

**TOWN OF KAMSACK
BYLAW NO. 26/2017**

A BYLAW OF THE TOWN OF KAMSACK TO REGULATE AND CONTROL THE PUBLIC CEMETERY.

Pursuant to Part VIII, Section 54 (1) of *The Cemeteries Act, 1999* an owner of a cemetery that is not a commercial cemetery may make bylaws for the operation of the cemetery.

The Town of Kamsack is the owner of a Public cemetery located in the Southeast Quarter of Section Ten (10), Township Thirty (30), Range Thirty-two (32), West of the First Meridian, and which is known as Riverview Cemetery:

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

1. In this Bylaw:
 - a. “**Administrator**” means the Administrator of the Town of Kamsack.
 - b. “**Burial Permit** ” means a permit issued pursuant to the Vital Statistic Act, that authorizes, the burial, cremation or other disposition of the body of a deceased individual or stillborn child, as the case may be, issued by the Ministry of Health.
 - c. “**Cemetery**” means Riverview Cemetery.
 - d. “**Columbarium**” means a building designed for the purpose of storing or interring cremated human remains in a niche.
 - e. “**Council**” means the Council of the Town of Kamsack.
 - f. “**Monument**” means any structure erected for memorial purposes.
 - g. “**Niche**” means an individual unit in a columbarium.
 - h. “**Owner**” shall mean the purchaser of a plot.
 - i. “**Plot**” also known as a “**Graves**” shall mean a surveyed portion of a block of land in the said Cemetery, according to the plan of the Cemetery on file in the Town Office.
 - j. “**Resident**” shall mean a person who currently resides within the limits of the Town of Kamsack.
 - k. “**Town**” means the Town of Kamsack.

2. GENERAL RULES

- a. All visitors to the cemetery shall conduct themselves in a quiet and orderly manner, or they may be asked to leave the cemetery.
- b. No animals are allowed within the cemetery, except dogs which are leashed.
- c. Both vehicle and pedestrian traffic shall use the roads and walkways provided.
- d. Maximum speed within the cemetery grounds is 20 km/hour.
- e. Any tree, shrub, flowers, plants or hedges located in the cemetery are the property of the Town, and may be removed, without notice, by the Town.
- f. Visitors are prohibited from damaging any of the trees, plants, roads, memorials or infrastructure of the cemetery.
- g. Any maintenance work at the cemetery will be suspended during a funeral service.

3. RECORD KEEPING

- a. The Town of Kamsack shall maintain a record of all burials at Riverview Cemetery as required by relevant legislation.

4. SALE OF PLOTS- NICHES

- a. Plots and Niches must be purchased from the Town of Kamsack, or a with a recognized Kamsack Funeral Home.
- b. No interment shall take place until the full price of a grave or plot has been paid to the Town, unless arrangements have been made in advance with a recognized funeral home.
- c. The sale of plots shall be conducted under the direction of the Administrator, and shall be completed on a row by row basis. All plots in a specific row shall be sold before plots are sold in a new row.
- d. The Town shall provide graves in the Cemetery to the dead of impoverished or unclaimed persons, as per Section 50 of the Cemeteries Act (1999).
- e. A plot or niche in the Riverview Cemetery will be provided free of charge to present or retired employees of the Town of Kamsack; or to elected officials deceased during the duration of their term.
- f. All transfer or change or ownership of graves or plots must be approved and registered in writing to the Town of Kamsack.

5. CEMETERY FEES

- a. The rates for the purchase of plots, the costs of opening & closing plots and other cemetery fees shall be set out in Schedule "A" attached to this bylaw.

6. BURIALS/INTERMENTS

- a. No interment shall be made in the Cemetery until a Burial Permit/Cremation Certificate has been received by the Town.
- b. No burial may occur until all provisions of *The Public Health Act* and *The Vital Statistics Act* of the Province of Saskatchewan and the provisions of this bylaw have been complied with.
- c. Only a single body may be buried in a single plot except in the following circumstances:
 - i. Up to two (2) cremations may be buried with a casket;
 - ii. Up to three (3) cremations may be in a single grave.
- d. Interments shall be made between the hours of 8:00 am and 4:00 pm unless prior arrangements have been made with the Town.
- e. All interments/disinterments shall be performed by Town employees, in conjunction with a funeral director.
- f. The specifications for burial may be found in Appendix "B" attached to this bylaw.

7. INTERMENT NOTICE

- a.** Notice of an interment to take place shall be given to the Town in writing:
 - i.** At least 24 hours advance notice during the period May 1 through October 31st;
 - ii.** At least 48 hours advance notice during the period November 1 through April 30th.
- b.** Special notice must be given to the Town prior to burial if an over-sized casket is being used.

8. PERMITS FOR MONUMENTS/MEMORIALS

- a.** No person shall place or erect any tombstone, monument or any other structure or make alterations of any kind to an existing tombstone or monument until a Monument Installation and Servicing Permit, as shown is Schedule “C”, attached to this bylaw, is obtained from the Town and the required fees paid.

