

BYLAW NO. 18-2022

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO PROVIDE FOR THE DEVELOPMENT, MANAGEMENT AND OPERATION OF THE CITY OF LOYDMINSTER MUNICIPAL CEMETERY.

WHEREAS the Council of the City of Lloydminster deems it necessary to establish a Bylaw to deal with services provided by or on behalf of the City.

AND WHEREAS the *Lloydminster Charter* provides authority to City Council to pass Bylaws for municipal purposes.

AND WHEREAS the *Lloydminster Charter* provides authority to the City to pass Bylaws respecting the enforcement of Bylaws.

NOW THEREFORE the Council of the City of Lloydminster deems it necessary to establish a Bylaw to provide for the development, management, and operation of the Lloydminster Municipal Cemetery, and;

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in Section 15 of the *Lloydminster Charter*, enacts as follows:

1. SHORT TITLE

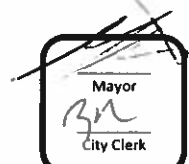
- 1.1. This Bylaw shall be cited as the "*Cemetery Management Bylaw*".

2. DEFINITIONS

- 2.1. In this Bylaw terms defined in the "*The Cemeteries Act, 1999 - Chapter C-4.01 (2017) of Saskatchewan, The Cemeteries Regulations, 2001 - Chapter C-4.01 Reg 1 (2015) of Saskatchewan, and The Funeral and Cremation Services Act, 1999 - Chapter F-23.3 (2017) of Saskatchewan* and all regulations made thereto, as amended, revised, consolidated or replaced from time to time shall have the meaning ascribed to them unless expressly defined otherwise in this Bylaw.
- 2.2. The definitions listed in Schedule 'A' attached to this Bylaw shall apply, unless context otherwise requires.

3. APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER

- 3.1. Except where specific authority is reserved to Council, the administration and enforcement of this Bylaw is delegated to the City Manager.
- 3.2. Without restricting any other power, duty or function granted by this Bylaw, the City Manager or their designate may carry out anything required for the administration and enforcement of this Bylaw, including but not limited to:
 - 3.2.1. delegate any powers, duties, or functions under this Bylaw to an employee of the City;
 - 3.2.2. carry out any inspections that are reasonably required to determine compliance with this Bylaw, and
 - 3.2.3. establish any policies, procedures, or forms required for the administration of this Bylaw.



BYLAW NO. 18-2022

3.3. In accordance with article 3.2.1 of this Bylaw the City Manager or their designate may designate a Person or Persons to serve as a Cemetery manager, Cemetery supervisor or Cemetery worker as deemed appropriate.

4. PURPOSE & APPLICATION OF BYLAW

4.1. The following described real properties are set aside, held, laid out, developed, improved, used, and maintained, as the City Cemetery and are dedicated for that use, and shall continue to be used, operated, and maintained for that purpose and shall not be used for any other purpose:

4.1.1. Lloydminster Municipal Cemetery legally described as:

- Parcel A, Plan 92B17445 within the NW-02-50-28-W3M, NE-02-50-28-W3M, SE-11-50-28-W3M;
- LSD-3-11-50-28-W3M;
- SW-11-50-28-W3M, Plan BA3882 Ext 1, and

4.1.2. also described as being located at the Civic Address: 5625 – 46 Avenue, Lloydminster, Saskatchewan.

4.2. The City Cemetery is acquired, established, and laid out for the purpose of making Interment, Memorialization, bereavement rites and ceremonies and incidental Memorial goods available to all Persons, irrespective of race, faith, orientation, or any other form of categorization.

4.3. The development, administration, operation and maintenance of the City Cemetery, the provision of services therein, the application and administration of this Bylaw and the establishment of Cemetery Fees shall be conducted in accordance with all applicable legislation of Saskatchewan or Canada, as the case may be, and regulations made thereto, as amended, revised, consolidated, or replaced from time to time.

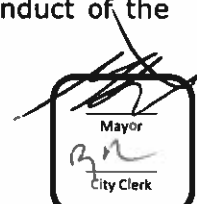
4.4. The City shall have full and complete control and management over the land, buildings, plantings, roads, utilities, books, and records of the City Cemetery and shall have the authority to amend, establish, administer, and enforce the Bylaw established for the City Cemetery.

4.5. The City shall retain the exclusive right to manage, maintain or alter the Interment areas, Sections, Memorials, roads and pathways, buildings, services infrastructure, change or remove plantings, grade, alter in shape or size, or otherwise to change all or any part of the Cemetery as they deem necessary or appropriate and subject only to compliance with any applicable requirement of the *Cemetery Act*.

4.6. The City shall establish and maintain Schedules that form a part of this Bylaw setting out Interment and Memorial rules and regulations, and the Fees that shall apply to the City Cemetery.

4.7. The City shall have the authority to:

- 4.7.1. sell Interment rights for any number Lots of their choosing under such terms and conditions as they deem appropriate for the conduct of the business of the Cemetery;



BYLAW NO. 18-2022

- 4.7.2. designate, on a limited basis, contiguous groups of Lots or an entire Section within the Cemetery for the exclusive use of a faith, organization or other group under such terms and conditions as the City deems appropriate for the conduct of the business of the Cemetery, and
 - 4.7.3. at its cost and in a timely manner, correct any error that may be made by it in making an Interment, Disinterment or in the description of a Lot or the transfer or conveyance of a right of Interment and grant in lieu thereof, a right of Interment or a Lot of equal value and location so far as is reasonably possible. In the instance of an error that may involve the Interment or Disinterment of Human Remains the City shall correct the error in compliance with and under such terms as may be set out in the *Cemetery Act*.
- 4.8. The City Manager or their designate shall, in an emergent or extraordinary circumstance, have the authority to waive the application or enforcement of this Bylaw so long as such action does not contravene the *Cemetery Act*.

5. CEMETERY ADMINISTRATION

- 5.1. The Council of the City, as trustees of the Cemetery are:
- 5.1.1. responsible for the development, management, operation, and maintenance of the Cemetery in accordance with any enactment of Saskatchewan or Canada, as the case may be, and regulations made thereto, as amended, revised, consolidated, or replaced from time to time, and any Bylaw of the City, as amended, revised, consolidated, or replaced from time to time;
 - 5.1.2. responsible for the administration and enforcement of this Bylaw and where such administration and enforcement shall be conducted in a consistent, fair, and equitable manner in every case and circumstance with every user of the Cemetery, and
 - 5.1.3. shall designate employees of the City or engage and authorize such agents of its choosing, as it deems necessary, to develop, manage, operate, and maintain the Cemetery in the name of the City.
- 5.2. The City shall:
- 5.2.1. ensure all records and information for the management, administration, operation, and maintenance of the Cemetery are collected and retained as required under the *Cemetery Act*;
 - 5.2.2. ensure all rights of Interment, permits and contracts are issued in accordance with all applicable legislation and regulation of Saskatchewan or Canada and as may be set out in this Bylaw, and
 - 5.2.3. in the instance of providing clarification or resolving a dispute, have the authority to interpret and enforce this Bylaw in the name of the City.

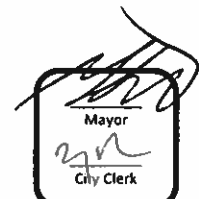


BYLAW NO. 18-2022

- 5.3. The City shall be responsible for:
- 5.3.1. the supervision, control and charge of the Cemetery and the services and goods provided therein;
 - 5.3.2. the direction of all workers employed from time to time by the City to perform work within the limits of the Cemetery;
 - 5.3.3. refusing admission or expelling from the Cemetery any Person or Persons if such action is warranted, and
 - 5.3.4. refusing the admission of, and Without Prior Notice, Ordering the removal of any unauthorized product, material, tree, shrub, plant, or floral tribute brought into or placed at a Lot or in the Cemetery in contravention of this Bylaw.
- 5.4. The City shall maintain the Cemetery, including all Lots, structures, and Memorial sites, in a manner that:
- 5.4.1. ensures the safety of Cemetery users, Cemetery workers, and the public;
 - 5.4.2. is compatible with community standards, and
 - 5.4.3. ensures reasonable access to the public for the visitation to any Lot in the Cemetery.

