

Bylaw No. 779
A Bylaw of the Town of Davidson
to Provide for the Management and
Control of the Davidson Cemetery

The council of the Town of Davidson enacts as follows:

1. In this bylaw:

- (a) "**Administrator**" means the Administrator of the Town of Davidson or his/her designate.
 - (b) "**Cemetery**" means Davidson Cemetery described as:
 - i) Parcel A NW 25-26-1-W3rd;
 - ii) Legal Subdivision 15-25-26-1-W3rd
 - (c) "**Cemetery Superintendent**" means the person designated by the Administrator to be in charge of the cemetery.
 - (d) "**Cemeteries Act**" means *The Cemeteries Act*, R.S.S. 1999, Chapter C-4.01 and amendments thereto.
 - (e) "**Columbarium**" means a structure or building designed for the purpose of storing human remains that have been cremated.
 - (f) "**Council**" means the council of the Town of Davidson.
 - (g) "**Grave**" means an area of the cemetery which is of sufficient size to accommodate the burial of one human corpse.
 - (i) "**Perpetual Care**" means the basic maintenance of all graves and shall include levelling the ground and markers and the seeding, cutting and watering of grass, as required. It shall not include the maintenance, repair or replacement of monuments or markers.
 - (j) "**Person**" includes a corporation or partnership.
 - (k) "**Registrar**" means the person designated from time to time by the Minister responsible for *The Cemeteries Act*, R.S.S. 1999, Chapter C-4.01, to be the registrar pursuant to said Act.
2. The Administrator may make regulations consistent with this bylaw for the carrying out of this bylaw and for the efficient management and control of the cemetery. Such regulations shall be known as the **Cemetery Regulations** as attached as Schedule "E" to this bylaw.
3. The Administrator is hereby authorized and empowered to set aside and maintain portions of the Cemetery for the burial of children and cremated remains. The size and location of any such area shall be as determined by the Administrator.

4. All fees collected for perpetual care shall be held by the Town in a separate fund called the "**Perpetual Care Fund**" and shall be invested in accordance with the provisions of *The Cemeteries Act*.
5.
 - (a) Any person may purchase a grave in the Davidson Cemetery, upon application to the Town office and payment of the appropriate fees.
 - (b) The purchaser of a grave shall have the right to use the grave for the burial of human remains in accordance with the provisions of this bylaw and such Cemetery Regulations as may from time to time be in effect; and shall acquire no other rights whatsoever.
 - (c) The purchaser of a grave or his legal representative may transfer the grave to a member of his family, or return the grave to the Town; both subject to compliance with such Cemetery Regulations as are then in effect.
 - (d) The purchaser of a grave or his legal representative may not sell the grave to any other person.
 - (e) The number and type of burials permitted in any one grave shall be as set out in the Cemetery Regulations then in effect.
 - (f) No person or organization may purchase more than two (2) graves without first obtaining Council's approval.
 - (g) The Administrator is hereby authorized and empowered to recover unused graves in accordance with the provisions of *The Cemeteries Act, 1999*.
6. The fees for grave purchases, interments, perpetual care and the charges for work done or services rendered at the Cemetery shall be set out in Schedule "D" of this bylaw.
7. No burial shall be permitted in the Davidson Cemetery unless the Administrator is in receipt of a burial permit therefor, issued pursuant to *The Vital Statistics Act*, R.S.S. 2009, Chapter V-7.21.
8. No disinterment of remains shall be permitted from the cemetery except pursuant to the written order of the Minister of Health for Saskatchewan, or his designate. A permit is not required for the disinterment of:
 - a) cremains to another location within the cemetery or to another cemetery; or
 - b) remains to another location within the cemetery.
9.
 - (a) No burial or disinterment will be permitted unless proper notice as specified in the Cemetery Regulations has been given, and the appropriate fees and charges have been paid.
 - (b) All burials and disinterments shall be carried out in accordance with the Cemetery Regulations then in effect, and shall be subject to the supervision and direction of the Town Foreman.
10.
 - (a) No person shall place, erect, plant or remove from any grave, a monument, marker, planting, or object of any kind, except in accordance with the Cemetery Regulations.

