

Friday, January 13, 2023

**Operator Licence No. 3265706**

**SENT VIA EMAIL: [phossie@shelburne.ca](mailto:phossie@shelburne.ca)**

Town of Shelburne  
c/o Patti Hossie, Deputy Registrar  
203 Min Street East,  
Shelburne, On L9V 3K7

Dear Ms. Hossie,

**Re: Proposed Cemetery By-laws for the Shelburne Cemetery site/licence no. 00310**

We apologize for the delay and thank you for submitting the documents (by-laws and submission procedures) below, which were submitted to the Registrar for filing and/or approval on Thursday, December 22, 2022.

- Cemetery Draft By-laws (rec'd December 28, 2022)
- Photograph of Notice Posted (rec'd December 28, 2022)
- Copy of Newspaper Notice (rec'd December 28, 2022)
- List of Monument Dealers Notified of by-laws (rec'd December 28, 2022)

The Bereavement Authority of Ontario (BAO) is encouraging digital submission of documents, when possible, to both reduce environmental impact and improve archival accessibility. In addition, please ensure to list all your licence number(s) on all your documents (if applicable).

This document will be deemed approved and filed effective: **Friday, January 13, 2023.**

Sincerely,



Katia Di Franco  
Compliance Officer (Bilingual)  
Bereavement Authority of Ontario | L'autorité des services funéraires et cimetières de l'Ontario  
Phone: 1-844-493-6356 | Email: [katia.difranco@thebao.ca](mailto:katia.difranco@thebao.ca)

Enclosures – 2

- 1) Approval Letter
- 2) Copy of Approved By-laws (endorsed pdf)

THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW 01-2023

A BY-LAW TO MAINTAIN, MANAGE,  
REGULATE AND CONTROL THE SHELBURNE CEMETERY



**WHEREAS** the Funeral, Burial and Cremation Services Act, 2001, S.O. 2002, C3, provides that by-laws may be passed by the owner affecting the operations of the cemetery.

**AND WHEREAS** it is expedient to pass a by-law for the maintenance, management, regulation and control of the Shelburne Cemetery, owned and operated by the Corporation of the Town of Shelburne.

**AND WHEREAS** the Council of the Corporation of the Town of Shelburne deems it expedient to repeal and replace By-law #40-2010, By-law #45-2012, By-law #69-2013, By-law #20-2015, By-law #67-2016 and By-Law #39-2019

**NOW THEREFORE** the Council of the Corporation of the Town of Shelburne enacts as follows:

1. DEFINITIONS:

**“Act”** means the Funeral, Burial and Cremation Services Act, 2002 (FBCSA) and the regulations thereunder.

**“Bereavement Authority of Ontario (BAO)”** Means the agency who administers provisions of the Funeral, Burial and Cremation Services Act, 2002 (FBCSA) on behalf of the Ministry of Public and Business Service Delivery of Public and Business Service Delivery of Ontario.

**“Care and Maintenance Fund”** 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 and scattering 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, markers, and monuments at the cemetery.

**“Cemetery”** means Shelburne Cemetery located 156035 Hwy 10 North, East Part Lots 3 & 4, Concession 3, Old Survey, RP 751715 Part I, RP 7R2054 Part 1, Highway #10, Township of Melancthon, County of Dufferin, being land set aside to be used for the interment of human remains.

**“Cemetery Operator or Operator”** means The Corporation of the Town of Shelburne (the Town).

**“Cemetery Price List”** means a separate listing of charges to regulate the fees and charges that are to be paid by persons purchasing interment rights or requiring services to be performed within the Shelburne Cemetery.

**“Cemetery Services”** means in respect of a lot:

- i. Opening and closing of a grave;
- ii. Interring or disinterring human remains;
- iii. Construction of a foundation for a marker;
- iv. Setting of corner posts; and
- v. Cemetery care and maintenance

**“Cemetery Staff”** means personnel assigned by the Town to carry out cemetery services.

**“Cemetery Supplies”** means interment vaults, markers, flowers, liners, urns, shrubs, artificial wreaths, and other articles intended to be placed in the Cemetery.

**"Clerk/Deputy Registrar"** means the person appointed by the Municipality in charge of the cemetery or designate.

**"Columbarium"** means a structure designed for the interment of cremated human remains in sealed compartments.

**"Cremation Section"** means a location within the cemetery designated for the interment of cremated human remains and referred to as a cremation plot

**"Grave"** means any inground burial space intended for the interment of human remains or cremated human remains.

**"Human Remains"** means a dead human body and includes a cremated human body.

**"Inter"** means the burial of human remains and includes the placing of human remains in a grave or niche.

**"Interment Rights or Rights"** includes 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 Town of Shelburne to the purchaser once the interment rights to a specific lot have been paid in full, identifying the ownership and authority over those specific interment rights.

