

TOWN OF CARLYLE

BYLAW NO. 2020-04

A BYLAW TO PROVIDE FOR THE CONTROL AND CARE OF GLEN MORRIS CEMETERY

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

I. **Definitions:**

1. This Bylaw may be cited as the Cemetery Bylaw.
2. Unless the context otherwise requires:
 - a) **Block**: Means a subdivision of land in the cemetery containing two or more plots;
 - b) **Cemetery**: Means land owned by the Town of Carlyle, set apart for use as a place for the interment of the dead or in which human bodies have been buried, known as Glen Morris Cemetery;
 - c) **Columbarium**: means a structure or building in a Cemetery designed for purpose of storing or interring cremated human remains in sealed compartments or niches;
 - d) **Grave Lot**: Means a division of land in the cemetery for the purpose of a single burial;
 - e) **Licensee**: Means a person or persons who purchase a grave lot or lots in the cemetery;
 - f) **Monument**: Means a structure in the cemetery, erected or constructed on a lot or lots as a memorial to the dead;
 - g) **Niche**: means each individual compartment to be used for the internment of cremated human remains;
 - h) **Perpetual Care Fund**: means a fund that is established pursuant to section 23 of The Cemeteries Act, 1999 for the purpose of providing for the long term care and maintenance of the cemetery;
 - i) **Perpetual Care**: Means the leveling of the ground of each lot, seeding, and cutting the grass as required and generally keeping the cemetery in good order and repair. Notwithstanding the foregoing, it does not include maintenance, repair or replacement of markers, tombstones, monuments, or other like structures except as specifically provided by this bylaw;
 - j) **Plot**: Means a subdivision of land in the cemetery of sufficient size for two or more graves;
 - k) **Town**: Means the Town of Carlyle;
 - l) **Town Administrator**: Means the Administrator of the Town of Carlyle.

II. **General Regulations:**

1. The Town may grant a license to any person for the exclusive use of any lot or plot. The said license shall be subject to all provisions of this bylaw and any amendments or regulations passed from time to time by the Council of the Town.
2. The license fee and all other charges for work done or service rendered shall be in accordance with the rates set out by the Council of the Town.
3. Lots or plots shall not be resold or transferred by the licensee. A licensee may surrender his license to the Town for any unused lot or plot. The Town will refund to the original licensee the original purchase price of the license less a transfer fee of 50% of the original purchase

- price. The onus is on the licensee to provide proof of purchase of the original license. Without such proof, no refund will be granted.
4. Whenever the remains of a grave lot or lots are removed, the grave space or spaces so vacated shall revert to the Town.
 5. No grave shall be used for any other purpose than for the burial of the human dead.
 6. No person shall bury any dead body in the cemetery until such person has complied 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 with the provisions of this bylaw.
 7. A person may reserve a grave lot or lots, by paying in full, the current purchase price as established in Schedule "A" of this bylaw.
 8. Persons visiting the cemetery or attending funerals are strictly prohibited from picking flowers, wild or cultivated, breaking or injuring any tree, shrub or plants, or writing upon, defacing, or injuring any memorial, fence or other structure within the cemetery grounds.
 9. Motor cars and vehicles in the cemetery shall travel only on the roadways provided for that purpose and shall not travel at a rate of speed greater than fifteen (15) kilometers per hour.
 10. No animals shall be allowed within the cemetery.
 11. Owners of graves or plots shall be entitled to have them kept in proper order by the town upon paying the amount required pursuant to Schedule "A" attached hereto.
 12. Niches in the columbarium shall not be resold or transferred by the purchaser. The purchaser may surrender the niche to the Town of Carlyle for any unused niche. The Town will refund to the original purchaser the original purchase price less a transfer fee of 50% of the original purchase price. The onus is on the original purchaser to provide proof of purchase of the original license. Without such proof, no refund will be granted.
 13. No more than two urns will be permitted per niche.
 14. A minimum of 48 hours notice shall be provided to the Town Administrator prior to accessing the niche.
 15. Only authorized personnel are permitted to open and close the columbarium niches.
 16. Only specified markers are permitted on the outside of the niche.

III. **Interments and Disinterment**

1. No interment of two or more bodies shall be made in one grave lot, except in the case of mother and child or two infants buried in one casket; however, this shall not apply in cases where provisions for a deepened grave for the purpose of two burials has already been made. In such cases, the first body must be buried at the depth of at least 3.05 meters (10 feet) from the surface of the ground surrounding the said grave.
2. No interment of more than six (6) cremated bodies shall be made in one grave lot.
3. No grave shall be less than 1.83 meters (6 feet) in depth from the surface of the ground.
4. No person other than a qualified funeral director shall have charge of the interment or disinterment of any human body.
5. No disinterment shall be made without all required permits having been obtained.
6. Any person applying for interment in the Cemetery shall furnish the Administrator with such particulars as he/she may require for the purpose of maintaining the records.
7. The funeral home or family desiring to have a grave dug shall notify the Administrator. This notice shall be given no less than 48 hours in advance of the interment. In the case of graves

being required for a Sunday or Monday burial, notification shall be provided no later than 2:00 p.m. on the preceding Friday.

