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TOWN OF MOSSBANK

BYLAW NO. 232/98

A BYLAW OF THE TOWN OF MOSSBANK, IN THE PROVINCE OF SASKATCHEWAN, TO PROVIDE FOR THE CONTROL AND REGULATION OF THE CEMETERY OF THE TOWN OF MOSSBANK.

The Council of the Town of Mossbank in the Province of Saskatchewan enacts as follows:

1. This Bylaw may be cited as the Cemetery Bylaw.
2. INTERPRETATION: In this Bylaw
 - (1) "Cemetery" shall mean all that portion known as the Lutheran Cemetery and the Mossbank Cemetery, situated on part of the SW 31-11-29 W2nd.
 - (2) "Committee" means there shall be annually appointed by resolution of the Council from amongst their members, three (3) Councillors, and the Council may if deemed necessary appoint any other citizens to said committee which shall be called the "Cemetery Committee", who shall manage the affairs of the Cemetery.
 - (3) "Council" means the Council of the Town of Mossbank.
 - (4) "Caretaker" means an employee of the Town hired or appointed to take care of the Cemetery.
 - (5) "Lot or Plot" shall mean the sub-division of land known by numbers on a plan of the cemetery, and includes an area of land eight (8) feet, by twelve (12) feet used for two graves.
 - (6) "Single Grave Plot" will be four (4) feet, by twelve (12) feet of land know as the N1/2 or S1/2 of said plot.
 - (7) "Cremation Plot" shall mean the sub-division of land known by numbers on a plan of the cemetery, and includes an area of land three (3) feet by three (3) feet.
 - (8) "Monument" means any structure in the Cemetery erected or constructed on any grave, lot or plot for memoriam purposes.
3. RIGHTS AND DUTIES OF LOT OWNERS:
 - (1) No grave coverings, cement bordering, fences, railings, curbs, coping and trellises, or any such ornament that interferes with the general maintenance of the Cemetery shall be allowed in the Cemetery.
 - (2) No trees, shrubs or plants shall be planted in the Cemetery except with the permission of the Committee.
 - (3) The Caretaker may remove or prevent the placing of any stand, holder, vase or other receptacle for flowers or plants, which he deems to be unsuitable for such purposes or unsightly in appearance.
 - (4) Any flower arrangements will not be permitted to be placed on graves during the period May 1st to September 30th in any year. Any arrangements left on graves after May 1st in any year will be removed by the Caretaker and kept for thirty days for the owners to claim them providing they are marked by the owners so they can be identified.

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- (5) The Caretaker shall remove from any plot weeds and grass, funeral design or floral piece which has become wilted or any other article or thing which is in his opinion unsightly.
- (6) No unauthorized person shall do work of any kind in the Cemetery excepting it be the placing of removable potted plants on graves.
- (7) All persons employed in the erection of monuments or in doing any work in the lots and graves in the cemetery shall be subject to the direction and control of the Caretaker or Committee, and all such persons must obtain a permit in the amount of \$2.00 before such work is commenced. Any person or persons refusing to obey any orders or directions of the Caretaker or Committee, the Caretaker shall have the power to remove such person or persons from the Cemetery grounds.

4. MONUMENTS:

- (1) The owner of any lot shall have the right to erect suitable stones or monuments thereon provided however that such stones or monuments should be placed on foundations sufficient to carry same.
- (2) All monuments shall be made of cut stone, granite, marble or other material approved by the Cemetery Committee. No concrete monuments will be permitted. No board designating a grave shall be erected in the cemetery and no slab, that is: any stone other than a monument or flat head stone on a foundation, shall be allowed unless placed in a horizontal position.
- (3) Each memorial shall be set upon a concrete foundation, the upper surface of which shall be constructed to surface or ground level, and the foundation shall be twelve (12) inches longer and twelve (12) inches wider than the memorial or base to be erected thereon, so that the foundation shall project six (6) inches around the memorial or base at ground level as approved by the committee.
- (4) A four (4) inch to six (6) inch base will be allowed between the memorial and the foundation.
- (5) A flat memorial may be installed without a foundation providing it is set in so that the top is level with the ground.
- (6) Size of the concrete foundation shall be as follows:

Single Grave Plot - The foundation shall not exceed twenty-four (24) inches wide and thirty-six (36) inches long.

Two Grave Lot - The foundation shall not exceed twenty-four (24) inches wide and forty-two (42) inches long.

Three Grave Lot - The foundation shall not exceed twenty-four (24) inches wide and forty-eight (48) inches long.

Cremation Plot - The foundation shall not exceed eighteen (18) inches wide and thirty-two (32) inches long.
- (7) Memorials, bases and foundations must be placed in alignment and the erection of same must be approved by the caretaker or committee.

(8) Memorial or Monument Specifications:

Single Grave Plot - The die or top part shall not be larger than twelve (12) inches wide, twenty-four (24) inches long, and eight (8) inches high.

Two Grave Lot - The die or top part shall not be larger than twelve (12) inches wide, thirty (30) inches long, and eight (8) inches high.

Three Grave Lot - If there is to be more than one headstone used then each headstone shall be placed in accordance with the regulations set out for a single grave plot. If there is to be one headstone used it is to be placed in the centre of the plot in accordance with said regulations contained herein. When one headstone is to be used the die or top part shall not be larger than twelve (12) inches wide, thirty-six (36) inches long, and eight (8) inches high.

