

**A Town of Nipawin
Bylaw No. 1156/22**

**A BYLAW OF THE TOWN OF NIPAWIN, IN THE PROVINCE OF SASKATCHEWAN TO
PROVIDE FOR THE REGULATION AND CONTROL OF TOWN-OWNED CEMETERIES**

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

1. Short Title

This bylaw may be cited as *The Cemeteries Bylaw*

2. Purpose

The purpose of this bylaw is to provide for regulation and control of Town of Nipawin-owned cemeteries.

3. Authority

The Authority for this Bylaw is *the Municipalities Act* and *the Cemeteries Act*.

4. Cemetery Locations

The following locations have been established for the purpose of Cemeteries for burial of dead human remains:

- **Mabel Hill Memorial Cemetery** – approximately Ten (10) acres in the SE 31-50-14-W2nd in the Rural Municipality of Nipawin #487
- **Woodlawn Cemetery** – all the land in Parcel A, Registered Plan #BJ2950, in the SE 31-50-14-W2nd in the Town of Nipawin
- **Ravine Bank Cemetery** – a portion of the land in the NE 31-50-14-W2nd in the Rural Municipality of Nipawin #487

5. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

- a. **Block** means a subdivision of land containing up to four plots.
- b. **Cemetery** means land owned by the Town of Nipawin set apart for, or used as, a place of interment of human remains and includes a place where human remains have heretofore been buried.
- c. **Cremated Remains or Cremains** means human bone fragments that remain after cremation
- d. **General Manager** means the General Manager of Community Services for the Town of Nipawin, or other person designated by the Council.

- b. Upon payment to the Town of Nipawin by any party of the full cash price of a lot, furnish such party with a receipt for the sum of money paid and draw up a Deed or Transfer in favour of such party, such Deed or Transfer to be subject to the terms, conditions, rules and regulations set forth in this Bylaw, and any amendments hereto governing said Cemetery, and to be executed by the Chief Administrative Officer, and to have the Corporate Seal of the Town of Nipawin affixed thereto.
- c. Every conveyance or Deed to any lot in any Cemetery shall be subject to the Condition that the lot shall not be used for any purpose other than as a burial ground for human remains.
- d. No Deed shall be recognized by the Town unless same is duly registered at the Town Office.
- e. All persons ordering graves in the Cemetery shall be held responsible for the cost thereof and for all charges in connection with same. Charges for lots and opening and closing of same shall be those rates as determined from time to time by resolution of Council.
- f. A person may reserve a grave, or graves, by paying in full, the current purchase price as shown in Schedule 'A' to this Bylaw. The reservation shall hold the grave for use by the party who paid the purchase price, the purchaser's heir(s), or for a burial upon the purchaser's instructions, for a period of ten (10) years. At the expiry of the ten (10) year reservation period, the grave(s) shall revert to the Town unless the party who paid the purchase price or renew the reservation in writing. The Town shall notify the party who paid the purchase price, or if known to be deceased, the heir(s), if known, during the first six (6) months of the tenth year, advising of the impending cancellation if not renewed as required by this section. Notification by ordinary mail at last known address shall be sufficient notice.
- g. Failure by the purchaser to pay the full price of a reserved lot within six (6) months shall result in cancellation of the reservation and a refund of any monies paid.

7. LICENSE:

- a. The Town may grant a license to any person for use of a lot or lots as provided for in this Bylaw. The said license shall be issued subject to all provisions of this Bylaw and any amendments thereto passed from time to time by Council
- b. The license fee and all charges for work done or services rendered at the Cemetery shall be in accordance with the Cemetery Rates Schedule, attached hereto and identified as Schedule 'A' and forming part of the Bylaw.
- c. Grave lots and plots shall not be resold or transferred by the licensee. Licensee may only transfer a lot or plot to an immediate family member (ie: father, mother, child, grandchild, or grandparent). A licensee may surrender the license to the Town for any unused lot or plot. The Town will refund to the original licensee the original purchase price of the license. The licensee must provide the original receipt to the Town of Nipawin.

- m. No person, except those Town employees in performance of duties, shall drive a vehicle over any part of the Cemetery, except on the roadways.
- n. Motor vehicles in the cemetery shall travel on the roadways provided and shall not exceed ten (10) kilometres per hour.

