

**TOWN OF SHAUNAVON
BYLAW NO. 2019-05**

**A BYLAW TO PROVIDE FOR THE REGULATION AND CONTROL
OF THE HILLCREST CEMETERY**

This Bylaw may be cited as the "Cemetery Bylaw"

The Council of the Town of Shaunavon, in the Province of Saskatchewan, enacts as follows:

1. DEFINITIONS

For the Purpose of this bylaw, the following definitions shall be used:

"CAO" shall mean the Chief Administrative Officer of the Town of Shaunavon or any person authorized to act on his or her behalf due to an absence from duty for any cause.

"Cemetery" shall mean the land described as portion of the NE of 5-8-18-W3M, in the Province of Saskatchewan, acquired by the municipality for cemetery purposes as approved by the Registrar under *The Cemeteries Act, 1999* shall be and is hereby appropriated as a public cemetery to be called Hillcrest Cemetery.

"Cemetery Lot Deed" shall mean a License on a Lot or Plots to acquire the right or privilege of interment of the dead therein and of erecting markers thereon, as per the Town's bylaws but the title to the land shall remain vested in the Town for all time.

"Child" shall mean every person under the age of five (5) years and all other persons shall be deemed adults.

"Columbarium" means a structure designed for the purpose of storing or interring cremated human remains in sealed compartments or niches.

"Council" shall mean the Council of the Town of Shaunavon.

"Cremated Remains" shall mean the human bone fragments of a cremated human body.

"Grave Lot" means a division of land in the Cemetery for the purpose of a single burial.

"Interment" shall mean the burial of human remains or cremated human remains or the inurnment of cremated human remains in a columbarium.

"Inurnment" shall mean the placement of cremated remains in an urn followed by placement in a columbarium niche.

"Licensee" means a person or persons to whom a license has been issued, by way of a Cemetery Lot Deed pursuant to Appendix 5 of this bylaw.

"Lot" or **"plot"** means a space in a cemetery used or intended to be used for the interment of human remains or cremated human remains and includes a tomb, crypt, compartment or vault in a mausoleum and a niche or compartment in a columbarium.

"Monument" shall mean any structure in the cemetery erected or constructed on any grave, lot or plot for memorial purposes.

"Niche" means a recess in a columbarium, as for holding a maximum of two urns

"Town" shall mean the Town of Shaunavon.

2. DESIGNATED SECTIONS

a) Veteran's Section

The following described lands are hereby reserved and set aside for the interment of World War Veterans:

(a) Block Five (5)

(b) Lots 7, 8, 9; 24, 25, 26; 43, 44, 45; 60, 61, 62; 79, 80, 81, part of Block Three (3).

b) Cremated Remains

The following described lands are hereby reserved for the burial of cremated remains:

(a) Lots 1 to 6; 27 to 32; 37 to 42; 63 to 68; 73 to 78, part of Block Three (3),

- (b) Lots 15, 42, 43, and 70, in Block 4;
- (c) or inurned within a columbarium niche within Block 3.

3. GENERAL RULES

- a) A lot may be acquired by license to any person upon application to the Town and upon payment of the appropriate fee as listed in Appendix 4 hereto.
- b) Any person acquiring a lot or plots under the provisions of this Bylaw shall only acquire the right or privilege of interment of the dead therein and of erecting markers thereon but the title to the land shall remain vested in the Town for all time.
- c) Lots shall not be resold by the licensee.
 - i. When any lot in a cemetery is vacated by disinterment and is no longer required for family purposes, the same shall revert to the Town.
 - ii. When any person purchased more than one lot and some of the lots are unused and are no longer required for family purposes, the said unused lot or lots shall revert to the Town.
 - iii. In all cases where a lot or plots revert to the Town, the Town will refund to the holder or his heirs, executors or assigns the original purchase price less 10% of said lot, plots or niches.
 - iv. Requests for transfer of ownership of any pre-arranged lot, plots or niches requires written notice to the CAO and must include names, addresses and signed by both parties.
- d) No grave shall be used for any other purpose than for the burial of the human dead or a memorial.
- e) No person shall bury any dead body in the Cemetery until such person has complied with the provisions of *The Public Health Act, 1994* and *The Vital Statistics Act, 2009* of the Province of Saskatchewan and with the regulations issued thereunder and also with the provisions of this bylaw.
- f) All persons while in the cemetery shall conduct themselves in a quiet and orderly manner.
- g) Persons within the cemetery shall use only the avenues, roads, walks and alleys, and no one is permitted to walk upon or across graves.
- h) Persons visiting the cemetery or attending funerals are strictly prohibited from picking wild or cultivated flowers, breaking or injuring any tree, shrub or plants, or from writing upon, defacing or injuring any memorial, fence or other structure within the cemetery grounds.
- i) Vehicles in the cemetery shall travel only on roadways provided for that purpose and shall not travel at a rate of speed greater than fifteen (15) kilometers per hour, except those vehicles used for maintenance.
- j) No person shall bring dogs, goat or cattle into the cemetery.
- k) No person shall engage or play at any game or sport, or discharge any firearms (except a Military Funeral) in the cemetery, or unlawfully disturb persons assembled for the burial of the dead, or commit a nuisance, or behave in an indecent or unseemly manner in the cemetery.

