

RURAL MUNICIPALITY OF ABERDEEN NO. 373

BYLAW NO. 2020-07

A BYLAW TO PROVIDE FOR THE USE, CARE, AND MAINTENANCE OF THE ABERDEEN COMMUNITY CEMETERY

The Council of the Rural Municipality of Aberdeen No. 373, in the Province of Saskatchewan, enacts as follows:

PART 1- SCOPE

1. This bylaw shall be cited as the "CEMETERY BYLAW".
2. The Aberdeen Community Cemetery is located on the SW 7-39-02-W3rd (Blk/Par B-Plan 101539223 Ext 25, Parcel 149124214, Title No. 117933655 registered owner of Parcel # 149124214, The Rural Municipality of Aberdeen No. 373).
3. The Rural Municipality of Aberdeen No. 373 maintains the cemetery records, including future interments.
4. The Rural Municipality of Aberdeen No. 373 is responsible for the sale of grave plots.

PART 2- DEFINITIONS

1. "Aberdeen Community Cemetery" or "Cemetery" shall mean the cemetery located at SW 7-39-02-W3rd (Blk/Par B-Plan 101539223 Ext 25, Parcel 149124214) set apart for use by the Town of Aberdeen and the Rural Municipality of Aberdeen No. 373 as a place for the interment of the dead or which human bodies have been buried and includes any land that is set apart and is used as a site for a columbarium.
2. "Administrator" shall mean the Administrator for the Rural Municipality of Aberdeen No. 373 or any person appointed to act on his/her behalf in the administration of this Bylaw.
3. "Block" shall mean the division of land which is subdivided into lots.
4. "Caretakers" shall mean the maintenance staff for the Rural Municipality of Aberdeen No. 373 and the Town of Aberdeen.
5. "Columbarium" shall mean a structure(s) or building(s) designed for the purpose of storing or interring cremated human remains in sealed compartments or niches.
6. "Council" shall mean the Council of the Rural Municipality of Aberdeen No. 373
7. "Cremated Remains" or "Cremains" shall mean human bone fragments that remain after cremation.

8. "Disinterment" shall mean the removing of human remains or cremains from their place of interment.
9. "Grave" shall mean a subdivided lot in the cemetery measuring 5 feet x 10 feet, for the purpose of a single burial.
10. "Human Remains" shall mean a dead human body but does not include cremated human remains.
11. "interment" shall mean:
 - (i) the burial of human remains or cremated human remains in a cemetery;
 - (ii) the entombment of human remains in a mausoleum; or
 - (iii) the inurnment of cremated human remains in a columbarium;
12. "Municipality" shall mean the Rural Municipality of Aberdeen No. 373
13. "Plots" shall mean a subdivision of a block in the cemetery, measuring 10 feet x 10 feet, which shall contain 2 graves.
14. "Memorial" shall mean a marker, headstone, tombstone, monument, plaque or inscription that is used to identify a plot or memorialize a deceased person.

PART 3- INTERMENTS AND DISINTERMENTS

1. No person shall inter any human remains or cremated remains in the Aberdeen Community Cemetery unless and until the person has complied with the provisions of:
 - i. The Public Health Act and regulations there under;
 - ii. The Vital Statistics Act and regulations there under; and
 - iii. The provisions of this Bylaw.
2. A grave or niche must be purchased from the Administrator prior to any interment.
3. Any person wishing interment in the Cemetery shall provide the Administrator with such particulars as he/she may require for the purpose of maintaining the Cemetery Records prior to interment.
4. No person shall be buried in any grave unless such person is the owner of the burial rights of the grave in accordance with *The Cemeteries Act, 1999* and any regulations pursuant to that Act.
5. Plots for ground burial shall comply with the following regulations;
 - i. No interment of more than (4) cremated bodies in urns shall be interred in one (1) grave; or no more than one (1) human remains with one (1) cremated body be interred in one (1) grave with the human remains being the first burial in the plot.
 - ii. Each Block is marked with a corner pin on the SE Corner. Plots are 10' x 10'. Each 10' x 10' can be divided into (2) two 5 x 10 graves, running East to West, with Headstone on the West Side. The remains shall be interred in the center of the grave.

- iii. In all cases, the interments of cremated remains shall be made in the center of the grave.
 - iv. All burial depths will comply with regulations set out in *The Cemeteries Act, 1999* and any regulations pursuant to that Act.
 - v. No plot shall be used for any other purpose than the burial of the human dead.
6. The Municipality shall provide interment rights free of charge for an unclaimed body or for a deceased indigent person in accordance with *The Cemeteries Act, 1999* and *The Coroners Act, 1999* and any regulations pursuant to those Acts.
 7. No disinterment of remains shall occur, unless it is in accordance with *The Public Health Act, 1994* or *The Coroners Act, 1999* and any regulations pursuant to those Acts and shall only take place after sufficient notice to the Administrator.
 8. Where disinterment is deemed permanent and the grave is vacated, ownership rights of the grave shall revert to the Municipality and may be re-sold.

