

TOWN OF PILOT BUTTE
BYLAW No. 1-2024
The CEMETERY BYLAW

A Bylaw to regulate and control St. George's Cemetery, a cemetery under title to the Town of Pilot Butte.

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

1. SHORT TITLE

- a) This Bylaw may be cited as the "**Cemetery Bylaw**".

2. DEFINITIONS

- a) "**base**" means the bottom part or lower portion of the monument which shall be made of granite;
- b) "**Cemetery**" means land within the Town of Pilot Butte set apart for, or used as a place of, interment of the dead or in which human bodies may be buried. St. George's Cemetery shall be described as follows:
A portion of the South West Quarter of Section Thirty-four (34) in Township Seventeen (17), in Range Eighteen (18), West of the Second Meridian, comprised of 1acre.
- c) "**Chief Administrative Officer**" means the Administrator for the Town of Pilot Butte;
- d) "**Columbarium**" means a structure in a cemetery designed for the purpose of storing or interring cremated human remains in a sealed compartment or Niche;
- e) "**Council**" means the Council of the Town of Pilot Butte;
- f) "**cremated human remains**" means human bone fragments that remain after cremation;
- g) "**cremation**" means the technical process of using heat to reduce human remains to bone fragments;
- h) "**foundation**" means the concrete pad that supports the monument;
- i) "**grave**" means a subdivision of land for the purpose of a single burial in the Cemetery as shown on the Town Cemetery 2023 plan.
- j) "**human remains**" means a dead human body, but does not include cremated human remains;
- l) "**interment**" means
- a. the burial of human remains or cremated human remains in a cemetery, or
 - b. the interment of cremated human remains either in a designated plot or in a columbarium;
- m) "**licensee**" means a person or persons who purchase a right of interment in the cemetery;
- n) "**marker**" means a memorial of granite, marble or bronze installed at ground level on a grave;
- o) "**memorial wall**" means the side walls of the Columbarium used for the placement of personalized plaques in memory of the deceased when ashes have been spread at another location;
- p) "**monument**" means a tombstone or memorial made of granite or marble which shall extend above the surface of the ground;
- q) "**niche**" means an individual compartment to be used for the interment of cremated human remains;
- r) "**plot**" means an area of land in the cemetery designated by a certain Number and Section

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s) **“resident”** shall mean:

- I) Any person currently residing in the Town
- II) Non-residents may apply in writing to the council of the Town of Pilot Butte for Special Consideration if they wish to be considered a resident. E.g. previous rate-payers

3. GENERAL RULES

- a) Employees of the Town of Pilot Butte conducting work in the Cemetery are not permitted to do any work for plot owners except upon order of the Administrator.
- b) All persons, while in the Cemetery, shall conduct themselves in a quiet and orderly manner.
- c) Persons within the Cemetery shall use only the Avenues, Roads, Walks and Alleys and no one person is permitted to walk upon or across graves, excepting Town employees in the course of their duties. The Town of Pilot Butte expressly disclaims liability for any injuries sustained by anyone violating this rule.
- d) 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 from writing upon, defacing or damaging any memorial, fence or other structure within the Cemetery grounds.
- e) All vehicles in the Cemetery shall travel only on the pathways provided for that purpose and shall not travel at a speed greater than 10 kilometers per hour.
- f) No dogs or other pets shall be allowed in the Cemetery, excepting service animals. No motorcycles, bicycles, power snow machines of any kind, skiing of any sort, snowshoeing, and tobogganing or sports activities of any kind will be allowed in the Cemetery.
- g) The Town shall not be liable for the loss of or any damage to any monument, marker, or any part thereof or of any memorial tribute located in the Cemetery.
- h) Notwithstanding Section 3(g), the Town reserves the right to temporarily remove any monument or marker for the purpose of performing necessary maintenance work.
- i) Notices given to any person pursuant to this Bylaw shall be deemed sufficient if in writing and mailed postpaid to the last known address of such person as entered on the Cemetery records.
- j) Grave coverings, fences, borders, railings, curbs, copings, trellises, walls, hedges, shrubs and herbages of any kind are prohibited in the Pilot Butte Cemetery, except as provided in Section 6 of this Bylaw.
- k) The Cemetery hereby expressly reserves the right to adopt additional rules and regulations or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these rules or regulations at any time and without notice.

4. GRAVES, PLOTS AND NICHES

- a) The Chief Administrative Officer or his/her delegate shall make all sales of graves or plots in the Cemetery and shall receive all moneys resulting from the sale of such graves or plots.
- b) Subject to Clause (e) the sale of graves or plots in the centre of the Cemetery, which contain Blocks 3, 4, 6 and 7, shall be done in the following order:
 - Block 3 from the North to South side

Block 4 from North to South

Block 6 from North to South

Block 7 from North to the South

Excepting where plots are already reserved in different order.

