

BYLAW 2007 / 02

A bylaw to provide regulations for the use, care and maintenance of the Pine Grove Memorial Gardens and the Crescent Park Cemeteries.

Whereas it is expedient to provide general regulations respecting cemeteries for the R.M. of Moose Range No. 486 and the Town of Carrot River.

Now, therefore, be it resolved, the council of the Town of Carrot River in open meeting assembled enacts as follows:

1. This bylaw shall be known as the cemetery bylaw.
2. Definitions:
 - a. Cemetery means land within the R.M. of Moose Range No. 486 set apart for, or used as, a place for the interment of the dead or in which human bodies or cremains have been buried.
 - b. "Crescent Park Cemetery" means the land on NW 32-49-11 W2 as described on Certificate of Title No. 113853012 as *Blk/Par A-Plan 101506801 Ext 80 As described on Certificate of Title 94PA01422, description 80.*
 - c. "Pine Grove Memorial Gardens" means the land known as *Parcel A-Plan 70PA15713 Ext 0 As described on Certificate of Title 71PA02946* as described on Certificate of Title No. 113378991
 - d. "Council" means the council of the R.M. of Moose Range No. 486 and / or the Town of Carrot River.
 - e. "Committee" means the persons appointed by resolution of the councils of the R.M. of Moose Range No. 486 and the Town of Carrot River to be responsible for the carrying out of the provisions of this bylaw.
 - f. "Supervisor" of the cemeteries means the person appointed by the committee members of the R.M. of Moose Range No. 486 and the Town of Carrot River to be responsible for the carrying out of the provisions of this bylaw and to act in the capacity of Supervisor/Caretaker of the cemeteries.
 - g. "Lot" means a subdivision of land for the purpose of a single traditional burial and for up to three cremains in one of the cemeteries as shown on the plans thereof, forming and being a part of this bylaw.
 - h. "Plot" means an area as shown on the cemetery plans for the purpose of two or more graves.
 - i. "Monument" means any structure in the cemeteries erected or constructed on any lot or plot for memorial purposes.
 - j. "Permit" means receipt issued for payment of lot.
3. The Councils of the R.M. of Moose Range No. 486 and the Town of Carrot River shall annually appoint a committee consisting of two appointees by each council and at least one of the two appointees by each appointing council shall be a member of that council.
4. No person shall bury any dead body or cremains in a cemetery until such person has complied with the provisions of the Public Health Act and the Vital Statistics Act of the Province of Saskatchewan and with any regulations issued there under, and shall also have complied with the provisions of this bylaw.
5. The R.M. of Moose Range No. 486 may grant a permit to any person for the exclusive use by him, his heir, his executor or administrators of any lot or plot, said permit to be subject to all the provisions of this bylaw and any amendment thereto or any regulation passed from time to time by the councils of the R.M. of Moose Range No. 486 and the Town of Carrot River, such permit to be obtained from the R.M. of Moose Range No. 486 municipal office.
6. The fee for the said permit and all charges for work done at the cemetery by the municipalities shall be in accordance with the rates set out in schedule "A" to this bylaw or as the schedule may be amended from time to time by resolution of the councils of the R.M. of Moose Range No. 486 and the Town of Carrot River.
7. Surrender of Permit

