

RURAL MUNICIPALITY OF EXCEL NO. 71

BYLAW NO. 7-2023

A BYLAW TO ESTABLISH AND CONTROL A CEMETERY

The Council of the Rural Municipality of Excel No. 71 in the Province of Saskatchewan enacts as follows:

1. This bylaw may be cited as “The Cemetery Bylaw”.
2. In this bylaw, the following definitions apply:
 - a) “Act” means *The Cemeteries Act, 1999*;
 - b) “Administrator” means the Administrator of the Rural Municipality of Excel No. 71, or in their absence, their designate;
 - c) “Council” means the Council of the Rural Municipality of Excel No. 71;
 - d) “Cemetery Plot Deed” means the receipt or license issued by the municipality for the purchase of a plot in a cemetery showing proof of ownership;
 - e) “Interment” means the burial of human remains or cremated remains in a cemetery;
 - f) “Interment Licence” means the document by which the municipality conveys a right of interment for a specific deceased person in a specific plot;
 - g) “Licensee” means a person or persons who purchased a grave plot(s) in a cemetery and/or is the holder of a Cemetery Plot Deed;
 - h) “Lot” means a parcel of land in a cemetery which comprises of two or more plots and is to be utilized solely for the interment of human remains and/or ashes;
 - i) “Marker” means a memorial made of granite, marble or bronze that is flush with the ground;
 - j) “Monument” means any upright headstone, tombstone or other structure erected or constructed above the ground on any lot or plot in a cemetery for memorial purposes;
 - k) “Municipality” means the Rural Municipality of Excel No. 71;
 - l) “Plot” means a parcel of land in a cemetery which comprises of one grave site and is to be utilized solely for the interment of human remains and/or ashes; and
 - m) “Regulations” means *The Cemeteries Regulations, 2001*.

3. The management, control, maintaining of records, and sale of plots of the following public cemeteries within the municipality shall be the responsibility of the municipality and shall be governed under the Act and Regulations:

<u>Registered or General</u>	<u>Name of the Cemetery</u>	<u>Legal Land Description</u>
	Crane Valley Cemetery	BLK A, SE 27-09-27-W2
	Dryboro Lake Cemetery	BLK A, NW 34-08-26-W2
	Ormiston Cemetery	BLK A, SW 30-09-25-W2
	Readlyn Cemetery	NE 19-07-27-W2 (NE corner)
	Russian & Ukrainian Viceroy Baptist Church Cemetery	BLK A, NE 31-07-25-W2
	St. Olaf Lutheran Cemetery (Una)	BLK A, SW 27-05-25-W2
	Verwood Lutheran Cemetery	BLK D, SE 06-07-27-W2
	Viceroy Cemetery	BLK A, NE 12-06-26-W2
	Wenaus Cemetery	BLK A, SW 15-08-26-W2

4. All cemetery plots shall be sold according to the schedule of fees contained in Schedule A attached hereto and forming part of this Bylaw. Payment in full must be made by applicants at time of selection of the plot(s).
5. A Cemetery Plot Deed shall be issued by the municipality in the form Schedule B attached hereto and forming part of this Bylaw as a receipt for the purchase.
6. No burial shall be made in the cemetery unless an Interment License in Schedule C attached hereto and forming part of this Bylaw has first been obtained in accordance with this bylaw. Regulations states the top of the outer burial container must be at least 76 centimeters (2½ feet) below the surface of the ground.
7. The licensee of a plot may, subject to the approval of the Council, erect proper markers, headstones or monuments, but no tree or shrub shall be planted by the headstone or burial plot.
8. If a tree or shrub, already existing, by means of its roots, branches, or otherwise, becomes detrimental to an adjacent lot or avenue or dangerous or inconvenient, the council may direct the removal of such trees or shrubs or parts thereof.