- c) If a family member wishes to buy a grave or plot next to another family member that, prior to the passing of this bylaw, purchased a grave or plot in areas described in subsections 1 through 4, the Chief Administrative Officer or his agent may sell grave or plot rights contrary to the order described in subsections b), to that family member.
- d) Graves or plots in the "old part" of the Cemetery, those areas on the outside of the centre, which contains Blocks 1, 2, 5, 8, 9, 11 and 12 are to be considered completely filled and no further applications for interment on those areas will be accepted, excepting those reserved prior to the passing of this Bylaw.
- e) Excepting those graves already in existence at the time of the passing of the Bylaw, all graves in the Blocks 3, 4, 6, and 7 shall be 6 Ft. by 12 Ft.
- f) The Chief Administrative Officer or his delegate shall keep an accurate account of all moneys 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 ledgers necessary to keep a complete record of all business transacted in connection with the Cemetery.
- g) The fee for the purchase of graves, cremation sites, columbarium niches and any other charges for work done or services rendered at the Cemetery shall be in accordance with the rates and charges set out in Schedule "A" attached to this Bylaw. The said Schedule may be amended from time to time by a resolution of the Council.
- h) Cemetery graves and niches shall not be resold or transferred by the licensee but may be transferred back to the Town of Pilot Butte. In case of transfer to the Town, the Town will refund to the licensee all money paid by him/her for the grave/niche.
- i) No grave shall be used for any other purpose than for the burial of the human dead.
- j) The Town of Pilot Butte shall take all reasonable precautions to protect licensees and the property rights of licensees within the Cemetery from loss or damage; but the Town distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control and especially from damage caused by the elements, an act of God, animals, common enemies, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or order of any military or civil authority.

5. INTERMENTS AND DISINTERMENTS

- a) No interments shall be made in the Cemetery unless in compliance with the provisions of this Bylaw, the Public Health Act and Vital Statistics Act of the Province of Saskatchewan and with any regulations issued thereunder.
- b) Payment for any appropriate charges as set out in Schedule "A" to this Bylaw are due prior to any interment.
- c) Notice shall be given to the Chief Administrative Officer or delegate at least forty-eight (48) hours before the proposed time of interment. This provision as to notice shall not apply in the case of interment of a person who dies from a communicable disease.



- d) A maximum of one body and three urns of cremated human remains, or three urns of cremated human remains shall be interred in any one cemetery grave. A maximum of two urns of cremated human remains shall be interred in any one columbarium niche or cremation plot.
- e) Cemetery plots identified on Schedule "B" to this bylaw shall only allow for interment of urns of cremated human remains.
- f) No grave shall be less than six feet in depth from the surface of the ground surrounding the grave. Outer shells of wood, fibreglass or steel must be utilized for all burials. Cremated remains must be interred at a minimum depth of 24 inches.
- g) Graves in the centre blocks 3, 4, 6, and 7 are to be placed head to head in the rows, so that feet are adjacent to the pathways on either side and markers and monuments face the pathways.
- h) No person shall disinter human remains except in accordance with the regulations as described in the Cemeteries Act and with authorization of the Town Administrator or his/her delegate.
- i) Disinterment shall only be permitted upon the production of a written permission of the Minister of Public Health issued pursuant to an application under the Public Health Act.
- j) Whenever a body is permanently removed from a grave and the grave is vacated, rights to the plot so vacated shall revert to the Town.
- k) When a plot or grave is held by a licensee, or jointly by two or more parties, authority for interment in such plot or grave or any part thereof will be accepted by the Town of Pilot Butte from any one of the said parties or their executors or agents.
- l) No interments shall be permitted in the Cemetery unless a proper burial permit or cremation certificate is produced by the party applying for the burial, in accordance with this Bylaw.
- m) Licensees are responsible for contracting out the work of opening and closing graves as needed, subject to approval of the Director of Public Works. Cremation plots may be opened by the Licensee, using a post hole auger or other hand – operated device, subject to the approval of the Administrator or his/her delegate. No remains or cremated remains may be interred without inspection of the opened plot by a designated Town employee.
- n) Heavy loads for the purpose of constructing or installing monuments will not be allowed to enter the cemetery when the paths are in an unfit condition.
- o) By order of the Town of Pilot Butte, graves in the Cemetery shall be supplied without charge for the burial for indigent persons.
- p) Columbarium Niche Door Plaques and Memorial Wall Plaques will be supplied by the Town of Pilot Butte. Plaques, other than those supplied by the Town of Pilot Butte, may not be used.

6. PLANTS AND SHRUBS

- a) The Town of Pilot Butte shall undertake to maintain, as may be practicable, the planting of flowers, trees and shrubs to preserve and maintain landscape features.

