

**TOWN OF SPRINGSIDE
BYLAW NO. 2020-03**

**A BYLAW TO PROVIDE FOR THE CONTROL AND TO REGULATE THE CARE AND
OPERATION OF THE SPRINGSIDE CEMETERY**

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

1. TITLE:

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

2. DEFINITIONS:

Unless the context otherwise requires:

- a) Cemetery: Means land owned by the Town of Springside, set apart for use as a place for the interment of the dead or in which human bodies have been buried, known as the Springside Cemetery;
- b) Block: Means a number assigned to a section of the Cemetery to assist with identifying a land location with the Cemetery;
- c) Plot: Means a subdivision of land in the Cemetery sufficient size for one or more graves, each plot measures five (5) feet wide;
- d) Cremation Plot: means a plot that is smaller than a standard plot that does not accommodate a casket interment and can only be used for the interment of cremated human remains.
- e) Foundation: Means a pre-cast granite pad; a pre-cast concrete slab or a poured in place concrete pad reinforced with steel mesh, set as a grade for the purpose of placing a monument.
- f) Monument: Means a memorial structure set upon a foundation, which projects above the ground, with inscribed or attached lettering or artwork as a means of commemoration and made of granite, marble or bronze;
- g) Flat Grave Marker: Means a type of monument set flush with the ground with a flat and level surface upon which an inscription may be made or a bronze plaque affixed.
- h) Grave Cover: means a cover of fiberglass, plastic, marble, granite or concrete placed over the grave of interred remains;
- i) Town: Means the Town of Springside;
- j) Council: Means Council of the Town of Springside;
- k) Administrator: Means the Town Administrator of the Town of Springside, appointed by Council and for the purposes of this Bylaw shall include any person appointed by the Administrator from time to time, to act on his or her behalf in the administration of this Bylaw;
- l) Burial Vault: Means a chamber or other structure in which remains are placed.

- m) Interment: Means the burial of human remains or cremated human remains in a Cemetery;
- n) Disinterment: Means removal of human remains from a grave;
- o) Cremated Remains: Means the remains of a human body that has been cremated;

3. ADMINISTRATION

The Administrator or designate shall be responsible for the selling of plots and making and keeping all records required by law of all plots, interments or disinterments in the Cemetery. The Town of Springside shall assume the general care of the entire Cemetery.

4. PURCHASE OF PLOTS AND RESERVATIONS

1. A person may reserve a plot or plots by paying in full in the Town Office, the purchase prices as set out in "Appendix B", the schedule of fees for land and services, attached to and forming part of this Bylaw. Said schedule may be amended by resolution of Council. The plot or plots shall be reserved for use of the party who has paid the purchase price, a member of the party's family, or for an interment upon his or her instructions of an executor for a period of twenty (20) years after date of purchase. At the expiration of twenty (20) years, at the discretion of the Administrator, the Town may contact the party or his or her heirs to determine if they desire to renew the reservation for the unused plot or plots. If after using every possible means to contact the party or his or her heirs, the Town fails to establish contact, the Town may, by publishing notice in two issues of a local newspaper, cancel the reservation and make it available to the public.
2. The Administrator or designate retains the authority for assigning plots.
3. A purchaser of a plot or plots desiring to transfer ownership rights to another party may do so by making written application for approval to the Town before transfer will be validated.
4. A purchaser wishing to transfer ownership rights back to the Town of Springside may do so by making written application to the Town of Springside. In exchange for the ownership rights, the original purchaser shall receive payment not to exceed the original purchase prices.

5. INTERMENTS AND DISINTERMENTS

1. No grave shall be dug nor body interred in the Cemetery without permission from the Town.
2. Any person applying for interment in the Cemetery shall furnish the Administrator with such particulars as he or she may require for the purpose of maintaining accurate records including, but not limited to, a burial permit for casket interments or a cremation certificate for cremated remains interments.
3. Arranging for the opening and closing of the grave is the responsibility of the person applying for the interment.
4. All graves shall be dug beginning at a point within eighteen (18) inches from the inner or front line of each plot and shall not be less than six (6) feet in depth from the surface of the ground.