9. MONUMENTS

- a.** All monuments shall be manufactured of granite, marble, bronze or steel.
- b.** All monuments shall be set at the head of the plot and shall be in a line designated by the Town.
- c.** All monuments shall be placed on a concrete foundation, approved by the Town.
- d.** Where there are multiple interments in a one grave, multiple monuments may be placed at the head of the plot, or additional markers maybe placed within the plot at ground level.
- e.** Inscriptions can be made on the exterior granite surface of columbarium niches; no memorial plaques are permitted.
- f.** Floral tributes, wreaths or other plants left on graves shall remain for a period of one (1) month after interment, after which they will be disposed of by the Town.
- g.** Flowers, solar lights or other mementos must be placed in approved holders on the monument or on the monument base only.

10. CARE AND MAINTENANCE

- a.** The Town is responsible for the on-going care and maintenance of Riverview Cemetery.
- b.** A portion of all plot and columbarium sales, as outlined in Schedule “A” of this bylaw will go into a reserve fund for ongoing maintenance and improvements.

11. PENALTIES

- a.** Any person bound guilty of contravening any provision of this Bylaw shall be liable on summary conviction to a fine of not less than \$100.00 and not more than \$1000.00.

12. Bylaw 15/2014 is hereby repealed.

13. This bylaw shall come into force and take effect from the date of final passing.

SEAL

Mayor

Town Administrator

Read a third time and adopted this

_____ day of _____, 2017.

**Bylaw No. 26/2017 - Cemetery Bylaw
Schedule "A"**

The following shall be the rates charged under this Bylaw:

1. Plots & Niches

	Resident	Non-Resident
Plots	\$300.00 plus GST	\$600.00 plus GST
Columbarium Niche	\$1,000.00 plus GST	\$1,300.00 plus GST

Note:

- 1.1. Half the sale of a plot plus an additional \$45.00 is to be placed into a reserve fund for Cemetery Care and Maintenance.
- 1.2. The sale price of a columbarium niche is to be placed into a Cemetery Care and Maintenance Fund.
- 1.3. Open & close fees for both urns is included in the columbarium price

2. Open & Close Fees

	May 1 - October 31	November 1 - April 30
Full Size Plots		
Weekdays	\$325.00 plus GST	\$750.00 plus GST
Weekends & After Hours	\$450.00 plus GST	\$850.00 plus GST
Statutory Holidays	\$600.00 plus GST	\$950.00 plus GST
Cremation		
Weekdays	\$100.00 plus GST	\$205.00 plus GST
Weekends & After Hours	\$240.00 plus GST	\$285.00 plus GST
Statutory Holidays	\$600.00 plus GST	\$410.00 plus GST

Note:

- 2.1. A fee of 25% of the current cost of a plot (either resident or non-resident, as applicable) will be charged if the cremated remains are interred into an already occupied plot. The original copy of the Cremation Certificate is required.

3. Other Fees

- 3.1. Disinterment will be performed at cost. A Disinterment Permit is required.
- 3.2. Proper Notice not Given (Section 7) \$200.00 plus GST
- 3.3. Monument Servicing Permit \$30.00 plus GST
- 3.4. Monument Installation Fee – no concrete base strips \$30.00 plus GST
- 3.5. Monument Installation Fee – pre-existing concrete base strip (per plot, including plot location) \$200.00 plus GST

Bylaw No. 26/2017 - Cemetery Bylaw
Schedule "B" – Interment Specifications

1. The depth of a single grave shall be no less than one hundred and eighty-five centimeters (185 cm = 6 feet) from the surrounding surface, except when cremated remains are interred. Cremated remains are to be buried at a depth of no less than sixty centimeters (60 cm = 2 feet) from the surrounding surface.
2. Infant burials in full size plots will be positioned in the middle of the plot.
3. A woman shall be buried on the left-hand side of her husband unless otherwise specified.
4. All caskets shall be buried with an outer shell (vault) of fiberglass, concrete, or steel. This does not apply to the interment of ashes.
5. Vaults are to be constructed of a durable material that does not decompose or breakdown when exposed to direct sunlight, heat, cold, microbial action, contact with soil, and/or contact with moisture.
6. The vaults shall be a complete unit which covers the casket completely on the top and sides. The only opening shall be the bottom of the cover (dome).
7. The grave liner bottom (base) will be made of the same material as the cover (dome) and shall provide a base for which the cover (dome) fits securely into place. Grave liner bottoms are optional.

Monument Installation and Servicing Permit

Date: _____

Contractor: _____

Name of Contractor: _____

Address: _____

Telephone: _____ Cellular: _____

Name of Deceased: _____

Location of Monument to be Installed/Serviced:

Section: _____

Block: _____

Plot: _____

Fee: _____

Receipt Number: _____

Size of Monument, if not Standard Size: _____

Approved:

Date: _____

Public Works Foreman