4. DUTIES OF THE TOWN OF SHAUNAVON

- a) It shall be the duty of the appointed staff to determine the location of grave lots, and he/she shall stake a grave lot or grave lots out before the digging of such lots or lots.
- b) It shall be the duty of the appointed staff to determine the locations where a monument or marker may be erected.
- c) The Town of Shaunavon shall have control of all maintenance performed at the cemetery.

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- d) It shall be the duty of the Town of Shaunavon to keep in good order all walks, paths and driveways in the Cemetery.
- e) It shall be the duty of the appointed staff to perform all niche openings and closures

5. DUTIES OF THE CAO

- a) As prescribed in the Cemetery Lot Deed Application in APPENDIX 5, all sales of license on lots in the Cemetery shall be made by the CAO or his or her appointee and shall receive all moneys resulting from the sale of license to such lots;
- b) All grave lots, lots or plots shall be described according to a Plan of Record in the Town Office. Suitable books or record shall be kept in the Town Office to record the description of each lot in the Cemetery together with the name and address of the Licensee thereof and such other records shall be kept to give a complete record of all business transacted in connection with the Cemetery. The records of the Cemetery shall be open to inspection during regular office hours

6. INTERMENTS AND DISINTERMENTS

- a) Prior to the interment of any human body or cremated remains, application shall be made to the Town, and a burial license granted. The license shall be in APPENDIX 3, Form "I" attached to and forming part of this bylaw.
- b) Maximum interments:
 - i. No interment of two or more bodies shall be made in one grave lot except in the case of a parent and child or two infants in one casket.
 - ii. No interment of more than four cremated bodies shall be made in one grave lot or more than three cremated bodies with one human body in one grave lot.
 - iii. That niches shall accommodate a maximum of two urns of cremated remains.
 - iv. A single urn shall contain the only cremated remains of one (1) person or one (1) child.
- c) No grave shall be less than six feet in depth from the surface of the ground in the case of an adult and in the case of a child, a depth sufficient to give a covering of at least four feet over the casket.
- d) No person other than a qualified Funeral Director shall have charge of the interment or disinterment of any human body.
- e) Whenever a grave lot is held jointly by two or more parties, authority for interment in such grave lot or any part thereof will be accepted by the Town of Shaunavon from any one of the said parties or their Executors or Agents.
- f) No interments shall be permitted in the cemetery unless a proper burial permit or cremation certificate is produced by the party applying for the burial.
- g) No disinterment shall be made without written authority of the Licensee of the grave lot in question or his heirs, executors or assigns. No disinterment shall be made until permit has been obtained from the Minister of Public Health of the Province of Saskatchewan.
- h) All graves shall be dug by a contractor approved by resolution of Council.
- i) The following described lands are hereby reserved for the burial of cremated remains only: Lots 1 to 6; 27 to 32; 37 to 42; 63 to 68; 73 to 78, in Block Three (3); Lots 15, 42, 43, and 70, in Block 4; as well as inurnment in niches within the columbarium.
- j) The following shall apply for the Columbarium:
 - i. Urns shall be non-degradable
 - ii. Niche opening and closure shall only be done by Town appointed staff
 - iii. The fee for opening and closure be \$200 per event

