

**WOODLAND CEMETERY
MAUSOLEUM,
AND CREMATORIUM**

London, Ontario

INTERDENOMINATIONAL

BY-LAWS

Adopted by the Trustees, and approved by the Ontario Government,
February, 1999

Index of By-Laws

	Page
Introduction	7
By-Laws of Woodland Cemetery	8
Definitions	8
I GENERAL BY-LAWS RESPECTING REGULAR PLOTS OR LOTS	
1. Plants	8
2. Artificial Decorations	8
3. Urns	9
4. Refuse and Rubbish	9
5. Fences and Copings	9
6. Repairs	9
7. Implements	9
8. Unauthorized Grading	9
9. Cutting Sod	9
10. Prohibited Materials	10
11. Portable Articles, Flowers and Plants	10
12. Damage to Flower Vases, Wreath Stands, Low Shrubs, or any other Submerged Article	10
13. Benches and Seats	10

14. Eternal Flames	10
15. Removing Plants, Flowers, etc.	10
16. Vehicles	10
17. Picnics	10
18. Damage to Property	11
19. Improper Conduct	11
20. Dogs and Pets	11
21. Gratuities Prohibited	11

II GENERAL BY-LAWS RESPECTING MONUMENTS

22. No placement of Monuments, Markers or Structures until Payment	11
23. Foundations	11
24. One Monument and Permitted Material	12
25. Appendages	12
26. Height	12
27. Length	12
28. Approval by Trustees	12
29. Additional Markers, Book Markers, Cradle Stones, Etc., Standing Monument Areas	12
30. Urns	12
31. Seats and Benches	12

32. Stabilization of Monuments	13
33. Marker Removal	13
34. Added Work on Monuments	13
35. Inscriptions	13
36. Lettering	13
37. Corner Posts	13

III BY-LAWS RESPECTING GARDEN TYPE SECTIONS

38. Markers	13
39. Description	14
40. Corner Markers	14
41. Plants, Etc. Prohibited	14
42. Artificial Decorations	14
43. No Glass	14

IV GENERAL BY-LAWS RESPECTING INTERMENTS

44. Extra Depth Burial	14
45. Requirements	15
46. Permission	15
47. Attendance by Cemetery Manager	15
48. Contract Required	15

49. Certificate Required	15
50. Notice Period	15
51. Time of Funerals	15
52. Boundary Line and Grave Depth	15
53. Mounds	16
54. Grave Size	16
55. Interment Fee	16
56. Hours of Interment	16
57. Exception – Medical Officer of Health	16
58. Burial of Cremated Remains	16
59. Lower Animals	16
60. Opening Graves, Vaults, Crypts or Niches	16
61. Casket and Containers	17
62. Communicable and Contagious Diseases	17
63. Disinterments	17
64. Winter storage	17

V. BY-LAWS WITH RESPECT TO CREMATIONS

65. Required Documentation	17
66. Proper Casket or Container for Cremation	17

67. Cremated Remains	18
68. Cremation Fees	18
69. Extra Charges	18
70. Sundays, Good Friday, Christmas Day, Statutory Holidays	18
71. Floral Tributes	18
72. Persons Not Admitted	18
73. Interment of Cremated Remains	18
74. Scattering of Cremated Remains	18
75. Special Cremations	19

VI. COLUMBARIUM RULES

76. General Rules	19
77. Placement of Floral Tributes	19
78. Trees and Planting	19
79. Urns and Receptacles	19
80. Inurnments	19
81. Sealing	19
82. Inurnment Fee	19
83. Time of Inurnment	19
84. Disinurnments	20

85. Inscription	20
86. Pictures	20
87. Indoor Columbarium Rules	20
VII. VETERANS	
88.	21
VII. EXTRA WORK	
89.	21
IX. COMPLAINTS	
90.	21
X. LIABILITY	
91. Acts of God	21
92. Damage to Plants	22
93. Errors	22
94. Removal Where Necessary	22
95. Errors in inscriptions	22
XI. BY-LAWS – GENERAL	22
96. Mausoleum	22
97. Register	22
98. Address for Notice	23

99. Work Done at Cost 23

100. Subject to Statute and Regulations 23

INTRODUCTION

Woodland Cemetery, Mausoleum & Crematorium is a non-denominational cemetery accepting of people of all faith backgrounds. The cemetery was founded in 1879 and is managed by a General Manager and operated by the Trustees of St. Paul's Cathedral, with the assistance of an appointed Advisory Board. The Trustees and Advisory Board all serve on a voluntary basis.

