

**THE CORPORATION OF THE
TOWNSHIP OF CHAPLEAU**

By-Law No. 2018-25

BEING A BY-LAW to amend By-Law 2014-17 being a By-Law to establish maintenance, management, regulation and control of cemeteries in the Township of Chapleau.

WHEREAS the Corporation of the Township of Chapleau has established the Chapleau Municipal Cemetery upon those lands more particularly described as Concession 5, Lot 4, Parcel 7944, Highway 129 South, Township of Chapleau, being land set aside to operate as a municipal cemetery;

AND WHEREAS it is desirable and expedient to make provisions for the care and control of the said cemetery;

AND WHEREAS Section 150 of *Ontario Regulation 30/11* made under the *Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33*, as amended, provides that the owner of every cemetery may pass by-laws governing the operation of the cemetery;

AND WHEREAS no such by-law comes into force or takes effect until it is filed with, and approved by the Registrar under Section 151 of *Ontario Regulation 30/11* made under the *Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33*, as amended;

AND WHEREAS Section 10 of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, authorizes a single-tier municipality to provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS the Council for the Township of Chapleau deems it necessary and expedient to amend By-Law 2014-17 with respect to Lot Decorations

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Chapleau enacts as follows:

1. That By-Law 2017-14 – Section 10 be amended as follows:

10. LOT DECORATIONS

- 10.1 Lot decorations shall be deemed to include all structures, ornaments, candles, plantings or other embellishments, with the exception of headstones, monuments and markers, which are placed on cemetery lots with the intention of improving their appearance. Because certain types of individual lot decorations are not in harmony with the development of the cemetery as a whole, or because they may intensify maintenance problems, no lot decorations shall be permitted except in accordance with the following rules with regard to the decoration of cemetery lots:

- 10.1.1 No lot decorations permitted by this By-law shall be placed on a lot if the lot charges for that lot and any other charges have not been paid in full.
- 10.1.2 Flowers and small items of personal, sentimental significance may be placed on a lot the day of the interment but shall be removed from the grave site within seven (7) days after the interment. If they are not removed within this time period, they will be considered abandoned and may be disposed of by Cemetery staff without notification.
- 10.1.3 Lot decorations which are in compliance with all other provisions of this By-Law shall be permitted on any single lot from May 1st to October 15th. If such decorations are not removed by the 15th day of October, they shall be considered abandoned and may be disposed of by Cemetery staff without notification. All decorations are to be secured to the monument or the base so as not to be displaced by strong wind or obstruct grounds maintenance.
- 10.1.4 Only one wreath on a 3 point stand or potted plant shall be placed at the head of the grave, as close to the monument as is practical. No other decorations are permitted to be placed on the ground or the foundation of any lot without the written approval of the Chief Administrative Officer/Clerk or his/her designate.
- 10.1.5 No person shall allow any candle, incense or flammable articles in the Cemetery, except as part of an interment ceremony and under the supervision of the Interment Rights Holder or his/her representative.
- 10.1.6 Copings, stone mulch, flower beds, fences, curbs, benches, birdhouses, wind chimes, plant hangers and structures made of wood or equally perishable materials are prohibited. Temporary wooden crosses are permitted for a maximum of one year with the written approval of the Chief Administrative Officer/Clerk or his/her designate. Prohibited items shall be removed and disposed of by Cemetery staff without notification.
- 10.1.7 Lot decorations made wholly or partially of glass or pottery, including vases, photograph frames, candle holders and solar lights, or other equally fragile materials which, if broken, could cause injury to visitors and maintenance workers, are prohibited. Prohibited items shall be removed and disposed of by Cemetery staff without notification.
- 10.1.8 Eternal candles are prohibited unless built into the monument and installed by an established monument/marker company with the approval of the Chief Administrative Officer/Clerk or his/her designate.

- 10.1.9 Lot decorations are prohibited on flat markers, and shall be disposed of by Cemetery staff without notification.
- 10.1.10 Only one (1) wreath or flower arrangement will be permitted on any single lot to mark special occasions which fall after October 15th (including but not limited to Remembrance Day, Christmas and Easter). Such decorations must be removed within 30 days of placing them. If they are not removed within 30 days, they will be considered abandoned and may be disposed of by Cemetery staff without notification.
- 10.1.11 Planting of trees and shrubs is permitted, but may only be undertaken under the direction of the Chief Administrative Officer or his/her designate. Only ornamental shrubs or dwarf nursery stock are allowed. Rose bushes are not permitted. Once planted, trees and shrubs become the property of the Township of Chapleau at the cemetery. The Chief Administrative Officer or his/her designate may direct the removal of trees and shrubs for which permission has not been given, or which otherwise does not comply with the cemetery by-law.
- 10.1.12 In order to preserve the appearance of the grounds, any trees, tree limbs, shrubs, artificial wreaths and flowers may be removed or pruned by Cemetery staff. Grading, seeding, sodding, top dressing, fertilizing and watering of lots, sodding, seeding and covering of graves shall be done by Cemetery staff only.
- 10.1.13 No person shall deposit any debris, decayed flowers, plants, hedge clippings or weeds that are generated from the maintenance of flowerbeds and shrubs, on roads, walks or any part of the cemetery grounds. Garbage receptacles are provided throughout the cemetery for the disposal of such material.
- 10.1.14 The Township shall not be responsible for any damages to lots and structures, or objects thereon, other than for damage caused by Township staff. The Township shall not be responsible for flowers or articles removed from any lot or grave.
- 10.1.15 The Township may remove flowers, shrubs, or any plant material that interferes with the opening and closing of a lot for an interment.
- 10.1.16 The Township may remove and dispose of decorations and flowers that become significantly weathered, damaged or moved from their placement without notification.

2. This By-law shall come into force and take effect on the date approval is received from the Registrar.
3. Township of Chapleau By-law No. 2014-17 is hereby amended effective upon the coming into force of this by-law.

READ a first, second and third time and finally passed this 13th day of August 2018.



Mayor



Deputy Clerk/Treasurer