- (b) The Town Foreman shall have the authority to remove any article or planting placed, erected, or planted on any grave when the same is not in accordance with the Cemetery Regulations or when the same is objectionable.
- 11. (a) The Town shall not be liable for the loss of or damage to any monument, marker, or other object or planting located in the cemetery.
- (b) The Town reserves the right to permanently move or remove any monument or marker from any grave.
- (c) The Town reserves the right to temporarily move or remove any monument or marker for the purposes of performing necessary maintenance and/or for opening graves.
- 12. Advertising within the cemetery shall be as approved by the Administrator.
- 13. No children under the age of fourteen years will be permitted in the cemetery, unless accompanied by an adult.
- 14. No person shall engage in or carry on any game, sport or other activity, or operate any motor vehicle, or bring an animal within a cemetery except in accordance with the Cemetery Regulations.
- 15. The hours of operation of the cemetery shall be as established in the Cemetery Regulations from time to time.
- 16. Any notice required by this bylaw or the Cemetery Regulations to be given to any person shall be deemed sufficient if in writing and mailed postpaid to the last known address of such person as entered on the records of the Town of Davidson.
- 17. A person who contravenes any provision of this bylaw is guilty of an offence and upon summary conviction is liable to a fine of not less than One Hundred (\$100.00) Dollars or more than Five Hundred (\$500.00) Dollars.
- 18. Bylaw No. 155 and Bylaw No. 310 are hereby repealed.
- 19. This bylaw shall come into force and take effect on January 1, 2018.

 Tyler Alexander, Mayor

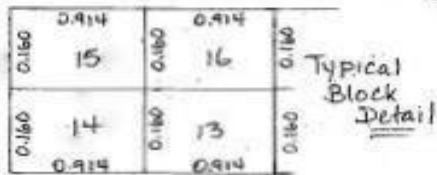
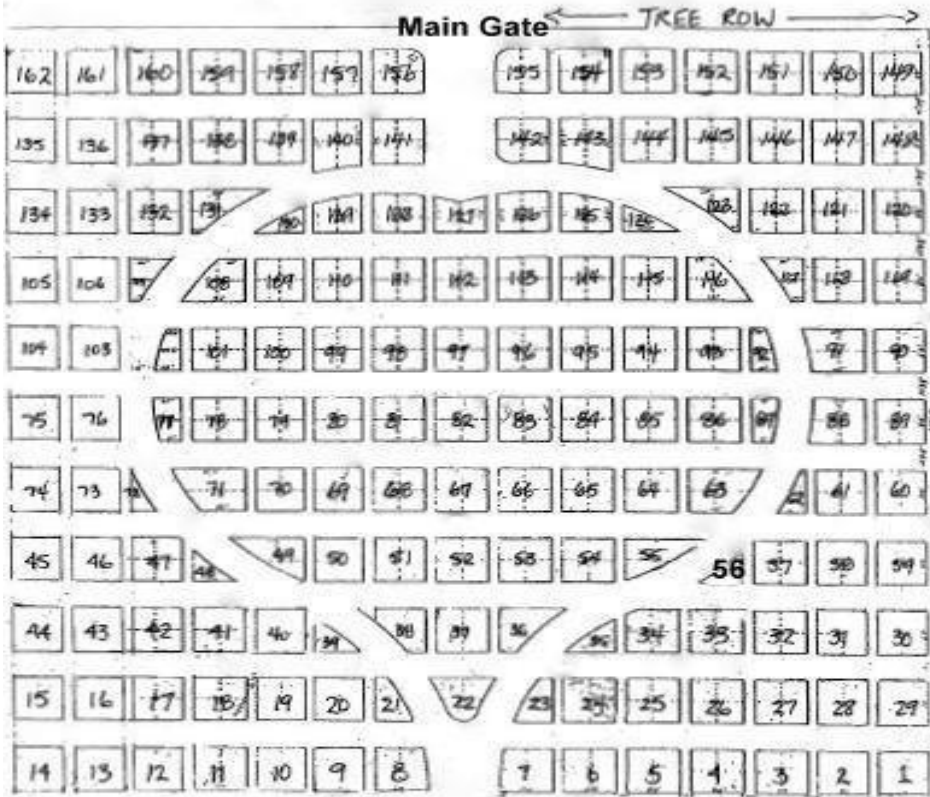
 Gary Edom, Administrator

(S E A L)