9. FLORAL ARRANGEMENTS, BORDERS, FENCES, HEDGES, ETC.

- a. No border, fence, railing, trellis, coping, hedge, or any other bounding or enclosing object or material shall be constructed, placed or planted in or around any lot or plot other than for purposes of operating the cemetery as authorized by the General Manager.
- b. The placing of flowers and wreaths shall be allowed only in receptacles which are affixed to the monument, marker, columbarium, or other structures as approved by the General Manager. The exception being that flowers, wreaths, and other items are permitted to be placed on the grave the day of the burial and left for a period of ten (10) days after which the flowers, wreaths and other items will be removed and disposed of.
- c. No grave or plot shall be decorated by its owner/owners or others interested therein with any trees, shrubs, or plants. The Town will remove these items without notification to the next of kin. This shall not be deemed to prohibit the placing of cut flowers upon graves.
- d. The foregoing shall not be deemed to prohibit the normal Remembrance observances of any Bonafide Veterans' organization, or the placing of cut flowers or artificial flowers upon the graves, but in such cases, these shall be placed in a receptacle approved by the Town and sunk level with the ground. Not more than two such receptacles shall be allowed for any one grave
- e. The Town maintenance crew may remove from any lot any weeds, wilted flowers, or floral pieces or any other articles or things which are unsightly or which are considered to be an obstacle to convenient and safe mowing of the grass.
- f. All vases, urns, and plant stands not properly cared for and such as are not filled with plants or flowers on or before the 20th day of June in any year, may be removed by the General Manager from the lots on which they are situated and stored. If applied for by the owner within one year from the date of removal, the same shall be returned; however, the Town will not be held responsible for any loss of or damage to any vases, urns, plant stands or other receptacles.
- g. All items placed in the cemetery by the public shall be at their own risk.

10. INTERMENTS & DISINTERMENTS:

- a. No person shall bury any dead human body or cremated remains in the Cemetery unless and until the person has complied with the provisions of:
 - i. The Public Health Act and regulations there under;
 - ii. The Vital Statistics Act and regulations there under; and

- k. The Town's service in connection with disinterments shall only include the opening of the grave down to the top of the casket or urn and the Funeral Director in charge shall be responsible for the actual removal of remains or ashes.
- l. Whenever the remains of a single grave are removed, the grave space so vacated shall revert to the Town in consideration of the cost and trouble of the removal.

11. MONUMENTS, GRAVE MARKERS & COLUMBARIUMS

- a. Any person desiring to place a memorial or grave marker shall make written application to the General Manager for a permit therefor, and in such application shall state particulars of the memorial to be erected. Memorial Permit attached hereto and identified as Schedule 'B' and forming part of the Bylaw.
- b. Grave covers of any type or description and of any material shall not be permitted.
- c. The base for a monument or grave marker shall be laid at the head centre thereof in single graves. The base for monuments or grave markers marking multiple graves shall be laid at the head centre thereof.
- d. No person shall place or erect in the cemetery any monument, grave marker or any like structure that does not consist solely of imperishable and adamant materials. Monuments or grave markers or any like structures or applied decoration, constructed of plastic, glass, perishable or easily damaged materials are hereby prohibited in the cemetery.
- e. There shall not be more than one monument or marker permitted on each grave lot except where cremated remains are to be buried in an occupied grave with an existing monument or marker, whereas in such cases additional monuments or markers set at the head of the grave would be allowed providing all the monuments or markers together do not exceed the maximum width of 48" (inches) and maximum depth of 17" (inches), as specified for single monuments or markers. However, in cases where this is not possible, individual flat markers set at the head of the grave would be allowed. All monuments and markers must be located on continuous foundations if they are present. If no continuous foundation is present, monuments and markers must all be at the head of the grave in a single row.
- f. All Monuments and Grave Markers shall be of either granite, marble, Ionite, other material (ie 10-gauge steel sandblasted/primed & powder-coated) approved by the Town.
- g. Monuments & Grave Markers shall be placed on continuous foundations, where provided by the Town.
- h. Mounting of lighting or vases on continuous foundations will be permitted upon approval from the General Manager.

13. Funeral Home-Owned Columbariums

- a. Vendors shall provide opening and closing of niches in their columbariums at no cost, whether they are involved in the service or not.
- b. Vendors may sell niches at prices set by the vendor and pay to the Town of Nipawin the fee included in Schedule "A" of this Bylaw. A vendor may adjust pricing of niches from time to time, however the fee paid to the Town of Nipawin shall remain the same. All inquiries and sales of niches shall be handled by the vendor.
- c. Vendors shall have exclusive rights to the engraving of niches on their columbarium's.
- d. Vendors shall maintain insurance and ownership on columbarium(s), until such time that all niches in a columbarium are occupied, in which case, insurance and ownership shall revert to the Town of Nipawin.
- e. Appropriate signage identifying the block(s) is permitted, upon approval from the Town of Nipawin.

No more than 4 niches will be permitted in one columbarium.

14. BURIAL LOCATIONS - Mabel Hill Cemetery

Sections of the Cemetery shall be set aside for burials as follows:

- a. Section E shall be reserved for the burial of children and infants
- b. Sections B, C, F, H, I, J, K, L shall be reserved for the burial of adults, children and infants
- c. Section G shall be for the burial of Veterans and immediate family members only.
- d. Sections 1, 2, A and D shall be reserved for Family Columbarium Monuments only.

