



CITY OF NORTH BATTLEFORD
SASKATCHEWAN

BYLAW NO. 2133

A BYLAW OF THE CITY OF NORTH BATTLEFORD TO PROVIDE FOR THE MANAGEMENT AND CONTROL OF CEMETERIES WITHIN THE CITY OF NORTH BATTLEFORD.

WHEREAS Section 54 of *The Cemeteries Act, 1999* authorizes bylaws for the operation of cemeteries; and

WHEREAS it is deemed necessary and expedient to provide general regulations for the operations and maintenance of all the City's cemeteries,

Now Therefore the Council of the City of North Battleford in open meeting assembled enacts as follows:

1. This bylaw may be cited as The Cemeteries Bylaw.

2. DEFINITIONS

- 1) In this Bylaw,
 - a) **“Burial”** means the interment of human remains or cremated human remains in a lot.
 - b) **“Burial Permit”** means a permit to bury, cremate, remove or otherwise dispose of human or cremated remains and are required for interment.
 - c) **“Casket”** means a rigid container designed for the encasement of human remains for interment, entombment or cremation and usually constructed of wood or metal, also referred to as a coffin.
 - d) **“Cemetery”** means land set apart for, or used by the City of North Battleford, as a place for the interment of the deceased or in which human remains have been buried and includes any land that is set apart and is used as a site for a columbarium and includes the City and Woodlawn Cemeteries
 - e) **“Cemetery Manager”** means the person appointed by the Director of Parks & Recreation to manage the cemeteries and their designate.
 - f) **“City”** means the City of North Battleford.

- g) **"City Cemetery"** refers to the cemetery located on the Southeast Quarter of Section 4, Township 44, Range 16, West of the Third Meridian, Saskatchewan.
- h) **"Columbarium"** means a structure or building, or an area in a structure or building that is designed for the purpose of storing or interring cremated human remains in sealed compartments or niches.
- i) **"Council"** means the Council of the City of North Battleford elected pursuant to the *Local Government Elections Act*, as the governing body of the municipality.
- j) **"Cremated Human Remains"** or **"Cremains"** means human bone fragments that remain after cremation.
- k) **"Cremation Ribbon"** means a designated section for cremated human remains or cremains in the City or Woodlawn Cemeteries.
- l) **"Director"** means the Director of Parks & Recreation and the overseer of Cemetery Operations for the City and their designate.
- m) **"Disinterment"** means the removal of buried human remains or cremated human remains or the removal of an urn with cremated human remains in a columbarium.
- n) **"Human Remains"** means a deceased human body but does not include cremated human remains.
- o) **"Indigent"** means a person who has no monetary assets and is a ward of the province under the care of Social Services.
- p) **"Interment"** means the burial of human remains or cremated human remains, or the inurnment of cremated human remains in a columbarium.
- q) **"Licence"** means a permit provided by the City to an individual indicating ownership of a lot for the purpose of a single burial or the burial of cremains as provided for herein.
- r) **"Lot"** means a space of land in the cemeteries to be utilized solely for the interment of human remains or cremated human remains and includes a niche or compartment in a columbarium.
 - i. **"Full lot"** means a lot of sufficient size to accommodate a full-sized casket. At the City Cemetery a full lot measures at 1.5m x 3m (5' x 10') and Woodlawn Cemetery 1.2m x 2.7 (4' x 9') in sections Christus and Devotion, and 1.5m x 3m (5' x 10') in the remaining sections of Woodlawn Cemetery.
 - ii. **"Child lot"** refers to a lot of sufficient size to accommodate a casket that does not exceed 1.2 meters or 4' in length. A child lot is one half (1/2) of a full lot sectioned width wise.

- iii. **“Infant lot”** refers to a lot of sufficient size to accommodate a casket that does not exceed .61 meters or 2'. An infant lot is one quarter (1/4) of a full lot sectioned width wise.
- iv. **“Cremation Ribbon lot”** refers to a lot set aside for cremated remains. A cremation lot measures .91m X .50m (36” X 20”), a maximum of two (2) cremains per lot are permitted.
- s) **“Memorial”** means a marker, headstone, tombstone, monument, plaque, or inscription constructed of bronze, granite, or marble, that is used to identify a lot or memorialize a deceased person being in said lot.
- t) **“Niche”** means a sealed compartment located in the columbarium used to hold cremated human remains in an urn.
 - i. Single niche is designed to hold one (1) urn, that contains a maximum of two (2) cremains in one (1) niche, with dimensions 27.94 cm x 27.94 cm x 30.48 cm (11^{7/8}”x11^{7/8}”x12”)
 - ii. Companion niche (or double niche) is designed to hold two (2) urns, that contains a maximum of two (2) cremains in one (1) niche, with dimensions 27.94 cm x 27.94 cm x 45.72 cm (11^{7/8}”x11^{7/8}”x18”)
- u) **“Niche Plate”** means the engraved niche door of the columbarium with the person(s) name and relative information for the person(s) interred in the niche.
- v) **“Plot”** means a parcel of land in the cemeteries, which is comprised of two or more lots and is to be utilized solely for the interment of human remains or cremated human remains.
- w) **“Perpetual Care”** means the preservation, improvement, embellishment, and maintenance in perpetuity and in a proper manner of cemetery grounds, mausoleums, crypts, columbaria, lots, landscaping, facilities or any other space in a cemetery.
- x) **“Perpetual Care Fund”** is a fund created to maintain the care of a cemetery in perpetuity.
- y) **“Rates and Fees”** means the amount to be paid for interment, disinterment, weekend and/or holiday work, the use and care of burial lots, any other cemetery supplies, or services as defined under the Act, and any other amounts approved by Council as specified in Schedule “A” of this Bylaw.
- z) **“Resident”** means any person whose principal residence lies within the corporate limits of the city of North Battleford at the time of death and former residents whose principal residence laid within the corporate limits of the city of North Battleford who are now under the care of the Saskatchewan Health Authority for this region or family outside the region.

