

**TOWN OF ST. WALBURG
BYLAW NO. 9-2003**

A BYLAW OF THE TOWN OF ST. WALBURG TO ESTABLISH A POLICY FOR OPERATION OF THE MUNICIPAL CEMETERY.

WHEREAS the Council of the Town of St. Walburg, in the Province of Saskatchewan, is authorized to operate and regulate a municipal cemetery under Section 172 of *The Urban Municipality Act, 1984*;

AND WHEREAS it is deemed advisable to develop a Policy Respecting the Operation of the Cemetery;

NOW THEREFORE, the Council of the Town of St. Walburg, in the Province of Saskatchewan, enacts as follows:

1. The policy attached hereto and marked "A" shall take effect in all respects as **Schedule A to Bylaw No. 9-2003.**
2. This bylaw shall come into force and take effect from and after the day of final passing thereof.


Dep - Mayor, Town of St. Walburg

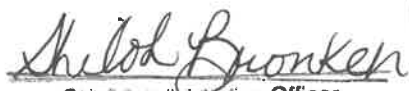
(SEAL)


Administrator, Town of St. Walburg

This bylaw given three readings and adoption at meeting held June 24, 2003.


Administrator, Town of St. Walburg

Certified a True Copy


Chief Administrative Officer
Town of St. Walburg, Saskatchewan

TOWN OF ST. WALBURG SASKATCHEWAN

POLICY OF THE TOWN OF ST. WALBURG RESPECTING CEMETERY OPERATIONS.

WHEREAS Section 172 (1) of The Urban Municipality Act, authorizes a Council to acquire, maintain, regulate and control and establish a schedule of fees for the use of a cemetery, columbarium or crematorium within or outside the urban municipality and prevent or regulate the burial of the dead, and, in each cemetery owned by the urban municipality, the urban municipality shall provide plots for the burial of destitute persons or unclaimed bodies; and

WHEREAS it is deemed necessary and expedient to provide general regulations for the operations and maintenance of the Town Cemetery,

NOW THEREFORE THE COUNCIL OF THE TOWN OF ST. WALBURG IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. This Policy may be cited as The Cemeteries Policy.

DEFINITIONS

- 1) "Except where otherwise defined herein, the words used in this Policy are deemed to have the same meaning as those words as defined in *The Cemeteries Act*, R.S.S. 1999, C-4.01 & amendments.
- 2) "Cemetery" means land set apart for, or used by the Town of St. Walburg, as a place for the interment of the dead or in which human bodies have been buried and includes any land that is set apart and is used as a site for a columbarium and mausoleum.
- 3) "Town" means the Town of St. Walburg.
- 4) "Town Cemetery" refers to the cemetery located at Portion of NE 1/4 29-53-22 W3, Plan A.A.N.139. (2.4 acres more or less)
- 5) "Council" means the Council of the Town of St. Walburg

me
u

- 6) "Cremated Remains" or "Cremains" means the ashes of a cremated human body.
- 7) "Lot" means a parcel of land in the Cemetery to be utilized solely for the interment of human remains or ashes.
- 8) "Monuments" means any tombstone or other structure in the cemeteries erected on any lot for memorial purposes.
- 9) "Plot" means a parcel of land in the Cemetery which is comprised of two or more lots and is to be utilized solely for the interment of human remains or ashes.

INTERMENTS AND DISINTERMENTS

- 1) No person shall bury any dead human body or cremated remains in any cemetery within the Town's jurisdiction unless and until the person has complies with the provisions of:
 - a) The Public Health Act and regulations thereunder;
 - b) The Vital Statistics Act and regulations thereunder; and
 - c) the Policy.
- 2) No grave lot shall be dug less than 1.8 meters (six feet) in depth from the surface of the ground surrounding the grave. Outer shells of fiberglass, wood, steel or concrete must be utilized for all interments. This does not apply to the interment of ashes. All burial depths will comply with regulations set out in *The Cemeteries Act, 1999*.
- 3)
 - a) Subject to subsection 4) hereof, a maximum of one body and two urns of ashes may be interred in any one full lot, providing interment of ashes takes place after or at the time of interment of the body;
 - b) Two bodies may be interred in one site, top of outer burial container must have 76 cm. (2.5 feet) of cover.
- 4) Disinterment shall only be permitted upon the production of a permit issued by the Minister of Public Health pursuant to an application under *The Public Health Act*, and upon payment of the appropriate fees. Removal of the remains shall be the responsibility of the person authorized to remove the body.

mc.

