Rights Certificate will be issued to the Interment Rights Holder(s) when payment has been made in full. The purchase of interment rights is not a purchase of real estate or real property.

CANCELLATION OF INTERMENT RIGHTS WITHIN 30 DAY COOLING-OFF PERIOD

- 4.5 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 Town of Hanover. The Town of Hanover will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.

CANCELLATION OF INTERMENT RIGHTS AFTER THE 30 DAY COOLING-OFF PERIOD

- 4.6 Upon receiving written notice from the purchaser of the interment rights, the Town of Hanover 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.

This refund will be made within thirty (30) days of receiving said notice. If the interment rights certificate has been issued to the interment rights holder(s), the certificate must be returned to the Town of Hanover along with the written notice of cancellation.

If any portion of the interment rights has been exercised, the purchaser, or the interment rights holder(s) are not entitled to cancel the contract or re-sell the interment rights.

SECTION 5 - CARE AND MAINTENANCE

PRICE LIST - CONDITION

- 5.1 Lots and niches sold shall include the cost of care and maintenance as set forth in the tariff rates as set from time to time. (Section 4.3)

CARE AND MAINTENANCE - PROVISION

- 5.2 The Cemetery will undertake to provide care and maintenance on a lot, upon payment of the charges set forth in the tariff of rates.
- 5.3 Contributions to the care and maintenance fund are not refundable except when interment rights are cancelled within the 30 day cooling-off period.

SECTION 6 - TRANSFER/SALE OF INTERMENT RIGHTS

TRANSFER/SALE OF INTERMENT RIGHTS

- 6.1.1 The sale of Interment Rights to any person other than the Cemetery is strictly prohibited.
- 6.1.2 Unless the interment rights have been exercised the purchaser retains the right to cancel the contract or re-sell the interment rights. Once payment for the interment rights has been made in full, and an interment rights certificate has been issued, the interment rights holder(s), as recorded on the cemetery records, has the right to re-sell the interment rights. Any resale of the interment rights, shall be in accordance with the requirements of the cemetery by-laws and in keeping with the FBCSA, 2002.

If any portion of the interment rights has been exercised, the purchaser, or the interment rights holder(s) are not entitled to re-sell the interment rights.

REPURCHASE OF INTERMENT RIGHTS

- 6.2. Interment Rights will be repurchased from the Interment Rights Holder based on the current price listed on the approved Hanover Cemetery Price List less the amount paid into the Care and Maintenance fund, or the predecessor of such a fund, in respect of the Interment Rights. The Hanover Cemetery is not required to repurchase unused interment rights in a plot (more than one lot) if one of the interment rights in the plot has been exercised.
- 6.3 The interment rights holder requesting the resale of the rights must return the interment rights certificate to the cemetery operator and the rights holder(s) must endorse the interment rights certificate, transferring all rights, title and interest back to the cemetery operator. The appropriate paperwork must be completed before the cemetery operator reimburses the rights holder(s).

TRANSFER

- 6.4 Interment Rights may be transferred to another party upon application at the Town Municipal office, by completion of the transfer portion of the Interment Rights Certificate and payment of the transfer fee as prescribed in the Price List.

SECTION 7 - INTERMENTS

BURIAL PERMIT

- 7.1 No interment shall take place without a Burial Permit or Cremation Certificate, as applicable, nor until the person making arrangements for the interment, has complied with all by-laws, herein, relative to interments. Persons contracting for Interment Rights and/or making arrangements for burials shall be responsible for payment of all charges previous to the interment.

INTERMENT - INFORMATION REQUIRED

- 7.2 The name of the deceased, place of death, residence, age, date of death, sex, the name and address of the nearest relative of the deceased, funeral director, date, time and location of the interment.

WRITTEN CONFIRMATION OF INFORMATION

- 7.3 All such orders shall be confirmed in writing with the Cemetery. The Cemetery Operator will not be responsible for any errors or misunderstanding that may arise from inaccurate information received by telephone.