- aa) **“Regular hours”** means regular working hours for City of North Battleford Cemetery employees. As established in the Canadian Union of Public Employees (CUPE) Collective Agreement.
 - bb) **"Special Sections"** refers to sections set aside for special populations (i.e., Veterans, Catholics, Protestants, Hebrews, Muslims, etc.) which Council may approve at its discretion.
 - cc) **“Vault”** means an enclosed structure designed to cover a casket or urn and used to prevent sinking or slumping of plots and usually made of concrete, steel, or fiberglass.
 - dd) **"Woodlawn Cemetery"** refers to the cemetery located in the Southeast Quarter of Section 26, Township 43, Range 15, West of the Third Meridian, Saskatchewan shown as Parcel A, Plan BY578, 20.14 acres.
- 2) Except where otherwise defined herein, the words and terms not defined in this Bylaw shall have the same meaning as those words as defined in *The Cemeteries Act* and *The Cemeteries Regulations* as revised from time to time.

3. LICENCES

- 1) The Director is hereby authorized and empowered to recover unused lots in accordance with the provisions of *The Cemeteries Act*.
- 2) The City may grant a licence to any person for use of a lot(s) as provided for in this bylaw and in accordance with the Cemetery Lot Purchase Licence, identified as Schedule “C” attached hereto, and forming part of this Bylaw.
- 3) The licence fee and all charges for work done or services rendered at City and Woodlawn Cemeteries shall be in accordance with the Cemetery Fee Schedule, attached hereto and identified as Schedule "A" and forming a part of this bylaw
- 4) Any person may purchase a licence in sections of the cemeteries designated as open by the City.
- 5) Licences shall not be sold for a lot(s) within sections of the cemeteries designated by the City as closed.
- 6) It shall be the responsibility of the Licensee, executor or that person’s authorized power of attorney to maintain a current address for service in the office of the Director. Directions to that effect shall be noted on the licence.
- 7) A licence for the use of a lot issued hereunder may be transferred but shall be subject to payment of a transfer fee as specified in Schedule "A".

- 8) Subject to the transfer fee as specified in Schedule "A", the licensee may transfer the lot back to the City for a refund in accordance with the following:
 - a) 30% of the current resident fee for the lot; or
 - b) 50% of the original resident fee paid for the lot, whichever is greater unless the owner has documentation that indicates non-resident rates were paid originally.
 - c) Within six (6) months of purchase date for a full refund.
 - d) Notwithstanding the foregoing provisions, licences issued for lots in Woodlawn Cemetery prior to January 1, 1992, may be transferred back to the City for a full refund of the original fee paid up to a maximum of \$130.00.
- 9) The issuance of licences for the use of a lot shall be authorized in agreement with and at the discretion of the Director.
- 10) The issuance of licences for the use of a lot for indigent persons, shall be solely at the discretion of the Director.

4. INTERMENTS AND DISINTERMENTS

- 1) No person shall bury human or cremated remains in any cemetery within the City's jurisdiction unless and until the person has complied with the provisions of:
 - a) *The Public Health Act* and regulations thereunder.
 - b) *The Vital Statistics Act* and regulations thereunder; and
 - c) this Bylaw.
- 2) No interment shall be made until the Director has been provided with a legal Burial Permit and proper notice of interment or disinterment has been given to the Director.
- 3) All burial depths shall comply with *The Cemeteries Regulations*, as amended from time to time, as follows:
 - a) No full lot for the purpose of a casket burial shall be less than two (2) metres or six (6) feet in depth from the surface of the ground surrounding the base lot.
 - b) No infant lot for the purpose of a casket burial shall be less than one (1) metre or three (3) feet in depth from the surface of the ground surrounding the base lot.
 - c) Cremains shall require a minimum of 19 inches of coverage.
- 4) All vault tops to be utilized for interments must be constructed of fiberglass, steel, or concrete.

- 5) Subject to subsection 3) and excluding columbarium niches, a maximum of:
 - a) one (1) casket and two (2) cremains shall be interred in any one (1) full lot, provided that the interment of cremains takes place after or at the time of interment of the casket; and,
 - b) only a maximum of three (3) cremains shall be permitted in any one (1) full lot.
- 6) Subject to subsection 3), additional interment(s) of cremains shall not be permitted in quarter lots and child lots.
- 7) The Cremation Ribbon Section of the cemetery shall permit up to a maximum of two (2) cremains per lot provided that the lot is subdivided and the title to the lot includes north and south subsections.
- 8) Subdivision of a lot(s) in the Cremation Ribbon is not permitted.
- 9) The City Cemetery Columbarium permits the placement of a maximum of one (1) urn containing cremains in a single niche and a maximum of two (2) urns containing cremains in a double niche.
- 10) Catholic Sections 1 and 2, and Sections A and N shall:
 - a) permit the interment of cremated remains.
 - b) prohibit full casket burials.
- 11) Where available and upon agreement by the parents of an infant, the remains of an infant less than a week old may be interred in a special lot that shall contain up to a maximum of four (4) burials when complete.
- 12) No new infant lots shall be created in the City's cemeteries.
- 13) The use of any unused or occupied lot or niche must be authorized in writing by the Licensee, executor or that person's power of attorney.
- 14) The Director may request proof of purchase to identify the Licensee of the lot or niche, or to prove the right to use the lot or niche. Final decision on the use of the lot or niche will be made by the Director.

