

**TOWN OF LEADER**

**BYLAW NO 06.16**

**A BYLAW TO PROVIDE FOR THE REGULATION AND CONTROL OF THE LEADER CEMETERY**

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

**1. CITATION**

This Bylaw may be cited as "The Cemetery Bylaw".

**2. GOVERNING LEGISLATION**

The Cemeteries Act prevails in all circumstances where there might arise a conflict between the Act and The Cemetery Bylaw.

**3. DESCRIPTION OF CEMETERY**

The following land is hereby declared to be a Cemetery of the Town of Leader and shall hereafter be known as "Leader Cemetery", namely;  
SW ¼ Sec. 27, Tp. 22, Rge 26, W3rd Meridian.

**4. DEFINITIONS**

In this Bylaw, unless the context otherwise requires expression,

- a) "Administrator" means the Administrator of the Town of Leader and anyone acting as his/her designate in the provision of this bylaw;
- b) "Base" refers to an optional bottom portion of a monument that rests between the monument and the foundation and is made of granite, marble or concrete;
- c) "Burial" means the interment of human remains or cremated human remains in a grave;
- d) "Cemetery" means the Cemetery of the Town of Leader established pursuant to Section 2 of this bylaw and operated in accordance with the Act by and under control of the Town;
- e) "Columbarium" means a structure designated for storing the ashes of human remains that have been cremated;
- f) "Council" means the Council of the Town of Leader;
- g) "Disinterment" means the removal and relocation of human remains;
- h) "Employee" means an employee of the Town of Leader;
- i) "Foundation" means a concrete or granite slab of specific proportion for the placement of a monument and/or base, the top of which is normally at ground level;
- j) "Grave" means a plot of land in the Cemetery to be utilized solely for the interment of human remains or ashes;
- k) "Licensee" means the person or persons who purchase a grave lot or lots in the Cemetery;
- l) "Medical Health Officer" means the Medical Health Officer or designate and shall include the Senior Public Health Inspector and anyone under the instructions of the Medical Health Officer for the Health Region containing the Town of Leader; in carrying out this Bylaw;
- m) "Monument" means anything that is called a headstone, tombstone, upright or vertical monument, or a pillow marker that may be supported by a monument base, but which must be supported by a foundation;
- n) "Niche" means a single compartment of a columbarium large enough to house two funeral urns;



- o) "Perpetual Care" means the ongoing upkeep; including the care and repair of the cemetery and columbarium but excluding private monuments and columbarium plaques;
- p) "Town" means the Town of Leader in the Province of Saskatchewan.

#### 5. CEMETERY RESERVE FUNDS

- a) **Leader Cemetery Reserve Fund** shall be maintained by the Town of Leader and contain 100% of all donations made towards the future care of the Leader Cemetery.

#### 6. GRAVE LICENSES, COLUMBARIA LICENSES AND CHARGES FOR SERVICES

##### a) **Maximum Number of Occupants of One Single Grave**

A maximum of one full casket burial and up to three urns of ashes, or a maximum of three urns of ashes shall be interred in any one grave. Any number of interments above the maximum shall not be allowed without first gaining the approval of the Administrator.

##### b) **Depth of Graves and Grave Digging Services**

- i. No grave shall be less than six feet in depth from the surface of the ground surrounding the grave. Earth interment of ashes may be less than six feet in depth, but shall not be less than thirty inches in depth from the surface of the ground surrounding the grave.
- ii. No person, other than parties authorized by the Town of Leader shall dig or open any grave at the Leader Cemetery.

##### c) **Disinterment**

Disinterment for the purpose of moving the body of a deceased person from the Cemetery for re-interment in a different cemetery shall only be permitted upon the production of the written permission of the Chief Medical Officer for the Ministry of Health issued pursuant to an application under The Public Health Act and in accordance with the Disease Control Regulations.

No disinterment shall be carried out between November 1<sup>st</sup> and May 31 unless authorized by the Attorney-General of the Province of Saskatchewan.

##### d) **Permit and Payment Required Prior to Interment**

Prior to an interment, any person arranging for the interment in any grave in the Cemetery shall provide the following to the Town:

- i. A Burial Permit issued by the properly authorized office of the Provincial Government;
- ii. Payment in full of all charges related to the Cemetery.

#### 7. CARE AND IMPROVEMENT OF GRAVES, PLOTS AND NICHES

##### a) **General Care**

The Council of the Town of Leader shall assume the general care of the entire Cemetery. The licensee of a grave lot shall observe all rules and regulations passed from time to time by Council for keeping the grave lots in order.

##### b) **Means of Providing Notice**

It is the responsibility of the licensee or their family to ensure the Town of Leader has an up to date mailing address to which notices regarding the cemetery can be sent. All notices regarding cemetery plots will be sent to the last known mailing address associated with the licensee.

##### c) **Responsibility**

All items placed in the Cemetery by the public shall be at their own risk. The Town accepts no responsibility for any damaged or missing items. The Town accepts no responsibility for degrading of markers and monuments due to normal wear or deterioration. Minor chipping of the base as a result of mowing or trimming is considered normal wear.



