

BYLAW 2188-25

BEING A BYLAW OF THE TOWN OF STETTLER TO PROVIDE FOR THE CARE, CONTROL AND REGULATION OF LAKE VIEW CEMETERY.

WHEREAS, the Council of the Town of Stettler, in the Province of Alberta, deem it wise, equitable and practical to regulate the use of the Lake View Cemetery, and

WHEREAS, the Council of the Town of Stettler, in the Province of Alberta wishes to maintain and keep the Cemetery grounds in a sightly manner, and

WHEREAS, the Cemeteries Act, RSA 1980, c.C-2 as amended, and the regulations thereunder, permit a municipality to own and operate Cemeteries within its boundaries, and

WHEREAS, the Municipal Government Act, Chapter M-26.1, 1994 and amendments thereto, authorizes Council to set regulations governing Cemeteries, and

NOW THEREFORE the Municipal Council of the Town of Stettler, in the Province of Alberta, duly assembled, enacts as follows:

A. Short Title:

This Bylaw shall be known as the “Cemetery Bylaw” of the Town of Stettler.

B. Definitions:

In this Bylaw, unless the context otherwise requires:

1. “Animal” includes any animal that has been domesticated and has been kept as a pet.
2. “Base” means a foundation or footing to support a monument or marker. The purpose of the Base is to provide a buffer for maintenance purposes. The Town of Stettler will not be held liable for any damage caused to the Base as the result of cemetery maintenance.
3. “Block or Blocks” means a group of lots that may be divided into Plots or a group of Plots as shown on the plan of subdivision of the Cemetery on record in the Town Office.
4. “Burial Permit” means a form of authorization or certificate issued by an Authority, Federal or Provincial Agency or Funeral Home and is required to bury, cremate or otherwise dispose of the body of a deceased person. The Town will not consent to a Burial, or a Cremation, without a Burial Permit or Certificate.
5. “Cemetery” means land within the Town of Stettler set apart for or used as a place for the interment of the dead or at which human bodies have been buried, and known as Lake View Cemetery namely:
 - PTNE31-38-19-4 (roll number 420034000)
 - 5749KS (roll number 420036008)
 - PTNE31-38-19-4 (roll number 420038006)
 - 9522139-9 (roll Number 420225000)



6. “Columbarium” means a permanent structure containing a number of Niches for the placement of cremated human remains.

7. "Columbarium Replacement Fund" means all funds received by the Town of Stettler from the Columbarium Replacement Fee and interest from the fund for the purpose of purchasing a new columbarium.
8. "Council" means the Council for the Town of Stettler.
9. "Deed" means the exclusive right to use a Plot or Niche in Lake View Cemetery, as described in the said document for burial of human remains.
10. "Designate" means to appoint someone to a specified position.
11. "Destitute" means a Person without the basic necessities of life, or without means. Approval for a Destitute is determined by the Province.
12. "Disinterment" means the removal of human remains or cremated human remains from a plot.
13. "Flat Marker" means a memorial constructed of bronze, marble, granite, or other approved material placed on any Burial Plot as level to the ground as possible in the monument area.
14. "Foot Marker or any other Secondary Marker" means Monuments or Markers installed at the foot of a Grave for memorial purposes. The installation of such Monuments or Markers is not permitted.
15. "Flowering Ornamental" means any perennial, annual and bi-annual flowering plant. The Planting of Flowering Ornamentals is not permitted.
16. "Grave or Grave Site" means an excavation or closure, occupation of a Plot for the burial of human bodies or cremated remains.
17. "Grave Cover" means a cover of concrete, granite, marble or any other material placed over the interred remains.
18. "Grave Liner" means a concrete or HDPE box placed in a Grave to house a casket.
19. "Grave Decorations" means anything placed on or adjacent to a Grave for memorial purposes.
20. "Indigent" means a person without means, support, or known relatives requiring Burial at the Lake View Cemetery.
21. "Interment/Burial" means the ceremonial service of the burial of human bodies or cremated remains, the lowering of the human body or cremated remains into the Grave or placement of cremated remains in the Columbarium and the time required for the bereaved to leave the Grave site or Columbarium until closing of the Grave or Columbarium can commence.
22. "Lot" means a group of four Plots as shown on the plan of subdivision of the Cemetery on record in the Town Office excepting thereout Blocks 13, A, B, C and D.
23. "Marker" means a flat structure of granite, marble, concrete, metallic materials, bronze or other material approved by the Town of Stettler for memorial purposes placed on any Grave or Plot level with the base.
24. "Market Value" means the amount that a property might be expected to realize if it is sold on the open market by a willing seller to a willing buyer, as per the *Municipal Government Act*, in other words, the cost of purchasing a plot on the day of resale.
25. "Monument or Monuments" means pillow or upright structure including a Base or memorial of bronze, granite, marble, metallic materials or other material approved by the Town of Stettler for memorial purposes which projects above the surrounding ground.
26. "Niche" means a single compartment of a Columbarium.
27. "Non-Resident" means any person who does not reside in the Town of Stettler.