5. INTERMENT AND DISINTERMENT NOTICE REQUIREMENTS

- 1) During the period November 1 to April 30 of each year notice for interment or disinterment must be given to the Director not less than forty-eight (48) hours prior to the time in which the interment is to take place.
 - a) The forty-eight (48) hours' notice provided must be given at a time which would give the City at least sixteen (16) regular working hours for the purpose of opening and preparing the lot.

- 2) During the period May 1 to October 31 of each year, notice for interment or disinterment must be given to the Director not less than twenty-four (24) hours prior to the time in which the interment or disinterment is to take place.
 - a) the twenty-four (24) hours' notice provided must be given at a time which would give the City at least eight (8) regular hours for the purpose of opening and preparing the lot.
- 3) Any overtime incurred for interment and disinterment due to late notification will be charged to the funeral service provider.
- 4) Subject to subsections 1 and 2, no burial or disinterment shall be permitted without proper notice and payment of the appropriate rates and fees as specified in Schedule "A" of this Bylaw.
- 5) Notwithstanding subsections 1 and 2, the provision of notice shall not apply in the case of interment of a person who dies from a communicable disease.

6. INTERMENT SCHEDULE & REQUIREMENTS

- 1) Regular hours for interments during the months of May 1 – August 31 shall be Monday to Friday, 8:30 am to 3:00 pm.
- 2) Regular hours for interments during the months of September 1 – April 30 shall be Monday to Friday, 8:30 am to 4:00 pm.
- 3) Subject to the overtime fee as specified in Schedule "A", all interments to be conducted outside the established hours must be approved by the Cemetery Manager.
- 4) The City may limit the number of interment services in any given morning or afternoon to ensure the City is able to operationally fulfill required interment obligations.
- 5) Unless the Saskatchewan Health Officer issues a certificate certifying that there is a danger of contamination, there shall be no interment on Sundays, Christmas Day, New Year's Day, or Good Friday.
- 6) All interments or disinterment arrangements must be made with the Cemetery Manager.
- 7) Funeral homes shall not be permitted under any circumstances to act as agent for the City to communicate pricing or price quotations, or for any other purpose.
- 8) The City shall not be responsible for any error or misquoted costs communicated by the funeral home to any client.
- 9) All City quoted final costs are subject to change with any change in service request as specified on the City's final invoice.

7. DISINTERMENT SCHEDULE & REQUIREMENTS

- 1) Disinterment must be conducted in compliance with all applicable laws and regulations.
- 2) No disinterment shall be carried out on any lot between November 1 and April 30 unless required by the governing authority of the Province of Saskatchewan.
- 3) Subject to the provisions of any order of the governing authority of the Province of Saskatchewan, the proposed time of disinterment shall be subject to the approval of the Director.
- 4) Subject to section 5 subsection 4) disinterment from a Columbarium niche may be done throughout the year and shall include removal and replacement of the inscribed niche plate.
- 5) Removal of cremains shall be the responsibility of the person authorized to remove the cremains.
- 6) Subject to section 5 subsection 4) disinterment shall only be permitted upon the presentation of proof of a permit issued by the Minister of Public Health pursuant to an application under *The Public Health Act*.
- 7) City crews shall be responsible for digging to the top of the casket or maintenance vault only.
- 8) Removal of human remains shall be the responsibility of the person authorized to remove the casket.

8. BURIAL OF INDIGENT PERSONS OR UNCLAIMED BODIES

- 1) The City shall provide lot(s) in one (1) of the cemeteries without charge for the licence at the request of the Minister of Social Services or Minister of Public Health.
- 2) The burial of indigent persons or unclaimed bodies shall take place in single lots as designated by the Director and there shall be no choice as to the location of the plot.

9. MEMORIALS – GENERAL

- 1) Cemetery staff, under the supervision of the Cemetery Manager, shall be responsible for the installation, construction, or replacement of bases for all memorials and any like structures.
- 2) Subject to receipt of payment of the appropriate fees as specified in Schedule “A” of this Bylaw bases for memorials shall only be constructed between May 15 and September 30, weather permitting.

- 3) All vases and statues must be permanently affixed and positioned and must not:
 - a) extend beyond the length or width of the base; or,
 - b) extend above the total memorial height.
- 4) Only reversible vases, which turn down and are made to be placed completely inside the memorial are permitted on flat memorials.
- 5) Whenever the owner of a memorial neglects to make required repairs or alterations to a memorial within thirty (30) days after receiving written notice from the Director, the Director shall have the power to remove or repair the memorial at the owner's expense.
- 6) On a regular lot, a maximum of three (3) memorials shall be permitted as follows:
 - a) one (1) upright and two (2) flat memorials; or
 - b) three (3) flat memorials.
- 7) All memorials, including niche plate inscriptions, shall comply with the specifications as outlined in Schedule "B".
- 10) No person shall place, erect, or remove from any lot, a memorial, marker, statue, or make any alteration to any memorial within City cemeteries without first obtaining approval from the Director.
- 11) Unless authorized by the Director, alterations to an existing memorial require that all current memorial regulations be met.
- 12) The City shall not be liable for the loss of or damage to any memorial, vase or other object or planting located in City cemeteries.
- 13) The City shall not be held responsible for the degrading of a memorial or base due to normal wear or deterioration.
- 14) Minor chipping of the base portion of the memorial from turf mowing is considered normal wear or deterioration of a memorial.
- 15) Any monument company, their employees, contractors, or authorized individual(s) carrying out any memorial work in City cemeteries, shall:
 - a) advise the Cemetery staff upon arrival at the Cemetery; and,
 - b) be responsible for the restoration or repair of any damage to the Cemetery grounds or fixtures resulting from their actions.

