

Bylaw No. 546/90

of the

Town of Eckville

A bylaw of the Town of Eckville in the Province of Alberta to amend the Cemetery Bylaw of the said Town of Eckville known as Bylaw 545/90.

WHEREAS it is deemed necessary and expedient to amend the present Cemetery Bylaw 545/90.

THE MUNICIPAL COUNCIL OF THE TOWN OF ECKVILLE DULY ASSEMBLED ENACTS AS FOLLOWS"

1. That any and all types of covers over graves are prohibited except where one presently exists in which case the family may install a stone to match an existing one.
2. That this bylaw shall be effective on the day of the final passing thereof.

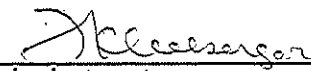
Read a first time this 11th day of June, A.D., 1990.

Read a second time this 11th day of June, A.D., 1990.

Read a third and final time this 11 day of June, A.D., 1990.



Mayor



Administrator

Cemetery Bylaw

Being a bylaw for the Town of Eckville to provide for the control and regulation of the Eckville Cemetery.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF ECKVILLE ENACTS AS FOLLOWS:

Section 1: Definitions

In this Bylaw, unless the context otherwise requires:

- a) "caretaker" means the Town employee actually working at the cemetery under the instruction and supervision of the Town.
- b) "cemetery" means the cemetery owned and operated by and under the control of the Town of Eckville and any other cemetery, whether within or without the Town, owned and operated by and under the control of the Town.
- c) "monument" means any structure in a cemetery erected or constructed on any grave or plot for memorial purposes.
- d) "Town" means the Town of Eckville.
- e) "grave" means a plot used as a place of burial.
- f) "plot" means a plot as shown on a plan of subdivision on record in the Town Office.
- g) "family plot" means a plot or a number of plots which lie adjacent to one another and which are to be reserved for the burial of more than one deceased member of a family.
- h) "woody ornamental" means any trees, shrubs, creepers and climbers.
- i) "flowering ornamental" means any perennial, annual, and bi-annual flowering plant.
- j) "town administrator" means the Administrator of the Town.
- k) "public works department" means the Department of Public Works of the Town.

Section 2: General

- 1) The Public Works Department shall have charge of the cemetery and shall exercise control over all persons employed therein.
- 2) The Town shall have authority to have removed any weeds or grass, funeral designs or floral pieces which may become wilted, or any other article or thing which is in its opinion unsightly.
- 3) If, in the opinion of the Town, any woody ornamentals situated on or about the cemetery shall become by means of their roots or branches or in any other way detrimental to adjacent plots, walks, or driveways, prejudicial to the general appearance to the grounds or dangerous or inconvenient to the public, the Town shall have the right to remove such woody ornamentals, or any parts thereof.
- 4) The Town shall have the right to remove fences, borders, railings, walls, hedges, copings, and other enclosures now in existence as it may deem advisable after 30 days notice of his intention to do so has been given to the owner of the plot, or to his relatives if the owner is deceased, or published in a newspaper circulated in the Town, if the relatives are unknown.

5) a) No person shall disturb the quiet or good order of the cemetery by improper noise, improper conduct or otherwise.

b) A member of the Royal Canadian Mounted Police or representative appointed by the Town or other person from time to time in charge of the cemetery may evict therefrom, using such force as is reasonably necessary, or deny entrance to any person who contravenes paragraph "a" hereof.

6) Whenever the owner of a monument neglects to make the required repairs or alterations to a monument within 30 days after receiving notice from the Town to do so, the Town shall have the power to repair such monument and charge the cost thereof to the owner which may be recovered as a debt from the owner to the Town.

Section 3: Plots

1) The plans of subdivision of the lands made available by the Town for burial purposes now on record at the Town Office, together with all subsequent plans of subdivision of such lands approved by the Town, shall be the plans of the cemetery herein referred to and all interments shall be made and records kept by the Town in accordance with such plans. Copies of all such plans shall be available for inspection free of charge at the Town Office during normal office hours.