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7. CARE OF GRAVES

- a) To obtain the best landscape effects, the Town of Pilot Butte shall supervise the general care of the entire Cemetery. The licensee of graves shall observe all rules and regulations passed from time to time by Council for keeping the graves in order.
- b) There shall be no installation of grave coverings, fences, borders, railings, trellises, curbs, walls or copings on the graves without prior permission of the Town. The planting of any vegetation such as trees, shrubs, hedges, perennials or annuals, with the exception of grass, will not be permitted on or around the immediate area of the graves, except as permitted under Section 6 of this Bylaw.
- c) Any grave coverings, borders, railings, curbs, walls, copings, hedges, trellises, shrubs, or trees that have been erected or planted may be removed by the Town of Pilot Butte if by reason of neglect or age, the grave becomes in a state of disrepair, unsightly, dangerous or detrimental. Upon request of the licensee any of the above mentioned may, at the discretion of the Town, be removed free of charge by the Town of Pilot Butte.
- d) The Town employees shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the Cemetery as soon as, in their judgement, they become unsightly, dangerous, detrimental or diseased.
- e) Vases, crosses and/or statues may be permitted provided they are no higher than twenty (20) inches and are permanently secured to the base of the monument. They must not project beyond a plumb line from the outside dimensions of the monument base. Only one of the aforementioned (holder, vase, cross, statue or other approved receptacle) may be erected on a single grave. For double graves, any two may be erected and so forth in sequential order.
- f) No memorial items such as liquor bottles and cans, memorabilia or items other than the vases, crosses or statues mentioned in paragraph e) shall be allowed in the cemetery without application in writing to, and the express permission of, the Town Administrator or his/her delegate.

8. MONUMENTS AND MARKERS

No monument, marker, or object of any kind shall be placed on any grave or plot in the Cemetery except as provided for in this section:

- a) Monuments erected in the centre blocks 4, 6, 7 and 8 shall be placed back to back at the head of the graves, facing the pathways, so that half face East and half face West.
- b) All monuments shall be of granite or marble; markers may also be of bronze; the front top and back of monuments shall be axed, honed or polished. All bases shall be of granite and have rock pitched sides and ends. Monuments and Markers, even for temporary use, made of concrete, artificial stone, wood, tin or iron will not be permitted unless as approved by the Town.
- c) Monuments may not exceed a height of 28" above ground level. Monuments already in place are grand-fathered in, however, in the case of replacing an existing monument, the 28" height would apply.
- d) No monument or marker shall be erected in the Cemetery without a written permission issued for the erection of such monument or marker. Permission applications shall be received at least forty-eight (48) hours prior to date of installation.

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- e) Once installed, no monument shall be removed from the Cemetery without first notifying the Chief Administrative Officer, in writing, stating the reasons for such removal.
- f) There are no size and shape requirements for monuments except that they are restricted to the boundaries of the plot or portion of the plot purchased and may not exceed 28 inches in height.
- g) Markers shall be installed at the ground level. Markers do not require a concrete foundation but shall be installed by the Licensee subject to approval of the Director of Public Works.
- h) Replacement of existing memorials not conforming to the provisions of this bylaw, by non-conforming memorials, may be permitted by the Town of Pilot Butte. Applications are to be made to the Chief Administrative Officer supplying the details of the size, material and design of the monument.

9. RIGHTS TO RE-SURVEY

- a) The Town of Pilot Butte reserves the right at any time to re-survey, enlarge, diminish, re-plot, change or remove designed plots, close pathways, alter in shape or size or otherwise change all or any part of the Cemetery, subject to approval of the appropriate authorities.

10. PENALTY

- a) Any person who contravenes the provisions of this Bylaw or fails to comply therewith, or with any notice given thereunder, is guilty of an offence and may be liable on summary conviction to the penalties provided in the General Penalty Bylaw of this Municipality.

11. This bylaw shall come into force and take effect upon final approval of Council.

First Reading: Jan 22, 2024
 Second Reading: Jan 22, 2024
 Third Reading and adoption: Jan 22, 2024

POA
 Mayor
Allen Mulk
 Administrator



CERTIFIED TRUE COPY OF A BYLAW PASSED
 BY RESOLUTION OF COUNCIL OF THE TOWN
 OF PILOT BUTTE AT A MEETING HELD THE
22 DAY OF Jan 20 24 AD.
Allen Mulk
 ADMINISTRATOR



SCHEDULE "A"
Schedule of Cemetery Rates

Rates do not include the opening and closing of gravesites. Licensees are responsible for costs in regard to opening and closing of sites.

Non-residents may apply in writing to the council of the Town of Pilot Butte for Special Consideration if they wish to be considered a resident. e.g. previous title-holders.

6 x12 ft burial plot containing one casket	\$1,000.00
6 x12 ft burial plot containing one casket and up to three urns	\$1,000.00 plus \$100 per urn
6 x 12 ft. burial plot-non-resident	\$1,500.00
6 x12 ft burial plot containing no casket and a maximum of three urns	\$1000.00 plus \$100 2 nd and 3 rd urn
3 x 3 ft cremation plot containing one urn	\$300.00
3 x 3 ft cremation plot containing a maximum of two urns	\$300.00 plus \$100 for 2 nd urn
One columbarium niche containing one urn, incl plaque	\$1,600.00
Additional date plate	\$100.00
One columbarium niche containing a maximum of two urns	\$1,600.00 plus \$100 for 2 nd urn
Non-resident columbarium niche for one urn, incl. plaque	\$2,100

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SCHEDULE "B"

1. Plots designated for the sole purpose of the interment of cremated remains shall be Those listed as:

Block 1, Plots 1-48

Block 10, Plots 2-6; 8-12; 14-18; 20-24; 26-30; and 32-36

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