10. MEMORIALS – CITY CEMETERY

- 1) Unless the Cemetery design necessitates otherwise, all memorials in the City Cemetery will be set at the head of the lot.

- 2) City Cemetery memorials in Sections 1 – 16, A – N and Catholic Sections 1 and 2 shall conform to the following sizes:
 - Single Lot: Maximum size 35 cm x 76 cm (14" x 30")
 - Double Lot: Maximum size 35 cm x 112 cm (14" x 44")
 - Half Lot: Maximum size 30 cm x 60 cm (12" x 24")
 - Quarter Lot: Maximum size 20 cm x 40 cm (8" x 16")
 - Scroll: Maximum size 8 cm x 30 cm (3" x 12")
 - Small Marker: Maximum size 20 cm x 20 cm (8" x 8")
- 3) In Sections A – N and Catholic Sections 1 and 2 of the City Cemetery:
 - a) memorials shall be upright or flat design;
 - b) constructed of bronze, granite, or marble;
 - c) installed at the head end of the lot;
 - d) upright memorial heights shall not exceed 91 cm (36") from ground level;
 - e) one (1) reversible vase shall be permitted per flat memorial;
 - f) one (1) vase shall be permitted per single upright memorial;
 - g) two (2) vases shall be permitted per double upright memorial; and,
 - h) a secondary vase shall be subject to the vase fee as specified in Schedule "A".
- 3) In Sections 1 – 16 of the City Cemetery flat memorials must:
 - a) be constructed of bronze, granite, or marble within the size limit of the lot;
 - b) not project above grass level with a max depth of 10 cm (4"); and,
 - c) permit a maximum of one (1) reversible vase.
- 4) In Sections 1 – 16 of the City Cemetery the City shall provide one (1) 7.5cm (3") concrete border per memorial
- 5) In the Veterans section of the City Cemetery a standard upright memorial for veterans must be approved by Veterans Affairs.
- 6) In the Veterans section of the City Cemetery only a flat memorial constructed of bronze, granite, or marble in memory of a veteran's spouse shall be permitted unless the spouse is also a veteran.
- 7) Notwithstanding subsection 5) a flat memorial may be placed directly in front of the veteran's standard upright memorial and must not project above grass level.
- 8) No vases are permitted in the Veterans section of the City Cemetery.

- 9) In the Cremation Ribbon Section of the City Cemetery set aside for the interment of cremated remains:
 - a) only one (1) memorial shall be permitted per lot;
 - b) only flat and pillow-type memorials constructed of bronze, granite or marble shall be permitted;
 - c) vases contained within the perimeter of the concrete mounting beam shall be permitted; and,
 - d) subject subsection c) all other vases shall not be permitted.

11. MEMORIALS – WOODLAWN CEMETERY

- 1) All memorials in Woodlawn Cemetery shall be set either at the head or foot of the lot in accordance with the Cemetery Plan.
- 2) In “Christus” and “Devotion” Sections of the Woodlawn Cemetery memorials must:
 - a) be flat and constructed of bronze, granite, or marble;
 - b) not project above grass level with a max depth of 10 cm (4”);
 - c) be installed at the head end of the lot, unless the Cemetery design necessitates otherwise;
 - d) permit a maximum of one (1) reversible vase; and,
 - e) Memorials under this section shall conform to the following sizes:
 - Single Lot: Maximum size 35 cm x 76 cm (14” x 30”)
 - Double Lot: Maximum size 35 cm x 112 cm (14” x 44”)
 - Half Lot: Maximum size 30 cm x 60 cm (12” x 24”)
 - Quarter Lot: Maximum size 20 cm x 40 cm (8” x 16”)
 - Scroll: Maximum size 8 cm x 30 cm (3” x 12”)
 - Small Marker: Maximum size 20 cm x 20 cm (8” x 8”)
- 3) In the “Christus” and “Devotion” sections of the Woodlawn Cemetery the City shall provide one (1) 5 cm (2”) concrete border per memorial.
- 4) In the Veterans section of the Woodlawn Cemetery a standard upright memorial for veterans must be approved by Veterans Affairs.
- 5) In the Veterans section of the Woodlawn Cemetery only a flat memorial constructed of bronze, granite, or marble in memory of a veteran’s spouse shall be permitted unless the spouse is also a veteran.
- 6) Subject to subsection 4) a flat memorial may be placed directly in front of the veteran’s standard upright memorial and must not project above grass level.

- 7) No vases are permitted in the Veterans section of the Woodlawn Cemetery.

