

TOWN OF ALAMEDA

BYLAW NO. 1-2022

CEMETERY BYLAW

**A BYLAW TO MAINTAIN, REGULATE AND CONTROL THE TOWN OF ALAMEDA
CEMETERY**

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

SHORT TITLE

1. This Bylaw may be cited as the "Cemetery Bylaw."

DEFINITIONS

2. (1) Cemetery:
Cemetery means land "within or outside the Town of Alameda" set apart for or used as a place of interment of the dead or in which human bodies may be buried. Alameda Cemetery may be described as follows:
All that portion of the North West Quarter of Section Thirty-One (31), Township Three (3), Range Two (2), West of the (2nd) Meridian, described as follows:
Commencing at the North East corner of said Quarter Section, thence along the Northern boundary Four Hundred and Ninety-Five (495) feet, thence Southerly and parallel to the Eastern boundary of said Quarter Section Two Hundred and Sixty Four (264) feet, thence Easterly parallel to the Northern boundary Four Hundred and Ninety-Five (495) feet, thence Northerly along the said Eastern boundary to the point of commencement.
- (2) Grave:
Grave means a subdivision of land for the purpose of a single burial in the Cemetery as shown in the Town Cemetery plan.
- (3) Plot:
Plot means an area large enough for two or more graves.
- (4) Block:
Block means an area of more than one Plot.
- (5) Council:
Council means the Council of the Town of Alameda.
- (6) Administrator:
Administrator means the Town Administrator of the Town of Alameda.
- (7) Cemetery Committee:
The Cemetery Committee shall consist of a Chairperson, Vice-Chairperson, Secretary, Treasurer, Town Representative, Six (6) Directors.

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- (8) Cemetery Association:
Cemetery Association means an association formed in compliance with the Saskatchewan Societies Act and operating in co-operation with the Cemetery Committee to maintain the cemetery grounds in accordance with their Association Bylaws.
- (9) Monument:
The term Monument shall include a tombstone or memorial of Granite, or Marble which shall extend above the surface of the ground.
- (10) Marker:
The term marker shall mean a memorial of Granite, Marble, or Bronze flush with the ground.
- (11) Base:
The term Base means the bottom part or lower portion of a monument.
- (12) Licensee:
Licensee is a person or persons who purchases a grave or graves in the Alameda Cemetery.
- (13) Perpetual Care:
Perpetual Care shall mean the basic maintenance of all lots and shall include levelling of the ground and seeding and cutting of grass as required. It shall not include the maintenance report or replacement of monuments or markers.

3. GENERAL RULES:

- (1) Employees of the Cemetery are not permitted to do any work for lot owners except upon the order from the Cemetery Committee but are required to be civil and courteous to all visitors.
- (2) All persons, while in the Cemetery, shall conduct themselves in a quiet and orderly manner.
- (3) Persons within the Cemetery shall use only the roads, walks and alleys. No one is permitted to walk upon or across graves. No one is permitted to stand on any headstones. The Town of Alameda expressly disclaims liability for any injuries sustained by anyone violating this rule.
- (4) Persons visiting the Cemetery or attending funerals are strictly prohibited from picking flowers, wild or cultivated, breaking or injuring any tree, shrub or plant, or writing upon, defacing, or injuring any memorial, fence or other structure within the Cemetery grounds.
- (5) Motor cars and vehicles in the Cemetery shall travel only on the roadways provided for that purpose and shall not travel at a greater rate of speed than 15 kilometres per hour.
- (6) Fences, Borders, Railings, Curbs, Copings, Trellises, Walls, Hedges or Grave Coverings of any kind are prohibited in the Alameda Cemetery.

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- (7) The Cemetery Committee hereby expressly reserves the right to adopt additional rules and regulations or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentences in these rules and regulations at any time without notice.

4. BLOCK, PLOT AND GRAVE:

- (1) The Administrator or his/her appointee shall make all sales of graves in the Cemetery and receive all amounts of money resulting from the sale of such graves. Perpetual Care fees for the purpose of this Bylaw shall be considered a part of the actual costs of such grave.
- (2) The Treasurer of the Committee shall keep a correct account of all sums of money received therefrom and of all expenditures made in connection with the Cemetery, with the name and description of each grave in the Cemetery, with the name and description of the licensee thereof and of every transfer and all other books necessary to keep a complete record of all business transacted by her/him in connection with the Cemetery
- (3) The fee for the purchase of graves at the Cemetery shall be in accordance with the rates set by the Town of Alameda in Schedule "A" and attached to this Bylaw. The said schedule may be amended from time to time by a resolution of the Council of the Town of Alameda.
- (4) Cemetery graves shall not be resold or transferred by the licensee but may be transferred back to the Town of Alameda. In the case of transfer to the Town, the Town will refund to the licensee, all amounts of money paid by him/her.
- (5) No grave shall be used for any other purpose than for the burial of the human dead.
- (6) The Cemetery Committee and the Cemetery Association shall take all reasonable precautions to protect licensees and the property rights of licensees within the Cemetery from loss or damage; but the Committee and Association distinctly disclaim all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemies, thieves, vandals strikers, malicious mischief-makers, explosions, unavoidable accidents, invasions insurrections, riots, or order of any military or authority.