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

**"Lot"** means a single grave space.

**"Marker/Cornerstone"** means any permanent memorial structure, that is set flush and level with the ground, and used to mark the location of a burial plot or lot.

**"Minister"** means the Ministry of Public and Business Service Delivery of Ontario.

**"Monument"** means any permanent memorial structure, monument, tombstone, plaque, headstone, or other structure above the ground installed within the designated space to mark the location of a burial lot.

**"Niche"** an individual compartment in a columbarium for the entombment of cremated human remains.

**"Municipality"** means the Corporation of the Town of Shelburne (The Town).

**"Plot"** means two or more lots in which the rights to inter have been sold as a unit.

**"Pre-Need Supplies of Services"** means cemetery supplies or services that are not required to be provided until the death of a person alive at the time the arrangements are made.

**"Price List"** means the price list for the Corporation of the Town of Shelburne Cemetery.

**"Registrar"** means the registrar appointed under The Act.

**"Trust Fund"** means a Trust Fund established for the purpose of this Act.

2. SALE AND TRANSFER OF LOTS:

- a. Interment rights (lots/niches) may only be sold by The Corporation of the Town of Shelburne. When interment rights are purchased, a contract shall be completed and signed by the purchaser or a personal representative of the deceased.
- b. Interment rights holders acquire only the right and privilege of burial of the deceased and of constructing monuments or markers, subject to the rules and regulations in force and approved by the BAO.
- c. Payments for interment rights or cemetery supplies or services shall be made at the administration office of the Municipality.
- d. The Municipality shall provide each right's (lot/niche) owner at the time of sale with:
  - i. copies of the contract
  - ii. copy of the Cemetery By-Law(s)
  - iii. upon payment in full an Interment Rights Certificate
  - iv. copy of the Consumer Information Guide
  - v. copy of the current price list
- e. The purchase price for lots and niches shall be set forth in the cemetery price list schedule as prescribed by the Municipality.
- f. A person may cancel their contract for interment rights within thirty (30) days of purchase only if:

- i. The interment right has not been exercised; and
- ii. All the requirements of the Act and this By-law are otherwise in compliance.

A person who wishes to cancel their Contract for interment rights shall:

- i. Give written notice within the thirty (30) days of purchase to the Municipality stating that they wish to cancel their contract; and
- ii. Return to the Municipality the original Certificate of Interment Rights as issued by the Municipality.

Upon receipt of all required documentation in this By-Law, the Municipality shall cancel the interment rights of the Rights Holder in accordance with the Act and this By-Law and shall refund the full amount paid within 30 days of the written notice.

If it is past the 30 days, the Rights Holder may resell to a third party, details as described in Section 4.

- g. Lots previously sold, for which provision for maintenance of lots has not been made may be placed under this plan by the payment of the charges set forth in the cemetery price list.
- h. An Interment Rights Holder shall not transfer ownership of a lot or any interest therein without first advising the Municipality in writing of intentions to do so and submitting the appropriate transfer fee and relinquishing the original Interment Rights Certificate to the Shelburne Cemetery. Only vacant cemetery lots shall be permitted to be transferred.
- i. In the case of transfer of ownership by will or bequest of a lot, the Municipality reserves the right to require the production of a copy of the will or other evidence sufficient to prove ownership.
- j. In the case of transfer of ownership, the cost of new corner markers will be borne by the new owner.

3. CREMATION COLUMBARIUM:

- a. The cremated remains of not more than two persons will be interred in any one niche.
- b. The niche plate used shall be lettered and installed by the Cemetery. Initial engraving of the niche door is included in the purchase price. Any additional engraving will be charged at the fee indicated on the current cemetery price list and will be arranged, once approved by the Town of Shelburne. Niches purchased prior to the passing of by-law 01-2023 will be grandfathered and no additional fee is applicable.
- c. Photograph cases will not be allowed to be attached to the niche.
- d. The Cemetery staff reserves the right to remove deteriorated or excessive quantities of flowers from the niche or surrounding areas.
- e. The inside dimensions of the niche are 11 ¼ "wide X 11 ½ "high X 12" deep.
- f. The niches will be sold according to the numbering system shown in diagrams provided.
- g. The interment charge shall be as shown on the price list schedule of rates.
- h. Nothing may be placed on the niche and only human remains are permitted in the niche.
- i. Sample lettering example below as the stone surface is very limited:

NAME  
1930 - 2000  
BELOVED SPOUSE OF  
NAME  
1931 - 200-  
IN LOVING MEMORY

- j. No photos, logos or artwork shall be permitted to be engraved on the niche plate.