12. VETERANS SECTION

- 1) The City shall set aside and maintain portions of the Cemeteries as a Veterans Section for the interment of service and ex-service personnel of the Canadian Armed Forces.
- 2) Reservations of lots in the Veterans Section of the City Cemetery shall not be permitted.
- 3) Where the remains of a veteran have been interred in the Veterans Section of the City Cemetery, the cremated remains of the veteran's spouse shall be permitted for interment in that veteran's lot.
- 4) Reservations of lots shall not be permitted in the Veterans Section of the Woodlawn Cemetery, except:
 - a) in the case where a spouse predeceases a veteran, the veteran may reserve the adjacent lot; or,
 - b) the adjacent lot may be reserved for the spouse of a deceased veteran.
- 5) In Woodlawn Cemetery:
 - a) the remains of the spouse of a veteran may be interred adjacent to the veteran; or,
 - b) the cremains may be interred on or adjacent to the veteran's lot, whichever is applicable.

13. CHILD AND INFANT SECTION

- 1) The City shall set aside a portion of land in its cemeteries for the interment of young children and infants.
- 2) When fully occupied, child and infant lots will contain one (1) burial in each of the two (2) total subsections per lot.

14. PERPETUAL CARE AND MAINTENANCE OF CEMETERIES

- 1) All lots in City cemeteries shall receive basic maintenance and care which includes leveling off the ground and the seeding and cutting of grass as required.
- 2) Basic maintenance and care shall not include the maintenance, repair, or replacement of memorials.
- 3) All lot(s) and columbarium niche purchases in City Cemeteries shall be subject to a Perpetual Care Fund fee as specified in Schedule "A."

- 4) No border, fence, railing, trellis, coping, hedge, or other plant material or any other bounding or enclosing object shall be constructed, placed, or planted in or around any lot other than for the purpose of operating the cemetery as authorized by the Director or Cemetery Manager.
- 5) Natural or artificial flowers shall be permitted in holders, vases or other unbreakable receptacles provided they are permanently secured to the base of the memorial.
- 6) Only one (1) holder, vase or unbreakable receptacle may be erected on a single lot.
- 7) Loose flowers (natural or artificial) placed on a lot at the time of burial shall be removed after fourteen (14) days to allow for maintenance of the lot.
- 8) Notwithstanding subsection 7, all natural flowers will be removed when they become unsightly.
- 9) All vases must be turned down and all flowers must be picked up and removed from the cemeteries on or before October 1st of each year or they will be disposed of by Cemetery staff.
- 10) No tree or shrub shall be planted in the cemetery except with the permission of the Director.
- 11) No flowers, drawings or other memorial items shall be permitted:
 - a) on columbarium niches;
 - b) on the concrete or granite surface of a columbarium;
 - c) in front of a columbarium;
 - d) on the concrete walks surrounding a columbarium; or,
 - e) in the flower beds surrounding the columbarium.
- 12) All items placed in the Cemetery by the public shall be at their own risk. The City accepts no responsibility for any damaged or missing items.
- 13) Under the supervision of the Cemetery Manager, Cemetery staff shall have the authority to remove any article, item or plant, erected, or planted on any lot in a City cemetery in accordance with the Cemetery Bylaw, Cemetery Regulations or when the same is objectionable.

13. CEMETERY PLANS

- 1) Cemetery Plans displaying the subdivision of land for cemetery purposes, together with all subsequent plans approved by the Director, shall be open for inspection at the office of the Director during regular Department office hours free of charge.
- 2) All interments shall be made, and records kept in accordance with such plans and *The Cemeteries Act*.

14. GOOD CONDUCT

- 1) The provisions specified under Section 62 of *The Cemeteries Act, 1999* shall apply with respect to the conduct of individuals in City cemeteries.

15. GENERAL

- 1) No employee, agent, or contractor of the City shall accept any money or reward in connection with cemetery services other than the person(s) appointed to receive the appropriate fees as specified in Schedule "A" of this Bylaw.
- 2) Subject to the provisions and requirements of *The Cemeteries Act* any matters concerning burials or cemeteries not otherwise prescribed in this bylaw shall be dealt with by the Director in the manner that they deem most appropriate, in consideration of the long-term functional and aesthetic qualities of the City cemeteries and the scope of this Bylaw.

16. BYLAW CONTRAVENTIONS

- 1) Any person guilty of a contravention of any provision of this bylaw shall be liable to penalties as established in the City's General Penalty Bylaw.

17. SCHEDULES

- 1) That Schedules "A," "B," and "C" attached hereto and form part of this Bylaw.

REPEAL

- 1) Bylaw No.1759 and all other amendments be hereby repealed.

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

Introduced and read a first time this 28th day of November, 2022.

Read a second time this this 28th day of November, 2022.

Read a third time and adopted this 12th day of December, 2022.

"David Gillan"
Mayor

"Stacey Hadley"
City Clerk

SCHEDULE "A"

**CEMETERY FEE SCHEDULE
Effective January 1, 2023**

1. PLOTS	RESIDENT	NON-RESIDENT
Full Lot	\$1,494	\$1,744
1/2 Lot	747	922
1/4 Lot	373	423
Veterans	No Charge	No Charge
Indigent	No Charge	No Charge
Cremation Lot	747	947

- a) That 20% of all revenue related to the sale of plots, be allocated to the Cemetery Reserve annually.

2. COLUMBARIUM (includes niche plate)

Single Niche	\$1,800	\$2,000
Single Niche - Bottom Row	1,500	1,700
Double Niche	2,400	2,600
Double Niche - Bottom Row	2,300	2,500

- a) That 20% of all revenue related to the sale of columbaria niches, be allocated to the Cemetery Reserve annually.
- b) Niche plate engravings are an additional cost and is not included in columbarium purchase.

