

## TOWN OF FOAM LAKE

### BYLAW # 2-2017

#### A BYLAW OF THE TOWN OF FOAM LAKE TO REGULATE AND CONTROL THE FOAM LAKE CEMETERY

The Council of the Town of Foam Lake, in the Province of Saskatchewan, enacts the following:

This Bylaw may be cited as the Cemetery Bylaw.

1. In this Bylaw:

**“Administrator”** means the Town Administrator, or other person designated by him/her to manage matters pursuant to this Bylaw,

**“Municipality”** means the Town of Foam Lake,

**“Cemetery”** means the Foam Lake Cemetery,

**“Blocks 1 - 7”** means the north section of the Foam Lake Cemetery,

**“Blocks 8 - 13”** means the south section of the Foam Lake Cemetery,

**“Lot”** means a grave lot, 5 feet by 10 feet in area, and as identified by the numbering sequence of Block number, Plot number, Lot number,

**“Cremains”** means the ashes of human remains that have been cremated,

**“Columbarium”** means a vault with niches for the placing of urns containing cremains, as provided by the municipality.

**“Licensee”** means a person or persons who obtain a permit or license to use a grave or graves in the Foam Lake Cemetery.

**“Marker”** shall mean a memorial placed flush with the ground.

**“Monument”** shall mean a tombstone or memorial which shall extend above the surface of the ground.

2. That part of the North-east quarter of Section 31, Township 30, Range 11, west of the second meridian, in the Province of Saskatchewan, acquired by the municipality for cemetery purposes as approved by the Registrar under the Cemeteries Act, and established as a public cemetery, shall be called the Foam Lake Cemetery.

**BURIAL:**

3. a) No interment shall be made in the cemetery until the provisions of the Public Health Act and the Vital Statistics Act of the Province of Saskatchewan have been complied with.  
  
b) No interment of human remains or cremains shall be made in the cemetery unless an application is made to the Administrator of the municipality; all required fees are paid as per Appendix "D" attached hereto and forming part of the bylaw; and a license is issued for that purpose.  
  
c) The license referred to in subsection b) hereof shall be in Form 1, Appendix "A", attached hereto and forming part of this bylaw.  
  
d) There shall only be one burial of human remains per lot.  
  
e) There shall be no interment of two or more bodies in one grave except in the case of a mother and a child or two infants buried in one casket.  
  
f) One (1) cremains may be placed in a lot with a burial of human remains.  
  
g) Where a burial lot will be used for cremains only, the maximum number of cremains that may be placed shall be four (4).  
  
h) A columbarium may to be used for the placement of ashes. (as per Sections 16 to 24 of this bylaw.)
4. No person other than a qualified Funeral Director shall have charge of the interment or disinterment of any human body.
5. No person shall disinter or remove a body from any grave with out first producing a written order from the licensee of such a grave and a permit for such disinterment or removal from the Provincial Medical Health Officer.
6. The municipality shall cause to be constructed, concrete platforms, 2 feet wide by 5 feet in length and 5 ½ inches in depth, at the head of each lot in the south section of the cemetery, commencing in Block 9 and in succeeding Blocks as required.
7. Subject to the provisions of Section 6 of this bylaw, it shall be lawful for the licensee of a lot, or his agent to place a marker and/or monument as follows:
  - a) The purchaser of a lot, or his agent, shall obtain a license from the municipality prior to placing a marker thereon. The license shall be in Form II, Appendix "B", attached hereto and forming part of this bylaw.
  - b) Markers or monuments shall be placed on the concrete platforms provided in the south section and the width of the base of said markers shall not exceed 24 inches.
  - c) The Municipality will not accept responsibility for any damage to markers or monuments placed in the cemetery.

- d) All owners of markers or monuments shall be encouraged to carry personal property insurance on their markers and/ or monuments.
  - e) The Public Works department shall, from time to time, report to the Administrator on the condition of any markers or monuments which are out of repair.
8. a) The planting of trees, shrubs or flowers is prohibited in the cemetery; however those existing at the time of the passage of this bylaw shall be permitted to remain until such a time as they require maintenance.
- b) If any tree, or shrub, by means of its roots or branches or otherwise becomes a detriment to an adjacent lot or lots, the Council of the municipality may direct the removal of such trees or shrubs, or part thereof.
- c) The Council of the municipality may direct the removal of any markers, trees, shrubs or flowers placed contrary to this bylaw.
- d) Trees, shrubs, fences, borders, railings, curbs, grave covers, etc in existence before the passing of this bylaw shall be removed free of charge by the Municipality upon a written request by the licensee.
9. The internment of indigent persons shall be in such sections of the cemetery as may be designated from time to time by the Council of the municipality.
10. The price for the purchase of lots in the Foam Lake Cemetery shall be as per Appendix "D" attached hereto and forming part of the bylaw.
11. The purchaser of a lot(s) shall be given Form III, Appendix "C", attached hereto and forming part of this bylaw.
12. A person may reserve a grave lot or grave lots, by paying in full, the current purchase price as shown in Appendix "D."
13. The municipality reserves the right to limit the number of lots sold to any one purchaser.
14. a) The purchaser or licensee of a lot shall bear the costs of the purchase and installation of a marker or monument, and the maintenance and repair thereof.
- b) The municipality shall be responsible for maintenance and care of the grounds of the cemetery, except for the removal of grass outcroppings on plaque markers in the south section, which shall be the responsibility of the purchaser of licensee.
15. If a licensee requests the municipality to open and close a grave, at least one day's notice shall be given. The fees for such service shall be as per Appendix "D" attached hereto and forming part of the bylaw.