4. RESALE OR TRANSFER OF LOTS

The cemetery reserves the right of first refusal should you wish to sell your plot. As the cemetery permits the resale of interment rights to a third party, the cemetery is not required to re-purchase the plot.

If an individual wishes to sell or transfer their unexercised Interment Rights, they may do so on the open market, but may not charge more than the current fees listed in the Municipality's price list schedule. Any resale of interment rights shall be in accordance with the requirements of the Cemetery By-Law and in keeping with the Act and regulations thereunder. All resales of interment rights must be carried out through the Municipality.

To complete the sale or transfer, the Municipality requires the following information to be provided to them:

1. The original Interment Rights certificate.
2. The original contract that was provided at the time of sale.
3. A letter from the original interment rights holder indicating that they wish to sell or transfer the lot(s) / niche and the name, complete address, and phone number for the purchaser; and
4. Payment of the associated fees.

The purchaser will be provided with the following information:

1. A copy of the Cemetery By-Law, including current Cemetery Price List.
2. Upon payment in full, an Interment Rights Certificate; and
3. a copy of the Consumer Information Guide

Once all the above conditions have been met, a new interment rights certificate will be completed with the information of the purchaser, who shall be considered to be the current interment rights holder and the resale / transfer will be complete.

The purchase of interment rights for the sole purpose of reselling the same with the hopes of making a profit or financial gain is prohibited.

5. INTERMENTS:

- a. Only human remains shall be permitted to be interred in the Shelburne Cemetery. Pets or animals, including cremated animal remains are not permitted to be buried or scattered on the cemetery grounds.
- b. No interment shall be made without the written permission of the rights holder or his/her authorized representative.
- c. No interment shall take place without an original burial permit, or original certificate of cremation, nor until the person making the arrangements for the interment has complied with all laws, rules, and regulations relative to burials.
- d. No burial shall be allowed in any lot against which there are unpaid charges.
- e. A Town designated employee shall open, close, attend and supervise all interments.
- f. In each case of interment, a written statement giving the name, late residence, age, place of birth, place of death, date of death, name of deceased nearest relative or friend, date of interment, description of where interred, and the name of the funeral director shall be provided so that an accurate register may be kept.
- g. The Municipality shall not be responsible for any error occurring from want of precise and proper instructions regarding the location of any burials, nor where such instructions are not given in writing, any such erroneous instructions shall be the sole responsibility of the person or persons giving the same.
- h. Notice of each interment to be made shall be given to the cemetery staff or designate, 48 hours previous thereto except under special circumstances.
- i. No interment shall be permitted on a Statutory holiday or from 12:00 Noon on a Saturday until 8:00 a.m. the following Monday, except by an order of the Medical Officer of Health.
- j. Double depth interments are not permitted, other than those that have been previously sold as such.
- k. No grave or niche shall be opened by any person other than a Municipal employee.
- l. Only one interment in any one grave shall be permitted, or in a single plot. Four (4) urns (cremated remains) may be buried or two (2) urns (cremated remains) above another interment. Two urns (cremated remains) allowed in any one plot in the urn gardens; or in one (1) columbarium niche.
- n. Orders from funeral directors shall be construed as orders from Interment Rights Holder.
- o. The setting up and removal of artificial grass, lowering devices, and other interment accessories at a grave site are the responsibility of the funeral director.
- p. All funeral flowers and containers are to be removed from the grave site within seven (7) days or if unsightly before the seven (7) days, the same will be removed by the cemetery staff.
- q. The interment fee includes the opening and closing of the grave, administration / registration of the burial and earth cover.

