



THE CORPORATION OF THE TOWN OF RAINY RIVER

BY-LAW 1815-22

Being a by-Law to establish rules and regulations to be used in connection with Forest Lawn Cemetery.

WHEREAS Forest Lawn Cemetery in the Town of Rainy River is owned by the Corporation of the Town of Rainy River;

AND WHEREAS the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33, O. Reg. 30/11, Sections 150 – 153 provide that a cemetery operator may make by-laws governing the operation of the cemetery and, in particular, governing rights, entitlements, and restrictions with respect to interment rights;

NOW THEREFORE BE IT ENACTED as a by-law of the Corporation of the Town of Rainy River as follows:

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These by-laws are the rules and regulations that govern Forest Lawn Cemetery and have been approved by the Registrar, Funeral, Burial and Cremation Services Act, 2002 (FBCSA), Bereavement Authority of Ontario.

A. DEFINITIONS

BAO: Bereavement Authority of Ontario.

Burial: The opening of a lot and then the placing of dead human remains, or cremated human remains in that lot, followed by closing the lot. The lot may be a grave in the ground, or a niche in a columbarium or a monument.

By-laws: The rules and regulations under which the Cemetery (and/or Crematorium) operates.

Care and Maintenance Fund: It is a requirement under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA) and Ontario Regulation 30/11 and 184/12 (O. Reg. 30/11 & 184/12) that a prescribed amount or a percentage of the purchase price (excluding tax) of all interment rights sold, transferred, assigned, or permitted; and prescribed amounts for monuments and markers, is contributed into the care and maintenance fund. Interest earned from this fund is used to provide care and maintenance of lots, plots, columbarium, markers, and monuments at the cemetery.

Cemetery: The Forest Lawn Cemetery.

Cemetery Employee: An employee of the Corporation employed at the cemetery.

Cemetery Plan: A plan of the cemetery approved by the Registrar, Bereavement Authority of Ontario.

Clerk: The clerk of the Corporation as cemetery operator.

Columbarium: Defined as follows:

- (a) A structure designed for the purpose of placing cremated human remains in a sealed compartment above ground.
- (b) "Personal columbarium" shall mean a monument (as defined below) which houses a receptacle for cremated remains.

Committee: The Forest Lawn Cemetery Committee in which, for the time being, is vested jurisdiction over the Cemetery.

Contract: For purposes of these by-laws, all purchasers of interment rights, or other cemetery supplies and services must receive a copy of the contract they and the cemetery operator have signed detailing the obligations of both parties, and acknowledging receipt and acceptance of the cemetery by-laws, a copy of the Consumer Information Guide and the Price List.

Corner Posts: Shall mean any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot or plot.

Corporation: The Corporation of the Town of Rainy River.

Council: The municipal council of the Town of Rainy River.

Grave: (Also known as Lot) means any in-ground burial space intended for the interment of a child, adult or cremated human remains.

Interment: See "Burial".

Interment Right: The right to require or direct the interment of human remains or cremated human remains in a grave, lot, or niche and to authorize the installation of a monument or marker.

Interment Rights Certificate: The document issued by the cemetery operator to the purchaser once the interment rights to a specific lot have been paid in full, identifying ownership and authority over those specific interment rights.

Interment Rights Holder: The person(s) authorized or entitled to inter human remains in a specified lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.

Lot: For the purposes of these by-Laws a lot is a single grave space defined as follows:

- (a) "Adult grave" shall mean any burial space of 3.05 m by 1.22 m (10' x 4') and intended for the burial of one (1) full size casket and/or up to two (2) cremated remains.
- (b) "children's grave" shall mean any burial space of less than 1.52 m x 0.61 m (5' x 2') and intended for burial of an infant.

Marker: Shall mean any permanent memorial structure that is set flush and level with the ground and used to mark the location of a burial lot.

Monument: Any permanent memorial structure – monument, plaque, headstone or other structure or ornament projecting above the ground or affixed or intended to be affixed to a burial lot, columbarium niche or other structure or place intended for the deposit of human remains and may be used to indicate the location of a burial.

Niche: An individual compartment in a columbarium for the entombment of cremated human remains.

Plot: For the purposes of these by-laws, a plot is a parcel of land, sold as a single unit, containing multiple lots.

Price List: The tariff of fees and charges for interment rights and cemetery services and supplies, as revised from time to time.

Registrar: The Registrar appointed under Funeral, Burial and Cremation Services Act.