**COLUMBARIUM:**

16. The price for the purchase of a niche in the columbarium shall be as per Appendix "D" attached hereto and forming part of the bylaw.
17. The purchaser of a niche(s) shall be given Form III, Appendix "C", attached hereto and forming part of this bylaw.
18. The purchaser of a niche must pay for the name plaque at the time of purchase of the niche as per Appendix "D" and Form IV, Appendix "E" attached hereto and forming part of the bylaw.
19. A person may reserve a columbarium niche, by paying in full, the current purchase prices as shown in Appendix "D."
20. Each niche measures 12.5"X12.5"X14" and a maximum of two human cremains may be placed in each niche.
21. Every niche/urn shall contain ashes only, no liquids or explosives of any type.
22. The municipality reserves the right to limit the number of niches sold to any one purchaser.
23. No person shall have access to the columbarium without first paying the required deposit for use of the key as per Appendix "D" attached hereto and forming part of the bylaw.
24. In the case where a person has previously purchased a grave lot in the Foam Lake Cemetery for burial purposes and that person wishes to obtain a Columbarium niche, they may exchange such property for the difference in cost between the amount paid for the purchase of the lot and the fees required for the purchase of a columbarium niche and plaque.
25. The Administrator of the municipality shall keep an accurate record setting forth the name, the location of burial, and the date of burial of the deceased person
26. Any person found guilty of an infraction of any of the provisions of this bylaw shall be liable upon conviction, to the penalties imposed by the General Penalty Bylaw of the municipality.
27. Bylaw No. 7-2011 is hereby repealed.
28. This Bylaw shall come into force upon its passing

Mayor: \_\_\_\_\_

**S E A L**

C.A.O.: \_\_\_\_\_

Read three times by unanimous consent and adopted at a regular meeting of Council this 11<sup>th</sup> day of April 2017.

APPENDIX "A" of Bylaw #2017-2

Form I

Burial License

Permission is hereby granted to: \_\_\_\_\_

To use the described location(s) for the purpose of:

a) Burial of Human Remains in Block \_\_\_\_\_ Plot \_\_\_\_\_ Lot \_\_\_\_\_

b) Burial of Cremains in Block \_\_\_\_\_ Plot \_\_\_\_\_ Lot \_\_\_\_\_

c) Placement of Cremains in columbarium: Row \_\_\_\_\_ Niche \_\_\_\_\_

Name of Deceased: \_\_\_\_\_

Date of Burial: \_\_\_\_\_ OR

Date of Placement of Ashes: \_\_\_\_\_

This license is granted subject to the provisions of Bylaw #2-2017 governing the Foam Lake Cemetery.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

TOWN OF FOAM LAKE

\_\_\_\_\_  
Administrator

APPENDIX "B" of Bylaw #2017-2

Form II

License to place a Marker or Monument

In consideration of the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_),

Permission is hereby granted to: \_\_\_\_\_

of \_\_\_\_\_ to:

a) place a marker or monument on: Block \_\_\_\_\_ Plot \_\_\_\_\_ Lot \_\_\_\_\_

This permission is granted subject to the provisions of Bylaw #2-2017 governing the Foam Lake Cemetery.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

License fee: \$\_\_\_\_\_

TOWN OF FOAM LAKE

\_\_\_\_\_  
Administrator

APPENDIX "C" of Bylaw #2-2017

Form III

Purchase of Cemetery Lot(s) or Columbarium Niche(s)

This is to certify that the following location(s) in the Foam Lake Cemetery have been purchased

By: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_)

Location:

Grave Lot:           Block \_\_\_\_\_ Plot \_\_\_\_\_ Lot(s) \_\_\_\_\_

Columbarium:       Row \_\_\_\_\_ Niche \_\_\_\_\_

This agreement is granted subject to the provisions of Bylaw #2-2017 governing the Foam Lake Cemetery.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**TOWN OF FOAM LAKE**

**PURCHASER**

\_\_\_\_\_  
Administrator/Authorized Representative

\_\_\_\_\_  
Purchaser

\*\*\* A burial license must be obtained prior to interment, or placement of ashes

\*\*\* Marker/Monument license must be obtained prior to placement.

\*\*\* Personal insurance for markers/monuments is recommended.

\*\*\* All columbarium plaques will be installed by Public Works Employees of the municipality.

APPENDIX "D" of Bylaw #2-2017

Schedule of Fees

Grave Lot .....	\$ 600.00
Columbarium niche .....	\$ 1,000.00
Second urn in niche .....	\$ 100.00
Brass plaque for Niche .....	\$ 500.00
Second engraving of plaque .....	\$ 250.00
Plaque for memorial wall .....	\$ 500.00
Deposit for key for columbarium .....	\$ 100.00
License fee to place a marker / headstone .....	\$ 5.00

These fees shall include both the opening and closing of a grave:

Single grave for a traditional casket type burial:	\$ 700.00
Single grave for burial of cremains:	\$ 300.00



APPENDIX "E" of Bylaw #2017-2

Form IV

Information for a Plaque

In consideration of the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_),  
a plaque will be engraved with the following information:

**Columbarium Niche Plaque: (in blue or black ink – block letters)**

Family Name: _____	
Given Name #1: _____	Given Name #2: _____
Name #1: Year of Birth: _____	Year of Death: _____
Name #2: Year of Birth: _____	Year of Death: _____

**Memorial Wall Plaque: (in blue or black ink – block letters)**

Family Name: _____	
Given Name: _____	
Year of Birth: _____	Year of Death: _____

This form will be submitted to the engravers and the Town of Foam Lake accepts no responsibility for any errors that may occur.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**PURCHASER**

**TOWN OF FOAM LAKE**

\_\_\_\_\_  
Purchaser

\_\_\_\_\_  
Administrator