- r. The scale of fees set for grave openings shall be set in the cemetery price list as prescribed by the Municipality from time to time.
- s. All interment charges are payable in advance or at the time of interment.
- t. The spreading of cremated remains on top of the ground is strictly prohibited.
- u. Unless weather conditions and staff availability allow interment in the normal manner, from December 1st of one year to May 1st of the next year, the Shelburne Cemetery will cease normal operations and will not be staffed on a day-to-day basis. During this period the mortuary shall be used until after May 1, unless conditions allow interments to take place in a safe and dignified manner.
- v. Notwithstanding the provisions of the previous subparagraph, the cemetery typically does not inter during the winter months (when we close in December – May 1), however, if an immediate request is made and the Clerk or Deputy Registrar is of the opinion that the weather conditions and staffing availability permit the interment in a safe, dignified and appropriate manner, then an additional fee would apply as per the current price listed in the Cemetery Price list.
- w. Burials may take place after December 1st of a given year until the Municipality is of the opinion that weather conditions and manpower do not allow for a safe, appropriate, and dignified interment in the normal manner. At such time, the mortuary shall be used for all interments until weather conditions and staffing powers return to normal after May 1st of the following year, and the interment shall then take place as expeditiously as possible.
- x. Niche burials may occur Monday to Friday 9am to 3pm, and Saturdays from 9am to Noon year-round except holidays or if emergency situations, such as weather or staff availability warrants the Clerk or the Deputy Registrar to not permit burial on a particular date.
- y. Cremated remains interment into a headstone, marker or monument are not permitted.
- z. The Municipality shall not be responsible for providing pallbearer services.

5. DISINTERMENTS:

- a. Disinterment of a body, once properly interred, shall not be made without the written consent of the local Medical Officer of Health and the owner of the lot, or a court order, and upon due observance of all requirements of the Act and the regulations thereunder.
- b. A person requesting to disinter human remains shall arrange with the Municipality for such disinterment no less than three (3) weeks prior to the intended date of disinterment.
- c. Any markers or monuments designating the location of an interment shall be removed at the time a disinterment is made.
- d. The charges for disinterment shall be three (3) times the normal interment fee as described in the current cemetery price list and payable in advance.
- e. A member of the Municipality staff shall be on site during all disinterment's.

6. CARE OF LOTS:

- a. Certain types of individual decorations are not in harmony with the development of the Cemetery as a whole, or because they may cause maintenance issues. The following rules shall be observed with regard to the care of the cemetery lots. Decorations shall be deemed to include all structures, ornaments, plantings, or other embellishments with the exception of monuments and markers, which are placed on the cemetery lots with the intention of improving their appearance.
- b. No lot or grave shall be defined or enclosed by a fence, railing, coping, hedge, or any enclosure or markers, other than corner posts or grave markers. Any enclosure shall be removed by the Municipality.
- c. Ornamental dwarf evergreen shrubs are permitted only on lots larger than five (5) feet in width and having a monument. One shrub shall be permitted on either side of the monument. Shrubs will not be permitted to exceed the height of the monument. Lot owners must provide adequate maintenance.

If any trees or shrubs situated on any lot have, become by means of their roots, or branches, or in any way detrimental to the adjacent lots, drains, roads, or walks, or prejudicial to the general appearance of the grounds or inconvenience to the public, the Municipality may remove such trees or shrubs or parts thereof.
- d. No urns, hanging baskets, or any other decorations, or objects deemed unsuitable are permitted and shall be removed.
- e. No person shall do any work upon a burial lot without the permission of the Cemetery staff.
- f. Flower beds are permitted only on lots having a monument. No flower beds shall exceed eighteen (18) inches in depth from the head stone to the base of the plot and shall not exceed the length of the base of the monument on the lot. Planting of borders around lots is prohibited.
- g. Annual flowers only may be planted in the cemetery. Flower beds required to be cleared after the first frost in the autumn.
- h. In order to preserve the proper appearance of the grounds and safety within the cemetery, artificial flowers, wreaths, or any form of decorations are prohibited on graves from October 31st to April 1st of each year. If these decorations are not removed by October 31st, they shall be considered abandoned and may be removed and disposed of by cemetery staff. Saddle type arrangements or stone top wreaths shall be allowed to remain on the top of upright markers until such time as they are unsightly, when they shall be removed.
- i. Rubbish shall not be thrown on roads, walks, or any part of the cemetery grounds. Please utilize the waste containers scattered throughout the cemetery.
- j. No Interment Rights Holder shall change the grading of a lot, and in case of any such change, the Municipality may restore the lot to its original grade at the expense of the Interments Rights Holder.
- k. No unauthorized person shall sod or move corner posts or grave markers.
- l. The Municipality shall not be responsible for any damage to lots and structures or objects thereon, or for flowers or articles removed from any lot or grave.
- m. Owners are required to operate within the cemetery in accordance with by-laws approved by the Registrar and the Town of Shelburne.