Resident: Defined as follows:

- (a) A person who at the time of their death has been residing in the Town of Rainy River for a period of at least seven (7) months prior to their death.
- (b) A person who at the time of their death had been institutionalized or, who had been under the direct care of and living in the home of a member of their immediate family, providing the person has been a resident of the Town of Rainy River for a period of at least seven (7) months prior to departure from the Town of Rainy River to be institutionalized or to reside with their immediate family.

Treasurer: The Treasurer of the Corporation of the Town of Rainy River.

Vault: A sealed shell made of pre-cast concrete or equal as approved by the Clerk placed entirely below the surface of the ground.

Winter Months: Beginning December 1st through May 15th of the following calendar year.

Wooden Rough Box: A reinforced plywood box sufficient in size to bridge a coffin, casket, or urn over its entire length.

B. BY-LAWS PERTAINING TO GENERAL INFORMATION

Hours of Operation:

M-F 9:00 a.m. – 4:30 p.m. (closed on statutory holidays)

Visitation Hours: 24/7 access to cemetery grounds

Office Hours: M-F 9:00 a.m. – 4:30 p.m.

Burial Hours: M-F 9:00 a.m. – 1:30 p.m. (casket)
M-F 9:00 a.m. – 2:00 p.m. (urn)

Weekend burial of an urn requires prior approval and is subject to availability.

No burials will take place on statutory holidays.

No casket burials outside of regular hours of operation.

No burials shall take place during winter months.

General Conduct:

The Cemetery reserves full control over the Cemetery operations and management of land within the Cemetery grounds.

The Cemetery has the right to refuse or reschedule interments based on ground conditions or safety concerns.

No person may damage, destroy, remove, or deface any property within the Cemetery.

All visitors should conduct themselves in a quiet manner that shall not disturb any service being held.

During a burial service all work in the immediate vicinity shall cease.

Children under the age of twelve years shall not be admitted to the Cemetery except in charge of an adult, who shall be responsible for their good conduct.

No horse, bicycle, vehicle, or motor vehicle shall be ridden, or driven at a rate of speed greater than fifteen kilometres per hour, nor parked or left in or upon any portion of Cemetery except upon driveways thereof.

No horse, bicycle, vehicle, or motor 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.

The owner of a horse, bicycle, vehicle, or motor 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 Cemetery in violation of any of the provisions of this By-law or of the Regulations.

No dogs are permitted within the Cemetery. Service animals will be allowed.

No person shall write upon, deface, mark, or injure any monument, fence or other structure or any tree.

No person shall break, injure, or interfere with any tree or shrub, or pick, injure or remove any flower, wild or cultivated.

No person shall carry or bring any firearms within the Cemetery or discharge the same therein, except in connection with a Military funeral.

No person shall pay any money to any Cemetery employee in reward for any personal service or attention.

Any person disturbing the quiet or good order of the Cemetery 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.

General Administration:

Subject to the jurisdiction of Council, the Forest Lawn Cemetery shall be governed and controlled by the Forest Lawn Cemetery Committee.

Subject to the jurisdiction of the Council, the administration, management, maintenance, and improvements of the Cemetery shall be the responsibility of the Clerk.

The Clerk shall keep such registers, records and books as are necessary for properly recording all matters, acts, interment rights certificates, deeds and things pertaining to the Cemetery, and as may be prescribed.

The 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.

All revenue and other monies belonging to or pertaining to the Cemetery shall be paid and received by the Treasurer.

The Clerk shall make and render such reports as may be prescribed or as the Council or Committee may require.

All fees and charges shall be in accordance with the current Cemetery price list which shall govern all matters pertaining thereto.

By-Law Amendments:

The Cemetery shall be governed by these by-laws, and all procedures will comply with the Funeral Burial & Cremation Services Act, 2002 and Ontario Regulation 30/11, which may be amended periodically.

All by-law amendments must be:

- a) published once in a newspaper with general circulation in the locality in which the Cemetery is located;
- b) conspicuously posted on a sign at the entrance of the Cemetery; and
- c) delivered to each supplier of markers who has delivered a marker to the Cemetery during the previous year if the by-law or by-law amendment pertains to markers or their installation.

All by-laws and by-law amendments are subject to the approval of the Registrar, FBCSA, Bereavement Authority of Ontario.

Liability:

The Clerk will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to, any lot, plot, columbarium niche, monument, marker, or other article that has been placed in relation to an interment right save and except for direct loss or damage caused by gross negligence of the Cemetery.