BURIAL OF DESTITUTE PERSONS OR UNCLAIMED BODIES

At the request of the Minister of Social Services or Minister of Public Health, the Town shall provide grave lot(s) in one of the cemeteries without charge. The burial of destitute persons or unclaimed bodies shall take place in single graves as designated by the Town and there shall be no choice as to the location of the grave plot.

MONUMENTS AND MARKERS

- 1) All monuments and markers in the Town Cemetery will be set at the head of the grave lot on undisturbed ground.
- 2) Whenever the owner of a monument or marker neglects to make required repairs for alterations to the said monument or marker within 30 days after receiving written notice from the Town to do so, the Town shall have the power to remove or repair the monument or marker and charge the cost thereof to the owner.

Existing grave covers which are damaged are to be removed, area leveled and seeded to grass or paving stones installed as per section 5.

- 3) On a regular grave lot, a maximum of one monument and one flat marker or two flat markers are allowed.
- 4) Any marker within the said area must be placed on a foundation that is constructed within the limits of the lots and the upper surface shall not project above the level of the grass surface. Any such marker shall conform to the following sizes:

Single Lot: Maximum size 14" x 30" or 35 cm x 76 cm
Double Lot: Maximum size 14" x 44" or 35 cm x 112 cm

Monument base must be 6" wider and longer than monument to allow for basic maintenance and care of grave lot.

- 5) No grave covers, either cement or plastic shall be used. Ground must be leveled and grass seeded. Paving stones may be used as long as they are level with the ground for mowing.

MAINTENANCE AND CARE OF CEMETERY

- 1) All grave lots in the cemeteries shall be entitled to basic maintenance and care which includes cutting of grass, weed and rodent control as required. It shall not

n MC.

include the maintenance, repair or replacement of monuments or markers.

- 2) No border, fence, railing, trellis, coping, hedge or any other bounding or enclosing object shall be constructed, placed or planted in or around any lot other than for the purpose of operating the cemetery as authorized by the Town.
- 3) Natural or artificial flowers shall be permitted in holders, vases or other unbreakable receptacles provided they are permanently secured to the base of the monument.
- 4) No trees or shrubs shall be planted in the cemetery except with the permission of the Town. The Town may arrange for the removal or pruning of any tree which, in its opinion, is detrimental to any adjacent lot, path, driveway or to the general appearance of the Cemetery.

CEMETERY PLANS

- 1) The plans of the cemeteries showing the subdivision of land, together with all the subsequent plans, shall be open for inspection free of charge at the Town Office.
- 2) All interments shall be made and records kept in accordance with such plans.

GENERAL

- 1) No employee of the Town or Contractor employed by the Town shall accept any money or reward in connection with cemetery services other than the person appointed to receive the appropriate fees concerning the same.
- 2) All lots must be staked by Cemetery Caretakers prior to burials or installation of monuments or markers.
- 3) Any burial site requiring major upgrading; the family will be contacted with list of work required and a time frame for completion of same. If unable to locate a family member, the work will be undertaken by staff as time, equipment and funds permit. Cost of such work will be recorded to site and will be collected at such time as successful location of a family member.

FEES STRUCTURE

Grave Lots	\$200.00 + GST
Staking of Cemetery Lots	\$30.00 + GST

me


SIGNATURE AND APPROVAL OF POLICY

This policy reviewed and approved by the Council of the Town of St. Walburg by resolution passed at council meeting held January 9, 2001 and formalized by Bylaw No. 9-2003.

The policy may be reviewed at any time it is deemed necessary to make changes.

The fee structure noted in this Policy was established by Resolution #2000/290, August 22, 2000.

The fee structure subject to change at any time by resolution of the Town Council.

 ~~Gordon Lee Hall~~
Deputy Mayor, Town of St. Walburg

 Muriel G. Rosser-Swift
Administrator, Town of St. Walburg