The cemetery has always been operated under a perpetual care plan. A specified amount from each sale of interment rights is set aside and invested in Government approved securities. This is known as the Care and Maintenance Fund. The earnings from this fund are utilized to keep the grounds neat, the lots graded, the grass cut and to maintain roads, fences and other forms of general maintenance. The fund is also used for the upkeep of monuments and markers, but not, of course, for the planting of or trimming of trees or flower beds on lots sold, or extra decorations, although these are frequently provided for either by a bequest contained in a Will or a donation made during the user's lifetime. The Trustees will, if permitted by law to do so and if satisfied with the terms, accept sums to be held in trust and to use the income derived there from to these purposes, if so desired.

The following By-laws are framed as a result of years of experience in cemetery management. They are always subject to the provisions of relevant statutes of Canada or Ontario, such as the *Funeral, Burial & Cremation Services Act* and the *Ontario Human Rights Code*, which may change from time to time. Their primary purpose is to protect and beautify the burial places under the care of the Trustees to ensure reverent care of graves at all times. It is with the utmost confidence, therefore, that the Trustees appeal to interment rights owners and the general public to assist them in furthering these objectives by observing the following by-laws.

From time to time, the Trustees may, subject to the limitations imposed by such statutory enactments, change, modify or repeal these by-laws or parts thereof in such manner as, in their judgement, will be best serve the interests of the property under their care. In exceptional cases, where in the opinion of the Trustees it can be done without detriment to the interests of others, they may temporarily suspend or modify any by-law without affecting its general application or enforcement, and subject to the approval of the Registrar.

The Trustees may alter the boundaries or grading of any section or portion thereof from time to time and may modify or change roads, drives and walks. They also reserve the right to lay, maintain, operate and alter from time to time lines or gutters for water supply and drainage systems and generally to use the entire cemetery property for cemetery purposes with the right to ingress or egress over plots for all purposes, including burials and the property maintenance of the cemetery, subject to the approval of the appropriate Ontario Ministry and to the giving of all required notices. Our Cemetery Manager is in charge of the cemetery and he/she will be pleased to advise you on any problems or questions that you may have connected with the cemetery. The Foreman is also at your service and it is desired that every interment right owners should feel free to consult these officials at any time during posted office hours.

You will find the licence to operate, which was granted to Woodland Cemetery by the Registrar, located in the office. As well, in the office, you will find a Register which is available for your inspection without charge and which will contain public records relating to interment rights,

interments, cremations and any disinterments. This Register will also indicate moneys used from the Care and Maintenance Fund to stabilize or restore a marker or site.

BY-LAWS OF WOODLAND CEMETERY, MAUSOLEUM & CREMATORIUM

DEFINITIONS

The meaning of words in the by-laws correspond to those set out in the *Funeral, Burial & Cremation Services Act*, with certain added definitions which are peculiar to Woodland Cemetery, as follows:

- (i) "Regular Plots" contain sufficient area for two, three, or four lots;
- (ii) "Garden Section" contains lots upon which only flat markers may be utilized and, accordingly, no monuments are permitted;
- (iii) "Vehicle" includes an automobile, motorcycle, motor assisted bicycle, motorized snow vehicle, or bicycle;
- (iv) "Artificial Decorations" includes flowers, wreaths, and similar objects.

I. GENERAL BY-LAWS RESPECTING REGULAR PLOTS OR LOTS

1. Plants

Subject to the approval of the Cemetery Manager, ornamental trees, shrubs may be planted on the ends of monuments. Flowering and other plants may be cultivated on lots, but only on the face sides of monuments. Flower beds shall have a maximum width of 18 inches and should the Cemetery Manager determine that the planting has become unsightly due to neglect the flower bed shall be cut as if no bed existed. Plants must be of such variety as are in keeping with the dignity of the cemetery. The Trustees reserve the right to remove any plants if such plants detract from the general appearance of the grounds, or inconvenience the public, or hamper the general maintenance and operation of the cemetery, or in any other way become detrimental to the adjacent lots, roads and walkways, after 30 days written notice to the interment rights holder at the last address known to the Trustees.