Public Register:

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

Pets or Other Animals:

Pets or other lower animals, including cremated animal remains, are not allowed in, or to be buried on, Cemetery grounds.

Right to Re-Survey:

The Cemetery has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove plantings, grade, close pathways, or roads, alter in shape, or size, or otherwise change all or any part of the Cemetery, subject to approval of the appropriate authorities.

C. BY-LAWS FOR THE SALE, CANCELLATION AND TRANSFER OF INTERMENT RIGHTS

Purchasers of interment rights acquire only the right to direct the burial of human remains and of cremated human remains, and the installation of monuments, markers, and inscriptions, subject to the conditions set out in the Cemetery by-laws.

In accordance with Cemetery by-laws, no burial, entombment, or installation of any monument, marker, inscription, or memorialization is permitted until the interment rights have been paid in full. 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:

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

Transfer of Interment Rights:

Transfers of interment rights cannot be prohibited as long as the purchaser meets the qualifications and requirements as outlined in the Corporation's by-laws.

Care and Maintenance Fund Contributions:

- It is a requirement under the FBCSA and O. Reg. 30/11 and 184/12 that a prescribed amount or a percentage of the purchase price (excluding tax) of all interment rights sold; and prescribed amounts for monuments and markers is contributed into the care and maintenance fund. Interest earned from this fund is used to provide care and maintenance of lots, plots, markers, and monuments at the Cemetery. Contributions to the care and maintenance fund are not refundable except when interment rights are cancelled within the 30-day cooling off period.

Requirements prohibiting resale of interment rights to a third party:

NOTE: ALL REALES OF INTERMENT RIGHTS MUST BE CARRIED OUT THROUGH THE CLERK.

- Resale of interment rights by the Interment Rights Holder to a third party is prohibited. If a rights holder(s) wishes to re-sell the interment rights and the Clerk's by-laws prohibit the third-party resale of interment rights, the rights holder(s) must make the request to the Clerk in writing. The Clerk will repurchase the interment Right at the price listed on the Clerk's current price list less the Care & Maintenance Fund contribution made at the time of purchase. The re-purchase and payment to the rights holder requesting the sale must be completed within 30 days of the request.

- The Interment Rights Holder requesting the resale of the rights must return the interment rights certificate to the Clerk and the rights holder(s) must endorse the interment rights certificate, transferring all rights, title, and interest back to the Clerk. The appropriate paperwork must be completed before the Clerk reimburses the rights holder(s).
- The Corporation 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.

D. BY-LAWS PERTAINING TO BURIAL OF HUMAN REMAINS OR CREMATED REMAINS

- Interment Rights Holder(s) must provide written authorization prior to a burial or an entombment taking place. 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.
- A burial permit issued by the Registrar General or equivalent document showing that the death has been registered with the province must be provided to the municipal office prior to a burial or entombment taking place. A Certificate of Cremation must be submitted to the municipal office prior to the burial of cremated remains of cremated remains taking place.
- In accordance with the FBCSA and O. Reg. 30/11 and 184/12 the purchaser of interment rights must enter into a cemetery contract, providing such information as may be required by the Clerk for the completion of the contract and the public register prior to each burial or entombment of human remains.
- Payment must be made to the cemetery before a burial can take place.
- The cemetery shall be given 24 business hours of notice for each burial of human remains.
- The Clerk has the right to refuse or reschedule interments based on ground conditions or safety concerns.
- The opening and closing of graves and niches may only be conducted by cemetery staff or those designated to do work on behalf of the cemetery.
- Cremated remains are not permitted to be scattered on a grave.
- Human remains may be disinterred from a lot provided that the written consent (authorization) of the Interment Rights Holder has been received by the Clerk and the prior notification of the Medical Officer of Health. A certificate from the local Medical Officer of Health must be received at the cemetery office before the removal of casketed human remains may take place. A certificate from the local Medical Officer of Health is not required for the removal of cremated remains.
- In special circumstances the removal of human remains may also be ordered by certain public officials without the consent of the Interment Rights Holder and/or next of kin(s) as per FBCSA, Section 102.1.
- One regular (casket) interment shall be permitted in each lot. In addition, a maximum of two (2) urns will be permitted, within the lot, and standard urn interment charges will apply to each. There shall be one charge for perpetual care and maintenance per lot. Placement of cremated remains within a personal columbarium shall be allowed to a maximum of four (4) urns per monument.
- No more than two (2) urns shall be allowed in any columbarium niche unit and the combined size of the containers shall not exceed 12" x 12" x 12".
- No burial other than that of the body or remains of a human being shall be permitted in any part of the Cemetery.
- A Burial Permit must be presented to the Clerk or the Clerk's designate before an interment will be permitted.