CONDITIONS

- 7.4.1 The Cemetery Operator shall not make any interment, entombment, or inurnment in any grave, crypt or niche unless and until the person(s) ordering the same shall first exhibit:
- 7.4.1.1 A signed contract with respect to the ownership of the Interment Rights and the authorization to proceed with the interment, entombment or inurnment; or
- 7.4.1.2 An Interment Rights Certificate or deed indicating the rightful owner of the interment rights upon which the interment activity is requested.
- 7.4.1.3 Should the interment rights holder be deceased, authorization must be provided in writing by the person authorized to act on behalf of the interment rights holder, i.e. Personal Representative, Estate Trustee, Executor or next of kin. Acceptable documentation may include but is not limited to the following:
- Original Rights Interment Holder Will
 - Signed Affidavit
 - Permission to Bury from surviving family members
- 7.4.1.4 All contracts pursuant to the purchase of Interment Rights must be completed at the Town Municipal Office or designated funeral provider.

RESTRICTIONS - WEATHER AND GROUND CONDITIONS

- 7.4.2.1 All winter interments will be performed as weather conditions allow. From December 1st to April 1st, Hanover Cemetery winter committal services may be held in the Cemetery Chapel. No additional charge shall be made for the use of the Cemetery Chapel for interments in Hanover Cemetery.
- 7.4.2.2 At times when the ground in the cemetery is soft and conditions are potentially hazardous for people and vehicles, from spring thaws, rain or other cause, committal services shall be held in the Cemetery Chapel. No charge shall be made for such service in the Cemetery Chapel.

Section 7.4.2.3
amended by
By-law 2889-15

- 7.4.2.3 The interment of all bodies in storage shall be made at a time determined by the Cemetery Operator, in cooperation with the funeral director. The casket will be transferred to the burial plot grave for burial, grave dressing will be omitted. All spring burials shall occur Monday to and including Friday only. The Cemetery Operator will notify the Interment Rights Holder or their representative prior to burial.

RESTRICTIONS – OTHER

- 7.4.3. The placement of the bodies or cremated remains of any of the lower class animals in any lot is strictly prohibited.

CONTAINERS

- 7.4.4. All containers and caskets used in the cemetery shall be of sufficient strength as to equal in minimum weight to 19.05 millimeters (3/4 inch) pine. Enclosure in an outer concrete container is highly recommended.

EXTRA DEPTH

- 7.4.5 Where the first interment in a lot is at sufficient depth, a second interment above the first is permitted. All extra deep interments must be made in a permanent outer case such as a cement vault or liner. Double depth interments are subject to an additional fee.

INTERMENTS PERMITTED PER LOT

- 7.4.6 No more than two interments may be made in any one lot, or not more than eight cremated remains allowed in one lot; or a combination of one regular interment and two cremated remains. There will be allowed a maximum of four cremated remains in any cremation plot. The size of a cremation plot is half of the size of a regular lot.

INTERMENT OPENING - NOTICE

- 7.4.7 Notice of each interment shall be given to the Cemetery Operator at least twenty-four hours before such interment is to take place.

FUNERALS - CONDITIONS

- 7.4.8.1 No interment shall be made on Sundays or Statutory Holidays except by Order of the Medical Officer of Health.
- 7.4.8.2 Funeral processions within the Cemetery shall follow the route indicated by the Caretaker.
- 7.4.8.3 Interments will be allowed between the normal burial hours of 9:00 a.m. and 3:00 p.m. Monday to Saturday only. Sunday and Statutory Holiday burials allowed only by Order of the Medical Officer of Health.

INURNMENTS

- 7.5.1 Cremated remains for inurnment in a niche must be enclosed in a polypropylene plastic urn or an urn made of other durable materials.
- 7.5.2 The total number of cremated remains to be place in any niche is two. The niche dimensions are 30 x 30 x 41 cm (12" x 12" x 16") in the centre columbarium and 30 x 30 x 30 cm (12" x 12" x 12") in the columbarium wall. Any urn which cannot be contained within the niche will not be inurned.
- 7.5.3 Notice of each niche opening shall be given to the Cemetery Operator at least twenty-four hours before such inurnment is to take place.