SCHEDULE "A" to Bylaw 779

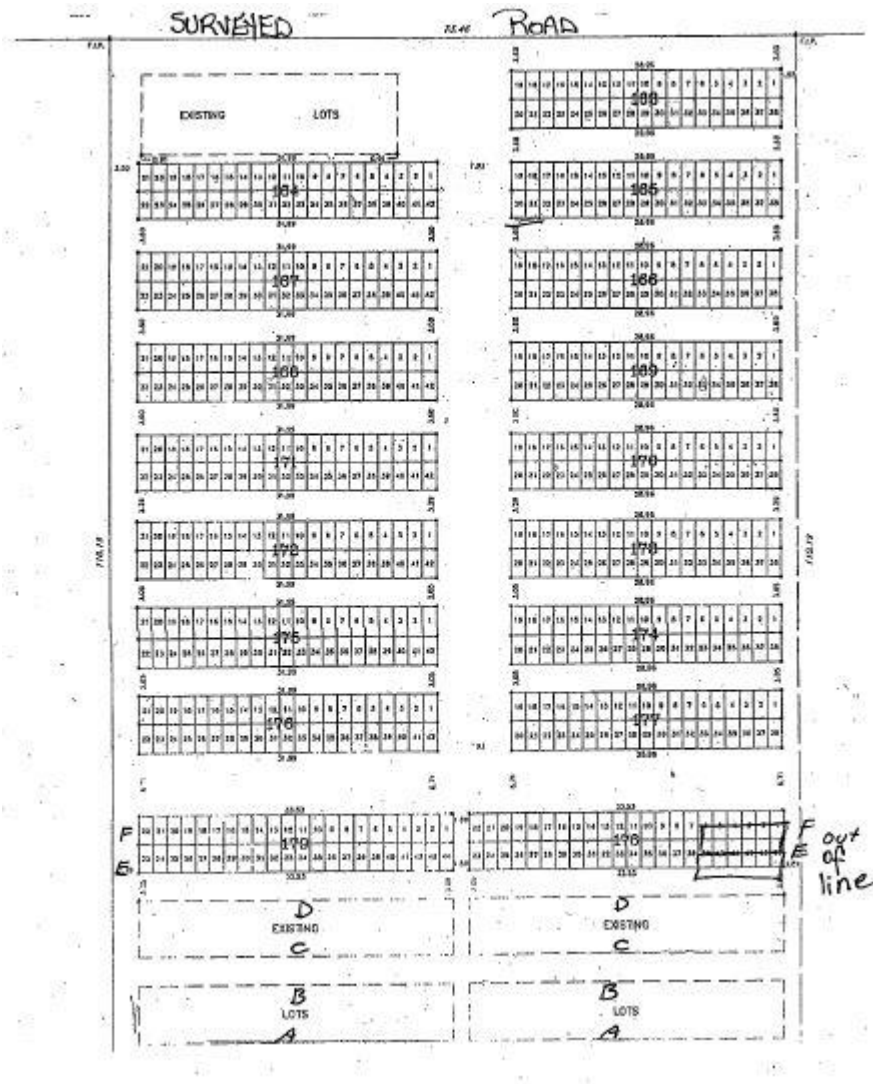
The following land shall be known as "Old Section", namely:

Davidson Cemetery N Old Section

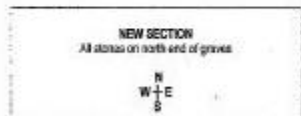


SCHEDULE "B" to Bylaw 779

The following land shall be known and described as "New Section", namely:

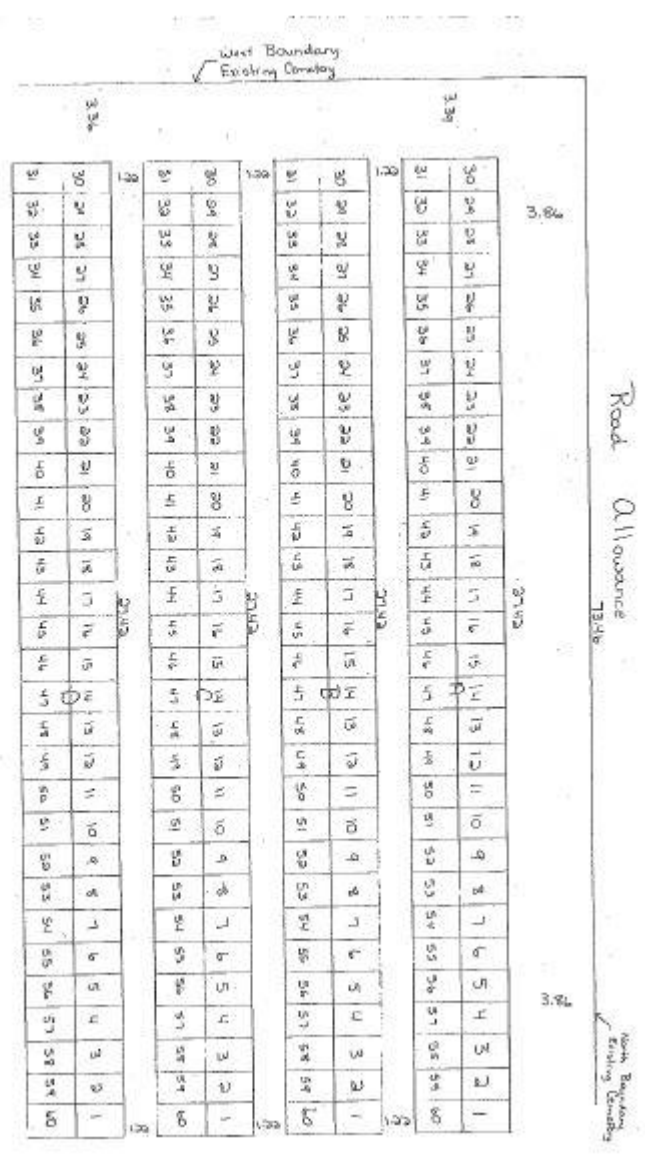


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44	43	42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1		
42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1		
42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1		