- No interment shall be permitted on any lot, grave or niche on which care and maintenance charges or the purchase price have not been paid.
- Interment Rights Holders shall not allow interments to be made in any lot, grave or niche for remuneration.
- No interment shall be permitted unless the death has been duly registered as required by law.
- 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.
- The Corporation reserves, and shall have the right to correct any errors that may be made by it either in making interments, dis-interments or removals, or in the description, transfer or sale of any interment rights, either by canceling such sale and substituting any sale in lieu thereof other interment rights of equal value and similar location as far as possible, or by refunding the amount of money paid on account of the said purchase. In the event such an error shall involve the interment of the remains of any person in such rights, the Cemetery reserves, and shall have the right to remove or transfer such remains so interred, with written authority from the Interment Rights Holder to such other rights 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.
- No burial shall be permitted unless and until the lot or grave wherein the same is to take place, is placed under the Care Maintenance Fund.
- No interment shall be made unless it is made to a sufficient depth to give a covering of at least 0.61 m (2') of earth over the outside cover or shell of the coffin or other receptacle (excluding columbarium niches).
- No person other than an employee of the Cemetery shall open any grave for the purpose of burial or removal of a body.
- No casket interment shall be made on a weekend or a 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 Ministry of Health for the control of communicable diseases.
- No casket interment shall be made during winter months except on a doctor's certificate that burial must be made within twenty-four hours of death in accordance with the regulations of the Ministry of Health for the control of communicable diseases.
- No interment shall be made unless twenty-four hours' notice of application for interment has been made to the Clerk of the Corporation, Saturday and Sunday excepted.
- Urn Interments are permitted between the hours of nine o'clock in the morning and two o'clock in the afternoon on days permitted under this by-law. Casket Interments are permitted between the hours of nine o'clock in the morning and one-thirty o'clock in the afternoon on days permitted under this by-law.
- Prior to every burial there shall be delivered to the Office of the Clerk by the funeral director or some other person, a duly executed contract and the person signing such contract shall be responsible for all charges in connection therewith.
- It is highly recommended that no interment in a children's grave shall be permitted without the encasement of the casket in a wooden rough box. The Interment Rights Holder shall be responsible for the purchase of such vaults or rough boxes.
- Prior to the use of the mortuary building for winter storage, each casket must be encased within a wooden rough box. The Interment Rights Holder shall be responsible for the purchase of this rough box.

E. BY-LAWS PERTAINING TO MEMORIALIZATION

- No memorial or other structure shall be erected or permitted on a lot until all charges have been paid in full.

- No monument, footstone, marker, or memorial of any description shall be placed, moved, altered, or removed without permission from the Clerk.
- Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered to be normal wear.
- The Clerk will take reasonable precautions to protect the property of Interment Rights Holders, but it assumes no liability for the loss of, or damage to, any monument, marker, or other structure, or part thereof.
- The Clerk reserves the right to determine the maximum size of monuments, their number and their location on each lot or plot. They must not be of a size that would interfere with any future interments.
- All foundations for monuments and markers shall be built by, or contracted to be built for, the Clerk at the expense of the Interment Rights Holder.
- Should any monument or marker present a risk to public safety because it has become unstable, the Clerk shall do whatever it deems necessary by way of repairing, resetting, or laying down the monument or marker or any other remedy so as to remove the risk.
- The Clerk reserves the right to remove at its sole discretion any marker, monument, or inscription which is not in keeping with the dignity and decorum of the cemetery as determined by the trustees.
- 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/her own expense and on failure to do so at the request of the Clerk the Clerk shall do so forthwith and charge the cost of removal of said Monument, Marker or Corner-Stone to the Interment Rights Holder.
- A monument, or other structure shall be erected only after the specific design plans have been approved by the Clerk including dimensions, material of structure, construction details, and proposed location.
- In keeping with the cemetery by-laws only one (1) monument shall be erected within the designated space on any lot plus one (1) marker.
- The minimum thickness for flat markers including footstones is 4 inches or 10 cm.
- All monuments and markers shall be constructed of bronze, brass, natural stone (i.e., granite) or other material approved by the Clerk.
- No monument shall be delivered to the cemetery for installation until the monument foundation has been completed, and the Interment Rights Holder(s) and/or marker retailer have been notified by the Clerk.
- Markers and footstones of bronze, brass, or natural stone (i.e., granite) are permitted with size and quantity restrictions according to cemetery by-laws and the placement of such memorials shall not interfere with future interments.