**d) No Plantings**

No person shall plant any vegetation including trees, flowers, or shrubs or similar plant material intended for growth on any grave in the Cemetery or in any area of the Cemetery without first gaining the approval of the Administrator. The Town reserves the right to plant and remove any perennial flowers, shrubs and trees and to landscape and carry out improvements at the grounds.

**e) No Fences, Railings, Borders Etc.**

No person shall construct any fence, railing, trellis, or coping on any grave in the Cemetery or in any other area of the Cemetery without first gaining the approval of the Administrator.

**f) Removal of Items in Disrepair**

Should any present item be in a complete state of disrepair or is encroaching on adjacent graves, roadway or walk, the Administrator may, after notice in writing to the Licensee at his/her last known address have the said item removed from the Cemetery if the condition is not remedied.

**g) Decorations**

To preserve the proper appearance of the Cemetery, the Town of Leader reserves the right to remove all items from the Cemetery that do not form a part of the permanent monument. Items that will be removed include but are not limited to solar lights, chimes, rocks, stepping stones, flags, poles and floral arrangements that are not placed in an approved, permanent vase.

Ornaments, including flower holders or vases, crosses and statues, may be permitted on burial lots if they are:

- i. unbreakable;
- ii permanently secured to the base of the memorial;
- iii do not exceed 14 inches in height; and
- iv do not project beyond a plumb line from the outside dimensions of the memorial base

**h) Memorialization Following Internment**

Items placed at the grave site following an internment will be left in place for a period of ten (10) days. Following the ten (10) day period, they will be disposed of by the Cemetery Groundskeeper.

**8. MONUMENTS AND MARKERS****a) Material**

All monuments and markers shall be of granite, bronze, marble or stone.

**b) Location of Monument**

All monuments and markers must be set at the head of a grave lot and the Town may require that the location of monuments and markers be approved prior to installation.

**c) Foundation of Monument**

Each monument or marker shall be set upon a concrete or granite foundation. The upper surface of such foundation shall be constructed to surface or ground level and the foundation shall protrude three (3) inches on all sides of the monument or marker to be erected thereon.

**d) Inscription Layout**

Where a Monument is marking more than one grave, it is the responsibility of the person making the application to ensure the monument's inscription corresponds with the correct sides or location of the burials.

**e) Monument Size**

- i. Single Monuments (to mark graves where there is multiple internments in a single plot):
  - Foundation shall not exceed the dimensions of 48" long by 30" wide and have a minimum thickness of 4".
  - The monument base and monument shall not exceed 36" long by 18" wide and not be higher than 36".

- ii. Double Monument (to mark two graves adjacent to each other):
  - Foundation shall not exceed the dimension of 54" long by 30" wide and have a minimum thickness of 4".
  - The monument base and monument shall not exceed 42" long by 18" wide and not be higher than 36".
- iii. Triple Monument (to mark three graves adjacent to each other):
  - Foundation shall not exceed the dimension of 54" long by 30" wide and have a minimum thickness of 4".
  - The monument base and monument shall not exceed 42" long by 18" wide and not be higher than 36".
- iv. Single Flat Markers:
  - Foundation shall not exceed the dimension of 48" long by 30" wide and have a minimum thickness of 4".
  - The marker shall not exceed 36" long by 18" wide.
  - The funeral home will be responsible for the foundation and to have the marker installed into the foundation if required.
- v. Double Flat Markers:
  - Foundation shall not exceed the dimension of 54" long by 30" wide and have a minimum thickness of 4".
  - The marker shall not exceed 42" long by 18" wide.
  - The funeral home will be responsible for the foundation and to have the marker installed into the foundation if required.

#### **COLUMBARIA REGULATIONS**

##### **a) Ownership**

Ownership of the columbaria remains with the Town of Leader. The reservation of a niche entitles the purchasers the rights to be permanently interred within a niche but not the right of ownership.

##### **b) Maximum Number of Occupants of One Single Grave**

The maximum number of cremated bodies to be interred in any one columbaria niche is two (2).

##### **c) Opening and Closing of Niches**

Opening and closing of niches is the sole responsibility of the Town of Leader or a designated representative.

##### **d) Decorations**

No items may be attached to the outside of any niche. Live or cut flowers may be used in vases and displayed on the ground in front of the niches. Cemetery management will remove them when they become unsightly.

##### **d) Inscriptions and Epitaphs**

Inscriptions and epitaphs must be approved by the Town of Leader and shall be done by a monument company of the town's choosing. Cost of inscription is not included in the purchase price of any niche. Transportation of tiles for inscription will be the sole responsibility of the Town of Leader. Inscription costs on niche doors shall be paid for by the licensee. Costs will fluctuate based on the fee the monument company is currently charging. Engraving costs will apply each time additional information is added to a niche door.

##### **e) Layout of Inscriptions and Epitaphs**

The layout of inscriptions and epitaphs on niche doors shall conform to the layout in Appendix "B".

#### **9. COMING INTO FORCE**

This bylaw shall come into force and take effect on the 6th day of September, 2016.



*Jatak*

Deputy Mayor

*Rachna*

Administrator

Read a third time and hereby adopted this

6th day of September, 2016.



CERTIFIED TRUE COPY OF  
BYLAW 06.16 PASSED BY  
THE COUNCIL OF THE TOWN  
OF LEADER ON SEPT 6 2016.

*Rachna*

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