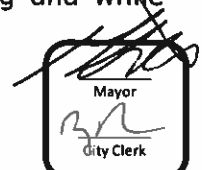
6. GENERAL PROVISIONS & REGULATIONS

- 6.1. The days and hours of operation of the Cemetery and the location of the Cemetery office shall be:
- 6.1.1. **Cemetery Visiting:** open every day of the year from 8:00 a.m. to one hour after sunset on the same day;
 - 6.1.2. **Interment Services:** upon satisfying such terms and conditions established further in this Bylaw, may occur on any day of the week at a time arranged with and set by the City; and
 - 6.1.3. **Cemetery Office:** City of Lloydminster, 4420- 50 Avenue, Lloydminster.
- 6.2. No Person shall be in the Cemetery outside the Cemetery visiting hours outlined in 6.1.1. above, without the written permission of the City. A Person who is in violation of this Bylaw shall be deemed guilty of an infraction of this Bylaw and liable to the penalty set out in this Bylaw.
- 6.3. The City shall have the authority to suspend or cancel an Interment service at, and limit or prohibit access to part or all of the Cemetery in the instance of severe weather, road or grounds conditions, or other emergent circumstance may warrant or pose a hazard to Cemetery users, Cemetery workers, or the public, or makes the movement and operation of vehicles or equipment unsafe.
- 6.4. Floral tributes may be placed at the Cemetery in accordance with the following:
- 6.4.1. on the day of an Interment and for a period of fourteen (14) days following an Interment, any type of floral tribute is permitted;



BYLAW NO. 18-2022

- 6.4.2. potted plants, wreaths, artificial floral tributes, and seasonal floral tributes placed shall, Without Prior Notice, be removed when the first grounds clean-up is carried out in the spring, when necessary;
 - 6.4.3. flowers may be laid on the surface of a grave only in a location on the Lot approved by the City or may be placed into a flower container, of a size and type approved and installed flush to the ground level of the Lot by the City;
 - 6.4.4. no floral tribute shall be placed on any Lot, at any time, in a location or manner that interferes with Cemetery maintenance procedures, and
 - 6.4.5. the City shall have the right, Without Prior Notice, to remove or Order removal of any floral tribute that is determined to be deteriorated, withered, is otherwise unsightly or detracts from the general aesthetic of adjacent Lots, the Cemetery or that may pose a safety risk, or for the purpose of maintenance, or that may otherwise contravene this Bylaw.
- 6.5. The placement of any form of decoration, adornment, Personal memento, or other extraneous object, unless in compliance with this Bylaw, is not permitted on any Lot in the Cemetery. Unauthorized items placed on any Lot or in the Cemetery may, Without Prior Notice, be removed or Ordered removed by the City. This includes, but is not limited to, photographs, pictures, frames, boxes, shells, toys, wire screens, decorative rock, arbours, trellises, and floral tripods.
 - 6.6. No open flame, candle, or burning of any substance or other material may take place inside the Cemetery without prior written authorization given by the City and, if permitted, shall be conducted under the direct supervision of the City.
 - 6.7. The City shall not be liable for the deterioration, damage or loss of flowers, decorations or any other article attached to or placed on a Lot or at a Memorial site.
 - 6.8. Except as may specifically be provided for elsewhere in this Bylaw, no Lot or other part of the Cemetery may be decorated or adorned in any manner by any Person other than the City without the express written consent of the City and where the exercise of such consent shall be within the sole discretion and authority of the City Manager or their designate.
 - 6.9. No tree, shrub, plant, bulb, flower, or other decorative plant feature may be planted, pruned, cut down, removed, or otherwise altered on a Lot or anywhere else within the limits of the Cemetery without the express written consent of the City.
 - 6.10. Cemetery roadways are for the exclusive use of Interment processions, Cemetery patrons, or other Persons as may be approved by the City and no vehicle shall exceed fifteen (15) kilometers per hour and every operator of a vehicle shall at all times, obey the directions and Orders of the City.
 - 6.11. No Person shall drive or park a vehicle over any lawn, garden, or flower bed without express written permission of and subject to the supervision of the City.
 - 6.12. Every Person, including those in funeral processions, upon entering and while within the Cemetery, shall follow every instruction of the City.



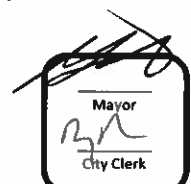
BYLAW NO. 18-2022

6.13. No Person shall:

- 6.13.1. scatter, dispose of, or inter Cremated Remains or bury Human Remains within the limits of the Cemetery except in compliance with this Bylaw;
- 6.13.2. define or delineate any Lot or group of Lots in the Cemetery by a fence, railing, coping, hedge, cover, or by any other marking except as may be permitted in the Memorial provisions of this Bylaw;
- 6.13.3. willfully or negligently destroy, mutilate, deface, damage, injure or remove anything from the Cemetery, including and without limitation, any Memorial, plant, flower, tree, rock, or other item located within the limits of the Cemetery;
- 6.13.4. carry out any activity within the Cemetery other than the attendance at an Interment or Memorial service or the visitation of a Lot for the purpose of paying respect to the dead;
- 6.13.5. drive a vehicle in the Cemetery other than on a designated roadway for vehicles and in compliance with posted speed regulations or other directive;
- 6.13.6. behave in a manner so as to disturb the peace, quiet and good Order of City Cemetery or an Interment or Memorial service being conducted therein;
- 6.13.7. discharge any firearm in the Cemetery other than at a military funeral for which a firearm salute has been authorized by the City and is conducted under the direct command of an officer in charge and only during an Interment or Memorial service being conducted therein;
- 6.13.8. bring into, or dump, any rubbish, debris or other item or matter in the Cemetery or make an unauthorized removal of any Cemetery refuse, waste, or rubbish;
- 6.13.9. allow a Child or children under the age of sixteen (16) years within the limits of the Cemetery that is not accompanied by a parent, guardian, or an adult supervisor;
- 6.13.10. play any manner of sports game or sport activity within the limits of the Cemetery, and
- 6.13.11. otherwise violate any provision of this Bylaw or the *Cemetery Act*.

6.14. In the instance where a Person or a group of Persons through their immediate behavior, or a pattern of behavior tracked over time, contravenes article 6.13. of this Bylaw then the City may take such steps to expel the Person, or a group of Persons, from the Cemetery, and the Person or group of Persons expelled, shall be subject to application of further penalty as set out in Section 11, Penalties of this Bylaw.

6.15. No gratuity or extraordinary consideration shall be paid to or accepted by an employee or agent of the City for any service rendered or good provided in connection with the Cemetery.

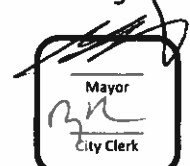


BYLAW NO. 18-2022

- 6.16. Notwithstanding article 6.13.4 of this Bylaw, the City shall have the authority to conduct or to permit to be conducted public or private events within the Cemetery that are, in the opinion of the City, deemed appropriate for, and in keeping with the dignity and purpose of the Cemetery.
- 6.17. The behavior of a contract worker in the Cemetery shall be subject to the supervision and control of the City.
- 6.18. A contract worker working in the Cemetery shall cease work when in the vicinity of an Interment or Memorial service until the conclusion of the service and those Persons attending the service have left the area where the service was being conducted.
- 6.19. No work may be performed at the Cemetery except during the regular business hours of the City and/or the Cemetery except where work outside of said days or hours has been authorized in writing by the City.
- 6.20. The City shall, at all times, have the right of passage in any manner it sees fit over every Lot and the land of the Cemetery to ensure Cemetery operations can be performed in a safe, efficient, and timely manner.
- 6.21. All work within the Cemetery shall be performed by the City, employees of the City or authorized agents of the City.

7. INTERMENT RIGHTS

- 7.1. The City, subject to payment of an established Fee, may grant an Interment right for a vacant Lot in the Cemetery on an at-need or a pre-need basis.
- 7.2. Possession of an Interment right:
 - 7.2.1. confers, to a Rights Holder, a right in perpetuity to use a Lot, in compliance with this Bylaw, for the Interment of the Human Remains or Cremated Remains of a Person named on an Interment Rights Certificate;
 - 7.2.2. does not confer any title to, ownership of, or interest in the land of the Cemetery or of a Lot therein or any other special privilege over any land of the Cemetery, and
 - 7.2.3. does not entitle a Rights Holder to require the City to perform an Interment of Human Remains or Cremated Remains into a Lot until the Rights Holder complies in all respects with this Bylaw as it relates to the Interment of Human Remains or Cremated Remains or the purchase and placement of a Memorial, including and without limitation the payment of all Fees related to the exercise of the Interment right.
- 7.3. The City shall issue, to a Person paying in full the Fee for an Interment right set out in Schedule 'D': Cemetery Fees, an 'Interment Rights Certificate', in a form prescribed by the City, which sets out the rights of use granted to the purchaser identified on the certificate.
- 7.4. An Interment Rights Holder shall have the authority to designate who, other than them-self, may be authorized to control the exercise of an Interment right registered in their name.