Single lot maximum: plot width less 6" allowance for concrete foundation.

Monuments in the 40's – 50's range of the plan of the cemetery shall be of uniform size to provide uniformity throughout the Range and shall be of the flat type, not more than 0.01 m x 0.3 m x 0.762 m (4" x 12" x 30"). The top and bottom bed of all these markers shall be cut level and true and shall be set flush with the surface of the ground.

Double lot maximum: plot width less 6" allowance for concrete foundation.

Monuments in the 40's – 50's range of the plan of the cemetery shall be of uniform size to provide uniformity throughout the Range and shall be of the flat type, not more than 0.01 m x 0.3 m x 1.2192 m (4" x 12" x 48"). The top and bottom bed of all these markers shall be cut level and true and shall be set flush with the surface of the ground.

- All headstones shall be set on a concrete foundation extending three inches beyond the bottom base of the monument. Foundations for monuments, markers and corner posts shall be constructed as approved by the Clerk to specifications which, from time to time, are appropriate.

Cremation lot maximum: based on standard shutter size of niche in columbarium.

- A portion of the price of monument/marker installation is trusted into the Care and Maintenance Fund. The income generated from this fund is used to maintain, secure, and stabilize monuments and to ensure that monuments are not a liability to the cemetery.

F. BY-LAWS PERTAINING TO CARE AND PLANTING

A portion of the price of interment rights is trusted into the Care and Maintenance Fund. The income generated from this fund is used to maintain, secure, and preserve the cemetery grounds. Services that can be provided through this fund include:

- Re-levelling and sodding or seeding of lots.
- Maintenance of cemetery roads, sewers, and water systems.
- Maintenance of perimeter walls and fences.
- Maintenance of cemetery landscaping.
- Maintenance of columbarium.
- Repairs and general upkeep of cemetery maintenance buildings and equipment.

Where the required care and maintenance has not been paid for, this work shall be done by the Corporation, notwithstanding that provision for such work has not been made under the Care and Maintenance Fund.

No person other than cemetery staff shall remove any sod or in any other way change the surface of the burial lot in the cemetery. In the case of any such change, the Corporation may restore the lot or grave to its original grade at the expense of the Interment Right Holder.

No person shall plant trees, flower beds or shrubs in the cemetery except with the approval of the cemetery.

No person shall do any work upon a lot, grave or niche without the written permission of the Clerk.

The Clerk may move, plant, or maintain any trees, shrubs, bushes, plants, or sod on, or from, any part of the cemetery, other than a grave or lot.

Flowers placed on a grave for a funeral shall be removed by the cemetery staff after a reasonable time to protect the sod and maintain the tidy appearance of the cemetery.

Any flowers, plants, shrubs, or trees planted in the Cemetery become the property of the Cemetery.

All lots and graves shall be kept properly graded, sodded, mown, and flowers, plants, shrubs, and trees kept trimmed.

If any trees or shrubs situated in any lot or grave shall have become, by means of their roots, or branches, or in any other way detrimental to the general appearance of the grounds or inconvenient to the public, the Clerk may remove such trees, or shrubs, or parts thereof, after thirty (30) days' notice to the Interment Rights Holder.

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 Clerk. Glass vases are prohibited.

G. BY-LAWS OUTLINING ITEMS THAT ARE PROHIBITED AND PERMITTED

The Cemetery reserves the right to regulate the articles placed on lots or plots that pose a threat to the safety of all Interment Rights Holders, visitors to the cemetery and cemetery employees, prevents the Cemetery from performing general cemetery operations, or are not in keeping with the respect and dignity of the Cemetery. Prohibited articles will be removed and disposed of without notification.

- The Cemetery reserves the right to disallow or remove quantities of memorial wreaths or flowers considered to be excessive and that diminishes the otherwise tidy appearance of the cemetery.
- The Clerk, 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.
- Borders, fences, railings, walls, cut-stone copings, 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.
- Rubbish shall not be thrown out on roads, walks or any part of the Cemetery and shall be disposed of under the direction of the Clerk.
- Implements or materials used in doing any work within the Cemetery shall be removed without delay and if this is not done, the Clerk may remove the same.
- The Corporation shall not be responsible for loss of or damage to any portable articles left upon any lot or grave.

