

## BYLAW NUMBER 617/17

BYLAW NUMBER 617/16 OF THE VILLAGE OF BAWLF IN THE PROVINCE OF ALBERTA, BEING A BYLAW RESPECTING THE MANAGEMENT AND CONTROL OF THE PARK CEMETERY.

**WHEREAS**, The Village of Bawlf is the owner of Park Cemetery located on part of the NE 30 45 17 W4 in the Province of Alberta, also described as Plan 952EO, Block A, containing 4 acres; and

**WHEREAS**, It is deemed necessary to set regulations for the management and control of Park Cemetery.

**NOW THEREFORE**, the municipal council of the Village of Bawlf, in the Province of Alberta, enacts a bylaw referred to as the "Park Cemetery" Bylaw.

### 1. Citation

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

### 2. Definitions

- a) **Council:** shall mean the duly assembled Council of the Village of Bawlf.
- b) **Lot:** shall mean a clearly delineated parcel of land, numbered and marked on the Cemetery Plan, 8' x 8'.
- c) **Owner:** shall mean the person or executor of an estate of a person who purchases a lot in the cemetery.
- d) **Plot:** shall mean a clearly delineated parcel of land, numbered and marked on the Cemetery Plan, consisting of four (4) lots, 16' x 16'.
- e) **"Village"** means the Village of Bawlf in the Province of Alberta

### 3. Cemetery Regulations:

3.1 The Village shall keep records of all lots, sales thereof, burials and disinterment's for the cemetery.

3.2 The price of lots in the cemetery and fees for related services are set out in Schedule A of the Master Rates Bylaw. Lot prices are to be paid at the time of purchasing or reserving the said lot(s). Lots may be purchased and held in reserve by any person or estate. The Village reserves the right to limit the sale of lots to any person or estate to one (1) plot or four (4) lots.

3.3 Any lot purchased prior to 1985 will be permitted to accommodate more than 4 burials/plot, as long as the equipment used has adequate space to maneuver. If there is not enough room for the equipment to maneuver, the grave shall be hand dug.

3.4 The Village reserves the right to limit new lot purchases after 1985 to one burial site per lot (8 x8).

3.5 The holder of any reserve lot may cancel such reservation. No refund will be issued and ownership will be automatically transferred back to the Village.

3.6 The owner of a lot may not re-sell or trade any lot without notifying the Village and receiving written approval for the sale or trade.

3.7 Up to four (4) urns of cremation remains may be buried in any one lot or within an occupied grave lot, providing the remains are buried at least three (3) feet below ground level and do not disturb other remains.

3.9 No disinterment's shall be performed or allowed until a valid permit is produced from the Department of Vital Statistics.

3.10 No planting of trees or shrubs shall be permitted on any lot. Tree planting and landscaping at the cemetery shall be at the discretion of the Village.

3.11 Planting of flowers on lots shall only be permitted if they are planted not less than six (6) inches inside the perimeter of the lot and must be kept free of grass and weeds at all times. Any flowers which become unsightly due to neglect may be removed at the discretion of the Village.

3.12 The Village shall be responsible for maintaining the cemetery grounds such as: grass, weeds, hedges, entrance and fence.

3.13 No corner stones, fences, railings or grave covers, or changes to the structures shall be permitted on any lot. Lots with existing structures of this nature, which have deteriorated or become damaged and look unsightly, shall be removed at the discretion of the Village. Reasonable efforts to reach family members associated with the lot, to inform them of the lot condition, will be made and recorded prior to carrying out such work.

3.14 Repairs and maintenance of grave sites and monuments are the responsibility of the owner or estate of the owner of a lot. In the event of any monument or grave site requiring repairs due to settlement or damage, reasonable efforts will be made by the Village to contact those responsible for the repair of said grave site.

3.15 The Village shall be the authority with respect to moving monuments or headstones that have been improperly located and require adjustments as per regulations under the Cemeteries Act.

3.16 Funeral Directors shall supply temporary grave markers which shall be placed at each grave site at the time of burial. Permanent markers must be placed within two (2) years of burial.

3.17 The Village shall not be responsible for any damage, either willful or accidental to any headstone, monument or grave covers within the cemetery.

3.18 Any person who willfully defaces or damages any monument or structure, trees, or shrubs or commits a nuisance in the cemetery, is guilty of an offense and subject to a fine

on summary conviction of not more than \$2,500.00 and in default, to imprisonment of not more than six months.

3.19 Grave openings for full burials shall be arranged by the family or by the Funeral Director. Excess fill must be stored in the area designated by the Village.

SEVERABILITY

4.0 If any portion of this by-law is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the by-law is deemed valid.

**Commencement Of Enforcement**

Read a first time in Open Council this 19th day of April, 2017.

Read a second time in Open Council this 19th day of April, 2017.

Read a third time in Open Council and finally passed this 19th day of April, 2017.

This Bylaw shall come into full force and effect on the third and final reading.

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MAYOR

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CAO