IV. **Care of Graves**

1. The Town of Carlyle shall assume the general care of the entire cemetery. The Licensee of a grave lot shall observe all rules and regulations passed from time to time by Town Council for keeping the grave lots in order.
2. No borders, fences, railings, trellises, copings, hedges, concrete, memorial items other than monuments and markers shall be constructed or planted in or around any grave lot or plots.

V. **Monuments and Markers**

1. All monuments and markers shall be of granite, bronze, marble, or UV stabilized polyethylene.
2. No more than one upright monument unit may be placed on one grave lot.
 - a) In the "old" section of the cemetery, all upright monuments must be set at the head of a grave lot, and shall be in a line designated by the Town Foreman. No monument or marker shall be erected except on a concrete or granite foundation of a thickness of ten (10) to fifteen (15) centimeters (4 to 6 inches). The foundation shall be level with the ground surrounding the grave lot.
 - b) In the "new" section of the cemetery, all monuments must be set at the head of a grave lot, on the cement foundation provided by the Town. Grave covers of any type shall not be permitted.
3. All Columbarium Niches shall follow the regulations detailed in Schedule B.

VI. **Monuments in Disrepair**

1. Should any tombstone, monument, plaque or other structure placed or arranged in the cemetery be in a state of disrepair, the Town may have the said tombstone, monument, plaque or other structure removed from the cemetery.
2. Whenever any owner of a tombstone, monument or plaque or other structure neglects to make required repairs or alterations after being given due notice by the Town to do so, the Administrator shall allow a period of three (3) months to elapse after the giving of such notice and shall then have the power to remove such tombstone, monument, plaque or other structure from the cemetery or to repair it.
3. All notices required to be given to Licensees of grave lots or owners of monuments or other parties may be delivered in writing by the Town Administrator, mailed postage paid to the last known address of such Licensee or owner. Proof of such notice having been mailed shall be sufficient proof that such notice has been given.

VII. **Trees, Shrubs, Flowers and Other Items**

1. No person shall plant any trees, shrubs, or any vegetation, or do work of any kind in the cemetery without the permission of the Cemetery Committee.
2. If any tree or shrub situated on any grave lot or plot or part thereof shall, in the opinion of the Cemetery Committee, become by means of its roots or branches in any way detrimental to any adjacent grave lot, plot, path, or driveway, or to the general appearance of the cemetery,

or dangerous or inconvenient to the public, the Cemetery Committee shall have the power to remove such tree or shrub or part thereof.

3. The Cemetery Committee shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the cemetery as soon as they become unsightly, dangerous, detrimental or diseased.
4. All items placed in the cemetery by the public shall be at their own risk. The Town will not accept responsibility for any damaged or missing items.
5. The placing of flowers and wreaths or other memorial items shall be allowed only in receptacles which are affixed to the monument excepting that flowers, wreaths, and other items are permitted to be placed on the grave the day of the burial and left for a period of seven calendar days, after which the flowers, wreaths and other items will be removed and disposed of.
6. Any other item placed on a grave, flowerbed, or concrete foundation is considered temporary and will be removed and disposed of weekly.

VIII. **Penalty**

1. Any person guilty of an infraction of this Bylaw or any part thereof shall be liable on summary conviction to the penalties prescribed in the General Penalty Bylaw of the Town of Carlyle.

IX. **Repeal**

1. Bylaws No. 2018-07 are hereby repealed.

- X. This bylaw shall come into force and take effect on the date of final reading thereof.

Mayor/Deputy Mayor

S E A L

Administrator

**TOWN OF CARLYLE
BYLAW NO. 2020-04
SCHEDULE "A"
Schedule of Fees and Charges
Glen Morris Cemetery**

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|---|--|
| Standard Cemetery Plot Purchase | \$400.00 (\$250.00 perpetual care and \$150.00 lot price) |
| Columbarium Niche Top Two Rows | \$900.00 (\$125.00 perpetual care and \$775.00 niche price) |
| Columbarium Niche Bottom Two Rows | \$800.00 (\$125.00 perpetual care and \$675.00 niche price) |
| <i>**The columbarium prices above include one opening and closing**</i> | |
| An additional fee will be charged for opening and closing to add a second urn | \$100.00 |

**TOWN OF CARLYLE
BYLAW NO. 2020-04
SCHEDULE "B"
Memorialization on Columbarium Niches
Glen Morris Cemetery**

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|------------------|---|
| Method: | Inscriptions etched or lasered into niche cover. Laser portraits also permitted. A border of 2.5 cm (1") required on all sides. |
| Lettering: | Modified Roman |
| Niche cover: | 29.8 cm (11 ¾") wide by 30.4 cm (12") high |
| Attachment: | Holes may not be drilled into the niche cover for the attachments of vases, ceramic plaques or other memorials. |
| Vases: | Not permitted |
| Ceramic Plaques: | Maximum size 10.1 cm (4") wide x 12cm (4 ¾") high |