2. Artificial Decorations

Subject to By-law 42 and so as to preserve the proper appearance of the grounds and have as few obstacles as possible during grass cutting and leaf raking season, artificial decorations may only be placed on lots / graves from November 1 through to April 1 of the following year. If not removed by the Cemetery Manager will cause the artificial decorations to be removed and discarded.

3. Urns

Subject to the conditions expressed in By-law 30, and provided there is, in the view of the Trustees, sufficient room at the ends of monuments to accommodate an urn, the Trustees approve of their use if they are kept properly planted and cared for from year to year. The Trustees reserve the right to remove from the plot or lot any urn that is neglected and accordingly in need of repair after 30 days written notice to the interment rights holder at the last address known to the Trustees. A permanent urn shall not be placed on the face side of the monument.

4. Refuse and Rubbish

All refuse and rubbish shall be placed in the receptacles provided by the cemetery. Specifically, all weeds, decayed flowers, wrappings, plants, etc. should be placed in these receptacles.

5. Fences and Copings

Borders, fences, railings, walls, cut stone and hedges in or around a lot or a plot are henceforth prohibited. Any such items which have been erected prior to the enactment of these By-laws may be removed by the Cemetery Manager should they be reason of neglect or age become unsightly.

6. Repairs

The *Funeral, Burial and Cremation Services Act* requires Woodland Cemetery to preserve markers using income derived from the Care and Maintenance Fund, or from other sources. In so doing it is only to use reversible processes if it is completely satisfied that the cost of so doing can be paid out of the income received from the Care and Maintenance Fund. Because of this responsibility, Woodland Cemetery must be concerned to ensure complete compliance with the standards for construction, installing, stabilizing and preserving such markers, for which reason it insists on the right to install the foundation underlying any marker placed in Woodland Cemetery. Full particulars of the moneys spent on stabilizing or restoring a marker onsite will be found in the Register maintained by Woodland Cemetery for inspection.

7. Implements

All implements and materials used in doing any work within the cemetery shall be immediately removed and in the event any implements or materials are not removed properly, the Cemetery Manager may order their removal and storage and the expense of their removal and storage will be charged to the owner.

8. Unauthorized Grading

No person shall change the grading of any lot and should any such change be made, the Trustees will restore the lot to its original grade and the expense of such restoration will be charged to the person making or authorizing such change.

9. Cutting Sod

No person shall make any walk, cut any sod, or remove corner markers, survey pins or grave markers.

10. Prohibited Materials

No chair, wooden or wire trellis, arch or iron rods, glass enclosed wreaths, wreaths enclosed in any shatterable material, glass jars, or glass flower containers, shall be brought or left on the lots or plots.

11. Portable Articles, Flowers and Plants

The Trustee will not assume any responsibility for damage or loss of any portable article left on a lot or a plot.

12. Damage to Flower Vases, Wreath Stands, Low Shrubs, or any other Submerged Article.

The Trustees shall not be held responsible for any damage sustained by the aforementioned items if such damage is incurred during the process of removing snow, ice, or frozen ground for the purpose of preparing a grave.

13. Benches and Seats

Benches and seats are not permitted to be installed on a grave lot or plot.

14. Eternal Flames

No natural or propane gas light will be allowed on grave lots or plots.

15. Removing Plants, Flowers, etc.

Lots must be cleared of all flower beds and tender plants by no later than October 31. Interested persons should remove any plants or flowers before they become unsightly and acknowledge that the Cemetery Manager may cause plants to be removed if necessary to maintain the general appearance of the cemetery property.

16. Vehicles

Except with the prior written authorization of the Cemetery Manager, only automobiles, motorcycles and bicycles shall be permitted upon the cemetery grounds. Vehicles within the cemetery shall be driven with due decorum and not above the posted rate of speed. Vehicles shall not be driven or parked on the lawns nor may drivers use the pathways for the purposes of turning.

17. Picnics

In keeping with the dignity and decorum of the cemetery, no picnics are permitted.

18. Damage to Property

Subject to By-law 15, no person shall remove any flowers either wild or cultivated, or any tree, shrub or plant, nor shall any person write upon, deface, or in any way injure any monument, fence, or any other structure or article located on, or belonging to the cemetery.

19. Improper Conduct

Any person who disturbs the quiet and good order of the cemetery be it by noise or other improper conduct, or who violates these By-laws may be expelled from the grounds by the Cemetery Manager or his / her representative.