28. "Outer Burial Receptacle" means that in Blocks A, B, C and D of the Cemetery a container commonly referred to as a Burial vault, Grave liner or Grave box, placed in the Grave to house a casket and that is capable of withstanding the weight and pressures of the earth above and surrounding the receptacle. In Blocks 1, 3, 4, 6, 7, 8, 9, 11, and 12, only concrete containers will be permitted.
29. "Owner" means the person or person's responsible who purchased a Plot or Plots or, Niche or Niches of a Columbarium in the Cemetery. If a Plot owner dies, the ownership of the Plot pass to their heirs, next of kin or responsible persons who are deemed to be or claim to be responsible for the upkeep of a Plot, Plot and Marker, Monument or Niche in the Cemetery.
30. "Perpetual Care" means the preservation and maintenance of the Cemetery and grounds in perpetuity.
31. "Perpetual Care Fund" means all funds received by the Town of Stettler from the Perpetual Care Fee for the purpose of providing perpetual care and named the Lake View Cemetery Perpetual Care Trust Fund.
32. "Plot" means a parcel of land for the purposes of a Burial in the Cemetery and the area for a full Burial (casket and Outer Burial Receptacle) will normally be 4 feet (1.22 m) by 8 feet (2.44 m) except in Block 13 where they are 5 feet (1.52 m) by 8 feet (2.44 m) and includes a Grave.
33. "Regular Working Hours/Day" means 8:30 am to 4:30 pm Monday to Friday, not including holidays observed by the Town of Stettler.
34. "Resident" means a person who has resided within the Town of Stettler immediately preceding his or her death or his or her application to purchase a Plot.
35. "Short Notice Burial" means an application for Interment which was not received by the Town of Stettler within the notification period as per Section G(2)(i) of the Bylaw.
36. "Town" means the Town of Stettler, in the Province of Alberta.
37. "Town's Chief Administrative Officer (CAO)" means the person duly appointed by the Council as the Town's Chief Administrative Officer (CAO) of the Town of Stettler and shall include any person designated by the Town's Chief Administrative Officer (CAO) to carry out his/her duties.
38. "Woody Ornamental" means any trees, shrubs, creepers and climbers. The Planting of Woody Ornamentals is not permitted without prior written approval from the Town of Stettler.

C. Regulations:

1. No person shall further subdivide or alter any Block, Lot or Plot in any manner at variance with the subdivision plans on record in the Town Office except by special written permission of the Town Council.
2. The Town has the sole management of the affairs of the Cemetery and this Bylaw may be amended from time to time by the Council. The Town's Chief Administrative Officer (CAO) or his/her Designate shall have charge and be responsible for the care and maintenance of the Cemetery, according to the provisions of this Bylaw and amendments thereto.
3. The Town shall have Plots available for the Burial of human remains at all times.
4. The Blocks, Lots and Plots in any particular section of the Cemetery shall be laid out in accordance with generally accepted Cemetery practices.
5. Cemetery Grave Decorations

The Town of Stettler realizes the sensitivity that Cemetery Grave Decorations may create however maintenance, care, and long-term enjoyment of the Cemetery is held to high standards to satisfy the needs of relatives and visitors to the Cemetery. As such the safety

of the public and Town of Stettler staff is held in high priority. Many Grave Decorations can be safety hazards to employees using maintenance equipment such as weed whips and lawnmowers, and to bystanders in the Cemetery.