BYLAW NO. 18-2022

- 7.5. An Interment Rights Holder may only designate one Lot for their own use.
- 7.6. At the time of purchase, a purchaser, shall reserve the right to use a Lot they have purchased for them-self or assign the right or any secondary rights to a Lot to another Person to which the Interment right refers where an assignee so named shall be a Family Member of the Rights Holder.
- 7.7. Subject to Lot demand, the City shall have the right to limit or suspend the pre-need sale of Interment rights in the Cemetery at any time, and the City shall never sell more than twenty-five percent (25%) of the developed Lots available in the Cemetery, at any time.
- 7.8 The use of an Interment right, the Interment of Human Remains, the Interment or scattering of Cremated Remains, and the installation of a Memorial within the limits of the Cemetery are subject to:
- 7.8.1. all provisions of this Bylaw that are in effect now or may be in effect in the future;
 - 7.8.2. all terms, conditions, design, Lot plan, Interment and Memorial parameters, standards of operation and maintenance established by the City, for the Cemetery;
 - 7.8.3. payment in full of all applicable Fees set out in Schedule 'D': Cemetery Fees that are in effect now or may be in effect in the future, and
 - 7.8.4. payment of Cemetery Fees shall be made at the time of, or in advance of the selection of a right of an Interment, or the provision of any Cemetery service or good being provided.
- 7.9. No Person or organization may purchase the Interment rights for more than four (4) Lots in the Cemetery without the prior consent and agreement of the City, where such consent and agreement may, at the City's sole discretion, be withheld.
- 7.10. In the instance where evidence of a clear line of transfer, inheritance, succession, or authority over an Interment right that survives an original Rights Holder is not provided by the Personal Representative, heir, or successor of the original Rights Holder, then the City shall have the authority:
- 7.10.1. to determine, through a policy and process in a form prescribed by the City, the Person or Persons who may exercise a surviving right of Interment and under what terms and conditions a surviving right of Interment may be exercised, or
 - 7.10.2 where no clear and distinct right of succession can be reasonably demonstrated or ascertained, prohibit the use of any surviving Interment rights in a Lot.
- 7.11. An Interment right for an unused Lot may only be transferred back to the City. Only the original Interment Rights Holder, their Personal Representative, their heir, or successor, may make a transfer request, in writing and in a form prescribed by the City, and the original Interment rights certificate must be surrendered to the City.



BYLAW NO. 18-2022

- 7.12. An Interment right for a Lot may be surrendered to the City at the discretionary acceptance of the City and, if approved, a refund, equal to the original purchase price of the Lot less a care and administration Fee as set out in Schedule 'D': Cemetery Fees of this Bylaw will be issued to the Applicant provided when:
- 7.12.1 there are no Interments in the designated Lot, and
 - 7.12.2 the original Interment Rights Holder, their Personal Representative or their heir or successor has made written application to the City stating their intent to surrender the Interment right, and
 - 7.12.3 the original Interment Rights Certificate is surrendered to the City.
- 7.13. An Interment right for an unused or abandoned Lot may be reclaimed and resold by the City in compliance with the *Cemetery Act*.
- 7.14. The City may, by special agreement with a society, church, or other organization, reserve a Section of the Cemetery to be used exclusively for the Interment of deceased members of the society, church, or other organization under such terms and conditions as the City deems appropriate. Upon such an agreement being made:
- 7.14.1 no Person shall be issued an Interment right for a Lot in a reserved Section, unless an application for an Interment right is accompanied by a certificate from the society, church, or organization, stating that the Person is entitled to Interment in the reserved Section, and
 - 7.14.2 Interment rights issued, and services rendered by the City under such an agreement and its applicable conditions, shall be subject to payment of the regular rates set out in Schedule 'D': Cemetery Fees of this Bylaw.

8. INTERMENT, DISINTERMENT & EXHUMATION

- 8.1. Every Interment of Human Remains or Cremated Remains into a Lot shall be consistent with this Bylaw and Schedule 'B': Interment Rules & Regulations which is a part of this Bylaw.
- 8.2. Only Human Remains or cremated Human Remains may be interred in a City Cemetery.
- 8.3. The Interment of Human Remains or Cremated Remains in a City Cemetery shall be conducted in a manner consistent with the dignity of adjacent Lots, the Cemetery and general community standards.
- 8.4. No Interment, Disinterment or Exhumation of Human Remains or Cremated Remains at a City Cemetery shall be permitted until:
- 8.4.1 the Personal Representative of a deceased completes, signs, and delivers to the City, an authorization, in a form prescribed by the City;
 - 8.4.2 it is ascertained that the deceased holds a valid Interment right at a City Cemetery, or a Rights Holder at a City Cemetery provides authorization for a deceased's Human Remains or Cremated Remains to be interred in a Lot for which they hold an Interment right;



BYLAW NO. 18-2022

- 8.4.3 all outstanding indebtedness to the City relating to an Interment right to be exercised, the Interment Fee and the Fee for any other service provided or product supplied by the City to facilitate the Interment, has been paid in full to the City;
 - 8.4.4 proper notice, in a manner prescribed by the City, has been provided to the City;
 - 8.4.5 for Human Remains, a Saskatchewan or Alberta Burial Permit has been surrendered to the City;
 - 8.4.6 for Cremated Remains, a Certificate of Cremation has been surrendered to the City; or
 - 8.4.7 where a death has occurred in a jurisdiction other than Saskatchewan or Alberta, a disposition document for the Interment, deemed acceptable by the City, has been surrendered to the City.
- 8.5. Advance notice for an Interment is required. Normally notice and all documents and Fees related for an Interment shall be delivered to the City:
- 8.5.1 between April 1 and October 31, at least forty-eight (48) hours in advance of a proposed Interment time, of which not less than sixteen (16) hours are regular operating hours of the City;
 - 8.5.2 between November 1 and March 31 at least seventy-two (72) hours in advance of a proposed Interment time, of which not less than twenty-four (24) hours are regular operating hours of the City;
 - 8.5.3 the failure to provide advance notice to the City may result in an Interment booking being delayed or denied;
 - 8.5.4 where notice for an Interment is made in a period shorter than the notice periods set out herein, the Interment may, at the discretion of the City Manager, be accommodated subject to payment of an administrative and/or overtime Fee set out in Schedule 'D': Cemetery Fees of this Bylaw, and
 - 8.5.5 no booking or notice for an Interment will be accepted by the City more than thirty (30) days in advance of a proposed date of Interment.
- 8.6. All Cemetery appointments, Interment bookings and payments for Cemetery services shall be transacted under the terms set out in this Bylaw, on the days and hours of operation of the City set out here for Cemetery purposes:
- 8.6.1 at Lloydminster City Hall, 4420 50 Avenue;
 - 8.6.2 Interment services proposed for a Monday or a day following a City observed Holiday must be received at this office on or before 12:00 p.m. of the previous business day of the City, and