7. MARKERS AND MONUMENTS:

- a. All markers and monuments of any kind erected in the cemetery shall be constructed of granite and/or bronze; structures of any other kinds of material are prohibited.
- b. No marker, monument or other structure shall be erected or permitted on a lot until any accrued charges have been paid in full.
- c. The dimensions and particulars of a marker shall be submitted in writing to the Municipality prior to the placing of the marker within the Cemetery.
- d. Corner posts and markers shall be dressed on the upper surface and level with the ground and shall be placed by the Municipality or under the supervision of cemetery staff.
- e. Sizes of flush markers permitted:
  - i. single grave 18" x 24" max.
  - ii. double grave 18" x 24" max.
  - iii. cremation lot 18" x 24" max.

All markers shall be of a uniform thickness not more than four (4) inches nor less than three (3) inches and must be set so that the top is flush with the level of the ground.

- f. Stones or markers in the Urn Gardens (for cremated remains) must be flush (except in the St. Lawrence Ward cremated remain plots only that had been sold prior to May 31, 2010 and are considered grandfathered).
- g. Stones and monuments shall be free from visible defects with respect to endurance and no tablet, monument or other structure composed in whole or in part of wood or iron shall be erected.
- h. All bases of monuments must be level on the bottom and the stonework next to the foundation shall have the surface squared, so as to allow full bearing upon the foundation, and no building up or under pinning with spalls or chips will be allowed. The base shall have a rock edge and be a minimum of six (6) inches high and not more than eight (8) inches.
- i. Foundations of monuments shall extend not less than five (5) feet below the surface of the ground; shall be level on the top and constructed of concrete by the Municipality, or authorized contractor, and paid for by the company erecting the monument. Foundations must be as large in area as the base of the monument, the Municipality reserves the right to require a larger foundation, if deemed necessary.
- k. The dimensions and particulars of the required foundation for a monument shall be submitted in writing to the Municipality, or authorized contractor, prior to the placing of the foundation so it may be properly constructed. The Municipality reserves the right to limit the maximum size of monuments as follows and the base size must not exceed:
  - One Grave – 2' - 6" in maximum length
  - Two graves – 4' – 0" in maximum length
  - Three graves – 6' – 0" in maximum length
- k. Not more than one upright monument shall be erected on any one lot, and this must be placed at the centre of the head, at the end of a plot, except where alignment with existing nearby monuments justifies another location; approved by the Clerk or the Deputy Registrar.
- l. No monument shall cover more than ten per cent (10%) of the total area of the lot or lots on which it is erected.
- m. The thickness shall be a minimum of six (6) inches up to the total monument height of three (3) feet. Over three feet will be one (1) inch per every foot, to a maximum thickness of eight (8) inches.

- n. No monument shall be erected or removed without the knowledge and supervision of cemetery staff. No monumental work shall be delivered to the cemetery until the foundation is completed and the contractor is ready to proceed with the work of erection.
- o. Any monument or other structure, or any inscription of a monument or structure upon any lot shall be in keeping with the dignity and decorum of the Cemetery.
- p. The deposit to the care and maintenance fund payable when a marker is installed in the cemetery shall be as specified in the regulations made under The Act:
  - i. Installing a flat marker measuring less than 173 square inches (1116.3 square centimetres) \$0.00.
  - ii. Installing a flat marker measuring at least 173 square inches (1116.3 square centimetres) \$100.00.
  - iii. Installing an upright marker measuring four feet (1.22 metres) or less in height and four feet or less in length (1.22 metres) including the base \$200.00.
  - iv. Installing an upright marker measuring more than four feet (1.22 metres) in either height or length including the base \$400.00.
- q. The Municipality shall only be responsible for damage to monuments and markers caused by cemetery staff.
- r. Notwithstanding any of the provisions of this section, crosses as supplied by the Royal Canadian Legion shall be permitted, provided written authority has been obtained by the Royal Canadian Legion from the plot owner.
- s. Inscriptions on monuments shall only be allowed on the burial side of the monument.
- t. The Municipality shall have the right to move monuments or markers to facilitate grave openings.
- u. A staking / locating fee will apply in accordance with the current price listing.

8. THE MORTUARY

- a. No body shall be received for storage in the mortuary unless properly embalmed by the funeral home in charge.
- b. No graves shall be opened during the winter, or when frost is in the ground and the top sod cannot be removed and replaced without destruction, the Clerk or the Deputy Registrar being the sole judge of this condition.
- c. The Clerk or the Deputy Registrar shall have the power to order the spring interment of any committal from the Mortuary at any time they may seem fit and shall give seven (7) days notice of same.

