

BYLAW NO. 3, 2017

A BYLAW TO PROVIDE FOR THE REGULATION AND CONTROL OF THE NEILBURG CEMETERY

The Council of the Village of Neilburg, in the Province of Saskatchewan, enacts as follows: -

**LOCATION:**

All lands acquired by the Council of the Village of Neilburg and set aside for the interment of the dead or in which human bodies have been buried, and described as follows:

All that portion of the South West quarter of Section Thirty-one (31), in Township Forty-four (44), in Range Twenty-five (25), West of the Third Meridian, in the Province of Saskatchewan, in the Dominion of Canada,  
designated as:  
Parcel "E", Plan A.Q. 2598  
Containing Two (2) acres, more or less.

**I. DEFINITIONS:**

**Base** – The bottom or lower portion of a monument

**Block** – Means a subdivision of the Cemetery containing ten (10) lots, except Blocks 8, 9, 10, 18, 19, 20, 28, 29, 30, 38, 39 and 40 which contain eight (8) lots.

**Burial Vault** – Means a vault or cover, with or without a floor, placed over a casket interred in a grave for burial.

**Cemetery** – Means land owned by the Village of Neilburg set apart for, or used as, places for the interment of human remains and includes a place where human remains have hitherto been buried.

**Cemetery Manager** – Means a person appointed by resolution of Council to manage the affairs of the Neilburg Cemetery.

**Columbarium** – Means a structure or building designed for the purpose of storing the ashes of human remains which have been cremated.

**Council** – Means the Council of the Village of Neilburg.

**Cremains** – Means the ashes of a human body which has been cremated.

**Deep Grave** – Means a grave with a minimum depth of 2.8 meters (110 inches).

**Grave, Standard Depth** – Means a grave approximately 2 meters (79 inches).

**Grave Cover** – Means a cover of fiberglass, plastic, marble, granite or concrete placed over interred remains.

**Grave Marker** – Means a flat or upright marker bearing the name of the interred deceased person for memorial purposes.

**Grave Stone** – Means an upright marble, granite, stone or concrete monument erected on any lot or plot for memorial purposes.

**Lot** – Means a subdivision of land for the purpose of a single burial.

**Plot** – Means a subdivision of a block containing two lots.

**Village** – Means the Village of Neilburg.

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## II. GENERAL REGULATIONS:

1. A person may reserve a lot or lots by paying in full at the Village Office, the purchase price as set out in "Appendix A", the schedule of fees for land. The lot or lots shall be reserved for the use of the Licensee who has paid the purchase price, a member of the Licensee's family or for a buried upon his/her instruction of an heir for a period of twenty (20) years after the date of purchase. At the expiration of twenty (20) years, the Village shall contact the Licensee or his/her heirs to determine if they desire to renew the reservation for unused lot or lots. If, after using every possible means to contact the Licensee or his/her heirs, the Village fails to establish contact, the Village may, by publishing in two issues of a local newspaper, cancel the reservation and make it available to the public.
2. A Licensee of a lot or lots desiring to transfer ownership rights to another party, must make written application for approval to the Village before transfer will be validated.
3. A Licensee wishing to transfer ownership rights back to the Village of Neilburg may do so by making written application to the Village of Neilburg. In exchange for the ownership rights, the original licensee shall receive a payment not to exceed the original purchase price.
4. The Village or any official thereof shall not be held responsible for any mistake resulting from lack of precise instructions regarding the grave space where an interment is to be or has been made.
5. During a burial service, all work in the immediate vicinity of the Cemetery shall be discontinued.
6. All persons while in the Cemetery shall conduct themselves in a quiet and orderly manner.
7. All persons who enter the Cemetery shall do so at their own risk, and shall be and remain responsible for any injury or other loss, whether to person or property at the Cemetery.
8. The Cemetery Manager may remove or prevent the placing of any stand, holder, base or other receptacle for flowers or plants, deemed to be unsuitable and a hindrance to the maintenance of the Cemetery.
9. The Village shall have the right to remove from any lot - weeds, grass or any article that is deemed unsightly.