SECTION 8 - DISINTERMENTS

APPROVAL

- 8.1 No disinterment shall take place without the approval of the Medical Officer of Health and written consent of the interment rights holder. All other requirements under the Funeral, Burial and Cremation Services Act, 2002 must be met in order for a disinterment to proceed.

RESTRICTIONS

- 8.2.1 Disinterments shall be made at a time determined by the Cemetery Operator, only from May 1 to October 31 in any year, unless otherwise ordered by the Medical Officer of Health.
- 8.2.2 The removal of human remains, not contained in a permanent outer container, must be completed by a certified funeral director.

PROVISION OF A CONTAINER

- 8.3 If the original interment container is damaged to render it unusable, a new container must be supplied to the specifications of the Cemetery Operator.

REMOVAL OF PRIVATE MEMORIALS

- 8.4 Any marker or monument, designating the location of the interment, shall be removed at the expense of the Interment Rights Holder, at the time of disinterment.

SECTION 9 – CHAPEL REGULATIONS

VAULT STORAGE - FEES

- 9.1 All funeral directors placing bodies in the vault for storage for interment in a cemetery other than Hanover Cemetery or by previous agreement, must pay a prescribed fee. A deposit shall be paid sufficient to cover all vault storage fees for the time stipulated for the body to remain in the vault.

VAULT STORAGE - DURATION RESTRICTIONS

- 9.2.1 All bodies must be removed from the vault by May 1st in each year, or as weather permits.
- 9.2.2 No body may be deposited in the vault from May 1st to December 1st unless it is enclosed in an air tight metallic casket or hermetically sealed zinc-lined box and with the permission of the Cemetery Operator, except under special permission by Cemetery Operator.

Sections 9.2
amended by
By-law 2889-15

VAULT STORAGE - RESTRICTIONS

- 9.3.1 All bodies to be placed in the vault for winter storage shall be embalmed or be placed in an air tight metallic casket or hermetically sealed zinc-lined box.
- 9.3.2 The bodies of persons who have died from contagious diseases cannot be admitted to the vault but must be interred.
- 9.3.3 The Cemetery Operator may direct the removal of a body deposited in the vault and inter it at any time in a single grave should the condition of the body require the interment, or after May 1st of any year.

SECTION 10 - LOT DECORATIONS

STRUCTURES

- 10.1 Copings, fences, curbs, benches, steps, structures of wood, candles, flower pots and containers of glass, crockery or other destructible materials are prohibited and they may be removed at the discretion of the Cemetery Operator without notice. Those structures or enclosures established on any lot previous to the adoption of these regulations, which have become unsightly by reason of neglect or age, shall be removed.

FLORAL TRIBUTES

- 10.2.1 From May 1 to October 15, flowers are allowed on the lots. Artificial or cut flowers are to be placed in a metal or plastic spiked container. Only one such container will be permitted on a single lot and no more than four on any plot. Floral tributes shall be removed from plots by the Cemetery Operator after they become unsightly. Potted plants will be permitted to remain on lots for a period of 4 days before and 4 days after the following occasions: Easter, Mother's Day, Father's Day, and Remembrance Day. Any plants placed prior to or remaining after this period of time will be removed by cemetery staff.
- 10.2.2 No floral arrangements or personal items are permitted to be attached or displayed which will obscure the view or appearance of the Columbarium.

WREATHS/ARRANGEMENTS

- 10.3 Ground ornamentations such as vases, wreaths and decorative foot stones are to be removed by October 15 of each year. Items remaining after this date shall be removed and disposed of by the Cemetery Staff.

Floral arrangements with saddles are permitted to remain on the monuments throughout the year. These arrangements are to be properly maintained and may be removed by the Cemetery Staff should their condition detract from the appearance of the Cemetery.

OTHER DECORATIONS

- 10.4 Any other decorations or objects save and except by approval of the Cemetery Operator are not permitted and shall be removed.