BYLAW NO. 18-2022

- 8.6.3 the City shall have the right, from time to time, to establish an Interment services schedule to control, limit, or restrict the types and numbers of Interments that may occur in a City Cemetery on a given day.
- 8.7. Upon provision of proper notice and authorization being delivered to the satisfaction of the City, an Interment of Human Remains or Cremated Remains:
- 8.7.1 may take place on any day of the week;
- 8.7.2 shall take place at a time set by and arranged with the City and conclude within two (2) hours of that time, and
- 8.7.3 an Interment occurring on a Saturday, a Sunday or a Holiday observed by the City, or an Interment that is not concluded within the regular business hours of a City Cemetery, shall be subject to payment of an overtime Fee as set out in Schedule 'D': Cemetery Fees of this Bylaw.
- 8.8. Where an Interment is directed by a Medical Health Officer written instructions with respect to all procedures to be followed on the Interment (to protect the health and safety of all Persons who may come into contact with the burial container bearing the Human Remains) shall be provided to the City by the Medical Health Officer in advance of the Interment. The City shall convey the instructions of the Medical Health Officer to every City employee or their authorized agent participating in the Interment, and the City shall take such steps necessary to ensure the instructions are carried out throughout the course of the Interment. The City shall be obligated to accommodate an Interment directed by the Medical Health Officer as and when so Ordered.
- 8.9. Only the City, or their approved agent, shall excavate, open, or close a Lot in a City Cemetery.
- 8.10. Every Interment service in a City Cemetery shall be conducted by or performed under the direct supervision of the City.
- 8.11. Every Disinterment / Exhumation shall be conducted in compliance with the *Cemetery Act*, this Bylaw, and its Schedules and in a manner consistent with the dignity of adjacent Lots, the City and general community standards.
- 8.12. No Disinterment or Exhumation shall be allowed until:
- 8.12.1. the Personal Representative of a deceased who has the right to authorize a Disinterment of a deceased Person's Human Remains has completed and provided to the City a Disinterment / Exhumation authorization, in a form prescribed by the City, and
- 8.12.2. all outstanding indebtedness to the City relating to a right of Interment, the exercise of the Disinterment / Exhumation right from the Lot, and any other services provided or product supplied by City to facilitate a Disinterment / Exhumation, has been paid in full to the City, where the Fees for a Disinterment or an Exhumation are set out in Schedule 'D' Cemetery Fees of this Bylaw.
- 8.13. Except where Ordered by a Court of competent jurisdiction or a Medical Health Officer, no Person other than employees or authorized agents of the City


Mayor

City Clerk


BYLAW NO. 18-2022

along with any duly contracted Funeral Director shall be permitted to be present at a Disinterment or Exhumation of remains from a Lot in a City Cemetery.

- 8.14. The City's responsibility in the performance of a Disinterment or an Exhumation shall be limited to:
- 8.14.1. performing, or arranging for the opening of a Lot to permit access to the human or Cremated Remains interred in a Lot, and
 - 8.14.2. when a Disinterment or an Exhumation is complete, performing, or arranging for the closure and resurfacing of a Lot.
- 8.15. The physical removal and handling of Human Remains from a Lot shall be performed by a Funeral Director authorized by and employed at the expense of the Person requesting the Disinterment. No employee or agent of the City shall be compelled or required to handle or participate in the removal of Human Remains from a Lot.
- 8.16. Other than the recovery of the Human Remains or Cremated Remains readily apparent and present in a Lot opened for a Disinterment or an Exhumation the City shall make no representation or warranty as to any other material, Personal effect or other extraneous item that may possibly be recovered from a Disinterment or Exhumation Lot.
- 8.17. The authorization of a Disinterment or an Exhumation shall grant the City sole and discretionary authority to dispose of, in a safe, environmentally sensitive, and dignified manner, all extraneous materials that may incidentally be recovered from a Lot as part of a Disinterment or an Exhumation, including but not limited to remnants of a burial casket, Urn, other form of burial container, Grave Liner or burial vault present from the date of the original Interment.
- 8.18. A Disinterment or Exhumation in a City Cemetery shall, without exception, be performed on a day and at a time of the City's choosing.
- 8.19. The re-interment of disinterred Human Remains or Cremated Remains into another Lot within a City Cemetery shall comply with this Bylaw in every way.
- 8.20. The City, its employees and authorized agents of the City providing Cemetery services shall exercise due care and attention in making an Interment, Disinterment or Exhumation but shall not be responsible for any emotional, psychological or physical injury that may occur to a living Person or any injury to Human Remains or damage to any casket, Urn or any other form of burial container sustained as part of an Interment, Disinterment or Exhumation except where such injury or damage may be caused by the negligence of the City, its employees or its agents.

9. MEMORIALS

- 9.1. Every Memorial, and the installation every Memorial onto a Lot in a City Cemetery shall be consistent with this Bylaw and Schedule 'C': Memorial Rules & Regulations which is a part of this Bylaw.
- 9.2. It is the responsibility of a Rights Holder or the Personal Representative of a deceased to make arrangements for the supply and installation of a Memorial on a City Cemetery Lot. The City shall bear no responsibility or obligation




Mayor
City Clerk

BYLAW NO. 18-2022

to place or install at the City's expense any form of temporary or permanent Memorial at a Lot or a remembrance site.

- 9.3. No Memorial may be placed on a Lot prior to the Interment of Human Remains or Cremated Remains into the Lot.
- 9.4. Every Memorial and the installation thereof shall conform to the plan established for the Lot and the Section of the City Cemetery in which the Memorial is proposed to be installed specifically, and to the plan of the City Cemetery generally.
- 9.5. The City shall create, maintain, and keep current the Memorial specifications that set out the details of permitted design, construction, inscription, location, and installation of Memorials for each type of Lot or Memorial site offered in a City Cemetery.
- 9.6. No Memorial, inscription, engraving, ornamentation, or combination thereof, including but not limited to a reference to any pet or pets, that is inconsistent with the dignity of adjacent Lots, the Cemetery or community standards shall be placed on any Memorial in a City Cemetery.
- 9.7. No Memorial shall be installed on a Lot until plans and specifications describing fully the Memorial's proposed size, design, material, inscription, and location have been submitted to the City, in a form prescribed by the City, by an Applicant for a Memorial permit.
- 9.8. No Memorial shall be installed on a Lot until:
 - 9.8.1 an application for installation, in a form prescribed by the City, is received by the City;
 - 9.8.2 it is determined by the City that the Memorial described on the application complies in every way with the specifications set out for Memorial placement on the Lot where installation is proposed;
 - 9.8.3 all outstanding indebtedness as relates to Interment rights, Interment, and the Memorial installation has been paid in full to the City, and
 - 9.8.4 upon satisfying all of the above conditions, a Memorial permit may be issued by the City to authorize installation of the Memorial.
- 9.9. Where a Memorial installation Applicant is a Memorial supplier, then it is the responsibility of the Memorial supplier to confirm the correct location for a Memorial proposed for installation and, for a companion Memorial, to further confirm the correct layout for a companion inscription on the Memorial. The City shall bear no responsibility or financial liability for a Memorial where it can be shown these tasks were not performed by an Applicant or outside Memorial supplier.
- 9.10. The City shall have the authority to refuse to issue a Memorial/marker permit to an Applicant if the Applicant has failed to comply with the requirements of this Bylaw or any requirement established by the City governing Memorials at the City Cemetery. In the instance such a refusal may occur, the City shall inform the Applicant of what is not compliant about the Memorial application and the steps that must be taken to resolve the deficiency.



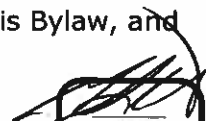
Mayor
City Clerk

BYLAW NO. 18-2022

- 9.11. The City shall have the authority to reject a Memorial, despite the prior issuance of a Memorial permit, when the Memorial delivered for installation does not match the specifications described in the Memorial permit application or does not comply with the requirements of this Bylaw. In the instance such a refusal may occur, the City shall inform the Applicant of what is not compliant about the Memorial delivered for installation and the steps that must be taken to resolve the deficiency.
- 9.12. Every Memorial shall conform to the specifications set out in this Bylaw and any further requirements established by the City for a Lot at the time the Memorial is placed or installed.
- 9.13. Every Memorial at a City Cemetery shall be placed, installed, relocated, or removed by, or under the supervision of the City.
- 9.14. The installation of Memorials shall occur during the regular operating hours of the City Cemetery and installation times may be subject to Cemetery service and staff scheduling, weather, and ground restrictions.
- 9.15. A Rights Holder or the Personal Representative of a deceased, their heir or successor are required to keep in proper repair, at their expense and to the satisfaction of the City, all Memorials on their Lot. In the instance a Memorial is placed, or installed, on a Lot in a City Cemetery and subsequently falls into a state of disrepair, the City will document the condition of the Memorial and shall have the authority, Without Prior Notice, to have the Memorial removed from the Lot and from the City Cemetery, in each case at the expense of Rights Holder, the Personal Representative of a deceased, or their heir or successor.
- 9.16. Where it is determined a Memorial or its installation do not comply with this Bylaw or any Memorial requirements established by the City for the City Cemetery then the non-compliant Memorial may, Without Prior Notice, be moved, reinstalled, or permanently removed and placed in safekeeping by the City at the expense of a Rights Holder, the Personal Representative of a deceased, their heir or successor, or their Memorial supplier.
- 9.17. The City shall be responsible to maintain the land of a Lot on which a Memorial is placed or installed but shall not be responsible for the maintenance of any Memorial on the Lot and shall not be liable for, or obligated to repair, any scratch, breakage, or damage to a Memorial in a City Cemetery except where it can be shown any such a scratch, breakage or damage has been caused by the negligence of the City, its employees, or its agents.