Schedule "C" to Bylaw 779

The following land shall be known as "Cremation Section", namely:



Schedule "D" to Bylaw 779

Schedule of Fees

Note: GST is applicable to all fees listed

A. Interment Rights

(i) Burial and Cremation plots:

Old Section	\$250.00
New Section	\$250.00
Cremation Plot	\$250.00

B. Cemetery Services

(i) Opening and closing a grave:

(including interring / disinterring human remains or cremated human remains)

a) In-season (May 1 – October 31)

- Burial of Cremated Remains \$200.00

b) Out-of-Season (November 1 – April 30):

- Burial of Cremated Remains \$300.00

**Open and closing services for casket burials are contracted and not completed by the Town of Davidson Public Works employees.*

ii) Additional services (additional costs for grave preparation and closing outside regular cemetery hours):

- (a) Weekket or Statutory Holiday surcharge: 10% of opening / closing fee
- (i) cremation \$75.00

C. Disinterment Charges

(i) Burials or cremation disinterment:

Burials (casket)	\$ 150.00
Cremation	50.00

D. Perpetual Care

At the time of purchase of a burial/cremation plot, a perpetual care fee shall be collected, in addition to any and all other cemetery fees/costs charged:

Perpetual Care Fee (per plot)	\$ 150.00
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Schedule “E” to Bylaw 779

The Davidson Cemetery Bylaw Regulations

Part I

General Matters

Short Title

1. These regulations may be cited as the ***Cemetery Regulations***.

Purpose

2. The purpose of these Regulations is to provide for the efficient management, regulation and control of the Town of Davidson municipal cemetery.

Definitions

3. In these Regulations:

- (a) “**authorized decision-maker**” means an authorized decision-maker within the meaning of *The Funeral and Cremation Services Act*, S.S. 1999, c. F-23.3;
- (b) “**Administrator**” means the administrator of the Town of Davidson or his/her designate;
- (c) “**casket**” means a rigid container designed for the encasement of a body for interment, entombment or cremation and usually constructed of wood or metal, also referred to as a coffin;
- (d) “**The Cemeteries Act**” means *The Cemeteries Act, 1999*, S.S. 1999, c. C-4.01;
- (e) “**Cemetery**” means the Davidson Cemetery, unless otherwise specifically stated;
- (f) “**Cemetery Bylaw**” means Bylaw No. 779 being a bylaw of the Town to provide for the management and control of the Davidson Cemetery;
- (g) “**Council**” means the council of the Town of Davidson;
- (h) “**cremated human remains**” means human bone fragments that remain after cremation, also referred to as “cremated remains” or “cremains”;
- (i) “**cremation**” means the technical process of using heat to reduce human remains to bone fragments;
- (j) “**disinterment**” means the removal of human remains or cremated human remains from a grave, columbarium or mausoleum;
- (k) “**fixture**” means any item that is attached to a monument including vases, statues, pictures, lanterns, metal rods or similar item;

- (l) “**flat marker**” means a type of monument set flush with the ground with a flat and level surface upon which an inscription may be made or a bronze plaque affixed (plaque must be set flush with the ground);
- (m) “**grave**” means a plot in a cemetery specifically designated and of sufficient size to accommodate the in-ground interment of human remains or cremated human remains;
- (n) “**Holiday**” means any of the following days: New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Saskatchewan Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any day or part of a day proclaimed a public or civic holiday; and shall include any day which is designated in lieu of one of the aforementioned days;
- (o) “**human remains**” means a dead human body, but does not include cremated human remains;
- (p) “**interment**” means the placement of human remains or cremated human remains in a grave, columbarium or mausoleum;
- (q) “**interment rights**” means a license granted by the Town to a person to allow the interment of human remains or cremated human remains in a designated grave, columbarium or mausoleum in accordance with these Regulations, the Bylaw and *The Cemeteries Act, 1999*;
- (r) “**Licensee**” means a person who has been granted the interment rights for one or more graves or niches within a cemetery owned by the Town;
- (s) “**Monument**” means a memorial structure with inscribed or attached lettering or artwork as a means of commemoration and made of granite, marble, bronze or other approved material;
- (t) “**niche**” means an individual compartment in a columbarium;
- (u) “**Perpetual Care**” means the basic maintenance of all graves and includes levelling of the ground markers and the seeding, cutting and watering of grass as required but does not include the maintenance, repair or replacement of monuments, markers or foundations;
- (v) “**person**” includes a corporation or partnership;
- (z) “**Regulations**” means these Cemetery Bylaw Regulations;
- (aa) “**resident**” means a person that resided in the Town of Davidson at the time of their passing;
- (bb) “**Town**” means the Town of Davidson;
- (cc) “**upright monument**” means a monument projecting above the ground that is set upon a foundation, including pillow markers;
- (dd) “**urn**” means a container into which cremated remains are placed prior to interment, entombment or scattering; and

- (ee) **“vault”** means a structural enclosure designed to cover a casket or urn and used to prevent sinking or slumping of graves, made of steel, fiberglass, concrete or other approved material.