20. Dogs and Pets

Dogs and other pets may be brought on the grounds provided they are securely confined or leashed during the stay and not permitted to run at large. Any person bringing a dog into the cemetery shall remove any dog excrement. Any domestic animal that is found unattended on the grounds will be turned over to the animal control authorities.

21. Gratuities Prohibited

No gratuities shall be at any time given to any officer or employee, nor shall any reward be given for personal service or attention. Any officer or employee who violates this By-law by accepting a gratuity or reward may be dismissed.

II. GENERAL BY-LAWS RESPECTING MONUMENTS

22. No Placement of Monuments, Markers or Structures until Payment

No monument, marker or any other structure shall be erected or placed on any lot or plot until such time as any and all charges by Woodland Cemetery in relation to any interment therein and the price of the lot or plot has been paid in full.

23. Foundations

Because of the responsibility imposed upon Woodland Cemetery to ensure that every marker and site under its care is stabilized, and to ensure compliance with the standards for constructing, installing, stabilizing and preserving markers imposed by the *Funeral, Burial and Cremation Services Act*, Woodland Cemetery requires that any foundation for any marker constructed in its cemetery be constructed by its staff or authorized agents under its complete control, but at the expense of the person who authorizes such service. This service will be performed at Woodland Cemetery's cost price. The price for such work will be clearly disclosed before the work begins and Woodland Cemetery reserves the right to insist on payment in advance depending upon the extent of the work required in such foundation. The foundation must be the exact area of the base of the monument proposed to be erected upon it and, if incorrect dimensions are provided to Woodland Cemetery, the foundation will be removed and rebuilt at the expense of the person

requesting its construction. No marker shall be placed upon a foundation until Woodland Cemetery is fully satisfied with the state of the foundation upon which any marker is to be placed, and the size and dimensions of the proposed marker.

24. One Monument and Permitted Material

Not more than one monument shall be erected on any one burial lot or plot. All markers, monuments, and tombs shall be made of granite.

25. Appendages

All die stones, columns, limbs of crosses, etc., shall be adequately doweled to their bases unless the underside of each superstructure is, in the judgment of the Cemetery Manager, of sufficient area in relation to its height to ensure stability.

26. Height

On a lot, no monument will be allowed that exceeds two feet in height.

27. Length

The length of the base of the monument shall not exceed two thirds of the width of the lot or plot on which the monument is located.

28. Approval by Trustees

In order to ensure that appropriate standards are met, no monument, vault, or any other structure shall be erected or placed on any lot or plot until its design, wording, and specifications has been submitted to the Cemetery Manager, and approved by the Trustees. The monument should be designed with reference to its surroundings, and consideration should be given to the size and character of other monuments located in the immediately vicinity.

29. Additional Markers, Book Markers, Cradle Stones, Etc. Standing Monument Areas

One additional marker with a flat and low service set flush with the ground may be placed at each grave in addition to any monument. Grave markers must be placed at the end of the grave furthest from the monument. Book markers and cradle stones are not permitted.

30. Urns

Open urns intended as receptacles for flowers and forming an integral part of a monument are permitted provided they are approved by the Cemetery Manager and arrangements satisfactory to the Cemetery Manager are made to ensure that the urns are used for the purpose intended.

31. Seats and Benches

Seats and benches of stone are not desirable but may be permitted by special permission of the Cemetery Manager.

32. Stabilization of Monuments

From time to time monuments may require preservation or stabilization. The cost of such preservation or stabilization is a charge upon the Care and Maintenance Fund of the cemetery and the income will be used in appropriate circumstances, in the manner the Trustees determine best for such purpose. However, no reversible processes will be used unless the Trustees are satisfied that the cost of so doing can be out of income received from the Care and Maintenance Fund. Where moneys are spent from such Fund to stabilize or restore a marker or site, full particulars will be maintained in the Register of the Cemetery and the particulars of the work and money spent will be available for inspection.

33. Marker Removal

A marker will only be removed if it cannot be preserved using income from the Care and Maintenance Fund, or funds from other sources. Permission of the Ministry will, in such special circumstances, be sought.

34. Added Work on Monuments

Following installation, no work of any kind shall be performed upon a monument by any person other than Woodland Cemetery without the express permission of the Cemetery Manager.

