

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NO. 3946

A BY-LAW to amend By-Law 3640, to govern the operation of municipal cemeteries under the jurisdiction of the Town of Tillsonburg and in particular, governing rights, entitlements and restrictions with respect to interment rights, in accordance with the *Funeral, Burial and Cremation Services Act, 2002*, s.o. 2002, c.33.

WHEREAS section 48(2) of the *Funeral, Burial and Cremation Services Act, 2002*, s.o. 2002, c.33 provides interment rights holders and the relatives of any person whose remains are interred in a cemetery the right to decorate the lot in which the remains are interred if the decorations do not contravene the cemetery by-laws; and

WHEREAS the Council for the Corporation of the Town of Tillsonburg deems it necessary and expedient to amend By-Law 3640 to include regulations pertaining to decorating cemetery lots; and.

NOW THEREFORE the Council of The Corporation of the Town of Tillsonburg enacts as follows:

1. That By-Law 3640 – Section A be amended to include the definition of “Lot Decoration” to read “the installation of a flowerbed, or placing of ornaments, figurines or embellishments on a cemetery lot, which may include but is not limited to: artificial wreaths, flower stands, fresh cut flowers, flowering or other plants, potted plants, solar lights, vases, and urns”.
2. That the following provisions be removed from Section F and added to Section B:
 - a. There shall be no discharge of firearms at a military funeral
 - b. No dogs or other pets shall be permitted in the cemetery
 - c. Picnics shall not be permitted within the cemetery.
3. That Section F be amended to read:

“F. CEMETERY LOT DECORATIONS

The Cemetery Operator 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 Operator from performing general cemetery operations, or are not in keeping with the respect and dignity of the cemetery. Prohibited articles shall be removed and disposed of without notification.

Loose stones, articles of glass or pottery, or any other material that may create a hazard to visitors or cemetery employees are not permitted within the cemetery.

Lot decorations of one interment rights holder must not infringe upon the property of another interment rights holder.

The Town of Tillsonburg through cemetery personnel, reserves the right to remove flowers, potted plants, wreaths, baskets or flowers when they become withered, unsightly or are out of season.

The Town of Tillsonburg shall not be responsible for any damage to lots, structures or objects therein or flowers or articles removed from a gravesite, except for damage shown to be caused by a cemetery employee.

All lot decorations are the sole responsibility of the lot interment rights holder.

Artificial Wreaths:

Artificial wreaths or monument saddles shall be fastened to the monument or mounted on a separate stand anchored to the ground and may be placed and remain on the gravesite from November 1st to April 15th of the following year. No plastic or any other type of covering is permitted.

All artificial decorations remaining after April 15th will be considered abandoned and will be removed by cemetery staff.

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.

Flower Beds:

Flower beds shall be no larger than 15 inches in depth and not exceed the length of the base of the monument. Planting shall be allowed in front of the monument only. Flowerbeds or planting in the ground is not permitted on flat marker lots.

Borders on flowerbed gardens can be utilized to separate the flowerbed from the surrounding grass area and can be made of pre-formed concrete, heavy grade plastic, rubber or granite.

Flowerbeds are required to be cleared of tender plants by September 30th. Interment rights holders wanting to take any plant away should do so before their removal is necessary.

Fresh Cut Flowers:

Fresh cut flowers are allowed on all lots. They must be placed in a non-breakable metal or plastic container. Vases, urns or flower stands on lots that are not filled with flowers by June 20th in any year, may be removed from the lot by cemetery personnel.

Placing loose gladioli on grave site for Decoration Day (the 3rd Sunday in August) is allowed. Loose flowers placed for Decoration Day that have not been picked up by the interment rights holder within the week will be removed by cemetery personnel.

For columbaria, floral tributes will be allowed in bud vases that are approved by the Tillsonburg Cemetery and that are attached to the columbarium niche. Other floral tributes are allowed at the time of inurnment and on Decoration Day.

Flowers and wreaths placed against or near any part of the columbaria that are liable to stain or deface the structure will be removed.

Potted Plants:

Potted plants shall be placed on the top of the ground as close to the monument as possible and are required to be removed from the lot by September 30th or will be taken away by cemetery personnel.

Shrubs:

No bushes, shrubs or trees are allowed on cemetery lots with the exception of those already in place at the time this by-law was approved.

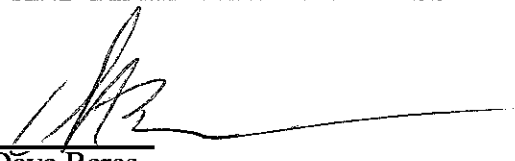
Trees & Plantings:

All landscaping and planting of trees in the cemetery is the responsibility of Tillsonburg Cemetery personnel. For information about the Memorial Tree & Bench Program, contact the Cemetery office at (519) 688-3009, ext. 5230".

4. THAT By-Law 3640 passed by the Council of the Corporation of the Town of Tillsonburg on August 13, 2012 shall be hereby amended.
5. THAT all amendments to By-Law 3640 must include proper notice as per the *Funeral, Burial, and Cremation Services Act 2002*, Ontario Regulation 30/11, Section 151 Re: Cemetery By-Laws.
6. THAT Cemetery by-laws and by-law amendments are subject to the approval of the Registrar, Ministry of Consumer Services.
7. THAT THIS By-Law shall come into force and effect upon the receipt of endorsement from the Registrar, Ministry of Consumer Services; and final passing thereof.

READ A FIRST AND SECOND TIME THIS 28th DAY OF September, 2015.

READ A THIRD AND FINAL TIME AND PASSED THIS 28th DAY OF September, 2015.



Deputy Mayor – Dave Beres



Town Clerk – Donna Wilson