H. CONTRACTOR / MONUMENT DEALER BY-LAWS

Any contract work to be performed within the cemetery requires the written pre-approval of the Interment Rights Holder and the Clerk before the work may begin. Pre-approval includes but is not limited to landscaping, delivery of monuments and markers, inscriptions, designs, drawings, plans, and detailed specifications relating to the work, proof of all applicable government approvals and permits, and the location of the work to be performed. It is the responsibility of all contractors to report to the municipal office and provide the necessary approvals before commencing work at any location on the cemetery property.

Prior to the start of any said work, contractors must provide proof of:

WSIB coverage
WHMIS
Evidence of liability insurance of not less than \$2 million.

- All cemetery by-laws apply to all contractors and all work carried out by contractors within the cemetery grounds.
- Contractors, monument dealers and suppliers shall not enter the cemetery in the evening, weekends, or statutory holidays, unless approval has been granted by the Clerk.
- No work will be performed at the cemetery except during the regular business hours of the cemetery.
- No Monuments, markers or Corner-Stones shall be installed during the winter months without written approval by the Clerk.
- Contractors shall temporarily cease all operations if they are working within 100 metres of a funeral until the conclusion of the service. The cemetery reserves the right to temporarily cease contractor operations at their sole discretion if the noise of the work being performed by the contractor is deemed to be a disturbance to any funeral or public gathering within the cemetery.
- Contractors, monument dealers and suppliers shall lay wooden planks on the burial lots and paths over which heavy materials are to be moved in order to protect the surface from damage. **And shall leave the area in which work was carried out in a neat and orderly condition.**
- All implements and materials used in the performance of any work by outside contractors shall be placed where the Clerk may direct, and all rubbish, and surplus earth shall be removed in such manner and at such time and to such place as the Clerk may order. Failure to comply will result in any obstruction being removed and the expenses charged to the Interment Rights Holder of the lot.

- Any worker 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/her employer shall also be liable, therefore.
- 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 signed by the Interment Rights Holder of the lot, grave or niche, requesting permission to employ such contractor to do the work therein specified. This application shall designate the lot, grave or niche.
- The demeanour and behaviour of all workers employed by the others in the Cemetery shall be subject to the control of the Clerk.

I. BY-LAWS FOR COLUMBARIUM

- Payment must be made to the Clerk before an interment may take place.
- Only the Clerk may open and seal niches for interments. This applies to the inside sealer and the niche front.
- To ensure quality control, desired uniformity and standard of workmanship, the cemetery reserves the right to inscribe all niche fronts or install all lettering, vases, adornments, or any other approved attachment.
- No person other than cemetery staff shall remove or alter niche fronts.

J. CEMETERY PLAN

- The Cemetery Plan shall remain on file at the office of the Clerk.
- No alterations shall be made to the Cemetery Plan without the approval of the Council, expressed by resolution thereof, and the approval of the Bereavement Authority of Ontario.
- 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.
- All dealings with respect to any lot or grave shall be by reference to the Cemetery Plan.

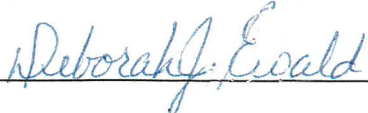
K. IMPLEMENTATION OF BY-LAW

By-law Number 1622-15, of the Town of Rainy River is hereby rescinded upon By-Law 1815-22 coming into force.

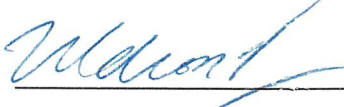
Please see the current Miscellaneous User Fees By-law for all costs.

This By-law shall take effect and come into force upon approval from Registrar, Bereavement Authority of Ontario.

Read this first time in open Council this 13th day of June, 2022.

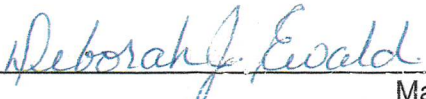


 Mayor

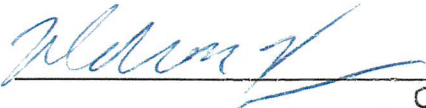


 CAO

Read this second time in open Council this 13th day of June, 2022.