2) The Town Administrator shall supervise all sales of plots and interments in the cemetery.

3) Plots in the cemetery shall be sold by the Town upon the purchaser paying in advance the amounts set forth in the tariff in Schedule "A" hereunto annexed and forming part of this Bylaw.

4) The owner of a plot may transfer same only to the Town and shall be entitled to a refund of the original purchase price.

5) No plots shall be used for any purpose other than burial grounds for human bodies, and the cremated remains of human bodies.

6) Posts to mark the limits of the plots shall be permitted, provided that they are placed within the limits of the plots and are level with and not projecting above the ground.

7) Any Society desiring to hold a memorial service shall give the Town at least 10 days notice in writing of their intention to do so.

8) Fences, railings, walls, copings, hedges in or around the plots are prohibited.

9) No person shall destroy, damage, deface or write upon any monument, tablet or other structure or object in any cemetery.

10) No person shall deposit any paper, sticks, or refuse of any kind on any portion of the lands within the boundaries of the cemetery except in receptacles provided for that purpose.

11) No person shall remove the sod in graves or from any portion of any plot in the cemetery without first obtaining the written consent of the Town.

12) All grading, seeding of grass, and sodding work shall be done under the direction of the Town by employees of the Town.

13) No person other than an employee of the Town, or the owner of a plot or his agent, shall be permitted to care for any plot in the cemetery.

14) Benches of a style approved by the Town may be permitted in the cemetery under such conditions as the Town may order.

15) The top of plots or graves shall be kept level with the surrounding ground.

16) No animal shall be allowed in any cemetery unless such animal is on a leash and accompanied by an adult person.

Section 4: Burials

- 1) Disinterment of a body shall not take place until a permit for disinterment is issued by the Provincial Director of Vital Statistics and delivered to the Town.
- 2) No burial shall be permitted in the cemetery unless a proper burial permit is produced by the party applying for the burial and the following information shall be supplied:
 - Name of deceased
 - Name of undertaker or person responsible for the burial
 - Date of burial
 - Name of purchaser of the plot
- 3) a) Notwithstanding any other provisions of this Bylaw, orders for Sunday or holiday burials must reach the office of the Town Administrator 24 hours before the burial is to take place, unless the Town, for emergent reasons, otherwise allows.
 - b) Additional charges in respect of burials carried out on a Saturday, Sunday, statutory holiday, or a declared holiday shall be applied at cost.
- 4) The owner of a plot, or the person instructing the Town to open a grave shall give complete and precise instructions regarding the size and location of the grave, and the Town shall not be responsible for any errors resulting from the lack of proper instruction.
- 5) a) Graves shall be dug and interments made only by persons authorized to do so by the Town.
 - b) No person or persons not under the control or supervision of the Town shall open any grave for the purpose of interring or removing a body.
- 6) No grave for the burial of a deceased person the age of five years or over shall be less than six (6) feet in depth from the surface of the ground surrounding the grave.
- 7) No grave for the burial of a deceased person under five (5) years of age shall be less than five (5) feet in depth from the surface of the ground surrounding the grave.
- 8) No grave for the burial of a stillborn child shall be less than four (4) feet in depth from the surface of the ground surrounding the grave.
- 9) No grave for the burial of cremated remains shall be less than eighteen (18) inches in depth from the surface of the ground surrounding the grave.
- 10) The burial of cremated remains shall be in such portion or portions of the cemetery as may from time to time be designated by the Town.
- 11) The body of an adult person shall not be interred in the same grave in which a body has previously been interred unless the first body has been buried at a depth of at least eight (8) feet from the surface of the ground to the bottom of the grave.
- 12) When more than one body is interred in the same grave, the last interment shall be at a depth of at least four (4) feet from the surface of the ground to the top of the coffin or casket and in no case shall the bodies of more than two adult persons be interred in the same grave.
- 13) No second interment shall be permitted in any plot in the cemetery on which there are unpaid charges due and payable to the Town.
- 14) A child less than five (5) years old may be interred in a special grave to contain, when complete, four bodies.
- 15) The Town shall set aside plots in the cemetery for the burial of children less than five years old and for the cremated remains of human bodies.
- 16) The Town shall supply graves in the cemetery, without charge, for unclaimed bodies of deceased persons.