Part II

Interments and Disinterments

Office Hours

4. The office hours of the Town of Davidson shall be open to the public during such days and times as specified by the Town.

Notice Required

5. The Town office shall be notified in advance, during regular office hours, of any interment as follows:
- (a) A minimum of 48 hours in advance of any interment is required;
 - (b) this notification excludes Saturdays, Sundays and Holidays; and
 - (c) interments with less than the required notice may be approved at the discretion of the Administrator; however, additional fees shall apply as identified in the approved schedule of fees and charges.

Telephone Arrangements

6. The Town accepts no responsibility for any error or misunderstanding that may arise from interment or other arrangements made by telephone.

Permit Required

7. No interments or disinterments shall be allowed in any grave until the Licensee, the Licensee’s legal representative or authorized decision-maker is in possession of a burial permit, cremation certificate or disinterment permit (if required), and responsibility for the Cemetery charges have been confirmed.

Inclement Weather

8. In the event of inclement weather, approval is required to be given by the Town prior to interment/disinterment.

Mandatory Perpetual Care Contribution

9. (1) The cost of any interment or disinterment shall include the appropriate contribution to the fund for perpetual care.
- (2) No subsequent interment or disinterment shall be permitted in a grave where there has been no contribution made to the fund for perpetual care; however, subsequent interments in / disinterments from a grave, including of cremated remains, shall be permitted so long as for each interment or disinterment there is the appropriate contribution made to the fund for perpetual care.

Use of Graves

10. Only one casket interment shall be permitted in a single grave.

11. A maximum of two cremated remains may be interred in an occupied single burial plot where one human remains have been interred.
12. Interments of cremated remains are also permitted in a grave. The total number of interments in a single grave cannot exceed two.

Use of a Cremation Grave

13. Only one interment of cremated remains shall be permitted in a cremation grave.

Discharge of Firearms

14. Salutes involving the discharge of firearms shall be permitted only for military funerals and provided that the Administrator is notified in advance. Any use of live ammunition must be approved by the Officer in Charge of the Craik detachment of the Royal Canadian Mounted Police.

Use of Vehicles

15. No vehicle shall travel in the cemetery at a speed greater than twenty (20) kilometers per hour, provided however, that the Town Foreman may in his discretion prohibit vehicular traffic where the condition of the roads and/or the weather conditions so warrant.
16. No person shall drive a vehicle over any part of the cemetery except on the roadways, and no person shall ride a bicycle over the graves, nor lean same against any monument or marker, nor leave same on any grave for any period of time, notwithstanding the use of maintenance equipment or monument installation equipment.

Scattering

17. The scattering of cremated remains shall be permitted on graves in the Cemetery provided the deceased is related to the person interred in the specific grave or related to the Licensee.

Interment of Indigent Persons

20. (1) The Town shall provide interment rights free of charge for an unclaimed body or for a deceased indigent person where the Town is instructed to provide interment rights free of charge pursuant to the provisions of *The Cemeteries Act, 1999* and any regulations thereto addressing the interment of indigent persons.
- (2) The interment of indigent persons shall occur in single plots, the location of which shall be within the sole discretion of the Town.
- (3) No one may install a Monument on a plot utilized for the interment of an indigent person until the Perpetual Care fee as set out the Schedule of Fees listed in Schedule "D" of the Cemetery Bylaw.
- (4) No other interments shall be permitted in a plot provided pursuant to this section until the grave price as set out in Schedule of Fees listed in Schedule "D" of the Cemetery Bylaw has been paid.

Exemptions and Exceptions

21. The Administrator may, at his discretion, and where special circumstances exist, make exceptions to these Regulations.

Part III

Purchase, Sale and Transfer of Interment Rights

Purchase of Interment Rights

22. (1) A licence to use a grave in the Cemetery may be purchased from the Town office upon full payment of the proper fees. The Licensee shall have the right to use the grave for the burial of human remains or cremated human remains in accordance with the provisions of the bylaw and the Regulations, as may from time to time be in effect and shall acquire no other rights whatsoever.

(2) No person may purchase more than two (2) graves without first obtaining approval from Council.

Proof of Interment Rights

23. The use of any grave must be authorized in writing by the Licensee or that person's authorized decision-maker. The Cemetery Superintendent may request proof of purchase to identify the Licensee of the grave or to prove the right to use the grave.

Refund of Interment Rights

24. A license to use a grave may be cancelled and a refund issued provided that:

- (a) the request is made in writing from the original Licensee or that person's authorized decision-maker;
- (b) the grave has not been used for interment; and
- (c) any markers or Monuments on the grave are removed.

