

COUNTY OF ST. PAUL NO. 19

BYLAW NO. 2013-44

A Bylaw of the County of St. Paul No. 19, in the Province of Alberta, to adopt a Cemetery Bylaw.

This Bylaw is to be cited as the "County of St. Paul No. 19 Cemetery Bylaw". This bylaw only applies to cemeteries owned by the County of St. Paul No. 19.

In this bylaw, "County of St. Paul No. 19 Cemetery Committee" is made up of three council members, two employees, and one member at large.

The County of St. Paul No. 19 shall keep either copies or original burial permits, disinterment permits, and plot plans.

All information will be inputted in a database.

The minutes of Committee meetings shall be kept on file at the County office.

All records relating to plots, burials and disinterment shall be kept at the County office. Information will be inputted in the County's database to be updated periodically.

1. CEMETERY COMMITTEE

A Board is hereby established and shall be known as the "County of St. Paul No. 19 Cemetery Committee".

The "County of St. Paul No. 19 Cemetery Committee" will assume responsibility concerned with the management, planning and maintenance of only those cemeteries owned by the County of St. Paul No. 19.

The Board shall consist of three Councillors, two employees and one member at large.

Members of the Cemetery Committee shall be appointed to the Board for a four year term, at the organizational meeting following the election.

Members at large shall be appointed by resolution of Council.

2. DUTIES OF EXECUTIVE

The Chairman shall reside over meetings.

The Vice-Chairman shall, in the absence of the Chairman, preside over meetings.

The Secretary shall attend and take accurate minutes of all meetings, maintain and keep custody of these minutes, and make these minutes available for members prior to the next meeting.

The County Council and Administration, shall properly account for all funds, and by recommendation of the Cemetery Committee, make disbursements, as required for Cemetery purposes only. County Administration shall also review a Statement of Income and Expenses periodically when necessary.

3. MEETINGS

Cemetery Committee Meetings will be called when deemed necessary.

4. DUTIES, RIGHTS, AND POWERS

The Cemetery Committee shall control all matters within the Cemeteries that are concerned with maintaining the grounds in a neat and pleasing condition, and to that end is hereby authorized to regulate and control the Cemetery grounds as recommended by County Council.

The Cemetery Committee is hereby authorized to remove, or have removed, any weeds, grass, funeral designs or floral pieces, which may become wilted, or any other article or thing, which, in the opinion of the Cemetery Committee, is unsightly.

5. PLOTS

The cost of plots are listed in the County's Fee Schedule Bylaw. All plots reserved prior to the County acquiring title will be honoured provided the requisite verification is in place.

Plans for burial purposes, including a record of all interments and disinterment will be kept at the County of St. Paul No. 19 office. Copies of all such plans shall be available for inspection free of charge at the County of St. Paul No. 19 office during regular business hours.

Plots shall not be resold; however, plots may be transferred from one family member to another family member. No transfer shall be valid unless it is duly registered with the County of St. Paul No. 19.

All burials, in cemeteries owned by the County of St. Paul No. 19, whether casket or urn (traditional or cremation), must first be reported to the County of St. Paul No. 19.

The County of St. Paul No. 19 shall allow double depth graves, with a minimum of three feet of coverage after second burial. Costing information can be found in the County's Fee Schedule Bylaw. Two interments within one plot will only be allowed with double depth grave.

All plots must be prepaid to reserve and all prices include GST.

6. INTERMENTS AND DISINTERMENTS

No interment shall be permitted in the County owned cemeteries unless, and until a completed application for interment has been signed by the owner/family of the plot.

All interments within the County of St. Paul owned cemeteries, require a concrete grave liner (concrete box minimum standard) except those interments of caskets less than four (4) feet in length unless requested.

No grave for the burial of a deceased person shall be less than three (3) feet between the top of the casket and the surface of the ground.

No grave for the burial of cremated remains shall be less than eighteen (18) inches of coverage from the surface of the ground.