9. No person or licensee shall place any type of grave cover (fiber-glass, concrete, rock granite, etc.) on the plot, unless it is to match an existing, adjacent grave cover for a deceased spouse; however, if existing cover is deteriorating council will advise that a matching cover cannot be placed.
10. The council may remove any monument, enclosure, grave cover or any inscription placed in or upon any plot or grave which is improper, injurious to the appearance of the cemetery or contrary to the provisions of this bylaw.
11. The Rural Municipality of Excel No. 71, as owner or registrar of the cemetery does not accept any responsibility for damage done to the licensee's tombstones, existing grave covers or plots.
12. The licensees of the plots, and their families, shall be allowed access to the grounds at all reasonable times to care for their lots.
13. All charges for the digging of a grave shall be at the expense of the licensee and be paid direct to the grave digger. All filling of the grave site is to be at the height of the existing ground levels.
14. No graves shall be opened and no disinterment shall take place unless a written permit is obtained according to the Regulations.
15. The council reserves the right to disallow interment in the cemetery, until a later date, if in their opinion, adverse conditions i.e. deep winter snow, make interment impractical.
16. The council may by resolution, appoint a caretaker for any cemetery, who with the direction of council shall act as an agent of the municipality to enforce the contents of this bylaw.
17. The caretaker of the cemetery shall be notified prior to any interment, or prior to the placement of any monument, grave cover, trees or shrubbery.
18. In order that an accurate register of burials may be kept, the Interment License shall be handed to the caretaker at the time of the burial setting forth the burial plot number, the name, cause of death, place of nativity residence, age of the deceased person, married or single, and giving such other information as may be prescribed from time to time.
19. Any person found guilty of an infraction of any of the provisions of this bylaw shall be liable to the penalties imposed by the General Penalty Bylaw of the municipality.
20. Bylaw No. 25-2014 is hereby repealed.
21. This bylaw shall come into force on the day of its final passing.

Read a first time the 12th day of October, 2023

Read a second time the 12th day of October, 2023.

Read a third time and adopted this 14th day of November, 2023.



Arnold Montgomery
Reeve

[Signature]
Administrator

CERTIFIED A TRUE COPY OF
BYLAW NO. 7-2023, ADOPTED BY
RESOLUTION OF COUNCIL ON
NOVEMBER 14, 2023.

Arnold Montgomery
Reeve

[Signature]
Administrator



SCHEDULE B

RURAL MUNICIPALITY OF EXCEL NO. 71
CEMETERY PLOT DEED

In consideration of the sum of _____ dollars (\$ _____) paid this day by

_____ of _____,
(Name of Purchaser) *(Address of Purchaser)*

to the Rural Municipality of Excel No. 71, the receipt of which is hereby acknowledged by way of

_____, the Purchaser is hereby granted a license and permission to use for the
(type of payment)
purpose of interment therein,

PLOT(S) _____ LOT _____, BLOCK _____, in the

_____ Cemetery containing the area or dimension of

_____ being _____ gravesite(s). THAT the intended occupant(s) of the plot(s) is/are

to be _____.

This license is granted subject to the provisions of Bylaw No. 7-2023 governing the

_____ Cemetery. The purchaser herein must obtain an

interment license from the Rural Municipality of Excel No. 71 before undertaking any burial on the

above noted plot(s).

Dated this _____ day of _____ A.D. 20__

Administrator

SCHEDULE C

RURAL MUNICIPALITY OF EXCEL NO. 71
INTERMENT LICENSE

Interment rights of: _____
(Full Name of Deceased Person)

in PLOT _____ LOT _____, BLOCK _____,

in the _____ Cemetery.

This license is granted subject to the provisions of Bylaw No. 7-2023 governing the
_____ Cemetery.

Dated this _____ day of _____ A.D. 20__

Administrator

Birth Date if known _____

Date of death _____

Cause of death _____

Date of interment or scattering _____

Gender _____

Last residence if known _____

Spouse if applicable _____

Proof of plot ownership _____

If soil coverage over casket is less than 30", state the reason _____