3. INTERMENTS

a) <u>Columbarium</u>		
First Interment:	\$200	\$250
Second Interment:	150	200
b) <u>Casket</u>		
Adults & Veterans	\$1,461	\$1,511
1/2 Lot (Child)	974	1,024
1/4 Lot (Infant)	974	1,024
c) <u>Cremated Remains</u>		
First Full Lot Interment	\$657	\$707
Second or Third Full Lot Interment	\$722	\$772
Cremation Ribbon	\$657	\$707

4. DISINTERMENTS

a) <u>Casket</u>		
Adults & Veterans	\$1,489	\$1,589
Child or Infant	\$1,116	\$1,166
b) <u>Cremated Remains</u>		
Lot	\$605	\$655
Cremation Ribbon	\$605	\$655
Columbarium	\$463	\$513

*** Disinterment of Columbaria includes niche plate replacement

5. VAULT HANDLING

Fiberglass (Including Base)	\$180	\$180
Steel or Concrete (Including Base)	220	220
Base Removal	220	220

6. OTHER CHARGES

- a) Overtime Charge – Actual Costs Calculated as Follows:
Weekdays – Overtime rate x 2 workers x 30% Administration fee
Weekends – Double time rate x 2 workers x 30% Administration fee
- b) A minimum of 3 hours to be charged for weekends.
- c) Minimum Charge:
- | | | |
|----------------------------|-------|-------|
| Casket - Adults & Veterans | \$400 | \$450 |
| Cremated remains | 400 | 450 |
- d) If Actual Costs exceed the minimum charge, the Actual Costs will be charged.
- e) Transfer Fee (Per Lot) \$90 \$90
- f) Perpetual Care Fund 300 300

7. MEMORIAL INSTALLATION – FLAT MARKERS

Maximum - 14" X 44"	\$400	\$400
Maximum - 14" X 30"	350	350
Maximum - 12" X 24"	300	300
Maximum - 8" X 16"	250	250
Small Marker - Maximum - 8" X 8"	\$200	\$200
Scroll - Maximum - 3" X 12"	125	125
Vase Base	125	125
Extra Marker/Plaque	30	30

Second Vase on Double Markers	75	75
8. MEMRIAL INSTALLATION – UPRIGHT MARKERS		
<i>(Determined by Base Length)</i>		
Up to 24"	\$300	\$300
25" to 36"	340	340
37" to 48"	375	375
49" to 60"	425	425
61" to 72"	475	475
Over 72"	525	525
Veteran Memorials	285	285
9. REMOVAL OF MEMORIAL BASE		
Removal of concrete base	\$220	\$220
Removal of marker	75	75

SCHEDULE "B"

REGULATIONS PERTAINING TO THE CITY OF NORTH BATTLEFORD CEMETERIES

1. HOURS OF OPERATION

- 1) Regular hours of operation shall be 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday excepting holidays.
- 2) Cemetery gates may be closed to vehicles during non-supervised times.

2. PROCESSIONS

- 1) Funeral processions are under the control and supervision of the Cemetery Manager or designate while they are within the property limits of the Cemeteries only.
- 2) City employees will not direct or control traffic on roadways or highways.

3. ORDER

- 1) The Cemetery Manager or anyone under his charge shall have the power to remove any person from the grounds that is disturbing the quiet or good order of a cemetery by being excessively noisy, using improper language or in any way violating the provisions of this bylaw.

4. MEMORIAL REGULATIONS

In addition to regulations specified in the Cemeteries Bylaw, the following regulations shall apply to different sections of the cemeteries:

1) Memorial Construction

- Only memorials constructed of bronze, granite or marble are permitted.
- Any like materials may be approved but at the discretion of the Director.

2) City Cemetery Sections 1-16 and Christus and Devotion Sections of Woodlawn Cemetery

- Subject to subsection 2) memorials must be placed on a foundation that is constructed within the limits of the lots.

- Only flat memorials that do not project above the level of the grass surface may be used with a max depth of 10 cm (4"). At the City Cemetery a 7.5 cm (3") concrete border will be provided.
- At Woodlawn Cemetery a 5 cm (2") concrete border will be provided.
- One (1) reversible vase is permitted per memorial.
- Memorials under this section shall conform to the following sizes:
 - Single Lot: Maximum size 35 cm x 76 cm (14" x 30")
 - Double Lot: Maximum size 35 cm x 112 cm (14" x 44")
 - Half Lot: Maximum size 30 cm x 60 cm (12" x 24")
 - Quarter Lot: Maximum size 20 cm x 40 cm (8" x 16")
 - Scroll: Maximum size 8 cm x 30 cm (3" x 12")
 - Small Marker: Maximum size 20 cm x 20 cm (8" x 8")

3) Cremated Remains – Cremation Ribbon

- Flat and pillow-type memorials are permitted.
- One memorial permitted per lot
- Maximum memorial size 30 cm height x 60 cm length (12" x 24").
- Vases are permitted pursuant to Section 10, subsection 9) of this Bylaw.

4) Columbarium – Niche Plate Inscription Specifications

Single Niche:

Font:	Modified Roman
Family Name:	3.81 cm (1.5") high
First Name and Initial:	2.54 cm (1.0") high
Date:	2.54 cm (1.0") high

Double Niche:

Font:	Modified Roman
Family Name:	3.81 cm (1.5") high
First Names and Initials:	1.93 cm (.75") high
Date:	1.93 cm (.75") high

- A 1.83 cm (.75") blank border must be left around all four sides of the granite door panel.