7. CARE OF GRAVES

- a) The council of the Town of Shaunavon shall assume the general care of the entire cemetery. The licensee of a grave lot shall observe all rules and regulations passed from time to time by council for keeping the grave lots in order.
- b) After the passing of this Bylaw, in Blocks two (2), five (5), six (6), seven (7), eight (8), nine (9), ten (10) and eleven (11), no grave or plot shall be defined by a border, fence, railing, coping, hedge, border, curbing, trellises, decorative rock, concrete or stone corners or iron posts, or by any other marking save by a monument, memorial or marker as provided for in this bylaw and a grave cover, if so desired.
- c) In Blocks one (1), three (3), four (4) or twelve (12) no grave shall be defined by a grave cover, fence, railing, coping, hedge, border, curbing, decorative rock, concrete or stone corners or iron posts, or by any other marking save by a monument, memorial or marker as provided for in this bylaw.
- d) Borders, fences, railings, trellises, copings, hedges, etc. in existence before the passing of this bylaw will be removed free of charge by the town upon request in writing by the Licensee.
- e) Any border, fence, railing, coping, hedge, decorative rock, grave cover or any other bounding or enclosing material erected before the passing of this Bylaw may be removed by the Town for reason of neglect or age if it becomes in a state of disrepair and the Licensee neglects to remove the same.
- f) The Town shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the Cemetery as soon as they become unsightly, dangerous, detrimental or diseased.
- g) No vases shall be allowed on niche doors.

8. MONUMENTS AND MARKERS

- a) All grave monuments and markers shall be of granite, bronze, marble or stone. Pillow style monuments of concrete shall be permitted. Wood markers designating a grave shall not be erected in the cemetery.
- b) Monuments and markers may be set at the head or foot of a grave lot, except in those lots where a concrete foundation has been provided.
- c) Each grave monument or marker shall be set upon a concrete or granite foundation. The upper surface of such foundation shall be constructed to surface or ground level and the foundation shall protrude three (3) inches on all sides of the monument or marker to be erected thereon; except
 - i) In Block 3, Lots 1 to 6; 27 to 32; 37 to 42; 63 to 68; 73 to 78, Block 4 the monument or Marker must be set on the concrete foundation that has been provided.
- d) In the case of a single grave lot, the monument or marker with foundation shall not exceed sixty (60) inches in length and shall not exceed twenty - four (24) inches in width. (FIG. 1), APPENDIX 1.
- e) In the case of two grave lots, the monument or marker with foundation shall not exceed one hundred and twenty (120) inches in length and shall not exceed twenty-four (24) inches in width. (FIG. 2) APPENDIX 1
- f) That the following be the niche door inscription specifications
 - a. On all Niche fronts: (cost of inscription is the family's responsibility)
 - i. Inscribing shall be done directly on the niche door front
 - ii. Font: Modified Roman (condensed)
 - iii. Shallow sunk lettering with shadow tone designs
 - iv. Family Name - Maximum 1 1/2" high
 - v. NOTE: A 3/4" blank border around all four sides of the granite door panel must be maintained
 - b. Single Niche (a single urn)
 - i. First Name and Initial: 1" high


- ii. Dates: 1" high
- c. Companion Niche (a maximum of two urns)
 - i. First Name and Initial (both names): 3/4" high
 - ii. Dates (both): 3/4" high
- g) No monument, marker, or niche door inscriptions shall be erected in the cemetery until application has been made in APPENDIX 2 Form II; and the design and description thereof has been given written approval by the CAO. The Town may require the location of monuments and markers be inspected by Town staff.

9. MONUMENTS IN DISREPAIR

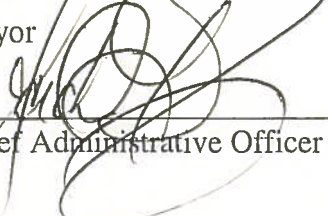
- a) Should any tombstone, monument or other structure placed or arranged in the cemetery be in a state of disrepair, the Town may have said tombstone, monument or other structure removed from the Cemetery if the owner does not have the same repaired in accordance with the said notice.
- b) The staff shall, from time to time, report to the CAO 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 same without delay to the satisfaction of the Town.
- c) Whenever any owner of a tombstone, monument or other structure neglects to make the required repairs or alterations after being given due notice by the Town to do so, they shall be allowed a period of three (3) months to elapse after the giving of the said notice and shall then have power to remove such tombstone, monument or other structure from the cemetery or to repair it and charge the cost thereof to the owner and the cost may be recovered as a debt due by the owner to the Town.
- d) All notices required to be given to Licensees of grave lots or owners of monument or other parties by this Bylaw may be delivered in writing by the Town or mailed postage paid to the last known address of such Licensee or owner or other party. Proof of such notice having been delivered or properly addressed and prepaid shall be sufficient proof that such notice has been given.

10. Repeal

- a) Bylaw 2018-16 is hereby repealed.