10. CEMETERY FEES

- 10.1. The City shall, on a regular basis review, establish, add, amend, or delete the Fees to be charged at the City Cemetery for the provision of Interment rights, Interment services, Memorials and Memorial installations and such other services or goods ancillary to the provision of service, operation, and maintenance of the Cemetery.
- 10.2. The Fees established for the Cemetery under article 10.1. of this Bylaw shall be set out in Schedule 'D': Cemetery Fees, which shall form a part of this Bylaw, and this schedule shall be made available to the public upon request.



Mayor
City Clerk

BYLAW NO. 18-2022

11. PENALTIES

- 11.1. Any Person who contravenes this Bylaw is guilty of an offence.
- 11.2. Persons having contravened certain Sections of this Bylaw or fails to comply herewith, or with any notice given hereunder, is guilty of an offence and liable to a penalty of two hundred and fifty dollars (\$250).
- 11.3. A notice or form commonly called a Notice of Violation having printed wording approved by the City Manager, may be issued by a Bylaw Enforcement Officer to any Person alleged to have breached any provision of this Bylaw, and the said notice shall require the payment of the City of Lloydminster in the amount specified in 11.2.
- 11.4. A Summary Offence Ticket or a Violation Ticket shall be deemed to be sufficiently served:
 - 11.4.1 if served Personally on the accused; or
 - 11.4.2 is delivered via regular mail to the address of the Person accused.

12. INTERPRETATION, REFERENCES, SEVERABILITY

- 12.1. The headings given to any Section, subsection, paragraph, clause, phrase, or word in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.
- 12.2. Legislation referred to in this Bylaw is a reference to an enactment of Saskatchewan, Alberta, or Canada, as the case may be, and regulations made thereto, as amended, revised, consolidated, or replaced from time to time, and any Bylaw referred to is a reference to an enactment of the Council of the City, as amended, revised, consolidated, or replaced from time to time.
- 12.3. This Bylaw, the management and operation of the Cemetery to which it applies, and any dispute or legal action which may arise at the Cemetery shall, without exception and in all instances, be subject to and interpreted in accordance with *The Cemeteries Act, 1999 - Chapter C-4.01 (2017)* (Saskatchewan), *The Cemeteries Regulations, 2001 - Chapter C-4.01 Reg 1 (2015)* (Saskatchewan), and *The Funeral and Cremation Services Act, 1999 - Chapter F-23.3 (2017)* (Saskatchewan) as amended, revised, consolidated or replaced from time to time.
- 12.4. The use of a metric or imperial measurement included in any Section, subsection, paragraph, clause, phrase, or word in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.
- 12.5. The use of a word signifying the masculine shall include the feminine and the use of a word signifying the plural shall include the singular and such references are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.
- 12.6. If any Section, subsection, paragraph, clause, phrase, or word within this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.



BYLAW NO. 18-2022

12.7. The Schedules listed here shall form a part of this Bylaw:

- 12.7.1. Schedule 'A': Definitions
- 12.7.2. Schedule 'B': Interment Rules and Regulations
- 12.7.3. Schedule 'C': Memorial: Rules & Regulations
- 12.7.4. Schedule 'D': Cemetery Fees and Rates

This Bylaw shall come into full force and effect upon the final passing thereof.

The following Bylaws and all amendments thereto are hereby repealed:

- Bylaw No. 13-1990

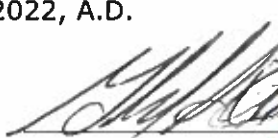
INTRODUCED AND READ a first time this 19 day of September, 2022, A.D.


READ a second time this 3 day of October, 2022, A.D.


READ a third time this 3 day of October, 2022, A.D.

October 4, 2022
Date Signed

October 4, 2022
Date Signed


MAYOR


CITY CLERK



BYLAW NO. 18-2022


SCHEDULE 'A'

Definitions

Applicant	A Person who makes application to the City for a right of Interment, an Interment or for a Memorial permit
Bylaw	The City of Lloydminster Cemetery Management Bylaw and any schedules appended thereto as amended, revised, consolidated, or replaced from time to time
Bylaw Enforcement Officer	A Person appointed by the City pursuant to the Lloydminster Charter to enforce City Bylaws, including a member of the Royal Canadian Mounted Police and, when authorized, a Community Peace Officer appointed under the Peace Officer Act S.A. 2006, c. P-3.5, as amended or repealed and replaced from time to time
Burial Permit	A legal document issued pursuant to the <i>Vital Statistics Act, 1995 Saskatchewan</i> or the <i>Vital Statistics Act of Alberta, 2007</i> as amended or repealed from time to time and all regulations made thereunder
Cemetery	The Lloydminster Municipal Cemetery or any other land owned by the City and set apart or used, now or at a future date, as a place of Interment of Human Remains or Cremated Remains and includes any incidental or ancillary buildings on the land
Cemetery Act	The <i>Cemeteries Act, 1999 - Chapter C-4-01 (2017) Saskatchewan</i> , as amended or repealed from time to time and all regulations made thereunder
Charter	Refers to the <i>Lloydminster Charter</i>
Child	A Person between the ages of two (2) and twelve (12) years of age
City	The City of Lloydminster and the area contained within the corporate boundaries of the City
City Manager	The Commissioner of the City of Lloydminster as appointed by Council or designate
Council	The Municipal Council of the City of Lloydminster
Cremated Remains	The human bone fragments and the residue of other materials left after a cremation
Disinterment	The removal of Human Remains or Cremated Remains for the purpose of permanent relocation from a Lot in which the remains are interred and the container of any of the remaining container holding the remains
Exhumation	The exposure of interred Human Remains for the purpose of viewing or examination and further where such viewing or examination may occur in the Lot where the remains are interred and where the

BYLAW NO. 18-2022

	exhumed remains shall be re-interred into the same Lot after the viewing or examination has been completed
Family Member	A parent or stepparent, a grandparent or step grandparent, a sibling (natural, adopted or step), a spouse, a Child (natural, adopted or step), or a grandchild (natural, adopted or step)
Fee	A Fee prescribed, as from time to time amended or repealed and replaced in Schedule "D": Cemetery Fees which form part of this Bylaw
Foundation	An area of reinforced, compacted soil and/or aggregate, and/or a base of reinforced concrete or other suitable material, used for the installation and support of a Memorial installed in the Cemetery
Funeral Director	A Person who, in the course of business, does any of the following: <ul style="list-style-type: none"> a) negotiates or enters into funeral contracts; b) arranges, conducts, or directs bereavement rites and ceremonies; c) arranges for the Interment or cremation of Human Remains; d) transfers Human Remains or directs or supervises the transfer of Human Remains; and e) cares for or prepares Human Remains prior to disposition, other than the disinfecting, preservation, or restoration of Human Remains
Funeral Service Provider	A Person or an organization that carries on a business of providing funeral services
Grave Liner	A receptacle, box, liner, or vault constructed of wood or a durable material, that may or may not have a bottom, into which a container holding Human Remains or an Urn holding Cremated Remains is placed to provide reinforcement of a Lot as part of an Interment
Holiday	Any of the following days: New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Heritage Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any day or part of day as may be proclaimed from time to time as a Holiday to be observed by the City
Human Remains	A dead human body in any stage of decomposition, or a body of a stillborn Infant in any stage of decomposition, but does not include Cremated Remains
Infant	A Person less than two (2) years of age
Installation Permit	A document issued by the City that allows for the installation of a Memorial at the City Cemetery
Interment	Disposition by: <ul style="list-style-type: none"> a) the Interment of Human Remains or Cremated Remains in a Lot at the Cemetery; and