5) City Cemetery - Blocks A to N and R.C. Section - Blocks 1 and 2

- Memorials in accordance with this section must be placed within the lot limits and approved by the Director.
- Upright or flat memorials are permitted.

- The height of upright memorials shall not exceed 91 cm (36") from ground level.
- One (1) reversible vase is permitted per flat memorial.
- One (1) vase is permitted per single upright memorial.
- Two (2) vases are permitted per double upright memorial.
- Every second (2) vase includes a \$75.00 vase fee.
- Memorials under this section shall conform to the following sizes:
 - Single Lot: Maximum size 35 cm x 76 cm (14" x 30")
 - Double Lot: Maximum size 35 cm x 112 cm (14" x 44")
 - Half Lot: Maximum size 30 cm x 60 cm (12" x 24")
 - Quarter Lot: Maximum size 20 cm x 40 cm (8" x 16")
 - Scroll: Maximum size 8 cm x 30 cm (3" x 12")
 - Small Marker: Maximum size 20 cm x 20 cm (8" x 8")

6) Veterans Section

- In the City and Woodlawn Cemeteries:
 - standard upright memorials approved by Veterans Affairs are permitted.
 - No vases are permitted.
- In the City Cemetery, where the cremated remains of a spouse are interred in a lot:
 - a flat memorial constructed of bronze, granite or marble will be allowed to be set at the base of the upright memorial.
 - Maximum size shall be 35 cm x 76 cm (14" x 30").
- In the Veterans Section of Woodlawn Cemetery, and where the remains of a veteran's spouse are interred adjacent:
 - a flat memorial constructed of bronze.
 - Maximum size shall be 35 cm x 76 cm (14" x 30") is permitted.
- When the cremated remains of a spouse are interred in the lot of a deceased veteran at Woodlawn Cemetery, bronze scrolls up to a maximum size of 8 cm x 30 cm (3" x 12") is permitted to be mounted on the Veteran's beam.



SCHEDULE "C"
CEMETERY LOT PURCHASE LICENCE
BYLAW NO. _____

THIS LICENCE is made this _____ day of _____, 20__ between the City of North Battleford (herein, the "City") and the Licensee(s) (herein the "Licensee(s)") as follows:

LICENSEE(S) INFORMATION

Surname	First Name	Initials	Surname	First Name	Initials
Address			Address		
City	Province	Postal Code	City	Province	Postal Code
Phone Number		Sex	Phone	Sex	Number
Email Address			Email Address		
Date of Birth			Date of Birth		
Place of Birth			Place of Birth		

1. The Licensee(s) agrees to purchase from the City and the City agrees to sell to the Licensee(s) in accordance with the terms and conditions herein a licence for use of (indicate number) lot(s) at the following location(s):

Cemetery Name City of North Battleford Municipal Cemetery
 Woodlawn Memorial Gardens Cemetery

Location Devotion Veterans
 New Section Old Section
 Cremation Ribbon
 Columbarium Single Columbarium Double

Location	Lot	Plot	Block	Columbarium #	Resident or Non-Resident	Price
					GST	
					Total Price	

**“THIS AGREEMENT DOES NOT INCLUDE FUNERAL SERVICE
OR MERCHANDISE COSTS”**

2. Prices do not include the cost of interment, memorial prices, and/or installation fees.
3. The Licensee(s) acknowledges that a copy of Schedule “A” & “B” of the current Bylaw has been provided and forms a part of this Agreement.
4. This Licence shall be construed, interpreted, and enforced in accordance with the laws of the Province of Saskatchewan and the federal laws of Canada.
5. This Agreement shall ensure to the benefit of and shall be binding upon the parties, their respective heirs, executors, administrators, and assignees.
6. The Director is hereby authorized and empowered to recover unused lots in accordance with the provisions of *The Cemeteries Act and Regulation*.
7. It shall be the responsibility of the Licensee, executor or that person’s authorized decision-maker to maintain a current address for service in the office of the Director. Direction to that effect shall be so noted on the Licence.

Licensee Signature

Licensee Signature

City Representative

TERMS AND CONDITIONS

Bylaw No. _____ Incorporated by Reference

1. Bylaw No. _____, being a bylaw of the City of North Battleford respecting cemetery operations (the “**Bylaw**”) shall form a part of this Licence and be binding on the Licensee(s), as such Bylaw shall be amended from time to time, as if specified in full herein. To the extent any terms and conditions of this Licence, including all Schedules hereto, conflict with any terms and conditions or Schedules of the Bylaw, the terms and conditions of the Bylaw shall prevail, except to the extent a term of this Licence specifically states that it supersedes or amends the terms and conditions of the Bylaw
2. Unless otherwise specifically indicated, any reference to a statute in this Licence refers to that statute and to the regulations made under that statute, as the same may, from time to time, be amended, re-enacted, or replaced.

