

RURAL MUNICIPALITY OF PAYNTON NO. 470

BYLAW NO. 01 - 2016

CEMETERY BYLAW

THE COUNCIL FOR THE RURAL MUNICIPALITY OF PAYNTON NO. 470 IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

Title

1. This Bylaw shall be cited as the "Rural Municipality of Paynton No. 470 – Cemetery Bylaw".

Purpose

2. The purpose of this Bylaw is to provide for the maintenance, regulation and control of cemeteries.

Definitions

3. In this Bylaw:
 - (a) "Council" shall mean the Council of the Rural Municipality of Paynton No. 470.
 - (b) "Cemetery" shall mean those lands locally described as the 'Paynton Cemetery' which are controlled by the R.M. of Paynton, for the purposes of interring the dead, or in which human bodies have been placed, and identified by way of a schematic plot plan, maintained by the R.M. of Paynton.
 - (c) "Grave marker" shall mean any structure in the cemetery which is erected or constructed.
 - (d) "Grave markers' owner" shall mean to include not only surviving members of the same family as related to the deceased, but also the estate of the deceased.
 - (e) "Lots" of "Plots" shall mean a parcel of land, as shown on the cemetery plan, subdivided for the purpose of receiving one or more burials.
 - (f) "Municipality" shall mean the Rural Municipality of Paynton No. 470.

Acquisition of Lots or Plots

4. Any person acquiring a lot or plot pursuant to this Bylaw shall only acquire the right and privilege of burial. Such rights and privileges do not extend to include any title to the land which shall remain vested in the Municipality.
5. Lots or plots may be acquired by any person upon application to the Municipality and upon payment of the appropriate fee as provided for in "Schedule A".
6. Lots or plots may be reserved for future use, subject to full payment being made therefore at the time of reservation.
7. In the event that a disinterment causes a lot or plot to become vacant, the lot or plot shall revert to the Municipality with the purchase price being retained by the Municipality as rent.
8. The selection and ultimate purchase of a plot as intended to contain the human body, remains, or cremains of a single individual (otherwise known as a "Single Plot Purchase"), shall be limited to those plots as reserved for such a purpose.

Interment Regulations

9. Prior to the interment of any human body, remains, or cremains, permission for interment must first be obtained from the Municipality and the proper fees paid.
10. No person shall bury any human body, remains, or cremains within the cemetery until the provisions of *The Public Health Act*, and *The Vital Statistics Act* of the Province of Saskatchewan and any other regulations issued thereunder, and the provisions of this Bylaw and any regulations thereunder or amendments thereto have been complied with.

Handwritten signature and initials in the bottom right corner of the page.

11. Except where otherwise provided in Section 12, interments shall be limited to one body per lot or plot.
12. Subject to the prior approval of the Municipality, a maximum of two urns as designed to contain cremains may be buried in a lot or plot notwithstanding that the lot or plot already contains a body providing always that the deceased are relatives.
13. No grave shall be dug less than 1.8 meters (6 feet) in depth from the surface of the ground surrounding the grave. Outer shells of the fibreglass, steel, or concrete shall be utilized for all interments. This does not apply to the interments of ashes. All burial depths shall comply with regulations set out in *The Cemeteries Act, 1999*.
14. Upon payment of the appropriate fee to the Municipality, the interment of a cremains urn shall only be performed by the Cemetery Caretaker or council's delegate.

Usage of Grave Markers

15. Except as authorized by council, no person shall place or cause to be placed a fence, border, railing, curbing, capping, cover, hedge, shrub or tree adjacent to or upon any lot or plot.
16. Upon expiry of a twelve (12) month period following closure of the grave, a grave marker may be installed providing that the design of the marker is in accordance with the options as provided for in "Schedule B".
17. All grave markers shall be installed in accordance with "Schedule B".
18. The Cemetery Caretaker shall provide details to the Municipalities office with respect to the state of repair or disrepair of any grave marker and such details shall subsequently be reported to the grave markers owner who shall make arrangements to remedy the situation.
19. In the event that the owner of an offending grave marker fails to remedy the situation within ninety (90) days of written notice having been given in accordance with Section 17 above, the Municipality shall then have the authority to either remove the marker from the cemetery or arrange for appropriate repairs. The costs for these actions shall be charged to and borne by the grave markers owner.

Miscellaneous Provisions

20. The Cemetery Caretaker or council's delegate shall be authorized to remove all floral arrangements, flowers, weeds, trees, shrubs or flora of any kind from the cement as soon as such flora becomes unsightly, detrimental, or diseased.
21. Council reserves the right to deploy such manpower as is necessary and implement such plans as are deemed appropriate to ensure that the qualities of peacefulness and serenity may be extended throughout the cemetery.
22. A "Cemetery Management Committee" may be established by resolution of Council in order to advise upon and co-ordinate the provision of Section 21 above.
23. Council reserves the right to apply the proceeds of lot and plot sales to either:
 - (a) The creation/increase of a "Perpetual Care Reserve Account" to be used for the purchase of additional land for cemetery purposes;
 - (b) The defray of costs as may result from the acquisition of capital equipment for utilization within the cemetery grounds;
 - (c) The defray of costs as may result from the performance of annual maintenance programs within the cemetery grounds.

Schedules

24. The following Schedules, as attached to and forming part of this Bylaw, may be amended by resolution of Council:
 - "Schedule A" – Schedule of Fees
 - "Schedule B" – Usage of Grave Markers

Repeal of Former Bylaws

25. Bylaw No. 04, 2002 is hereby repealed.

Coming Into Force

26. This Bylaw shall come into force and effect on the final day of its passing.



[Handwritten Signature]

Reeve

[Handwritten Signature]

Administrator

Read a third time and adopted
this 8 day of June, 2016

[Handwritten Signature]

Administrator

CERTIFIED TRUE COPY
Dated this 8 day of June, 2016
[Handwritten Signature]

Administrator
RURAL MUNICIPALITY OF PAYNTON NO. 479
PROVINCE OF SASKATCHEWAN

[Handwritten Signature]
41

“SCHEDULE A”

**BYLAW NO. 01 - 2016
CEMETERY BYLAW
RURAL MUNICIPALITY OF PAYNTON NO. 470**

SCHEDULE OF FEES

Lot/Plot Purchase:

Single Plot	\$150.00
Cremains on Existing Grave	\$75.00
Opening & Closing for Cremains	\$50.00
New Burial site or cremains	\$150.00

ED *CA*

“SCHEDULE B”

**BYLAW NO. 01 - 2016
CEMETERY BYLAW
RURAL MUNICIPALITY OF PAYNTON NO. 470**

USAGE OF GRAVE MARKERS

1. That the Paynton Cemetery shall have a size limitation as follows:
 - a. That a single pillow monument with dimensions of 1.8" x 1'4-6" be placed on a 24" x 30" cement pad; and that there be a minimum 2" border of the same 24" x 30" cement pad; and also that the 24" x 30" cement pad be placed at lawn level.
 - b. That there shall be no trees or flowers planted on a gravesite; also that no plastic flowers be left on a gravesite; also that there be no fences planted around a gravesite; also no fiberglass covers over a grave site.

SP 41