Amount of Refund

25. (1) Refunds for the cancellation of a license shall be issued on the basis of 85% of the grave fee paid.

(2) The rights to a refund, as described in the preceding subsection, are subject to the Town being reimbursed for any and all costs in the event that a monument has been placed on the grave has been inscribed, or any other similar costs incurred by the Town to return the grave to a state where it could be sold to another.

Sale of Interment Rights

26. The license to use a grave cannot be sold by a Licensee.

Transfer of Interment Rights

27. The license to use a grave may be transferred to a family member provided that the Licensee or his authorized decision-maker advises the Administration office in writing of the name and address of the new Licensee.

Availability of Graves

28. Licenses for graves in the Davidson Cemetery shall be allocated and sold to members of the general public on a "first-come, first-served" basis, provided that the purchaser agrees to adhere to all relevant bylaws and these Regulations.

Part IV Monument Regulations

General

30. In this section, the following definitions shall apply:
- (a) “base” means the lower portion of a two-piece monument set on a foundation;
 - (b) “marker” means the upper portion of a two-piece monument and the part of the monument that is placed on the base, also known as the die;
 - (c) “marker without a base” means a monument consisting of a single piece placed on a foundation;
 - (d) “foundation” means a pad made of bronze, granite or concrete, set at grade, upon which a monument is placed;
 - (e) “length” means the dimension of the monument as measured from the left edge to the right edge, facing the monument;
 - (f) “width” means the dimension of the monument as measured from the front edge to the back edge, facing the monument; and
 - (g) “height” means the dimension of the monument as measured from the top to the bottom.

Approval Required

31. No marker or monument shall be erected, altered or removed without approval from the Administrator.

Approval Process

32. All applications for monuments must be made on the prescribed forms available from the Town Office. Applications shall be submitted to the Town Office during normal office hours. The Town office shall provide a response to applications within five (5) business days of their receipt. Upon approval, a copy shall be returned to the applicant.

Work Initiated Before Approval

33. The Town accepts no responsibility for any monument work initiated prior to the approval of the application.

Authorization

34. The Licensee or authorized decision-maker of a grave or graves shall be the authority with respect to the requested placement of a monument on a grave or graves. Persons, other than the Licensee, who make application for the placement of a monument, do so at their own risk. The Town does not accept any responsibility for resolving disputes between surviving family members or friends resulting from the placement of a monument.

Hours of Installation

35. Only monument work approved by an application submitted to the Town office shall be carried out, and only during hours as approved by the Administrator.

Notification and Responsibility

36. Any monument company employees, contracted employees or authorized individuals carrying out any monument work in the Cemetery, shall advise the Town Office upon arrival in Town and shall be responsible for the restoration or repair of any damages to the Cemetery grounds or fixtures resulting from their actions.

Installation

37. The timing of flat marker or foundation installations shall be scheduled by the Cemetery Superintendent. A cut-off date for these installations shall be established each fall and installations not completed prior to the cut-off date shall be honoured the following spring. Regardless, the installation of flat markers and foundations for upright monuments shall not take place until the gravesite is suitably landscaped.

Foundation Required

38. A base and/or bronze or granite marker requires a foundation.

Installation Responsibility

39. The Town reserves the right to install all foundations for upright monuments. The monument company is responsible for the installation of all monuments on a foundation of bronze, granite or concrete.

Cemetery Layout

40. The Town reserves the right to change the design of the cemetery affecting the placement of existing and new monuments.

Removal of Monuments

41. The Town may remove and dispose of any upright monument, memorial structure or fixture placed in the cemetery if such should fall into disrepair or become unsightly. The Town shall forward written notification prior to undertaking this action to the last known address of the Licensee of the grave or next-of-kin.

Surnames

42. The surname inscribed on a monument must match the surname corresponding to the burial as recorded in the Town Office. Where there is a request for an inscription with a different surname than recorded in the records, the recorded name must either be legally changed or appear elsewhere on the inscription. In this circumstance, the legal name may appear in smaller lettering or be placed in parenthesis.

Non-Interment Memorialization

43. A monument is permitted to be erected or altered as a memorial to a person not interred in the cemetery, upon application and approval from the Administrator.

Inscription Layout

44. Where a monument is marking more than one grave, it is the responsibility of the person making the application to ensure the monument's inscription corresponds with the correct sides or location of the burials.

Vandalism

45. Monuments are placed in the cemetery at the risk of the Licensee of the grave or of the applicant. The Town accepts no responsibility for theft or damage resulting from vandalism.

Maintenance of Monuments

46. The Town accepts no responsibility for degrading of the monuments or markers due to normal wear or deterioration. Minor chipping of the base portion of the monuments as a result of the turf mowing operation is considered normal wear.