Mayor
City Clerk

BYLAW NO. 18-2022


	<ul style="list-style-type: none"> b) the installation of a Memorial on a Lot at the Cemetery; and c) issued in accordance with this Bylaw
Interment Authorization	A document set out in a form prescribed by the City that is completed and signed by a Person having the legal authority to authorize the Interment of Human Remains or Cremated Remains of a deceased Person
Interment Rights Certificate	A document set out in a form prescribed by the City, that describes a right of Interment and the terms and conditions that govern the right of Interment for a Lot in the Cemetery
Lot	<p>A designated space in the Cemetery as set out in a right of Interment to be used or intended to be used for:</p> <ul style="list-style-type: none"> a) the Interment of Human Remains or Cremated Remains under a right of Interment; b) the installation of a Memorial to identify a Lot or Memorialize a deceased Person or stillborn Child, and c) includes but is not limited to a grave, crypt, niche or plot
Medical Health Officer	The Chief Medical Health Officer or their designate appointed from time to time by the Province of Saskatchewan or the Province of Alberta and where, the instance of dispute, the Chief Medical Officer of the Province of Saskatchewan shall have final jurisdiction as may relate to actions affecting the Cemetery
Memorial	<p>A product or structure used or intended to be used to identify a Lot or to Memorialize a deceased Person, including but not limited to:</p> <ul style="list-style-type: none"> a) a flat marker, pillow marker, upright monument, tombstone, plaque, or other form of Memorial on a Lot, or, b) any other product approved for Memorialization at the Cemetery
Memorial Dealer	A Person who or business that offers for sale or sells to or installs Memorials for eh public
Memorialization	The process related to the selection, installation, or placement of a Memorial space and may include the purchase of a Memorial
Order	Any written notice or letter that requires a Person to remedy a contravention of this Bylaw or the <i>Lloydminster Charter</i>
Person	Any individual, a group of individuals, a corporation, firm, partnership, proprietorship, association, society or co-operative organization
Personal Representative	A Person who, or an agency that, by Order of priority set out in Section 91 of the <i>Funeral and Cremation Services Act, Chapter F-23.3</i> (Saskatchewan), has the right to control the disposition of the Human Remains or Cremated Remains of a deceased Person
Rights Holder	A Person, corporation or an organization that:



Mayor
City Clerk

BYLAW NO. 18-2022

	<ul style="list-style-type: none"> a) has purchased a right of Interment for a Lot registered in the records of the Cemetery to be held in their name, or b) has a right of Interment registered in their name but is not the original purchaser of the right of Interment, or c) is the Personal Representative of a deceased Person who has a right of Interment transferred to be held in their name, or d) is a Person who has, in compliance with this Bylaw had a right or Interment transferred to be held in their names, or e) is a Person who is an heir or successor of a deceased Interment Rights Holder and by demonstration of a right of legal succession, may be entitled to inherit a deceased Rights Holder's right of Interment
Riser	A granite base placed under a Memorial
Section	An area of the Cemetery designed by the <i>Summary Offences Procedures Act (Saskatchewan)</i> , as amended from time to time
Summary Offence Ticket	As defined by the <i>Summary Offences Procedures Act (Saskatchewan)</i> , as amended from time to time
Urn	A container used or intended to be used for the containment of Cremated Remains
Veteran	A Person who is fully qualified (Military, Occupation Class, MOC) and serving or who has honourably served one-year minimum in the Armed Forces of Canada, the Commonwealth or its wartime allies or a Person who served in the Merchant Nave or Ferry Command during wartime
Violation Ticket	As defined by the <i>Provincial Offences Procedure Act (Alberta)</i> , as amended from time to time
Without Prior Notice	For any maintenance or operational action deemed necessary by the City there is no obligation of the City to make or provide in any form or manner advance notice of said action occurring to an Interment Rights Holder, the Personal Representative of a deceased or their heirs or successors
Working Day	Every day of a year that is not a Saturday, a Sunday or a Holiday as defined in this Bylaw or observed by the City



Mayor
City Clerk

BYLAW NO. 18-2022

SCHEDULE 'B'

INTERMENT RULES & REGULATIONS

1.0. INTERMENT: LOTS

- 1.1. The City, subject to payment of an established fee, may grant an Interment right for a vacant Lot in the Cemetery on an at-need or a pre-need basis.
- 1.2. Possession of an Interment right,
 - 1.2.1 confers, to a rights holder, a right in perpetuity to use a Lot, in compliance with this bylaw, for the Interment of the Human Remains or Cremated Remains of a person named on an Interment Rights Certificate, and;
 - 1.2.2 does not confer any title to, ownership of, or interest in the land of the Cemetery or of a Lot therein or any other special privilege over any land of the Cemetery.
- 1.3. **HUMAN REMAINS:** Generally, the following specifications shall constitute the Lot types and permitted Interment densities for Lots as they may be designed and laid-out for the Interment of Human Remains in the City Cemetery,

Lot Type	Linens/ Vaults	Permitted Interments
Standard Adult Lot	Liner or Vault optional but not required.	1 Human Remains AND 3 Cremated Remains OR (if no Human Remains) 4 Cremated Remains
Child* Lot	Liner or Vault optional but not required.	1 Human Remains AND 2 Cremated Remains (parents only)

*only for child aged 6 and under located in designated child plot area.



BYLAW NO. 18-2022

1.4. **CREMATED REMAINS:** Generally, the following specifications shall constitute the Lot types and permitted Interment densities for Lots as they may be designed and laid-out for the Interment of Cremated Remains in the City Cemetery:

Lot Type	Permitted Interments (maximum)
Standard Cremation Lot (in-ground)	4 Cremated Remains
Standard Columbaria Lot (niche)	2 Cremated Remains
Scattering	In designated areas only.

- 1.5. The Interment of two (2) Cremated Remains into a cremation niche shall be based on the Cremated Remains being enclosed in two single cremation Urns, or a single companion Urn, that can be accommodated within the columbaria Lot where the Interment is planned. It is the responsibility of the personal representative of the deceased, or their agent, heir, or successor to ensure Urns being considered for columbaria Interment can be accommodated in a cremation niche. The City shall have the authority, without liability or recourse, to refuse to permit a columbaria Interment where an Urn, or Urns, delivered for Interment do not fit into a columbaria Lot, or where the Interment of a single Urn will limit the ability to accommodate a second Urn, for a planned future Interment.
- 1.6. Lots may be laid out separately, in combinations or in combination of one Lot type with another Lot type.
- 1.7. Human Remains Interment Lots may permit for the secondary Interment of Cremated Remains providing that no Cremated Remains Interment shall occur in the Lot until after the Human Remains Interment has been made.
- 1.8. In every instance, the official dimensions of any Lot in a City Cemetery shall be those set-out in the design plan and subsequent Lot survey completed for the Cemetery.
- 1.9. The City shall have the authority to vary the dimensions of a Lot or group of Lots as circumstances may dictate or as it deems appropriate for the operation and maintenance of the Cemetery.
- 1.10. The design, layout, dimensions, location of Interments and placement of Memorials for every Lot type in a City Cemetery shall be those set out in the design plan established for the Cemetery.
- 1.11. The City shall have the authority to establish, amend or otherwise set out Interment rights for other Lots in the Cemetery that have the same classification



BYLAW NO. 18-2022

and Interment capacity as the Lots described herein or that may have a different classification and Interment capacity.

2.0. INTERMENT: GENERAL RULES

The following rule shall be followed in making an Interment of Human Remains or Cremated Remains into a Lot or the scattering of Cremated Remains in the City Cemetery:

2.1. Only Human Remains or Cremated Human Remains may be interred in a City Cemetery.

2.2. **HUMAN REMAINS:** For every Interment of Human Remains,

2.2.1 **Standard Adult Lot or Infant / Child Lot:** Interment of Human Remains shall be made at a sufficient depth to ensure there is, when filled and closed, not less than 76 centimeters (30 inches) of soil between the finished surface of the Lot and the uppermost surface of the Human Remains, casket enclosing the Human Remains, or liner / vault resting in the Lot

2.3. **CREMATED REMAINS:** For every in-ground Interment of Cremated Remains,

2.3.1 **Standard Cremation Lot:** Interment of Cremated Remains shall be made at a sufficient depth to ensure there is, when filled and closed, not less than 15 centimeters (6 inches) of soil between the finished surface level of the Lot and the uppermost surface of the Urn enclosing the Cremated Remains resting in the Lot.

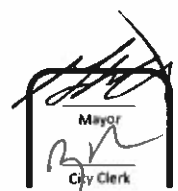
2.4. The personal representative of a deceased has the option to use a grave liner for an Interment in the City Cemetery. In the instance a grave liner is proposed for an Interment:

2.4.1 any form liner shall, prior to installation in the Lot, be approved for use in the Cemetery by the City, and

2.4.2 the personal representative of the deceased or their agent shall, at their expense, be responsible for the supply and installation of a grave liner, and installation of the grave liner shall be made at a day and time of the City's choosing and under the City's supervision.