Cremation Plot - The die or top part shall not be larger than twelve (12) inches wide, twenty-four (24) inches long, and eight (8) inches high.

- (9) The caretaker shall from time to time report to the owners or committee the condition of any monument out of repair, and it shall be the duty of any owner of such monument to repair same without delay to the satisfaction of the caretaker or committee.

5. VEHICLES IN THE CEMETERY:

- (1) Vehicles shall not travel at a greater rate of speed than 10 m.p.h. in the cemetery.
- (2) Vehicles when in the cemetery shall be kept to the roadways provided for same.
- (3) No person shall ride a bicycle over the lots nor lean against any monuments.

6. GENERAL CONDITIONS:

- (1) Pedestrians shall use the roads and footpaths provided. No persons shall stand or walk on any grave in the cemetery.
- (2) No dogs shall be allowed in the cemetery.
- (3) No persons shall destroy, mutilate, deface, injure or remove a tomb, monument, gravestone or other structure placed in the cemetery, or any fence, railing, or other work for the protection or ornamentation of the cemetery or of any tomb, monument, gravestone or other structure aforesaid, or destroy, cut, break, or injure any tree, shrub, or plant in the cemetery except as herein provided for.
- (4) It shall not be lawful for any person, body corporate, or partnership to inter any body in any land situated within the limits of the said Town other than that now used and appropriated for the purpose of a cemetery.
- (5) No person shall dig or open any grave or cause any grave to be opened in any part within the Town of Mossbank other than that now used and appropriated for the purpose of a cemetery, or shall inter or deposit, or cause to inter or deposit, in any such grave or in any vault or tomb within the Town other than as aforesaid, and dead body or human remains.

- (6) No person shall bury a body in the cemetery until such person shall have complied with the provisions of the Public Health Act, and the Vital Statistics Act, of the Province of Saskatchewan, and any regulations issued thereunder and shall also have complied with the provisions of this bylaw.
- (7) In each case of burial, a statement giving the name, cause of death, age of the person, and other pertinent information must be filed with the Town Administrator.
- (8) All notices required to be given to lot owners or other parties by this bylaw may be delivered either in writing or verbally by the committee, or in writing, postage prepaid, to the last known address of such lot owner or other parties and the proof of such notices having been mailed, properly addressed, and postage prepaid or delivered by the committee shall be considered sufficient proof that such notices have been given.
- (9) Lot owners wishing to open a grave for interment must make their arrangements for the digging of a grave and will be held responsible for leaving the surrounding area in a state of good repair, and for the removal of excess dirt.
- (10) The town or any official thereof shall not be responsible for any mistakes resulting from lack of precise or proper instructions regarding the grave space on a lot where an interment is to be or has been made.
- (11) No grave for the burial of an adult shall be less than six (6) feet in depth from the surface of the ground.

Cremation Ashes shall be three (3) feet in depth from the surface of the surface of the ground.
- (12) No interment of the body of an adult person shall be permitted in the same grave where a body has been interred unless the first body has been buried at a depth of at least eight (8) feet from the surface of the ground.
- (13) Where 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 surface of the coffin enclosing the second body except in the case of two infants under two years of age, or an adult and an infant under two years of age.

Where cremation ashes are interred in the same grave as a body is interred, the urn shall be at a depth of three (3) feet from the surface of the ground.
- (14) The Administrator of the Town of Mossbank shall be the agent of the Town of Mossbank to sell and dispose of cemetery lots and payment thereof shall be made to said Administrator.
- (15) The purchase price of any lot or plot shall be such sum as recorded in Schedule "A" of this Bylaw.
- (16) No person or persons shall be allowed to light or ignite a fire at any time within the enclosure of the cemetery unless authorized by the caretaker.

7. CONSECrated GROUND:

Certain sections of the cemetery have been consecrated

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by certain religious denominations, and in the event of further portions being consecrated, such act of consecration shall not be held to invest the said religious body with any exclusive rights and powers of jurisdiction, either spiritual or temporal, within the cemetery limits and such religious body shall be subject to the rules and regulations governing the Town Cemetery.

8. BURIAL OF INDIGENT POOR:

- (1) The burial of indigent poor shall be in such portions of the cemetery as may from time to time be designated by the Town Council.
- (2) By order of the Mayor of the Town of Mossbank there shall be furnished single graves, without charge, for the dead of indigent poor of any denomination.

9. PENALTIES:

Anyone violating the provisions of this bylaw shall be liable to the penalties under Section 92 (5) (b) of the Urban Municipality Act.

10. This Bylaw shall come into force and take effect on the date of final passing thereof.

11. Bylaw No. 217/95 is hereby repealed.


MAYOR

(S E A L)


ADMINISTRATOR

Certified a true copy
dated the 14th day of
September, 1998.



Initialed by the Presiding Officer 

SCHEDULE "A" TO BYLAW NO. 217/95

PRICE OF PLOTS:

Two Grave Plots -	8 feet by 12 feet	\$200.00
Single Grave Plot -	4 feet by 12 feet	\$100.00
Cremation Plot -	3 feet by 3 feet	\$50.00

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