5. No grave for the interment of cremated remains shall be less than twenty-four (24) inches in depth from the surface of the ground surrounding the plot.
6. No disinterment shall be made without all required permits having been obtained.
7. Whenever a body is permanently disinterred from a grave and the grave is vacated, ownership rights of the plot so vacated shall revert to the Town of Springside.
8. All earth taken from a grave must not be put on any other grave, and after interment is made, all earth so dug must be replaced in a neat and compact manner.
9. Each plot, with the exception of plots in Block 14A, can be used for one of the following:
 - a. One (1) casket interment or,
 - b. One (1) casket interment and three (3) human cremated remains interments, however the casket interment MUST take place first, or
 - c. Three (3) cremated remains interments.
10. Plots in Block 14A are designated for cremation interments only. Each plot in Block 14A can be used for three cremated remains interments.
11. The Town shall provide a plot, without charge for any interment of persons whose funeral expenses are paid by another Government Agency.
12. For all casket interments, the use of burial vaults, shall be mandatory. Burial vault construction material shall be restricted to fiberglass.

6. MONUMENTS

1. While the Town of Springside will take all reasonable precautions to protect the property of plot owners, it assumes no liability or responsibility for loss or damages, willfully or accidentally, to any monument or grave cover or part thereof, or any article of any type that may be placed on a plot. The Town of Springside does not insure monuments or covers, it is the responsibility of either the owner(s) of the plot or their heirs.
2. From the date of this bylaw, grave covers, whether fiberglass, plastic or concrete shall not be allowed in any plot the Cemetery. With respect to the existing grave covers:
 - a) The Town of Springside reserves the right to remove any grave cover that is deemed unsightly and/or is at least ten (10) years old and is badly damaged. They shall only do so after no less than sixty (60) days written notice to a known family member. The grave cover shall be treated as a disposable item and shall be disposed of in a manner consistent with the common disposing practices of the Town of Springside.
3. No monuments for the purpose of designating graves shall be erected in the Cemetery unless a permit is issued for the erection of same, with permit charges being in accordance with Schedule "A".
4. All monuments erected shall be allowed the freedom of choice as to marker design and size only. Construction materials shall be restricted to granite, marble or bronze.
5. Any upright or pillow style monument shall be placed on a concrete or granite foundation. Foundations:
 - a) Must be a minimum of four (4) inches thick;

- b) Must be installed flush with the surrounding soil surface, centered at the head end of the plot(s) it is serving;
 - c) Must protrude a minimum of four (4) inches from all sides of the base.
6. Each plot shall be allowed a maximum of one (1) monument. Where more than one interment occurs in a plot, additional memorialization is permitted through the use of bronze plaques mounted to the base of a primary monument or the use of flat markers.
 7. Flat grave markers shall be installed on an approved base such that the highest point of the marker shall be no higher than the surface of the ground. Flat grave markers may be installed in any position on the plot.
 8. Bronze flat markers must be installed on a granite or concrete foundation. The foundation must have a two (2) inch border exposed on all sides and must be installed flush with the surrounding soil surface.
 9. Should any grave stone, marker, monument or other structure placed or erected in the Cemetery be in a state of disrepair, the Town may after notice in writing to the next of kin at his or her last known address, order said grave stone, monument or like structure removed from the Cemetery, if the structure is not repaired in accordance with said notice.