- a. Any permittee of a lot or plot may surrender his permit to the R.M. of Moose Range no. 486 for any unused lot or plot and in such case, the R.M. of Moose Range No. 486 may grant a permit to some other person as opportunity arises, and on the issue of a permit to such other person will refund the original permittee the money paid to the R.M. of Moose Range No. 486 less one hundred dollars (\$100.00) per lot.
 - b. No permit may be transferred except as set out in Section 7(a) thereof.
8. Interment
- a. Any permittee of any lot or plot who, having the necessary authority, desires to have a grave dug therein, shall first pay to the person appointed by the R.M. of Moose Range No. 486 and the Town of Carrot River the fees referred to in Schedule "A" of this bylaw, such fees may be amended from time to time for opening and closing the grave.
 - b. Notice that an interment is to take place shall be given to the Supervisor of the cemeteries at least forty eight (48) hours before the interment is to take place during the period from November 1st to April 30th the next following and at least thirty six (36) hours notice before the interment is to take place during the period May 1st to October 31st next following.
 - c. There shall be no special section within the cemeteries reserved for the burial of indigents. However, the Director of Social Welfare may in such cases issue an order for the burial of an indigent within the Pinegrove Memorial Gardens Cemetery, and the person appointed for the purpose shall issue the necessary permit.
 - d. At the time of opening a grave the permitter shall first pay an amount that may be amended from time to time for a monument fee, which may be refunded as per the regulations.
9. Disinterments
- a. No person shall disinter or remove a body or cremains from any lot or plot without first producing a written order from the permittee of such lot, and a permit for such disinterment or removal issued by the Minister of Public Health and a receipt showing that the necessary fees have been paid.
10. Borders, Fences and Hedges
- a. After the passing of this bylaw no borders, fences, railing, trellises, covers, copings, hedges, concrete or stone corners or iron posts shall be constructed or planted in or around any lot or plot.
 - b. Borders, fences, railings, trellises, covers, copings or hedges in existence before the passing of this bylaw will be removed free of charge by the R.M. of Moose Range No. 486 and the Town of Carrot River upon request in writing by the permittee.
 - c. Any border, fence, railing, covers, coping, hedge or any other bounding or enclosing material erected before the passing of this bylaw may be removed by the R.M. of Moose Range No. 486 and the Town of Carrot River if, by reason of neglect or age, it becomes in a state of disrepair and the permittee neglects or refuses to repair or remove the same within thirty (30) days after a notice in writing to do so has been forwarded to him at his last known address.
11. Monuments
- a. No person shall place or erect in the cemeteries any tombstone or monument or any like structure or make any alterations to any such structure heretofore or hereafter erected until he shall have furnished the Supervisor with all information and a description of such structure. Such monument or structure shall consist solely for imperishable and adamant materials such as stone, copper, etc., and shall not include structures nor applied decorations of plastic, glass or other perishable or easily damaged materials.
 - b. To properly perpetuate memory, all monuments, markers, etc., shall be of first quality granite, marble, or other natural stone, free from sap and components which cause rust stains, and form natural faults which might cause checks or cracks.
 - c. Monuments to be placed in Pine Grove Memorial Gardens shall be placed on a concrete foundation at least eight (8) inches in thickness and extending four (4) inches in each direction around the base of the monument, the upper surface of the foundation to be placed at ground level. The monument shall not be higher than six (6) inches at its highest point nor more than forty (40) inches nor less than twelve (12) in length,

and shall not be more than eighteen (18) inches nor less than ten (10) inches in width.