All work being conducted in the immediate vicinity of a Plot shall be discontinued during a burial service at that Plot.

Disinterment of a body shall not take place until a permit for disinterment is issued by the Provincial Director of Vital Statistics and delivered to the County of St. Paul No. 19 office. After disinterment has taken place the plot stays in the family or the County of St. Paul No 19 will reimburse the family 85% of the market value of the plot, at Council's discretion.

The person requesting a disinterment shall give complete and precise instruction regarding the location of the grave. The County of St. Paul No. 19 shall not be responsible for any errors resulting from the lack of instruction.

7. MONUMENTS

The placement of Monuments shall comply with the following requirements.

- (a) Monuments must be constructed of granite, marble, bronze, or comparable material.
- (b) All Monuments shall be allowed in the cemeteries. All bases are not to exceed eighteen (18) inches.
- (c) No inscriptions shall be placed on any Monument, which is not in keeping with the dignity and decorum of the Cemetery.

Henceforth, grave covers are strictly prohibited, however notwithstanding this where a grave cover presently exists, the plot owner or a personal representative may have a matching cover installed.

No person shall erect upon a Plot or Lot any fence, railing, wall, border, hedge, coping, or the like and where any of the same have been previously erected around a Plot or Lot and have, by reason of age or neglect, become unsightly or objectionable.

The Cemetery Committee is to contact family members if a gravesite needs repairs.

Each owner of a Monument or other erection upon any Plot shall maintain it and assure it is in proper repair.

8. RESTRICTIONS

There shall be **NO** planting of flowers, trees, or shrubs on or near any graves.

The Cemetery Committee shall designate particular areas throughout the Cemetery where flowers, trees, and shrubs can be planted.

Those trees and shrubs planted prior to the County of St. Paul No. 19 taking ownership will be left where they are. If the trees need trimming or removing, the family will be contacted to either do the work or give permission to have it done.

9. MAINTENANCE

The County of St. Paul No. 19 and/or the Cemetery Committee shall see to the maintenance of the Cemetery grounds throughout the summer growing season (mowing, trimming, etc.).

All refuse must be bagged (twigs and sticks tied in bundles) and placed in the refuse containers located within the designated area. The County of St. Paul will be responsible for the collection and disposal of this refuse.

10. VEHICLES IN THE CEMETERY

No person shall drive any vehicle through the Cemetery at a speed exceeding fifteen (15) km and then may only drive a vehicle upon the roadway provided for that purpose.

No person shall ride an all terrain vehicle, snowmobile, or horse in the Cemetery unless they are part of a funeral procession.

The owner of any moving vehicle shall be responsible for any damage done by such vehicle within the boundaries of the Cemetery.

No person shall enter the Cemetery carrying firearms unless such person is participating in a military funeral.

11. FUNDS

All donations, memorials or monies received for the Cemetery are to be used only for the purposes of the Cemetery. A tax deductible receipt will be issued by the County of St. Paul No. 19 for any donations of \$25.00 and up.

These funds will be disbursed at the discretion of County Council, as recommended by the Cemetery Committee.

12. OFFENCES

Any person who acts contrary to Section 10 of this bylaw, or who damages or causes damages to a cemetery, a cemetery grounds, or any monument, headstone, fence or sign within or on a cemetery commits an offence hereunder and shall be liable to a fine as set out in the Fee Schedule Bylaw.

13. SEVERABILITY

This Bylaw shall come into force on the date of final passing. Should a section or part of this Bylaw be found to be improperly enacted or *ultra virus*, for any reasons, then such section or part shall be regarded as being severable from the Bylaw and Bylaw remaining after such severance shall be effective and enforceable.

14. REPEAL

Bylaw No. 1445 dated the 16th of July, 2013 is hereby repealed.

Read a first time in Council this 19th day of November, 2013.

Read a second time in Council this 19th day of November, 2013

Read a third time in Council this 19th day of November, 2013

Reeve

Chief Administrative Officer