Approved Monuments

47. All monuments erected in the Cemetery shall be restricted to:
- i) Old Section: Upright, flat or pillow type;
 - ii) New Section: Flat or pillow type.
48. Handcrafted (homemade) markers are not permitted without a foundation.

Matching Existing Monuments

49. Applications for monuments that do not comply with these regulations but would match an existing or previously installed monument shall not be approved.

Exemptions and Exceptions

50. The Administrator may, at his/her discretion, and where special circumstances exist, make exceptions to the regulations with respect to monuments.

Upright Monuments

51. (1) Approved Materials

Granite and limestone are approved materials for upright monuments or parts thereof. Marble is approved only for parts of a monument such as vases and statues. Marble shall not be approved as a base.

(2) Other Materials

No monument or part thereof containing wood, glass or plastic shall be approved. Other materials requested for monuments or parts thereof are subject to prior approval by the Town and must be materials recognized as long-lasting and requiring no ongoing maintenance. The onus for testing and proving acceptability for a material shall be on the person making the application.

(3) Only One Monument

Only one (1) monument shall be permitted on any grave or portion thereof and it is to be placed at the head of the grave as designated by the Town.

(4) Base Dimensions

All bases (or dies without bases) are subject to the following:

- (a) the minimum length of a base shall be 30.5 cm (12 inches);
- (b) the maximum width of a base shall be 25.5 cm (10 inches) less than the width of the grave or graves to be marked but cannot exceed 91.44 cm (36 inches) in length;
- (c) the width of a base shall be a minimum of 20.5 cm (8 inches) and a maximum of 45.5 cm (18 inches);
- (d) the base of a Monument in excess of 106.5 cm (42 inches) in length shall have a minimum width of 30.5 cm (12 inches); and
- (e) the height of a base shall be a minimum of 10 cm (4 inches) and a maximum of 46 cm (18 inches).

(5) Base Finish

The sides of the base (excluding the top and bottom) must have a rock-pitch finish. Any base with a minimum height of 15 cm (6 inches) shall be permitted a sawn or polished margin. The margin must be made so that a minimum of 10 cm (4 inches) on the bottom of each side is left as a rock-pitch finish.

(6) Marker Dimensions

All markers are subject to the following:

- (a) the overall length and width dimensions of the marker (including any fixtures) shall not exceed the length and width dimensions of the base;
- (b) the height of a marker shall be a minimum of 10 cm (4 inches) and the maximum height shall not exceed the marker's minimum length by more than one-third;
- (c) a marker with a minimum width of 10 cm (4 inches) shall be restricted to a maximum height of 46 cm (18 inches);
- (d) a marker with a minimum width of 15 cm (6 inches) shall be restricted to a maximum height of 92 cm (36 inches); and
- (e) a marker with a minimum width of 20 cm (8 inches) shall be restricted to a maximum height of 107 cm (42 inches).
- (f) The maximum size of an upright marker for a single plot is 92 cm x 60 cm x 20 cm (36" x 24" x 8").
- (g) The maximum size of a pillow or slanted marker shall be 92 cm x 60 cm x 20 cm (36" x 24" x 8")(single or double plots).

(7) Total Monument Height *

A monument with a maximum base length less than or equal to 92 cm (36 inches) shall be restricted to a maximum total height of 92 cm (36 inches). A monument with a maximum base length in excess of 92 cm (36 inches) shall be restricted to a maximum total height of 107 cm (42 inches).

** Total Monument height is measured from the top of the foundation to the highest point on the Monument (including any fixtures).*

(8) Monument Assembly

Any upright monument erected must have the base and marker joined, front and back, by use of a non-permanent setting compound. Monuments cannot be permanently attached or pinned to the foundation.

(9) Monuments Shaped Into Crosses

Monuments shaped into a cross which have any portion of the marker length less than 35 cm (14 inches) or a thickness of less than 15 cm (6 inches) are not permitted.

(10) Pictures and Photographs

Pictures are to be countersunk to a depth that leaves approximately 3 mm (1/8 inches) extending from the face or front of a monument, securely fastened and completely sealed with monument setting compound. The use of frames, covers or Jadco fasteners and similar installation systems are not permitted.

(11) Vases and Statues

- a) All vases and statues must be permanently affixed and positioned so that no part extends beyond the length or width of the base nor extends above the total monument height. Wood, marble or granite vases shall be restricted to a minimum thickness of 2.5 cm (1 inch) at any point.
- b) Flower containers, fraternal emblems and solar lights shall be permanently affixed to the monument or base and positioned so that no part:
 - i) extends above the total height of an upright monument; or
 - ii) extends higher than 30 cm (12 inches) above the surface of the foundation or base.
 - iii) All non-permanent fixtures at the time of passing of this bylaw shall be allowed to remain until such time repairs to these fixtures are required. At that time, the fixture shall be removed and replacement(s) will not be permitted.