## III INTERMENTS:

1. Any person applying for interment in the Cemetery shall furnish the Cemetery Manager with such particulars as he/she may require for the purpose of maintaining the records.
2. The funeral home or family desiring to have a grave dug shall notify the Cemetery Manager and make arrangements for the purchase of a lot (unless a lot has already been purchased) and make arrangements for the opening and closing of the said grave.
3. It shall be compulsory that a burial vault be used in the interment of all deceased persons in the cemetery excepting those that have been cremated.
4. A grave may be used for the burial of two bodies with the first body placed at the depth of a deep grave and the second body at a depth of a standard depth grave as defined in II. Definitions. The first burial grave must use a concrete vault; the second burial may be optional wood or concrete vault. This is only permissible when the grave is for a once removed relative and there are no adjoining graves available.

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5. No interment of a body shall be permitted in the same grave where another body has already been interred, with the exception of deep graves with concrete vault or cremated remains or in the case of parent and child concurrently or two infants buried concurrently in one casket, subject to applicable legislation.
  6. A lot may be subdivided in two for infant burials as designated by Council.
  7. Remains may be interred in a section of the cemetery designated by Council for that purpose or in an occupied grave at a minimum depth of .6 meters (2 feet). The Village may also construct above ground columbariums for the placement of cremains.
  8. Remains will be interred in the following order; head, middle and foot. Whether interred with a body or not.

#### **IV GRAVE MARKERS AND GRAVE COVERS:**

1. Grave covers will not be permitted in any section of the Cemetery from date of this Bylaw excepting those already in place.
2. The Village of Neilburg reserves the right to remove any grave cover that :
  - (a) is deemed unsightly and
  - (b) is at least 10 years old and is damaged.and shall only do so after no less than 60 days written notice to a known family member.
3. All monuments, markers and foundations shall be installed entirely within the plot for which it was intended.
4. Grave markers shall be placed at the head of the grave, on an approved base in a straight, continuous row. Flat grave markers shall be installed on an approved base such that the highest point of the marker shall be no higher than the surface of the ground. The Village reserves the right to adjust any grave marker that is installed improperly and forward any charges to the registered installer of the marker.
5. Any group, individual or company wishing to install a marker must first acquire permission from the Cemetery Manager.

#### **V CARE OF MONUMENTS AND GRAVES:**

1. The Cemetery Manager shall have the general care of the entire Cemetery. The owner of the graves shall observe all rules and regulations passed from time to time by Council for keeping the graves in order.
2. No border, fence, railing, trellis, coping or hedge or other bounding or enclosing object or material shall be constructed, placed or planted in or around a grave or graves shall be permitted. Permanent structures of any kind other than monuments or markers are prohibited in the Cemetery.
3. The Village shall remove any permanent structure or material erected before the passing of this Bylaw, when it reaches a state of disrepair as determined by the Cemetery Manager. Notice in writing of such action shall be forwarded to the Owner at his last known address.
4. No tree or shrub shall be planted in the Cemetery except with the permission of the Cemetery Manager.
5. The Cemetery Manager shall have authority to remove all floral designs, flowers, weeds, trees, shrubs or plants of any kind from the Cemetery as soon as, in his/her judgment, they become unsightly, dangerous, detrimental or diseased.

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6. The Cemetery Manager may declare any monument, marker or other structure in the Cemetery to be in a state of disrepair or of unacceptable quality and may order the Licensee to repair the same within thirty (30) days of the notice.
  7. If the Licensee of the monument or marker neglects to make the required repairs or alterations within the said period of 30 days, the Cemetery Manager may have the monument, marker or other structures removed from the cemetery and disposed of, or at the Licensee's request, the Cemetery Manager may make the repairs to the monument, marker or other structures and charge the cost thereof to the Licensee, which may be recovered as a debt by the Licensee to the Village.

VI Bylaw's #193 & #3-2009 are to hereby repealed

VII Coming into Force October 10, 2017



Mayor

Administrator

CERTIFIED a true copy of  
Bylaw No. 3-2017 adopted by  
Council this 10<sup>th</sup> day of  
October, 2017.

Administrator

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**Appendix "A" to Bylaw No. 3/2017**

**Schedule of Fees for Land**

Lots	\$50.00
Perpetual Care	<u>\$150.00</u>
Total per Lot:	<u>\$200.00</u>

Interment \$30.00  
(for a second interment to a lot)

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