FLOWER BEDS - RESTRICTIONS

- 10.5 A flower bed may be planted after the installation of a monument on the lot. Flowers may be planted in front of the monument, in beds not to exceed twelve inches (30.5cm) from the stone. If the Interment Rights Holder owns the rights to both sides of the monument, a bed can be placed on both sides.

SHRUBS

- 10.6.1 The planting of dwarf evergreen trees and small deciduous shrubs will be permitted only on lots having a monument. The trees must be planted by nursery or cemetery staff with one shrub on either side of the monument. Unauthorized plantings will be removed without notice.
- 10.6.2 If any trees or shrubs situated on any lots shall have by means of their roots, branches or in any way, become detrimental to the adjacent lots, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public, the Town may instruct the caretaker to remove such trees or shrubs or parts thereof.

SECTION 11 - MONUMENTS AND MARKERS

MONUMENT AND MARKER - GENERAL RESTRICTIONS

- 11.1.1 Not more than one monument shall be erected on any one plot, and this must be placed in the space reserved for it unless special permission is given by the Cemetery for placing it otherwise. No monument or marker shall exceed the boundary width of the plot. The monument or marker shall be centred on the plots that are owned side by side regardless of the number of lots.
- 11.1.2 In cases where part of a cemetery plot is sold, an agreement may be made with the lot owner for use of monument already there. Otherwise only flat markers may be used.
- 11.1.3 All markers and foundations are to be installed under the supervision of the cemetery staff. Unauthorized markers will be removed at the interment rights holder's expense.
- 11.1.4 All cremation niches must be memorialised in accordance with Schedule 'D'.
- 11.1.5 Niche door engraving will be arranged by the Cemetery Operator/Agent on behalf of the purchaser. All engraving costs are the responsibility of the purchaser. Engraving shall be limited to name(s) of the inurned, year of birth and death and one relationship line.

MONUMENT AND MARKER - CARE AND MAINTENANCE

- 11.2.1 All Interment Rights Holders purchasing a monument or marker over 172 sq. inches (436.9 sq. cm) for installation in Hanover Cemetery shall contribute to the care and maintenance of the memorial as required in the Cemeteries Act.
- 11.2.2 Markers over 172 square inches (436.9 sq. cm) \$ 50.00
- 11.2.3 Monuments up to 4 feet (121.9 cm) in height or width \$100.00
- 11.2.4 Monuments over 4 feet (121.9 cm) in height or width \$200.00

GENERAL CONSTRUCTION

- 11.3.1 The bottom bed of all bases and markers shall be cut level and true.
- 11.3.2 All markers must have sawn edges for ease of installation and to restrict frost from raising the marker above ground level.

INSCRIPTIONS

- Sections 11.4
amended by
By-law 2889-15
- 11.4.1 All inscriptions must be approved by the Cemetery Operator.
 - 11.4.2 Name inscriptions shall be permitted on the front and back of the monument upon approval by Cemetery Operator.

FOUNDATIONS

- 11.5.1 Monuments shall be set on concrete foundation of not less than six feet (1.83 m) in depth.
- 11.5.2 All foundations for monuments shall be co-ordinated by the monument dealer and built at the expense of the lot owner.
- 11.5.3 Monument dealers must give exact size of base and a minimum of fifteen days notice before installation.
- 11.5.4 All markers exceeding thirty inches (76.2 cm) wide by sixteen inches (40.6 cm) long shall be placed on a concrete foundation.
- 11.5.5 No monument shall be delivered to the Cemetery until the foundation is completed.

FOUNDATIONS - PAYMENT

- 11.6 No monument or marker may be set or installed until a permit is issued and all the charges due to the Town have been paid.

MEMORIAL SIZES - SINGLE LOT

- 11.7.1 A single adult or cremation interment space may have a flat marker not to exceed 30.5 cm x 61 cm x 10.2 cm (12" x 24" x 4"), or an upright memorial with a maximum height of 76 cm (30").
- 11.7.2 An infant interment space may have a flat marker with a maximum size of 25.4 cm x 40.6 cm (10" x 16").