2.5. The personal representative of a deceased, or their agent, shall be deemed to retain custody of Human Remains or Cremated Remains for Interment until the remains are delivered to an Interment Lot at the City Cemetery. Prior to accepting custody of remains at a Lot the City shall not be liable for any delay in an Interment service and, after accepting custody, shall not be liable for any delay in an Interment arising from circumstances outside of the City's control.

2.6. It is the responsibility of the personal representative of a deceased, or the Interment rights holder, or their heir or successors, or their agent or funeral service provider to provide such means and persons to transfer and deliver Human Remains to an Interment Lot for Interment.

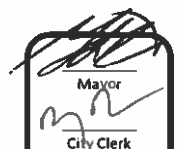


BYLAW NO. 18-2022

- 2.7. A person, family, or a group of persons may be allowed to witness the Interment process subject to the following criteria,
 - 2.7.1 the request to witness an Interment is delivered to the City as part of the normal notice for an authorization of an Interment;
 - 2.7.2 the City may, for safety purposes, limit the number of people allowed to witness an Interment;
 - 2.7.3 all proceedings at an Interment shall be under the direction of the City and every witness present shall be obligated to follow every instruction given by the City personnel directing the Interment;
 - 2.7.4 a witness Interment service may be subject to an administrative fee set out in the Schedule 'D': Cemetery Fees of this bylaw and said fee shall be paid in full to the City prior to the Interment service, and;
 - 2.7.5 witnesses to an Interment may be required to sign a waiver exempting the City from responsibility for any emotional, psychological, or physical injury that may arise from witnessing an Interment.
- 2.8. Cremated Remains for Interment into a Cemetery Lot shall be enclosed in an Urn or container of a design, size and material approved by the City.
- 2.9. Only the City, or a person and under the supervision of City personnel, is authorized to place Cremated Remains into a Cemetery Lot in a City Cemetery.
- 2.10. Except where permitted in areas designated by the City, the scattering of Cremated Human Remains is strictly prohibited in the City Cemetery.
- 2.11. The Interment or scattering of pet or animal remains or cremated animal remains is strictly prohibited in the City Cemetery.

3.0. INTERMENT: MEMORIALS

- 3.1. The installation of a memorial on any form of Lot in a City Cemetery shall comply with Schedule 'C': Memorial Rules & Regulations of the 'Cemetery Management Bylaw' as may currently be in force or as may be amended or repealed and replaced from time to time in the future.

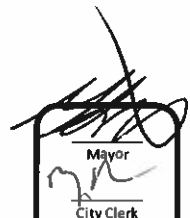


BYLAW NO. 18-2022

**SCHEDULE 'C'
MEMORIAL RULES & REGULATIONS**

1. GENERAL REGULATIONS

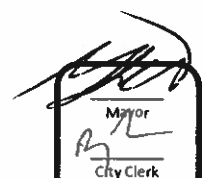
- 1.1. Every Memorial and the installation of every Memorial in the Cemetery shall conform to the plan established for the Lot and the Section of the Cemetery in which the Memorial is proposed to be installed.
- 1.2. Every Memorial shall be constructed of granite, or bronze on a granite base or another material of permanent and durable material approved by the City.
- 1.3. No Memorial, inscription, engraving, ornamentation, or combination thereof, including but not limited to a reference to any pet or pets, that is inconsistent with the dignity of adjacent Lots, the Cemetery or community standards shall be placed on any Memorial.
- 1.4. No Memorial shall be installed on a Lot until plans and specifications describing fully a Memorial's proposed size, design, material, inscription, and location have been submitted to the City, in a form prescribed by the City, by an Applicant for a Memorial permit.
- 1.5. No Memorial shall be installed on a Lot until:
 - 1.5.1 an application for installation is received by the City;
 - 1.5.2 it is determined by the City that the Memorial described on the application complies in every way with the specifications set out for Memorial placement on the Lot where installation is proposed;
 - 1.5.3 all outstanding indebtedness as relates to Interment rights, Interment, and the Memorial installation has been paid in full to the City, and
 - 1.5.4 upon satisfying all of the above a Memorial permit may be issued by the City to authorize installation of the Memorial.
- 1.6. The type and design of a Memorial and, the maximum width, depth, and thickness of a Memorial and, the form and style of a Memorial inscription is conditional on the type of Lot or Lots on which it is being installed.
- 1.7. No Memorial may be placed on a Lot prior to the Interment of Human Remains or Cremated Remains into the Lot.
- 1.8. Every Memorial shall conform to the specifications set out in this Schedule and any further requirement that may be established by the City for a Lot at a City Cemetery at the time the Memorial is placed or installed, not at the time the Memorial is purchased or at the time of death.
- 1.9. Every Memorial at a City Cemetery shall be placed, installed, relocated, or removed by the City, or under the supervision of the City.
- 1.10. The design, layout, dimensions, location of Interments and placement of Memorials for every Lot type in a City Cemetery shall be those set out in this Schedule.



BYLAW NO. 18-2022

2. MEMORIALS: FOUNDATIONS & BASES

- 2.1. Except for the thickness of a flat Memorial installed flush with the ground, which shall be not less than 10 cm (4 in.) thick, Memorial dimensions stated in this Schedule may have a variance of not more than plus or minus 1.3 cm (0.5 in.).
- 2.2. Every flat marker Memorial shall be installed onto a Foundation, installed at an Applicant's expense, that shall consist of:
 - 2.2.1 sufficient excavation of the installation site, and
 - 2.2.2 placement and compaction of sufficient subsurface consolidated aggregate materials to ensure a stable and level, vertical and horizontal installation of the flat marker flush with the surface level of the Lot.
- 2.3. Every pillow Memorial or upright Memorial shall be installed onto a Foundation, installed at an Applicant's expense, that shall consist of:
 - 2.3.1 sufficient excavation of the installation site;
 - 2.3.2 placement and compaction of sufficient subsurface consolidated aggregate materials;
 - 2.3.3 installation of a reinforced concrete pad of not less than 25 mpa, sulfate resistant, air entrapments 4-7 percent air content;
 - 2.3.4 for a monument under 91 cm (36 in.) in height, a thickness of not less than 10 cm (4 in.);
 - 2.3.5 for a monument over 91 cm (36 in.) in height, a thickness of not less than 15 cm (6 in.);
 - 2.3.6 for every monument, the top finished surface of a Foundation shall have not less than 16 cm (6 in.) wider and longer than the base of the Memorial to be installed on the Lot;
 - 2.3.7 a Foundation installed with its finished surface flush to the ground level of the Lot so as to ensure a stable and level, vertical and horizontal installation of the Memorial above the surface level of the Lot is achieved, and
 - 2.3.8 a Foundation shall have a Lot description plate, secured to the back of the Foundation in line with the centre line of the Lot on which the Foundation is placed.
- 2.4. Every Memorial base (Riser) to be used in the Cemetery shall:
 - 2.4.1 have an unpolished, rock pitch (rough) finish on all of its vertical sides;
 - 2.4.2 not exceed 21 cm (8 in.) in height;
 - 2.4.3 not extend more than 16 cm (6 in.) past the width (thickness) on either side, of the Memorial, and
 - 2.4.4 not extend more than 25 cm (10 in.) past the length, on either end, of the Memorial monument.



BYLAW NO. 18-2022

- 2.5 The City may, as and where it deems appropriate, install reinforced concrete grade beams (ribbons), installed to a design and standard established by the City, for Memorial Foundation purposes.
- 2.6. Memorials installed on a grade beam Foundation shall be installed so that the front edge of the Memorial is not less than 16 cm (6 in.) from the front edge of the Foundation and should not exceed the mid-line of the grade beam.

3. MEMORIALS: SPECIFICATIONS

3.1. For the following Sections, Memorials shall be,

SECTION: A, B, C, D, E, F			
SINGLE LOT	Minimum Length 61 cm (24 in.)	Minimum Width 30 cm (12 in)	Maximum Height 122 cm (48 in.)
	Maximum Length 92 cm (36 in.)	Maximum Width 46 cm (18 in.)	
DOUBLE LOT	Minimum Length 92 cm (36 in.)	Minimum Width 46 cm (18 in)	
	Maximum Length 122 cm (48 in.)	Maximum Width 46 cm (18 in.)	