15. MONUMENTS, GRAVE MARKERS & COLUMBARIUMS IN DISREPAIR

- a. The General Manager shall report to the owners upon the condition of any monument or grave marker out of repair, and it shall be the duty of the owner of such monument or grave marker, to repair same without delay, to the satisfaction of the General Manager.
- b. Whenever an owner of a monument and/or grave marker neglects to make the required repairs or alterations after receiving due notice from the General Manager, a period of three months shall be allowed to elapse, after which time the General Manager shall have the power to remove such monument or grave marker from the Cemetery, or to repair such monument or grave marker and charge the cost thereof to the owner, which may be recovered as a debt from the owner to the Town.
- c. The Town of Nipawin will not be responsible for any damage or cost to repair any damage to monuments, grave markers, columbarium, or other structures that occur as a result of

**CEMETERY RATES SCHEDULE
SCHEDULE 'A'**

Bylaw No. 1156/22

**TOWN OF NIPAWIN, SASKATCHEWAN
MABEL HILL, RAVINE BANK & WOODLAWN CEMETERIES**

**RATES:
2021**

	Purchase Price	Opening & Closing	GST	Total
All Plots	750.00	650.00	70.00	1470.00
Cremation		\$260.00	\$13.00	\$273.00
Memorial Permits				
Family Columbarium Lot	\$340.00		\$17.00	\$357.00
Funeral Home Columbarium (payable by vendor to Town of Nipawin)	\$200.00 Per niche		\$10.00	\$210.00

Opening and closing on Saturdays, Sundays, after regular working hours, and Statutory Holidays will be an additional \$250.00 plus GST for a total of \$262.50.

For cremations, an additional \$165.00 plus GST for a total of \$173.25.

2022

	Purchase Price	Opening & Closing	GST	Total
All Plots	\$ 750.00	\$ 650.00	\$ 70.00	\$ 1,470.00
Cremation		\$ 260.00	\$ 13.00	\$ 273.00
Memorial Permits				
Family Columbarium Lot	\$ 340.00		\$ 17.00	\$ 357.00
Funeral Home Columbarium (payable by vendor to Town of Nipawin)	\$200.00 per niche		\$10.00	\$210.00

Opening and closing on Saturdays, Sundays, after regular working hours, and Statutory Holidays will be an additional \$250.00 plus GST for a total of \$262.50.

For cremations, an additional \$165.00 plus GST for a total of \$173.25.

**APPLICATION FOR PERMIT TO PLACE A MEMORIAL
Schedule "B" (Bylaw No. 1156/22)**

I, _____ hereby make application for a permit to place a memorial consisting of:

- Flat Grave Marker Monument Pillow

on Lot(s) _____ Plot _____ Block _____ Section _____
being the grave(s) of _____

Dimensions of the Memorial: Width: _____ Depth: _____ Height: _____ (overall – including base)

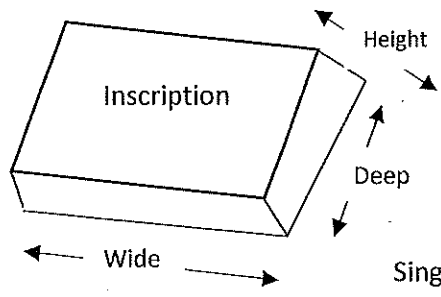
(Note: Maximum width cannot exceed 17", including base or border. Maximum length cannot exceed 48" for a Single Memorial or 54" for a Double Memorial, which includes a base or border)

Material:

- Lonite Marble Granite Other (i.e. base) Specify: _____

PILLOW TYPE:

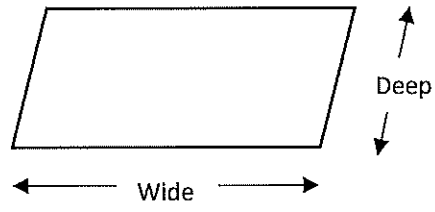
(Mabel Hill: Sections F, H, I, J, K & L)



Single Maximum: 48"
Double Maximum 54"
Maximum Depth 17" (including base/border)

FLAT GRAVE MARKERS:

(Mabel Hill: Sections A, B, C, D, E & G)



FLATGRAVE MARKER
The top of the grave marker must be flush with or just below ground level in grassed

MONUMENT HEADSTONE:

MONUMENT (Mabel Hill Sections A & D)
(Mabel Hill, Sections F, H, I, J, K & L)

- Single: Maximum 42" high, 48" wide
 Maximum 17" deep (including base / border)
- Double: Maximum 42" high, 54" wide
 Maximum 17" deep (including base / border)

COLUMBARIUM

- Maximum 48" high
Maximum 24" deep
Maximum length 51" on one single lot (multiple lots may be purchased for additional length)

I understand that it is the responsibility of the heir(s) to keep the Memorial in good repair, and that it may be removed if it is allowed to deteriorate.

(Signature of Applicant)

(Address)

TOWN OF NIPAWIN AUTHORIZATION

_____ Is hereby authorized to erect a Flat Grave Marker / Monument as outlined above.

Authorized Signature

- Original for File Copy for Applicant Copy for Director

Date