BASE SIZES FOR MONUMENTS

- 11.8.1 The maximum base size shall not exceed 61 cm x 30.5 cm x 20 cm (24" wide x 12" inches deep x 8" high).

MONUMENT SIZE

- 11.9.1 The monument size shall be as follows:
 - 11.9.1.1 2 Interment Spaces - 106.7cm x 30.5cm (42" x 12") Maximum
 - 11.9.1.2 3 Interment Spaces - 152.4cm x 30.5cm (60" x 12") Maximum
 - 11.9.1.3 On all larger lots length of Base will not exceed 2/3 the width of lot.

MONUMENT DIE

- 11.10.1 The following limitations are created to preserve the safety of all monuments:
 - 11.10.1.1 Minimum Die Thickness - 15.2 cm (6")
 - 11.10.1.2 Minimum thickness for Die over 66 cm (26") must be 20.3 cm (8") and Maximum Thickness 25.4 cm (10").

SECTION 12 - RULES FOR CONTRACTORS AND THEIR EMPLOYEES

CONTRACTORS - REQUIREMENTS

- 12.1.1 Every contractor entering the cemetery must provide the Cemetery Operator with proof that they are covered under the Worker's Compensation Act and carry a minimum one million dollars public liability in third party insurance coverage. Proof of this requirement should be in the form of:
- 12.1.1.1 the name of the Insurance Company
- 12.1.1.2 Insurance Policy Number
- 12.1.1.3 Worker's Compensation Number
- 12.1.2 Every contractor employed to erect monuments or to do any other work in the Cemetery shall have written authorization in the form of a Cemetery Supplies and Services contract from the Interment Rights Holder as to the work to be done and also have permission from the Cemetery.

CONTRACTORS - RESPONSIBILITIES

- 12.2.1 Contractors including gardeners, florists or their employees shall not enter the cemetery on Sundays or holidays for business purposes.
- 12.2.2 The demeanour and behaviour of all workers employed by others in the Cemetery shall be subject to the Code of Conduct (Section 3.2) for the Cemetery.
- 12.2.3 Workers shall cease work, if in the immediate vicinity of a funeral, until the conclusion of the service.
- 12.2.4 Any worker who damages any lot, tombstone, monument or other structure or otherwise does any injury or damage in the Cemetery, shall be responsible for such damage or injury, as will their employer.

CONTRACTORS - TIME RESTRICTIONS

- 12.3.1 All work must be done during regular cemetery hours. No work shall be commenced that cannot be finished within operating hours, including cleanup.

SECTION 13 - ENFORCEMENT

PENALTY

- 13.1 Where a specific penalty is not provided for an offence under the Cemeteries Act, every person who contravenes any provision of this By - Law is guilty of an offence and is liable, upon conviction, to a fine not exceeding five thousand (\$5000.00) dollars, exclusive of costs, for each offence, recoverable under the Provincial Offences Act.

SECTION 14 - SCHEDULES

- 14.1 Schedule 'A' attached hereto is the Price List
- 14.2 Schedule 'B' attached hereto is the Certificate of Interment Rights
- 14.3 Schedule 'C' attached hereto is the Purchase of Interment Rights or Cemetery Supplies and Services Contract
- 14.4 Schedule 'D' attached hereto is the sample Columbarium Niche Plaque Engraving
- 14.5 Schedule 'E' attached hereto is the Lands Described as Hanover Cemetery

SECTION 15 - BY-LAWS REPEALED

- 15.1 By-Law Number 2668-09, and all amendments thereto are hereby repealed in its entirety.

SECTION 16 - EFFECTIVE DATE

- 16.1 This By-law shall come into full force and effect upon the final passing thereof.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 18th day of July, 2012.

Kathi Maskell

Kathi Maskell, Mayor

Michael Dunlop

Michael Dunlop, CAO/Clerk