 Mayor




 Chief Administrative Officer



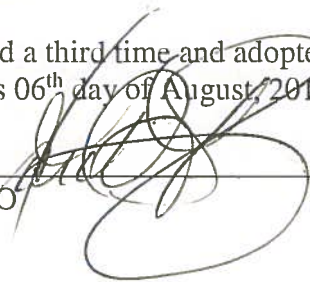
**Certified a true copy of Bylaw
 No. 2019-05 adopted by resolution
 of Council on the 6th day of**

August, 2019



**Chief Administrative Officer
 Town of Shaunavon**

Read a third time and adopted
 This 06th day of August, 2019.



 CAO

APPENDIX 1
TOWN OF SHAUNAVON
Monuments and Markers
Section 8 (g) and (h)

FIG. 1

Maximum length of Monument or Marker including foundation shall not exceed sixty (60) inches. (Maximum length of Monument or Marker only shall not exceed thirty - six (36) inches.)

Maximum width of Monument or Marker including foundation shall not exceed twenty-four (24) inches. (Maximum width of Monument or Marker only shall not exceed eighteen (18) inches).

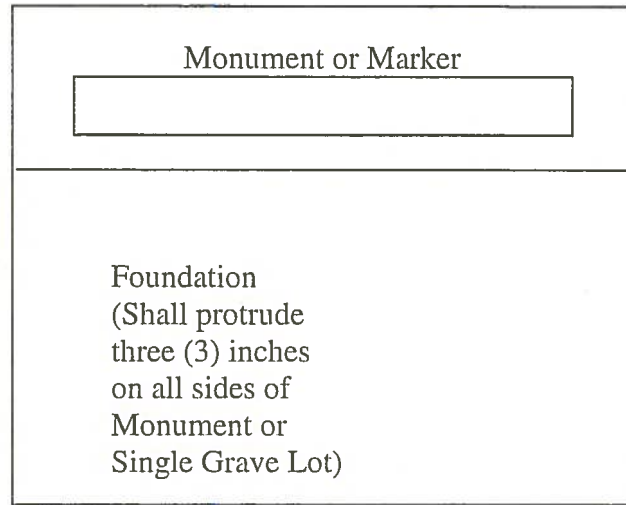
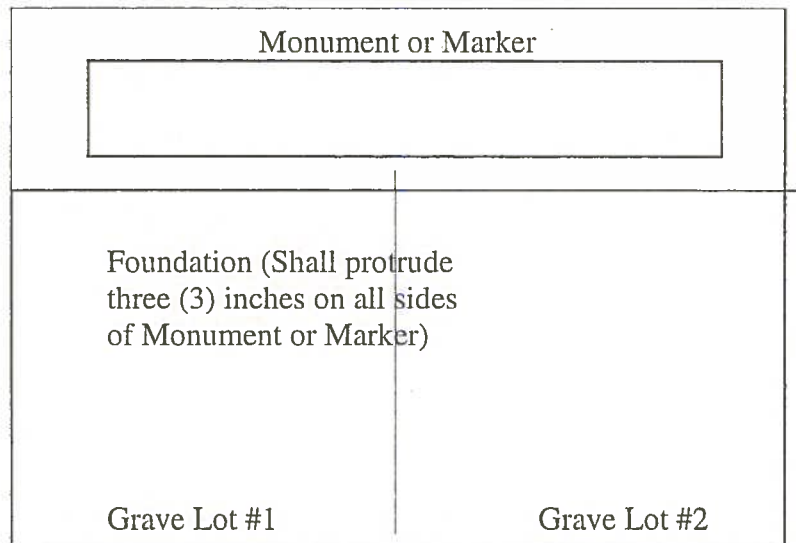


FIG. 2

Maximum length of Monument or Marker including foundation shall not exceed one hundred twenty (120) inches. (Maximum length of Monument or Marker only shall not exceed ninety - six (96) inches.)

Maximum width of Monument or Marker including Foundation shall not exceed twenty-four (24) inches. (Maximum width of Monument or Marker only shall not exceed eighteen (18) inches)



APPENDIX 2

Form II: Monument and Marker Application Form
Section 8 (j)

MONUMENT AND MARKER APPLICATION FORM

I/We _____, hereby apply for permission
(name)

to construct a:

_____ Marker _____ Monument _____ Niche Door Inscription

On Grave/Niche _____ Lot _____ Block _____ within the Hillcrest Cemetery.