- d. All foundations and monuments shall be erected under the direction of the Supervisor.
12. The Supervisor shall, from time to time, report to the Committee and to the owners on the condition of any monument which is out of repair and it shall be the duty of the owner of such monument to repair the same without delay to the satisfaction of the Committee.
13. Whenever any owner of a tombstone, monument or other structure neglects to make required repairs or alterations after being given due notice by the Committee, the Committee shall allow a period of three (3) months to elapse after giving the said notice and shall then have power to remove such tombstone, monument or other structure from the cemetery or repair it and charge the cost thereof to the owner and the costs may be recovered as a debt due by owner to the municipality.
14. For the protection of all lot owners it shall be necessary that persons erecting, cleaning, or repairing memorials shall obtain a permit and, in doing such work, comply with the reasonable direction of the Supervisor. The persons or firms requesting such permits may be required to furnish satisfactory evidence of their ability to perform such work.
15. All notices required to be given to permittees or owners of monuments or to the parties in this bylaw shall be delivered in writing by the Committee or some person designated by the Committee, or in writing mailed postage paid to the last know address of such permittee or owner or other party, and proof of such notice having been mailed, properly addressed with postage prepaid or delivered shall be sufficient proof that such notice has been given.
16. General
 - a. All funeral processions shall be under the control and supervision of the Supervisor of the cemetery while they are within the limits of the cemetery.
 - b. Except with the permission of the Medical Health Officer only one body shall be interred in any grave except as hereinafter set out.
 - c. No interment of the body of an adult person shall be permitted in the same grave where a body had been interred unless the first body had been buried at a depth of at least eight (8) feet from the surface of the ground to the bottom of the grave.
 - d. No grave for the burial of an adult shall be less than six (6) feet in depth from the surface of the ground surrounding the grave and a comparable depth for children to give coverage of at least three (3) feet over the coffin or receptacle.
 - e. The R.M. of Moose Range No. 486 nor the Town of Carrot River, nor any employee of these municipalities shall be responsible for any order given by telephone or for any mistake occurring from the want of precise and proper instructions as to the particular space, size of grave and location in a plot where interment is desired.
 - f. The Supervisor may remove from any lot any weeds, grass, wilted floral pieces or any other articles or things which, in his opinion, are unsightly. Artificial flowers must be removed within twenty-four hours (24) and, if not removed, the Supervisor shall remove them.
 - g. The Supervisor or anyone under his charge shall have the power to remove from the grounds any person disturbing the quiet or good order of a cemetery by noisy or improper language, or any person violating the provisions of this bylaw.
 - h. Arrangements for the payment of any and all indebtedness due to a cemetery must be made before any interment is made.
 - i. The Supervisor shall have power to prevent the following within the limits of the cemetery:
 - i. Loud or boisterous talking,
 - ii. Idling or loafing on the grounds or in any buildings,
 - iii. Bringing lunches or refreshments into a cemetery,
 - iv. Or consuming them in the grounds,
 - v. Peddling or soliciting the sale of any commodity within a cemetery,
 - vi. Placing of signs, notices or advertisements of any kind within a cemetery,
 - vii. Bringing dogs into a cemetery or any of its buildings,

- viii. Bringing firearms into a cemetery except by a military escort accompanying a veteran's funeral or attending memorial services.
 - j. Whenever the casket, body or cremains in a lot is removed from a cemetery the lot so vacated shall revert to the municipalities.
 - k. All material brought into a cemetery to be used in improving any lot shall be transported and deposited in the cemetery in such manner as the Supervisor of the cemetery shall direct, and all earth, wood or rubbish remaining after such improvement shall be removed and deposited under his direction.
 - l. No child under the age of twelve (12) years shall be admitted to a cemetery unless in charge of an adult person.
 - m. Vehicles in a cemetery shall keep to driveways provided, and pedestrians shall keep to the roads and paths. Vehicles in a cemetery shall not travel at a greater speed than ten (10) miles per hour. In addition the following acts are prohibited:
 - i. Driving any motor car, vehicle, or animal across or upon any grave, lot to lawn or parking or leaving the same thereon.
 - ii. Parking or leaving any motor car or vehicle on any road or driveway within a cemetery at such location or in such position as to prevent any other car or vehicle from passing the same, and if so parked or left the management will remove the same.
 - iii. Making a complete or partial reverse turn of any motor car or vehicle on any road or driveway within a cemetery.
 - n. No tree or shrub shall be planted in a cemetery except with the permission of the Committee.
 - o. All workmen employed in any work in a cemetery shall comply with all the orders and directions of the Committee and all workmen shall cease work when a burial is taking place.
 - p. The Committee may reserve from use any portion of a cemetery which, in their opinion, is undesirable for use because of location or contour.
 - q. Any person found guilty of a violation of any of the provisions of this bylaw shall be liable to the penalties set out in the General Penalty Bylaw of the R.M. of Moose Range No. 486 or the Town of Carrot River.
 - r. The plan or map of the cemetery (ies) shall form a part of this bylaw.
17. Cremations
- a. Shall be subject to all provisions of this Bylaw except as follows:
 - i. Up to three (3) separate cremains may be interred above an interred body as A, B or C.
 - ii. No body is to be interred after a cremain has been previously interred.

This bylaw shall come into force upon the passing of this bylaw and its schedules and current regulations by both Councils.

Reeve

Administrator

Certified a true copy of Bylaw 02-2007
 passed by the Council of the Rural Municipality
 of Moose Range No. 486 at their Regular Meeting
 held on July 11, 2007.

Administrator