35. Inscriptions

All inscriptions shall be submitted to the Trustees for approval, and no inscription shall be placed on any monument, marker, mausoleum, or columbarium plaque which is not in keeping with the dignity and decorum of the cemetery. If a non-English inscription is to be requested of the Trustees, a complete and accurate English language translation shall be submitted with it to the General Manager, for approval.

36. Lettering

No lettering shall be allowed on the side of a monument facing an adjoining lot unless there is three feet in between the monument and the boundary of the next lot, except by special permission of the Cemetery Manager. The family name is only to be so inscribed.

37. Corner Posts

All corner posts shall have sawn sides and be six inches square.

III. BY-LAWS RESPECTING GARDEN TYPE SECTIONS

38. Markers

No markers or memorials other than those specified in these By-laws will be permitted.

39. Description

Each marker shall be of uniform size (12 inches by 24 inches for a single grave lot; 12 inches by 30 inches for a two grave plot; and 12 inches by 36 inches for a three grave plot, and 12 inches by 20 inches or 18 inches by 18 inches in cremation areas). It must be of granite with a polished surface and sunken lettering. Each must be installed by the cemetery staff on a concrete foundation and have a concrete border with the face of the marker set level with the ground and installed in the space reserved on each lot or plot for that purpose.

40. Corner Markers

When corner markers are desired, two 6 inch square granite corner stones will be permitted. They must be of the same material and colour as the marker and installed by the cemetery staff.

41. Plants, Etc. Prohibited.

No planting or planters will be allowed on any garden type lot or plot. Cut flowers which can be readily removed are permitted. Landscaping of this area is done exclusively by the Cemetery Manager.

42. Artificial Decorations

Artificial Decorations are normally allowed only from November 1 until April 1 of the following year. However, the Cemetery Manager may approve artificial decorations on the garden type lots or plots at any other time.

43. No Glass

No objects made entirely or partially of glass or any shatterable material may be left on the plot or lot.

43(a) Lamps

Lamps composed of bronze and glass and approved by the General Manager will be permitted provided that they are fixed to the granite base of the monument.

IV. GENERAL BY-LAWS RESPECTING INTERMENTS

44. Extra Depth Burial

Extra depth burials may be allowed at the discretion of the Cemetery Manager and shall comply with any relevant safety regulations or concerns.

45. Requirements

In addition to any other government requirement which may be in force at the time of the interment, a burial permit issued by the Divisional Registrar showing that the death has been properly registered must be deposited with the Cemetery Manager before the interment can take place.

46. Permission

Except for the actual interment of an interment rights holder, or in accordance with the provisions of the *Funeral, Burial and Cremation Services Act*, regarding abandoned interment rights, no interment shall occur except with the written consent of the interment rights holder's successor with respect to the site where the interment is to take place.

47. Attendance by Cemetery Manager

The Cemetery Manager, or his/her assistant, shall be entitled to be in attendance at each interment, and no interment shall be conducted in their absence without permission from the Cemetery Manager, or his assistant.

48. Contract Required

Before any interment will take place, a contract in the form filed by Woodland Cemetery with the Ministry must be entered into which will outline all particulars of the intended interment and the cost thereof. No interment will be conducted by Woodland Cemetery without the completion of such a contract.

49. Certificate Required

Before any interment is conducted, a Certificate of Interment Rights must be produced authorizing the interment in question. If the interment is other than that of the interment rights holder, a written Consent in the usual form of Woodland Cemetery must also be provided.

50. Notice Period

Notice of each interment to be made shall be given to the cemetery at least eight business hours prior thereto. The Cemetery Manager cannot be responsible for having graves prepared unless proper notice is given.

51. Time of Funerals

The time of the funeral service shall be set by the Cemetery Manager in conjunction with the funeral director.

52. Boundary Line and Grave Depth

No grave will be open beyond the boundary line of the lot, and each grave shall be of the depth provided for in the *Funeral, Burial and Cremation Services Act* and Regulations.

53. Mounds

Mounds will not be allowed over graves.

54. Grave Size

Subject to the *Funeral, Burial and Cremation Services Act*, and save with respect to the burial of cremated remains, or with respect to an extra depth burial, each grave is intended to be adequate for one interment. In the case of cremated remains two additional interments will be permitted per grave. A special allowance will be permitted by the Trustees, provided there is compliance with the *Funeral, Burial and Cremation Services Act*, in the case of a child predeceasing a parent where the container used for the burial does not exceed forty inches in length.

