TOWN OF KELVINGTON

BYLAW NO 185-09

A BYLAW OF THE TOWN OF KELVINGTON TO PROVIDE FOR THE MANAGEMENT AND CONTROL OF A CEMETERY OF THE TOWN OF KELVINGTON.

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

1. a) "Medical Health Officer" shall mean the Medical Health Officer for the Kelsey Trail Health Region.

   b) "Superintendent" shall mean the Town Foreman for the Town of Kelvington, or anyone acting as such during his absence from duty for any cause.

   c) "Caretaker" shall mean a person duly appointed by the Town Council.

   d) "Perpetual Care" shall mean leveling of ground, seeding to and cutting grass.

   e) "Markers" shall mean a type of monument which is flat and rests on a concrete foundation flush with the ground.

   f) "Monuments" shall mean an upright type that requires a foundation to rest on according to their size and weight.

2. The Cemetery of the Town of Kelvington situated on part of the South East Quarter of Section eight (8) in Township thirty seven (37) in Range eleven (11) West of the Second Meridian in the Province of Saskatchewan shall be known as the "Kelvingrove Cemetery".

3. The Cemetery shall be controlled, supervised, and managed by a Committee to be known as the Cemetery Committee to be appointed by the Council, to consist of three (3) members, one of whom shall be a Councillor.

4. The Committee shall hold office for a period of two (2) years to be reckoned from the first day of January in the year of appointment, but in the event of death or resignation of any member of the Committee the Council shall appoint a member to fill the vacancy for the unexpired term.

5. Lots – ten feet by ten feet (10' x 10') in the Cemetery shall be sold for the sum of four hundred dollars ($400.00), one hundred dollars ($100.00) of which shall be set aside in a fund to be known as "The Perpetual Care Fund" for the purpose of providing perpetual care of such a lot. Plots- five feet by ten feet (5' x 10') shall be sold for the sum of two hundred dollars ($200.00), one hundred and fifty dollars ($150.00) of which will be retained by Council and fifty dollars ($50.00) shall be placed in the Perpetual Care fund. These prices may be reviewed from time to time.

6. Four (4) cremains may be interred per gravesite or eight (8) per plot. A fifty dollar ($50.00) administration fee will be charged for each additional burial after the original.

7. The funds in the "Perpetual Care Fund" shall be invested by Council in such securities as provided by the Municipalities Act and the interest there from used for the purpose of looking after and caring for the cemetery.

8. All lots and plots shall be subject to perpetual care.

9. No person shall inter any human body in any land situated within the limits of the Town other than “Kelvingrove Cemetery”, or such lands as may hereafter be appropriated or approved by the Town Council and used as a burial ground.

10. Lots or plots for burial purposed in the “Kelvingrove Cemetery” may be acquired by any person upon application to the Town Administrator and upon payment of the appropriate fee therefore as herein before provided.

11. Any person acquiring a lot or plot under the provisions of paragraph nine (9) hereof shall only acquire the right or privilege of burial of the dead therein and erecting markers thereon subject to the regulations herein contained and any other regulations which may be in force from time to time, and shall not be deemed to acquire any title in the land, which shall remain vested in the Town for all time.

12. The Town Administrator shall furnish to every person acquiring a lot or plot a receipt certifying to the acquisition of such a lot or plot, which receipt shall be made out in duplicate, one of which shall be retained by the Town Administrator. A copy of this receipt shall also be furnished by the caretaker.

13. No person shall inter or disinter or cause to be interred or disinterred any body in “Kelvingrove Cemetery” until, he shall first, have obtained an interment order from the Town Administrator authorizing such interment or disinterment.

14. Any person applying for an interment order shall file with the Town Administrator a statement or certificate signed by the Registrar of Vital Statistics, which statement shall be the form authorized for use by the Registrar under Vital Statistics regulations of the Province of Saskatchewan.

15. No order shall be issued for the disinterment of any body unless the person applying therefore filed with the Town Administrator a certificate signed by the Medical Health Officer that the disinterment can be made without danger to the public health. No such certificate shall be issued unless the written permission of the Minister of Public Health has been given for such interment.

16. No person shall inter or cause to be interred any body in a grave which shall not be less than four (4) feet from the surface of the ground surrounding the grave to the top of the coffin or casket, cremations shall not be less than eighteen (18) inches from the surface of the ground to the top of the urn.

17. No person other than a qualified undertaker shall have charge of the interment of disinterment of any human body unless a special permit from the Town Administrator has been obtained authorizing such interment or disinterment by a person other than a qualified undertaker.

18. The Town Administrator and Superintendent shall keep a register in which place shall be entered showing lot or plot number the burial place of all persons hereafter interred in “Kelvingrove Cemetery”.

19. The Council shall engage a Caretaker at such salary as the Council from time to time may agree to.

20. All graves and cremation sites shall be excavated under the direction of the Superintendent.

21. It shall be the duty of the grave digger to close the grave after interment, which work shall be included in the fees and charges.

22. No fences, curbs, cement slabs or other obstructions shall hereafter be erected around a cemetery lot or plot. Existing obstruction shall be removed at the discretion of the Cemetery Committee.

23. No person hereafter shall erect any tombstone, monument, cenotaph or like structure, or make alterations to tombstones, monument or cenotaphs heretofore erected until permission has been received from the Council. No cement slabs, grave covering, curbs, trees or flower beds will be permitted.

24. All markers and monuments must be on a concrete foundation at least five (5) inches larger than the base on all four sides; the foundation must be flush with and going into the ground at least six inches.

25. Only one monument may be erected for each lot or plot. Markers shall be used for any additional burials in that plot.

26. To ensure that nothing interferes with the easy care of the grass, all foundations for the erections of markers shall be constructed by the Caretaker or under the direction of the Caretaker.

27. All trees, shrubs or flowers hereafter planted in the Cemetery shall be under the direction of the Caretaker and the Cemetery Committee.

28. The Caretaker shall be responsible to the Cemetery Committee for all work required in connections with beautification of Cemetery grounds, and shall take orders in connection with work required for such purpose from the Cemetery Committee.

29. Any person who willfully destroys, mutilates, defaces, injures or removes gravestones, monuments or other structures placed in the cemetery or any fence, railing or other works for the protection or ornamentation of the Cemetery or any tomb, gravestone, monument or other structure aforesaid, or willfully destroys, cuts, breaks or injures any tree, shrub, or plant in the Cemetery or plays at any game or sport or discharges any firearm (save at a military funeral) in the Cemetery or unlawfully disturbs any person or persons assembled for the purpose of burying a body therein or commits a nuisance or at any time behaves in a indecent or unseemly manner in the Cemetery or in any way interferes with the Cemetery or any grave, tomb, gravestone or other structure within the same shall be deemed to be guilty of a breach of the bylaw.

30. All bylaws, resolutions or orders heretofore passed for the management, regulation or control of the Cemetery shall be hereby repealed.

31. This bylaw shall come into force and take effect on the passing thereof.

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Mayor

[SEAL]

_____
Administrator

Read a third time and adopted
this 14th day of September, 2009

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Administrator