PART 4- MONUMENTS, MARKERS & COLUMBARIUMS

1. All monuments, markers and foundations shall be installed entirely within the plot for which it was intended.
2. Installers of monuments or markers shall leave the cemetery grounds in a neat and tidy condition removing all excess dirt and materials.
3. All monuments or markers shall be manufactured of granite, bronze or other material approved by the Cemetery Committee.
4. The initial monument or marker for each plot must be placed at the head of the grave on the West side of the grave. Each monument placed at the head of the grave shall be set on a concrete foundation of a minimum thickness of ten (10) centimetres. The upper surface of each foundation shall be to ground level and in each case the foundation shall project ten (10) centimetres on all sides of the base of the monument erected thereon.
5. Each marker placed at the head of the grave will not require a foundation if they have a minimum thickness of eight (8) centimetres. If a minimum thickness is less than eight (8) centimetres, all markers must be either embedded in concrete with a minimum thickness of ten (10) centimeters or be placed on a foundation of concrete or granite with a minimum thickness of ten (10) centimetres.
6. Flat markers with a minimum thickness of eight (8) centimetres, placed on a plot, do not require a foundation. All other markers must be embedded into concrete or placed on a concrete or granite foundation with a minimum thickness of ten (10) centimetres.
7. There shall not be more than one (1) monument and one (1) marker permitted on each grave except where cremated remains are to be buried in the occupied grave with an existing monument or marker. In such cases, additional monuments or markers set at the head of the grave would be allowed.

8. Grave coverings of any type or description of any material shall be prohibited.
9. The Municipality accepts no responsibility for degradation of markers/monuments due to normal wear or deterioration. Minor chipping of the base portion of monuments as a result of grass mowing shall be considered normal wear and tear. Grazing of flat markers that do not comply with this bylaw shall also be considered normal wear and tear.
10. The Municipality reserved the right to remove any grave marker or monument that falls into a state of disrepair and the purchaser or family thereof neglects or refuses to repair or remove the damaged marker/monument.
11. Columbarium niches shall be sold as a package that includes one brass plaque to maintain consistency. No other type of plaque will be allowed. Cost shall be determined by cost recovery of columbarium, pad, plaque and other incurred installment costs. The Municipality shall be responsible for the installation of the brass plaque.
12. Urns to be installed in the columbarium shall be made from a material approved by the Cemetery Committee, and shall not include cardboard, fabric or wood. Two (2) urns can be placed in one niche. Purchaser must ensure urns fit in purchased niche. Standard niche size is 12.5" L x 12.5" W x 14" H
13. The Municipality shall be the sole keeper of all keys to the columbarium.

PART 5- GENERAL REGULATIONS

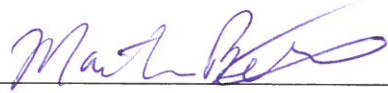
1. Subject to the provisions and requirements of the Cemeteries Act and this Bylaw, any matters concerning burials and cremations not otherwise dealt with shall be dealt with by the Cemetery Committee in a manner that deems most appropriate.
2. All persons, while in the cemetery shall conduct themselves in a quiet and orderly manner.
3. Motor vehicles in the cemetery shall travel on the roadway provided for that purpose and shall not travel at a speed greater than 10 kilometers per hour.
4. No pets shall be allowed in the cemetery.
5. The Caretakers reserve the right to temporarily remove any monument or marker for the purpose of performing necessary maintenance work.
6. No person shall write upon, deface or injure any grave, marker, monument, building, sign, fence, gate, or any structure in or around the Cemetery. Any person found guilty of such damage shall be responsible for the cost of repairing same and subject to the penalty imposed in Part 6 of this Bylaw.
7. All notices and communications required to be given to purchasers or their heirs, may be delivered in writing to their last known address and shall be considered sufficient evidence that such notice has been given. It is the duty of the plot owner to notify the Administrator of any change to his/her postal address.

8. No person shall throw rubbish or litter on the drives, paths, or any part of the grounds in the Cemetery.
9. The Municipality shall not be responsible for any mistake resulting from the lack of precise and proper instructions regarding the placement where an interment is to be or has been made.
10. All items placed in the Cemetery by the public will be at their own risk. The Municipality accepts no responsibility for any damage or missing items.
11. No person shall plant any tree, shrub, plant, or flower in any place or part of the Cemetery.
12. The Caretakers shall be authorized to removed any stand holder, base or other receptacle for flowers or plants, deemed to be a hindrance to the maintenance of the cemetery.

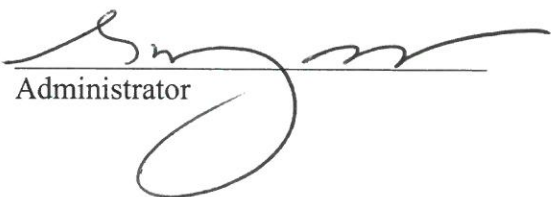
PART 6- PENALTY

1. Any person found guilty of an infraction of this Bylaw or any part thereof, shall be liable on summary conviction to the penalties prescribed by the General Penalty Bylaw of the Rural Municipality of Aberdeen No. 373.





Reeve



Administrator