55. Interment Fee

The person ordering the interment shall be responsible for the fee. The interment fee includes the opening and closing of the grave, the setting of the lowering device, grave trimming, necessary planking and a canopy.

56. Hours of Interment

“Regular hours” for interment are Mondays through Friday, 9 a.m. to 4 p.m. and Saturdays 9 a.m. to 12 noon. Interments which are scheduled outside regular hours or during statutory holiday will be charged an overtime charge as authorized.

57. Exception – Medical Officer of Health

In cases of extreme necessity such as the danger of contagion or infection or an epidemic, interments, entombments or cremations shall be made on a Sunday or a statutory holiday if so ordered by the Medical Officer of Health in writing.

58. Burial of Cremated Remains

When cremated remains are to be buried on top of an existing burial, permission must be given in writing by the interment rights holder. If the interment rights holder is being interred, then their personal representative must give the necessary permission in writing.

59. Lower Animals

Subject to By-law 76, the bodies or cremated remains of any of the lower animals shall not be placed in any grave, vault, crypt or niche, nor will they be cremated with human remains.

60. Opening Graves, Vaults, Crypts or Niches

No grave, vault, crypt or niche shall be opened for interment, disinterment or any other reason by any person not in the employ of the Trustees.

61. Caskets and Containers

The body of a deceased person must be buried, entombed, or cremated in the receptacle that was used for transportation to Woodland Cemetery. No exchange of caskets or containers will be allowed on cemetery property.

62. Communicable and Contagious Diseases

Anyone who has died of a communicable or contagious disease and whose remains are to be buried or stored in Woodland Cemetery must be buried in either a sealed casket and/or a sealed cement vault. A person who has died of a contagious disease will not be accepted for storage unless enclosed in a hermetically sealed zinc lined box.

63. Disinterments

Subject to the provisions of the *Funeral, Burial and Cremation Services Act* and Regulations, and such consents as the law may require with respect thereto, after a period of years which is sufficient, the Trustees may permit disinterment and lowering for a second interment. No such step will be considered by the Trustees until all consents required by the *Funeral, Burial and Cremation Services Act* and Regulations have been obtained, nor are the Trustees bound to permit the same. It is the policy of the Trustees not to perform any disinterments except between April 15 and November 15, in any year, although they may agree to a lowering only at any time during the year.

64. Winter Storage

A body received for winter storage must be removed by May 1 unless it is enclosed in a hermetically sealed, zinc lined box or airtight metallic casket.

V. BY-LAWS WITH RESPECT TO CREMATIONS

65. Required Documentation

In addition to any other document required by a governmental authority, prior to cremation taking place, the approved form (Application for Cremation) together with the duly completed coroner's certificate, and a burial permit must be delivered to the cemetery office. Prior to cremation taking place, a contract with respect to such services must also be entered into using the usual form filed by Woodland Cemetery with the Ministry.

66. Proper Casket or Container for Cremation

A body delivered to the crematorium for cremation must be cremated in the casket or container in which it is received and must not contain any device prohibited by the *Cemeteries Act* or the Regulations thereunder. Such casket or container must be made of wood or other readily combustible material. The Trustees reserve the right to refuse to cremate a body where such body is enclosed in a casket or a container made in whole or in part of any substance which may impair or cause damage to the cremation retort or cause difficulty in the cremation process. For

the purposes of clarification, and without restricting the generality of the foregoing, the following substances are unacceptable: asbestos, bronze, fibreglass, plastic, steel, any substance prohibited by the *Funeral, Burial and Cremation Services Act* or the Regulations thereunder. In all cases, nameplates, handles or other decorations containing lead or non-combustible material will be removed.

67. Cremated Remains

Cremated remains will be placed in a sealed temporary container provided by the cemetery at no additional charge. Such container may be left at the crematorium for a period of one year following cremation. If at the expiry of such period instructions satisfactory to the Trustees or the representative with respect to the disposal of such cremated remains have not been received, then the remains will be buried in the cemetery. The cost of such burial will be charged to the estate of the deceased.

68. Cremation Fees

The fee for cremation includes cremation, the container for the remains of the deceased, and the delivery of the cremated remains at the crematorium, and such fees and rates shall be set by the Trustees from time to time. The deposit required shall be that provided by the *Cemeteries Act* and Regulations.