- 17) The Town shall supply graves in the cemetery, without charge, for the bodies of indigent persons.
- 18) The burial of destitute or indigent persons and unclaimed bodies shall be in such portion or portions of the cemetery as may from time to time be designated by the Town.
- 19) All work in the immediate vicinity of a grave shall be discontinued during the burial service.
- 20) All burials within the limits of the cemetery shall be under the supervision and control of the Town.

Section 5: Monuments

- 1) All persons employed in the construction and erection ^{of} ~~to~~ monuments or doing other work in the cemetery, shall be subject to the direction and control of the Town.
- 2) No monuments shall be erected on Saturdays, Sundays, or holidays unless permission in writing has been granted by the Town.
- 3) All persons erecting monuments shall ensure that the surrounding areas are left in the same condition as found.
- 4) No monuments shall be erected from November 1st until the end of April following.
- 5) The Town shall have authority to designate certain areas within the cemetery where monuments shall be installed flush with the ground.

Section 6: Visitors

- 1) No person shall enter or remain in the cemetery between the hours of 10:00 p.m. of any day and 6:00 a.m. of the next day following.

Section 7: Vehicles in the Cemetery

- 1) No person shall drive any vehicle through the cemetery at a greater rate of speed than 20 km/hour.
- 2) The Town may prohibit the driving of vehicles in any part of a cemetery.
- 3) Unless authorized by the Town, no bicycle, motorcycle, or horse shall be allowed in the cemetery except when it is a part of a funeral procession.
- 4) The owner of any moving vehicle shall be responsible for any damage done by such vehicle within the boundaries of the cemetery.

Section 8: Provisions for Rules and Regulations

- 1) The Council may make rules and regulations not inconsistent with this Bylaw for the effectual carrying out of this Bylaw and for the efficient management, control and regulation of the cemetery.


Section 9: Penalty

- 1) Any person who commits a breach of any of the provisions of this Bylaw shall on conviction for such breach, be liable to a penalty not exceeding one hundred dollars (\$100.00) exclusive of costs, or in the case of non-payment of the fine and cost imposed to imprisonment for any period not exceeding sixty (60) days.

Read a first time in Council this 26th day of March A.D., 1990.
Read a second time in Council this 26th day of March A.D., 1990.
Read a third time in Council this 9th day of April A.D., 1990.



Mayor



Administrator

Bylaw 559/92
of the
TOWN OF ECKVILLE

A bylaw of the Town of Eckville in the Province of Alberta to amend the Town of Eckville Cemetery Bylaw 545/90.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF ECKVILLE ENACTS AS FOLLOWS:

1. That Schedule "A" be amended as follows:

<u>PLOT</u>	<u>SIZE</u>	<u>PRICE</u>
Single Plots (5 years or over):		
Burial of casket/coffin	5' x 12'	\$125.00
Burial of cremated remains	5' x 12'	\$125.00
Double Plots (5 years or over)	10' x 12'	\$250.00
Children 1 to 5 years of age	5' x 12'	\$ 25.00
Children 1 year and under and stillborn baby plots	5' x 12'	\$ 25.00
Cremated remains	2' x 3', or 18" x 18"	\$ 35.00
Burial of cremated remains within an existing grave		\$ 35.00 + G.S.T

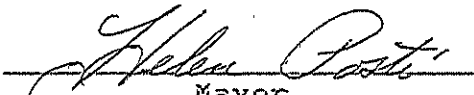
2. This bylaw shall take effect on the date of the final reading thereof.

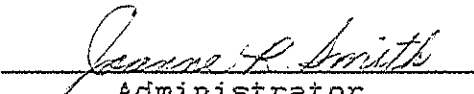
Read a first time this 27th day of July, 1992.

Read a second time this 27th day of July, 1992.

Read a third and final time this 27th day of

July, 1992.


Mayor


Administrator