(12) Other Fixtures

All other fixtures or attachments to any marker or monument must be specifically approved by the Cemetery Superintendent.

Flat Markers**55. (1) Approved Materials**

Only bronze (anchored to a base of bronze or granite) and granite are approved materials for use as flat markers. Marble shall not be approved as material for flat markers.

(2) Bronze Markers

Bronze plaques (attached to a base of bronze or granite) shall only be approved for installations at the head of the grave as designated by the Town. The base used for anchoring a bronze plaque must be a minimum of 10 cm (4 inches) longer and wider than the plaque and a maximum of 20 cm (8 inches) longer and wider than the plaque and must meet the minimum and maximum dimensions for flat markers.

(3) Notwithstanding Section 53(2), flat markers without a foundation shall be permitted to be placed within the grave plot, on the inside of an existing upright, flat, or pillow monument, as applicable.

(3) Dimensions

All flat markers are subject to the following:

- (a) the length of a flat marker shall be a minimum of 30 cm (12 inches) and cannot exceed 90 cm (36");
- (b) the width of a flat marker shall be a minimum of 30 cm (12 inches) and cannot exceed 60 cm (24 inches) for a single plot or 122 cm (48") for a double plot; and
- (c) the thickness of a flat marker that is to be installed flush with ground level, including any base material anchoring bronze plaques, must be uniform and between 7.5 cm (3 inches) and 15 cm (5 inches).

(4) Vases

Only invertible vases that can be turned down and placed completely inside the marker shall be permitted on flat markers at the head of the grave.

(5) Pictures, Statues and Fixtures

No pictures, statues or fixtures (other than approved bronze plaques) shall be permitted on any flat marker.

(6) Flat Markers on Foundations

All flat markers to be placed on a foundation are considered a base without a die and are subject to these Regulations, subject to Section 53(3).

(7) Assembly

All foundation work and the anchoring of bronze plaques to bases shall be the responsibility of the person making the application prior to the delivery of the flat marker to the Cemetery.

Part V

Flowers and Memorialization

Responsibility

56. All items placed in the Cemetery by the public shall be at their own risk. The Town accepts **no responsibility** for any damaged or missing items.

Permanent Items

57. Only approved monuments, markers or approved parts thereof are considered permanent items and are permitted to remain in the cemetery year-round.

Perennials, Trees and Shrubs

58. The Town reserves the sole right to plant and remove any perennial flowers, shrubs and trees and to landscape or carry out any improvements to the grounds.

At the time of Interment

59. All types of flowers and other items are permitted on the grave the day of the burial and shall be left for a period of thirty (30) calendar days following interment, or for a length of time to be determined by the Administrator. Any time after this period, the items shall be removed and disposed of by the Town.

Annual Flowers

60. (1) From May 1 to October 31, the following guidelines apply:
- (a) flowers in containers that are not part of the approved monument shall be removed and disposed of, however, Cemetery staff shall not remove flowers placed in vases that are part of an approved monument;
 - (b) any artificial flowers, potted plants, perennials, lawn-edging, non-natural/such items, which includes but are not limited to the following: solar lights, chimes, rocks, stepping stones or other decorative items that are not part of the approved monument shall be removed and disposed of by the Town; and
 - (c) all other items placed on a grave, monument or foundation are considered temporary and shall be removed and disposed of monthly by the Town.
- (2) From November 1 to April 30, the following guidelines apply:
- (a) all vases in the flat marker sections must be inverted by family members / friends of the deceased. The Town assumes no responsibility for missing or damaged vases or flowers; and
 - (b) all items placed at graves shall be removed only as needed to accommodate interments or if deemed hazardous, excessive, or inappropriate by the Town.

Decorative Elements

61. (1) To preserve the proper appearance of the Cemetery, the Town may remove any memorial or memorialization when it is objectionable, or its removal is otherwise considered necessary by the Town. For clarity, non-natural items, include but are not limited to the following: solar lights, chimes, rocks, stepping stones, flags, poles, or other decorative elements that are not permanent would be objectionable.
- (2) The Town shall not be responsible for any loss occasioned by any person as a result of the removal of the memorial or memorialization, or the failure of the Licensee or authorized decision maker or any other party to claim a removed memorial or memorialization.
- (3) Artificial or natural flowers may only be attached to a Columbarium niche in approved vases, one per niche. Arrangements shall not encroach upon other niches. No other ornamentation or memorial item is to be attached to or hung from the Columbarium or vase. The Town reserves the right to remove such items and dispose of them without notice and without liability.

Part VI

Miscellaneous

Most Restrictive Provisions Prevail

63. Where there is a conflict between the provisions of the Bylaw and the provisions of these regulations or any other legislation, the most restrictive provision shall prevail.

Signed at the Town of Davidson this 1st day of January, 2018.

Gary Edom, Administrator
Town of Davidson