69. Extra Charges

An extra charge will be levied for packing, postage and the necessary extra work when cremated remains are to be forwarded elsewhere.

70. Sundays, Good Friday, Christmas Day, Statutory Holidays

No cremations will take place on Sunday, Good Friday, Christmas Day or statutory holidays except where the local Medical Officer of Health orders that the body be cremated forthwith.

71. Floral Tributes

Floral tributes will not be received at the crematorium.

72. Persons Not Admitted

No authorized person shall be admitted to the crematorium.

73. Interment of Cremated Remains

The charge for the interment of cremated remains shall be at the rate set by the Trustees from time to time.

74. Scattering of Cremated Remains

The scattering of cremated remains in the cemetery will be permitted in the designated scattering gardens.

75. Special Cremations

Woodland Cemetery will not, without the special consent of the purchaser of the cremation services, cremate the remains of more than one person at one time, cremate the remains of lower animals with humans, or commingle cremated remains. In any event, and notwithstanding such consent, the Trustees reserve the right to refuse to perform any such cremation.

VI. COLUMBARIUM RULES

76. General Rules

All general rules and regulations of the Trustees of Woodland Cemetery shall apply to the Columbarium as far as the nature of the situation permits.

77. Placement of Floral Tributes

Except at the time of an inurnment only one bouquet of flowers or one small plant may be placed at the niche.

78. Trees and Planting

Landscaping in this area is done exclusively by the Trustees.

79. Urns and Receptacles

The Trustees reserve the right to limit the number, size and shape of receptacles being used.

80. Inurnments

A burial permit issued by the Divisional Registrar showing that the death has been properly registered or a cremation certificate in the prescribed form shall accompany all cremated remains that are to be placed in a niche.

81. Sealing

Sealing of niches is to be done by the Trustees.

82. Inurnment Fee

Persons ordering an inurnment will be held responsible for all charges incurred. The inurnment fee shall be at a rate fixed from time to time by the Trustees and shall include the opening and closing of the niche.

83. Time of Inurnment

Inurnment shall take place in accordance with By-law No. 56.

84. Disinurnments

Subject to the *Funeral, Burial and Cremation Services Act* and Regulations, no disinurnment will be made without the written authorization of the inurnment rights owner or his or her legal representative.

85. Inscription

No inscription may be done until its wording and design has been approved by the Cemetery Manager and if so approved is to be done only by the Cemetery Manager at a rate fixed from time to time by the Trustees.

86. Pictures

Pictures will not be allowed on any plaque.

87. Indoor Columbarium Rules

- (i) These Rules and Regulations adopted by Woodland Cemetery are for the common of all niche owners and the preservation of the natural beauty of the structure.
- (ii) The Rules and Regulations have been approved by the Ontario Government in accordance with the *Funeral, Burial and Cremation Services Act* and they shall be enforced by the employees of the Woodland Cemetery.
- (iii) The issuance of a niche owner's Certificate of Interment Rights from Woodland Cemetery conveys only the right and privilege of inurnment of cremated remains to the number expressed by the number of niches purchased and annotated in the said document. The ownership of a niche means only the right of inurnment to a purchaser and the privilege to provide an approved style of memorialization on the niche front. The land and the building always remain with Woodland Cemetery.
- (iv) No person other than employees of Woodland Cemetery shall remove or disturb niche fronts.
- (v) All memorialization of the niche front shall be of a standard type chosen by Woodland Cemetery in order to maintain uniformity throughout the building. Samples of the acceptable niche memorialization are on display at the Cemetery Office.
- (vi) All ornamentation to be placed on niche fronts must be authorized by the General Manager of the Cemetery on behalf of the Trustees. This rule applies to all photographs, vases, floral displays, etc. Any other ornamentation, photographs, wreath, sign, insignia, vase or candle holder is considered an unauthorized installation which will be immediately removed by the employees of the Cemetery, and any expenses incurred in cleaning or repairing the niche will be assessed

against the niche owner and any further use of the facility will be prohibited until these amounts are paid.

- (vii) Up to five (5) floral memorials will be permitted during Committal Services at the Cemetery's Indoor Columbarium and may be displayed at the designated area. They will be removed and disposed of the following day.
- (viii) The tariff of rates for niches and services are amended from time to time by Woodland Cemetery and are filed with the Ontario Government under the *Funeral, Burial and Cremation Services Act*.
- (ix) Payment must be made in full to be a registered niche owner.
- (x) Hours of visitation will be at the discretion of the Trustees.