5. INTERMENTS AND DISINTERMENTS:

- (1) No interment shall be made in the Cemetery until the provisions of the Public Health Act and the Vital Statistics Act of the Province of Saskatchewan have been complied with, and with any regulations issued thereunder and until it also shall have complied with the provisions of this Bylaw.
- (2) Payment of any and all indebtedness due to the Cemetery must be made before any interment.

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- (3) No interment of two or more bodies shall be made in one grave except in the case of:
 1. mother and child
 2. two infants buried in one casket
 3. one casket plus one cremation receptacle, or
 4. a maximum of four cremations per gravesite and a maximum of two (2) cremations per cremation garden
- (4) For each interment a perpetual care fee will be collected.
- (5) No grave shall be less than six feet in depth from the surface of the surrounding ground; with the exception of infants graves which shall be 4 ½ feet in depth. When using cement or a fiberglass rough box, it may not exceed 4' x 8'.
- (6) Whenever a Block, Plot or Grave is held jointly by two or more parties, authority for interment in such Block, Plot or Grave or any part thereof will be accepted by the Town of Alameda from any one of the said parties or their executors or agents.
- (7) No interments shall be permitted in the Cemetery unless a proper burial permit is produced by the part applying for the burial.
- (8) Graves shall be opened and interments made only by persons under the direction of the Administrator or the Cemetery Committee and no person or persons, not under the control of the Town of Alameda shall open any grave for the purpose of interring removing a body.
- (9) No person shall disinter or remove a body from any grave without first producing a written order from the licensee of such a grave and a permit for such disinterment or removal from the Provincial Medical Health Officer.
- (10) By order of the Cemetery Committee "Graves" in the Cemetery shall be supplied without charge for the burial of indigent persons.

6 CARE OF GRAVES:

- (1) To obtain the best landscape effects, it is essential that the Cemetery Association shall assume the general care for the entire Cemetery. The licensee of graves shall observe all rules and regulations passed from time to time by the Council for the Town of Alameda for keeping the grave in order.
- (2) Fences, Borders, Railings, Curbs, Walls, Copings, Hedge, Trellises or Grave Coverings of any kind on or around the Graves may be at the discretion of the Cemetery Association and be removed free of charge by the Association upon request by the licensee.
- (3) Fences, Borders, Railings, Curbs, Walls, Copings, Hedge, Trellises or Grave Coverings of any kind erected, may be removed by the Cemetery Association if by reason of neglect or age, becomes in a state of disrepair, subject to the approval of the Cemetery Committee.
- (4) The Cemetery Association employees shall have the authority to remove all floral

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designs, flowers, weeds, trees, shrubs, plant or herbage of any kind from the Cemetery as soon as, in the judgement of the Cemetery Committee, they become unsightly, dangerous, detrimental or diseased.

- (5) The Cemetery Committee reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs, plants or herbage of any kind.

7. PLANTS AND SHRUBS:

- (1) The Cemetery Committee shall undertake to maintain as may be practicable, the planting of trees and shrubs to preserve and maintain landscape features, but will not undertake to maintain individual planting of urns of plants.
- (2) The Town of Alameda shall not be responsible for frozen plants or herbage of any kind or for planting damaged by the elements, thieves, vandals or other causes beyond their control.

8. MONUMENT MARKERS:

- (1) All monuments and markers shall be manufactured of Granite, Marble or Bronze. Monuments or Markers, even for temporary use, of cement, artificial stone, composition, wood, tin, or iron will not be permitted.
- (2) All monuments must be set at the head of the grave and shall be in a line designated by the Cemetery Committee.
- (3) Each monument shall be set on a concrete or a fibreglass foundation of a minimum thickness of 6". The upper surface of each foundation shall be to surface level and in each case the foundation shall project 4" on all sides of the base of the monument, to be erected thereon.
- (4) Any monument that is placed in the cemetery must be set on a cement foundation.
- (5) Markers must be placed where they do not need to be mowed around.
- (6) There will be a maximum of two (2) solar lights per plot, and the solar lights must be placed close to the base, as not to interfere with the mowing.
- (7) Vases and/or flower containers must be attached to the base, as not to interfere with the mowing.

9. ENFORCEMENT OF RULES:

The Cemetery Committee is hereby empowered to enforce all rules and regulations. Any person convicted of a breach of the provisions of the Bylaw shall pay a fine of One Hundred Dollars (\$100.00) and costs of thirty (30) days in jail.

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Mayor



Administrator

SCHEDULE "A"

Burial Plots	\$250.00 to Town
Perpetual Care	\$400.00 per person to Cemetery Committee
Cremation Plots	\$550.00 for 1 person. (\$150.00 cement + \$400.00 perpetual care) \$400.00 for 2 nd person perpetual care. All to Cemetery Committee.