Licensee(s) Right to Transfer Lot Licence

1. A licence for the use of a lot may be transferred in accordance with this section. To transfer a licence, you must give notice of transferring in writing to the City. All transfers of a licence for the use of a lot issued hereunder shall be subject to payment of a transfer fee, even transfers back to the City.
2. You may transfer a licence back to the City of North Battleford and receive a full refund if you transfer the licence within six months of the date on the licence. If you transfer the licence to the City of North Battleford after the expiry of the six-month period, you will be entitled to the following refund:
 - (a) 30% of the current resident fee for the lot; or
 - (b) 50% of the original resident fee paid for the lot; or
 - (c) whichever is greater unless the owner has documentation that indicates non-resident rates were paid originally.
3. Notwithstanding the foregoing provisions, licences issued for lots in Woodlawn Cemetery prior to January 1, 1992, may be transferred back to the City for full refund of the original fee paid up to a maximum of \$130.00.

Interment and Disinterment

1. Regular hours of interment during the months May, June, July and August, shall be Monday to Friday 8:30 a.m. to 3:00 p.m.
2. All other months, regular hours of interment shall be from Monday to Friday 8:30 a.m. to 4:00 p.m.
3. Any interments which take place outside these hours must be approved by the Cemetery Manager and are subject to the appropriate overtime fee charged per Schedule “A”.

4. No burial or disinterment may be permitted unless proper notice is given as specified in section 5 this Bylaw has been given, and the appropriate fees and charges have been paid in accordance with Schedule "A".
5. The provision of notice shall not apply in the case of interment of a person who dies from a communicable disease.
6. Disinterment shall only be permitted upon the production of a permit issued by the Minister of Public Health pursuant to an application under *The Public Health Act*, and upon payment of the appropriate fee as specified in Schedule "A".
7. Any disinterment will be in full compliance with all provincial laws and regulations.
8. The City crews will be responsible for digging to the top of the casket or maintenance vault only.
9. Removal of the remains shall be the responsibility of the person authorized to remove the body.
10. No disinterment from a lot shall be carried out between November 1 and April 30 unless required by the governing authority of the Province of Saskatchewan.
11. The proposed time of disinterment shall, subject to the provisions of any order of the governing authority of the province, be subject to the consent of the Department of Parks & Recreation Services at the City of North Battleford.
12. Disinterment from the Columbarium may be done throughout the year and will include removal of the inscribed niche plate.
13. Fees for disinterment and replacement of a new niche plate are specified in Schedule "A".
14. All disinterments will be conducted in full compliance with all provincial laws and regulations.

**No Interment or Disinterment shall occur on Sundays, Christmas Day,
New Year's Day or Good Friday**

Memorials

1. The City Cemetery staff, under the supervision of the Cemetery Manager, shall be responsible for the installation and construction of bases for all memorials and any like structures or the replacement of the same in the City and Woodlawn Cemeteries, upon advance payment of the appropriate fee as specified in Schedule "A".
2. Bases for memorials will be constructed between May 15 and September 30 weather permitting.
3. On a regular lot, a maximum of three memorials, one upright and two flat memorials or three flat memorials, are allowed.
4. On lots in the Veterans Section a memorial will be permitted pursuant to Subsection 12 and Schedule "A" of this Bylaw.

5. Whenever the owner of a memorial neglects to make required repairs or alterations to the said memorial within thirty (30) days after receiving written notice from the Department of Parks & Recreation Services to do so, the City shall have the power to remove or repair the memorial and charge the applicable costs to the owner.
6. Marker engraving will not be done by City staff.
7. No person shall place, erect or remove from any lot, a memorial, marker, statue, or make any alteration to any memorial within the cemeteries without first obtaining an approval from the Director.
8. Unless authorized by the Director, alterations to an existing memorial require that all current memorial regulations be met.
9. The City shall not be liable for the loss of or damage to any memorial, vase or other object or planting located in the cemetery.
10. The City accepts no responsibility for degrading of the memorial or base due to normal wear or deterioration.
11. Minor chipping of the base portion of the memorial because of the turf mowing operation is considered normal wear.

All memorial specifications shall be in accordance with the regulations specified in the Bylaw.

Maintenance and Care

1. All lots in the cemeteries shall be entitled to basic maintenance and care that includes leveling off the ground and the seeding and cutting of grass as required. It shall not include the maintenance, repair, or replacement of memorials.
2. No flowers or other memorial items shall be left on the niches or in front of the Columbarium or in the flower beds surrounding the Columbarium. Flowers will only be allowed in the flower vases provided by the City. Drawings are not allowed on the concrete or granite surface on the Columbarium or on the concrete walks surrounding the Columbarium.
3. No border, fence, railing, trellis, coping, hedge, or other plant material or any other bounding or enclosing object shall be constructed, placed or planted in or around any lot other than for the purpose of operating the cemetery as authorized by the Director.
4. Natural or artificial flowers shall be permitted in holders, vases or other unbreakable receptacles provided they are permanently secured to the base of the memorial. Only one of the holders may be erected on a single lot. Temporary markers can be left on a lot for a maximum of 6 months only (or at the discretion of the Director) and must be flush with the ground. Loose flowers (natural or artificial) placed on a lot at the time of burial will be removed after 14 days to allow for maintenance of the lot. Notwithstanding the foregoing, all natural flowers will be removed when they become unsightly.

5. All items placed in the Cemetery by the public shall be at their own risks. The City accepts no responsibility for any damaged or missing items.
6. The Cemetery staff, under the supervision of the Cemetery Manager shall have the authority to remove any article or planting places, erected, or planted on any lot when not in accordance with the Cemetery Bylaw and/or Regulations or when the same is objectionable.

All vases must be turned down and all flowers must be picked up and removed from the cemeteries on or before October 1st of each year or they will be disposed of by Cemetery staff.