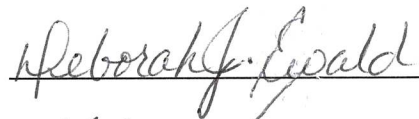


 Mayor

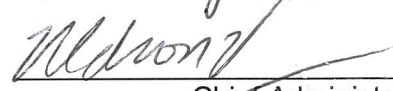


 CAO

READ AND PASSED IN OPEN COUNCIL THIS 12TH DAY OF JUNE 2023



Mayor



Chief Administrative Officer/
Clerk-Treasurer

| | |
|--|--|
| APPROVED | APPROUVÉ |
| By the Registrar, Funeral, Burial and Cremation Services Act, 2002, Bereavement Authority of Ontario | Par le Registraeur, Loi de 2002 sur les services funéraires et les services d'enterrement et de crémation, l'Autorité des services funéraires et cimetières de l'Ontario |
| Date: <u>May 26, 2023</u> | |

**THE CORPORATION OF THE TOWN OF RAINY RIVER
FOREST LAWN CEMETERY SCHEDULE OF RATES**

| | INTERMENT RIGHTS | CARE & MAINTENANCE | TOTAL |
|--|--|--------------------|----------------------------------|
| PURCHASE OF LOT | | | |
| Resident | \$175.00 | \$290.00 | \$465.00 + HST |
| Non-Resident | \$255.00 | \$290.00 | \$545.00 + HST |
| Resident – Care & Maintenance for lots purchased before 1955. | | \$175.00 | \$175.00 + HST |
| Non-Resident – Care & Maintenance for lots purchased before 1955. | | \$200.00 | \$200.00 + HST |
| INTERMENT – CASKET | | | |
| Resident | \$500.00 | | \$500.00 + HST |
| Non-Resident | \$650.00 | | \$650.00 + HST |
| Resident Child | \$100.00 | | \$100.00 + HST |
| Non-Resident Child | \$200.00 | | \$200.00 + HST |
| INTERMENT – URN | | | |
| Resident | \$200.00 | | \$200.00 + HST |
| Non-Resident | \$300.00 | | \$300.00 + HST |
| EXTRA CHARGES | | | |
| Interment – Urn (Rest Days) (Saturday or Sunday) <u>Requires permission and subject to availability.</u> <u>Stat. Holidays burials are not permitted.</u> | \$400.00 (resident) \$600.00 (non-resident) | | \$400.00 + HST \$600.00 + HST |
| Interment of Urn – into a monument | \$50.00 | | \$50.00 + HST |
| Interment of Urn (Rest Days) – into a monument (Saturday or Sunday) <u>Requires permission and subject to availability.</u> <u>Stat. Holidays burials are not permitted.</u> | \$100.00 | | \$100.00 + HST |
| Resident – Steel, Concrete or Fiberglass Vaults or Other Materials Used. | \$100.00 | | \$100.00 + HST |
| Non-Resident – Steel, Concrete or Fiberglass Vaults or Other Materials Used. | \$200.00 | | \$200.00 + HST |
| Mortuary – Applicable to out-of-town residents only. | \$ 50.00 | | \$ 50.00 + HST |
| Transfer Fee – Applicable to all sales or other transfer of Interment Rights or any interest therein, and to the issuing of a new Certificate of Interment Rights. | \$ 35.00 | | \$ 35.00 (flat rate) |
| Licence Fee – Applicable to casket burials only (as required by Funeral Director). | \$ 20.00 | | \$ 20.00 + HST |
| | | | |
| | Installation | | |
| MONUMENTS | | | |
| Flat Marker | \$125.00 | \$100.00 | \$225.00 + HST |
| Upright Monument (up to 4' in height or width) | \$200.00 | \$200.00 | \$400.00 + HST |
| Upright Monument (over 4' in height or width) | \$400.00 | \$400.00 | \$800.00 + HST |

| | | | |
|---|--------|----------|-----------------|
| Columbarium | | | |
| Purchase of a Niche (accommodates two sets of remains) | | | |
| Resident (includes placement of one set of remains & granite engraving) | \$1050 | \$165.00 | \$1215.00 + HST |
| Non-Resident (includes one placement of remains & granite engraving) | \$1250 | \$187.50 | \$1437.50 + HST |
| Second Placement of remains | \$100 | | \$100 + HST |

PRICE LIST APPROVAL DATE: June 13, 2022

PRICE LIST EFFECTIVE DATE: June 13, 2022