7. MEMORIALIZATION

1. In order to maintain the safety of all visitors, employees and equipment, as well as the appearance of the Cemetery, Town employees may remove any memorial or memorialization when it is considered necessary for the efficient operation of the Cemetery.
2. Council may cause to be removed from any grave any funeral design, wreath or floral piece, natural or artificial, which has become wilted, or after a period of ten (10) days whichever is sooner, or any other article or thing which in the Council's opinion is unsightly.
3. Live flowers are permitted within the plot area, only if maintained properly and removed when they become unsightly. Artificial flowers are permitted in a flower container, secured to the foundation of the monument base.
4. No trees or shrubs shall be planted without permission of the Council.
5. No borders, fences, railings, trellises, copings, concrete or stone corners or iron posts shall be constructed or planted in or around any plot.
6. Council may cause to be removed or prevent the placing of any stand, holder, base or other receptacle for flowers or plants deemed unsuitable and a hindrance to the maintenance of the Cemetery.

8. GENERAL REGULATIONS

1. A plan of the Cemetery showing all grave locations is open for inspection free of charge during regular Town Office hours.

2. All persons employed in the construction and/or installation of burial vaults, monuments, flat markers, or in doing any other work on the plots or graves in the Cemetery shall be subject to the direction and control of the Administrator, and in the case of any such person or persons refusing to obey the directions or orders of the Administrator, the Administrator shall be empowered to remove such person or persons from the Cemetery.
3. The town shall have the right to remove from any plot weeds, grass or any article which is deemed unsightly.
4. The Administrator, or any Town employee, in his or her charge, shall be empowered to remove from the Cemetery any person or persons disturbing the quiet and good order of the Cemetery by noisy or improper conduct or language.
5. All work in the immediate vicinity that may disrupt the quiet and good order of the Cemetery shall cease while mourners are present at a interment service being conducted in the Cemetery.
6. No person shall write upon, mark, scratch, deface or injure any plot, grave marker, fence, building or any structure in or around the Cemetery. Any person found guilty of such damage shall be responsible for the cost of repairing the damage and be subject to penalty.
7. All notices and communication required to be given to purchasers of a plot or plots, or their heirs, may be delivered either in writing by Registered Mail, to their last known address or given verbally by the Administrator in the presence of another person and shall be considered sufficient evidence that such notices have been given.
8. No plot shall be used for any purpose other than for the interment of human dead.
9. All funerals in the Cemetery shall comply with the provisions of *The Public Health Act*, *The Vital Statistics Act* and *The Cemeteries Act, 1999*, of the Province of Saskatchewan, with the regulations issued thereunder, and as amended from time to time.
10. Motor cars and vehicles in the Cemetery shall travel only on the roadways provided for that purpose.

9. PENALTIES

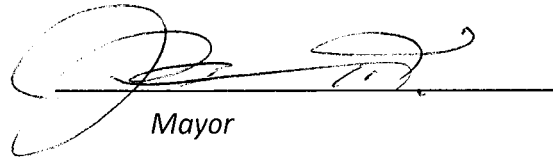
1. Any person who commits a breach of the provisions of this Bylaw shall on conviction thereof before the proper authority be liable to a penalty of no less than \$250.00 and no more than 1,000.00.

10. REPEALING BYLAW

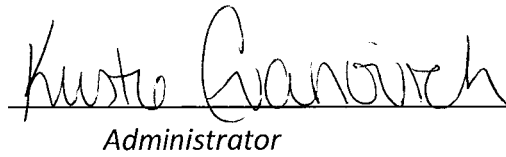
1. Bylaw No. 3-2008 is hereby repealed.

11. EFFECTIVE DATE OF BYLAW

1. This Bylaw shall come into force and take effect on the day of the final passing thereof.



Mayor



Administrator

Introduced and read a first time this 10th day of February, 2020.

Read a second and third time and adopted this 10th day of February 2020.

**TOWN OF SPRINGSIDE
BYLAW NO. 2020-03
SCHEDULE "A"**

CEMETERY RATES

1. PLOT RATES	SINGLE	DOUBLE
Residents and/or taxpayers	\$250.00	\$500.00
Past Residents	\$375.00	\$700.00
Non-residents and/or non-taxpayers	\$500.00	\$1000.00
2. MONUMENT PERMITS		
Per monument	\$50.00	
3. BURIAL OF CREMATED REMAINS IN FAMILY OWNED PLOT		
Per interment	\$100.00	