Name(s) on marker or monument _____

I/We, hereby agree to the following conditions and have enclosed a detailed design and description of the proposed construction request.

CONDITIONS

- a) All monuments in Hillcrest Cemetery shall be made of cut stone, granite, bronze or marble and may be either a flat or vertical monument. Grave covers of any type shall not be permitted in Blocks 1, 3, 4 and 12. Wood markers designating a grave shall not be erected in the cemetery.
- b) All monuments and markers must be set at the head or foot of a grave lot, except in those lots where a concrete foundation has been provided, and the Town may require that the location of monuments and markers be approved by Town staff prior to construction.
- c) Each monument or marker shall be set upon a concrete foundation. The upper surface of such foundation shall be constructed to surface or ground level and the foundation shall protrude three (3) inches on all sides of the memorial to be erected thereon. In the case of a single grave lot, the monument or marker with foundation shall not exceed sixty (60) inches in length and shall not exceed twenty - four (24) inches in width. (FIG. 1) APPENDIX 1 In the case of two grave lot the monument or marker with foundation shall not exceed one hundred and twenty (120) inches in length and shall not exceed twenty-four (24) inches in width. (FIG. 2) APPENDIX 1
- d) In Block 3, where the concrete foundation has been provided, all monuments must be set on it, allowing a 3" border.
- e) In the Columbarium, the niche door inscription specifications are:
 - a. On all Niche fronts: (cost of inscription is the family's responsibility)
 - i. Inscribing shall be done directly on the niche door front
 - ii. Font: Modified Roman (condensed)
 - iii. Shallow sunk lettering with shadow tone designs
 - iv. Family Name - Maximum 1 1/2" high
 - v. NOTE: A 3/4" blank border around all four sides of the granite door panel must be maintained
 - b. Single Niche (a single urn)
 - i. First Name and Initial: 1" high
 - ii. Dates: 1" high
 - c. Companion Niche (a maximum of two urns)
 - i. First Name and Initial (both names): 3/4" high
 - ii. Dates (both): 3/4" high

Date of Application

Applicant's Signature

FOR DEPARTMENT USE ONLY

Date of Approval: _____

CAO/Town Official

Construction Completion Date: _____

Filename: Marker

APPENDIX 3

TOWN OF SHAUNAVON
Form I, Burial License
Section 6. a)

Form I

BURIAL LICENSE

Permission is hereby granted to _____ to use
for the purpose of burial therein, Grave _____, Lot _____, Block _____

or Columbarium Niche _____

in HILLCREST CEMETERY.

Name of Deceased: _____

Date of Burial: _____

Date of Birth: _____ Date of Death: _____

Type of Burial: Casket _____ Cremated Remains _____

This license is granted subject to the provisions of Bylaw No. 2019-05 governing the said cemetery.

Dated this _____ day of _____, 20__

CAO

**APPENDIX 4
TOWN OF SHAUNAVON
Section 3. a) Fees**

Fee Schedule for Hillcrest Cemetery Lot Deeds

One Grave Lot	\$1,000.00
One Columbarium Niche	\$2,500.00

**APPENDIX 5
Cemetery Lot Deed
Section 5. a)**

CEMETERY LOT DEED (or License on Lot)

Know All Men by These Presents, that the **TOWN OF SHAUNAVON**

In consideration of \$_____ Dollars paid to it by _____
of _____ the receipt of which is
acknowledged, doth grant unto the said _____ their heirs and as
certain lot in **HILLCREST CEMETERY** situated in Section 5, Township 8, Range 18, W3M
which plot is delineated and laid down on a map of the said Cemetery, and is herein designated as

Grave _____, Lot _____, Block _____ and containing on admeasurement 20 superficial fe

Or Niche: _____

To Have and To Hold the herein above-named premises unto and to the use of the said
_____ their heirs and assigns forever hereafter

Provided Always, that the same shall only be used as a place of sepulture; and that the same shall
used subject in all respects to the Bylaws of the **TOWN OF SHAUNAVON** now or hereinafter to
force affecting the same.

Witness Whereof, the Chief Administrative Officer of the Town of Shaunavon hath signed her
hereto and has fixed the Corporate Seal this _____ day of _____, 20____.

Seal

CAO

Deed No: _____

“Cemetery Lot Deed” shall mean a License on a Lot or Plots and the purchaser shall on
acquire the right or privilege of interment of the dead therein and of erecting marke
thereon, as per the Town’s bylaws, but the title to the land shall remain vested in the Tow
for all time.