9. CONDUCT WITHIN THE CEMETERY

- a. No person shall enter the cemetery except through an established entrance. No person shall enter or be within the cemetery grounds before one half hour after sunrise, nor shall they be within the cemetery grounds later than one half hour before sunset, except police officers or authorized personnel of the Municipality.

- b. No person or persons under sixteen years of age shall enter the cemetery unless attended by an adult or adults responsible for their conduct or unless permission has been granted by the Municipality.
- c. No picnic, party or alcoholic beverage shall be permitted in the cemetery.
- d. No person shall wilfully destroy, mutilate, deface, write upon, injure, or remove any tomb, monument, gravestone, or any structure placed within the cemetery, or any fence, railing or other work for the protection of the cemetery, nor shall any person wilfully destroy, cut, break, or injure any tree, shrub, or plant within the limits of the cemetery, or play any game of sport, or discharge firearms (save at a military funeral) nor wilfully or unlawfully disturb any person or persons assembled for the purpose of burying any body therein; nor shall any person commit any nuisance or behave in an unseemly manner in the cemetery; nor shall any person in any way violate, desecrate, or disfigure such cemetery, or any grave, tomb, tombstone, vault or other structure within the same, and no person shall pick or destroy flowers (wild or cultivated) growing in the cemetery.
- e. All personnel in any capacity within the cemetery whether as contractors, masons, stonecutters, erectors, helpers, etc. are subject to the direction and control of the Clerk or the Deputy Registrar. Any worker who causes damage or injury within the cemetery shall be personally responsible for such damage or injury; and in addition, thereto, their employer shall be liable, therefore.
- f. Contractors, mason, stonecutters, erectors, etc., shall lay planks on the lots and paths over which heavy materials are to be moved, in order to protect the surface from damage. All work sites shall be left in a clean and orderly condition to the complete satisfaction of the Cemetery Manager or their designate. Damaged areas shall be restored to their original condition or better.
- g. When the roads in the cemetery are soft from spring thaw, rain or other cause, the Clerk or the Deputy Registrar may restrict vehicular traffic.
- h. No parades, other than funeral processions or memorial services, shall be admitted to or organized within the cemetery.
- i. No vehicle shall exceed a speed of 16 km per hour, nor shall any vehicle leave the roadways within the cemetery.
- j. Any enquiries or complaints by lot owners or visitors shall be made to the Clerk or the Deputy Registrar and not to the work personnel.
- l. Any person disturbing the quiet and good order of the cemetery by noise or other improper conduct or who violates any provision of these policies and procedures may be expelled from the cemetery.
- m. Prior to the start of any work within the cemetery, all work personnel / contractors are responsible for reporting to the cemetery office and to provide the necessary approvals before commencing work at any location on the cemetery property. Contractors must provide proof of, but not limited to the following:
  - i. WSIB coverage
  - ii. Occupational Health and Safety Standards
  - iii. Environmental Protection
  - iv. WHMIS
  - v. Evidence of liability insurance of not less than \$2,000,000.00 (two million dollars).
- n. No work shall be performed at the cemetery except during regular business hours of the cemetery, unless approved by the Clerk or Deputy Registrar.

- o. 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 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.

10. PRICE LIST:

- a. Subject to The Act and the regulations stated therein, the Council of the Town of Shelburne shall adopt a price list to regulate the fees and charges to be paid by persons purchasing interment rights or cemetery supplies or services as shown in the Cemetery Price List and may be amended from time to time.

11. PENALTY

- a. Where a specific penalty is not provided for an offence under The 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 (\$5,000.00) dollars, exclusive of costs, for each offence, recoverable under the Provincial Offences Act.

12. OTHER

- a. The plan and layout of the Shelburne Cemetery shall be as shown on the Plan of Survey.
- b. This by-law shall come into force and take effect upon being filed and approved by the Registrar appointed pursuant to The Act and the Corporation of the Town of Shelburne.
- c. That all by-laws or parts of by-laws inconsistent with this by-law are hereby repealed being By-law #40-2010, By-law #45-2012, By-law #69-2013, By-law #20-2015, By-law #67-2016 and By-Law #39-2019.

**BY- LAW READ A FIRST AND SECOND AND THIRD TIME AND ENACTED THIS**

.....  
**MAYOR**

.....  
**CLERK**