3.2. For the following Sections, Memorials shall be,

SECTION: A1, G, H, J, Jc, M, M1, N			
SINGLE LOT	Minimum Length 61 cm (24 in.)	Minimum Width 30 cm (12 in)	Maximum Height Front 20 cm (8 in.)
	Maximum Length 92 cm (36 in.)	Maximum Width 46 cm (18 in.)	
DOUBLE LOT	Minimum Length 92 cm (36 in.)	Minimum Width 46 cm (18 in)	Section N Only Max. Ht. 51 cm (20 in.)
	Maximum Length 122 cm (48 in.)	Maximum Width 46 cm (18 in.)	



BYLAW NO. 18-2022

3.3. For the following Sections, Memorials shall be,


SECTION: K, K2, L			
SINGLE LOT	Minimum Length 61 cm (24 in.)	Minimum Width 30 cm (12 in)	Maximum Height 122 cm (48 in.)
	Maximum Length 92 cm (36 in.)	Maximum Width 46 cm (18 in.)	
DOUBLE LOT	Minimum Length 92 cm (36 in.)	Minimum Width 46 cm (18 in)	
	Maximum Length 183 cm (72 in.)	Maximum Width 46 cm (18 in.)	

3.4. For every cremation Lot, Memorials shall be,

CREMATION LOTS			
SINGLE CREMATION LOT	Length 51 cm (20 in.)	Width 30 cm (12 in)	Minimum Thickness 10 cm (4 in.)
DOUBLE CREMATION LOT	Length 92 cm (36 in.)	Minimum Width 46 cm (18 in)	
CREMATION NICHE	Subject to a design standard established for a columbaria, Memorialization shall be, <ul style="list-style-type: none"> Engraving on the face of the niche shutter, in a design, font, and standard established by the City. 		

3.5. For every Section of the Cemetery, double monuments on a common Foundation are permitted over two adjacent, side-by-side Lots, where:

- 3.5.1 the maximum size of each monument complies with the single grave specification of length, width, and height, and
- 3.5.2 does not exceed a maximum width, from one side of the monument to the other, of 229 cm (90 in.).



Mayor
City Clerk

BYLAW NO. 18-2022


- 3.6. At the time of an Interment the City may permit a temporary, non-permanent marker, of a design and size approved by the City, to be placed on a Lot, at a location on the Lot determined by the City. A temporary marker shall be limited to placement on the Lot for a period not to exceed 6 months from the date of Interment. The City shall not be responsible for the maintenance of a temporary marker during the 6-month time frame and shall, Without Prior Notice, have the authority to remove and dispose of a temporary, non-permanent marker remaining on a Lot where more than 6 months has expired from the date of Interment.
- 3.7. The installation and dedication of a Memorial plaque, Memorial bench, Memorial planting, or other form of custom Memorial feature at the Cemetery may be permitted subject to the approval of the City and the following criteria:
- 3.7.1 an application, in a form prescribed by the City, shall be made to the City setting out the proposed specifications and design of the Memorial and the design approved in writing by the City before any delivery or installation can proceed;
 - 3.7.2 the Memorial installation site shall conform to the plan of the Cemetery as determined by the City;
 - 3.7.3 installation of the Memorial, if not performed by the City, shall be made under the supervision of the City and the cost of the Memorial and its installation shall be borne by the Applicant, and
 - 3.7.4 the installation of a Memorial plaque, Memorial bench, Memorial planting, or other form of custom Memorial in the Cemetery does not entitle an Applicant to any privilege or right over the land upon which the Memorial may be situated.

4. MEMORIALS: GENERAL RULES

- 4.1. No inscription, lettering, plaque or other form of adornment or decoration shall be placed on the back or any side of a Memorial Riser, or a Memorial.
- 4.2. No upright Memorial shall be installed over the space of a Lot that has been or may be opened to accommodate an Interment of Human Remains.
- 4.3. An upright Memorial with a design feature that is an integral part of the Memorial may be permitted so long as the Memorial, including the design feature, conform to the specifications set out in this schedule.
- 4.4. An upright monument in the form of a freestanding design shall not be permitted.
- 4.5. No upright monument shall have any uncovered vertical joint.
- 4.6. No Memorial shall have a photographic appliqué or emblem of any type that is attached solely by an adhesive of any kind. Any form of photograph or emblem shall be an integral part of the Memorial either cast in bronze or sand-blasted or laser-etched on granite.

BYLAW NO. 18-2022

- 4.7. No form of decorative rock, gravel or other form of material may be placed at or around a Memorial. Only materials approved or used by the City for the installation and maintenance of Memorials is permitted at or around Memorials or Lots.
- 4.8. Except for a flower vase, of a design approved by the City, no form of candleholder, lantern, or other form of fixture may be attached in any manner to a Memorial or placed adjacent to where a Memorial is installed in the Cemetery.
- 4.9. Except for Lots embellished prior to the adoption date of this Bylaw the surface of every in-ground Lot in the Cemetery shall be soil and turf grass.
- 4.10. No in-ground Lot shall be defined by any form of curb, grave cover, coping, fence, railing, planting, or any other form of delineation. The City shall have the authority to, Without Prior Notice, remove and restore the surface of a Lot with soil and turf grass, and dispose of any curbing, grave cover, coping, fence, railing, planting, or any other form of delineation that is in an advanced state of disrepair, has created an unsafe ground condition, become a safety hazard to Persons using, visiting, or working in the Cemetery or that has otherwise deteriorated to a state that is inconsistent with the dignity of adjacent Lots and the general aesthetic of the Cemetery.



Mayor

City Clerk

BYLAW NO. 18-2022

**SCHEDULE 'D'
Cemetery Fees and Rates**

All Fees and Rates are subject to GST

			2022	2023	2024
Licenses & Monuments					
Plot License	Adult	Adult License	\$ 1,612.00	\$ 1,660.00	\$ 1,710.00
Plot License	Child*	Child License	\$ 819.00	\$ 844.00	\$ 869.00
Plot License	All	Cremation Remains License	\$ 819.00	\$ 844.00	\$ 869.00
Monument Permit	All	Solid Rate	\$ 135.00	\$ 140.00	\$ 144.00
Cremation					
Interments	All	Summer (Open/Close)	\$ 203.00	\$ 210.00	\$ 216.00
Interments	All	Winter (Open/Close)	\$ 481.00	\$ 495.00	\$ 510.00
Niche	All	Columbaria #1, #2 and #3 12" high x 12" wide x 16 deep	\$ 1,596.00	\$ 1,644.00	\$ 1,694.00
Niche	All	Corner - 11 7/8" high x 11 7/8" wide x 18" deep	\$ 1,596.00	\$ 1,644.00	\$ 1,694.00
Niche	All	Sides - 11 7/8" high x 11 7/8" wide x 12" deep	\$ 1,454.00	\$ 1,498.00	\$ 1,543.00
Niche	All	Additional (Open/Close)	\$ 159.00	\$ 164.00	\$ 169.00
Disinterments	All	Exhumation Summer Only	\$ 623.00	\$ 642.00	\$ 661.00
Standard Burial					
Interments	Adult	Summer (Open/Close)	\$ 825.00	\$ 850.00	\$ 875.00
Interments	Child	Summer (Open/Close)	\$ 407.00	\$ 419.00	\$ 432.00
Interments	Adult	Winter (Open/Close)	\$ 1,281.00	\$ 1,320.00	\$ 1,360.00
Interments	Child	Winter (Open/Close)	\$ 646.00	\$ 666.00	\$ 686.00
Disinterments	Adult	Exhumation Summer Only	\$ 1,940.00	\$ 1,998.00	\$ 2,058.00
Disinterments	Child	Exhumation Summer Only	\$ 955.00	\$ 1,000.00	\$ 1,030.00
Extra Charges					
Administration	All	Administration Fee	\$ 50.00	\$ 52.00	\$ 54.00
Short notice fee	All	Short notice / overtime fees / hourly charge	\$ 105.00	\$ 110.00	\$ 113.00
Weekend/Stat	All	Weekend / Stat Premium All Season (Open/Close)	\$ 251.00	\$ 259.00	\$ 267.00
After hours	All	Weekdays Evening Premium / Hour All Season (Open/Close)	\$ 105.00	\$ 110.00	\$ 113.00

*only for child aged 6 and under located in designated child plot area.