VII. VETERANS

- 88.** Special sections have been set aside for the burial of members of Her Majesty's Forces and Allies. No monuments or markers other than those sanctioned by the Department of Veterans Affairs will be allowed and all monuments and markers must comply with the requirements set out in the sections of these By-laws.

VIII. EXTRA WORK

- 89.** The planting of trees, shrubs, or flowers and special attention are described as extra work for which a reasonable charge will be made. Full particulars and estimates of such extra charges will be provided upon request made to the Cemetery Manager.

IX. COMPLAINTS

- 90.** Any and all complaints should be referred directly to the Cemetery Manager.

X. LIABILITY

91. Acts of God

The Trustees disclaim all responsibility and liability flowing from loss or damage occasioned by causes beyond their control and in particular from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, accidents, invasion, insurrection, and riot.

92. Damage to Plants

The Trustees shall not be held responsible for replanting or replacing in the event of the destruction of, or damage to plants, shrubs or trees from causes other than negligence on the part of the Trustees, and in the event the Trustees are negligent, their liability, if any, shall be fully satisfied by their making of a reasonable effort to correct the same or in their discretion, by refunding monies paid to and received by them.

93. Errors

The Trustees reserve the right to correct any errors that may be made in the cemetery under their control, including and without restricting the generality of the foregoing, in making interments, inurnments, disinterments, disinurnments or removals, or in the description transfer, or conveyance of any interment right, either by cancelling such and substituting in lieu thereof other interment rights of equal value and similar location so far as possible or as may be selected by the Trustees, or, by refunding the monies paid on account of the said purchase.

94. Removal Where Necessary

In the event an error shall involve the interment of the remains of any person in such property, the Trustees reserve the right subject to the *Funeral, Burial and Cremation Services Act* to remove and reinter the remains to such other property of equal value and similar location as may be conveyed in lieu thereof. The Trustees further reserve the right to correct any errors made by interring in the wrong grave, by the removal and reintering in the proper grave at the Trustee's own expense.

95. Errors in Inscriptions

The Trustees shall have the right to correct any errors made in an inscription, and their liability for such errors is extinguished upon the appropriate corrections being made.

XI. BY-LAWS-GENERAL

96. Mausoleum

Children under the age of 14 shall not be admitted to any building except in the charge of an adult who shall be responsible for their conduct.

97. Register

Woodland Cemetery will maintain a Register in compliance with the *Funeral, Burial and Cremation Services Act* and Regulations in which will be found all of the information required to be maintained from time to time under the Act and Regulations. Any person may inspect the Register during usual business hours without expense.

98. Address for Notice

Any person who acquires interment rights, or services in any manner from Woodland Cemetery, shall provide to, and maintain with Woodland Cemetery, a correct address for notification purposes in order to enable Woodland Cemetery to give such notice as the *Funeral, Burial and Cremation Services Act* and Regulations may from time to time require. The person providing such notice information shall be bound thereby and shall be deemed to have received such notice provided that it is sent in accordance with the Certificate of Interment Rights of the Contract entered into with Woodland Cemetery.

99. Work Done at Cost

The Cemetery's price for the inspection or the installation of a marker, or for the construction of a foundation, or for the maintenance of a marker, shall be the amount that it actually costs Woodland Cemetery to do the required work. A list of prices for the inspection or the installation of a marker, for the construction of a foundation, or for the maintenance of a marker, shall be filed with the Ontario Government under the *Funeral, Burial and Services Act*. A copy of such prices will be forwarded to the suppliers of markers who have provided markers to Woodland Cemetery within the preceding twelve months.

100. Subject to Statute and Regulations

These By-laws are subject to the provisions of any relevant Act of Canada or Ontario to the extent required thereby and, in particular both, the *Funeral, Burial and Cremation Services Act* and Regulations enacted thereunder and the *Ontario Human Rights Code* as the same may be amended from time to time. To the extent that any particular By-law is or becomes in conflict with the provisions of any relevant statutory enactment, the provisions of such statutory enactment, the *Funeral, Burial and Cremation Services Act* and Regulations and the *Ontario Human Rights Code*, shall govern and the By-laws shall be deemed to have been amended to conform thereto in all aspects.