- a) On a regular basis throughout the year staff shall inspect and remove from Plots in the Cemetery all non-permitted plantings, shrubs, and Grave Decorations.
- b) Grave Decorations placed at the Cemetery shall conform to the following guidelines:
 - i. Memorials such as candles, statues, decorative flags, stuffed animals, balloons, vases, tin cans, buckets, solar lights, or any other materials that are permanently attached to the Monument or Marker are permitted however such Memorials shall be removed by Cemetery personnel without notice if not permanently attached to the Monument or Marker. Attachments to the Base must be approved by the Town of Stettler excluding Blocks A, B, C and D.
 - ii. Artificial flowers, including the holder are only permitted if permanently contained within the Monument or Marker. Artificial flowers including the holder not permanently contained within the Monument shall be disposed of without notice. Attachments to the Base must be approved by the Town of Stettler excluding Blocks A, B, C and D.
 - iii. Cut fresh flowers are permitted on Graves, however will be removed by Cemetery staff without notice if they become unsightly, wilted or become wind strewn.
 - iv. No flowers or Grave decorations shall be removed 5 days prior to or after Mother's Day, Father's Day, Easter, Labor Day, Thanksgiving, Remembrance Day and Christmas Day.
 - v. Glass Grave Decorations of any kind will not be permitted and will be removed by Cemetery personnel without notice.
 - vi. Plantings of any kind are not permitted on Graves and will be removed without notice.
 - vii. The Town shall not be held liable for lost, misplaced, removed or broken Grave Decorations or for damage caused by the elements, thieves, vandals, or by causes reasonably beyond its control. The Town reserves the right to regulate the method of decorating Plots and the right to remove any Grave Decoration so that a uniform beauty of the Cemetery may be maintained.
6. The Town shall have the right to remove fences, borders, railings, walls, hedges, copings and other enclosures now in existence as it may deem advisable after thirty (30) days notice of its intention to do so has been given to one of the following:
 - (a) to the last known address of the Owner of the Plot;
 - (b) to the Plot Owner's relatives if the Owner is deceased;
 - (c) published in a newspaper circulated in the Town, if the relatives are unknown.
7. Whenever the Owner of a Monument or Marker neglects to make the required repairs or alterations within thirty (30) days after receiving notice from the Town to do so, the Town shall have the power to repair such Monument or Marker and charge the cost thereof to the Owner.
8. No person shall disturb the quiet or good order of the Cemetery by noise, improper conduct or otherwise and the Town shall have the right to deny access or remove from the Cemetery any person who contravenes this section.
9. Employees of the Town are not permitted to do any work for Plot owners except upon order by the Town's Chief Administrative Officer (CAO).
10. No person shall allow a domestic Animal to enter or remain in the cemetery unless the Animal is under the control of an adult by means of a leash.

11. Vehicles in the Cemetery shall travel only on the roadways provided for the purpose and shall not travel at a speed greater than 10 km per hour.
12. No person shall pick flowers, break or injure any tree, shrub, or plant, or write upon, destroy, deface or damage any memorial, fence or structure within the Cemetery grounds.
13. No person shall plant any woody ornamentals or flowering ornamentals on the Plots. However, if a person wishes to provide a plant for the Cemetery, arrangements with the Town can be made for planting in an appropriate location.
14. All Persons walking in the Cemetery shall keep to the paths and walks and shall not walk upon or across any Plot except for maintenance operations.

D. Plots:

1. The Plans or Subdivision of the lands made available by the Town for Burial purposes now on record in the Town Office, together with all subsequent Plans of Subdivision of such lands approved by the Council of the Town, shall be the Plans of the Cemetery herein referred to and all Interments shall be made and records kept by the - Town's Chief Administrative Officer (CAO) in accordance with such Plans. Copies of all such Plans shall be available for inspection free of charge at the Town Office during Regular Working Hours.
2. The Town's Chief Administrative Officer (CAO) or his/her Designate shall supervise all sales of Plots and Interments in the Cemetery.
3. The Town shall, upon payment by any person to the Town of the full price of any Plot, furnish such person with a receipt for the sum paid and a transfer of such Plot to such person or to such other person as such person may appoint by the issuance of a Deed.
4. The Town shall sell Plots in the Cemetery upon the purchaser paying in advance the amounts set out in Schedule "A" which is attached to and forms part of this Bylaw. No Person shall make a reservation for one or more Plots without making payment in full at the time of the reservation.
5. In the case where a Plot is inadvertently sold twice, the first sale notification received by the Town shall be considered valid.
6. Plots shall not be resold to any other party, however Plots may be transferred from one family member to another family member but no transfer shall be valid unless such transfer is duly registered with the Town.
7. Notwithstanding Sub-section 5 of this Section, the owner of an un-occupied Plot may return it to the Town and shall be entitled to a refund of 85% of the current fee or the Market Value of the Plot, as per Schedule A, including the Perpetual Care Fee at the date of return.
8. All persons who purchase Plots or have Plots transferred to them are responsible for all charges in connection therewith.

E. Columbarium:

1. The Town's Chief Administrative Officer (CAO) or Designate shall supervise all sales of Columbarium Niches and Interments in the Cemetery.
2. The Town shall, upon payment by any person to the Town of the full price of any Niche, furnish such person with a receipt for the sum paid and a transfer of such Niche to such person or to such other person as such person may appoint by the issuance of a Deed.
3. Columbarium Niches in the Cemetery shall be sold by the Town upon the purchaser paying in advance the amounts set out in Schedule "A" which is attached to and forms part of this Bylaw.
4. A Columbarium replacement fee will be established by setting aside a portion of the Niche purchase price into the Columbarium Replacement Fund.

5. The Columbarium Replacement Fund will be used to purchase a new Columbarium when the existing Columbarium is full.
6. Niches shall be used only for the purpose of placement of cremated remains of one or more human remains, as the space within a Niche permits. A Niche may only be used for the placement of a maximum of two (2) cremated human remains.
7. The opening and closing of a Niche shall be performed only by the Town and after payment of the opening and closing fee set out in Schedule "A" attached to and forming part of this Bylaw.
8. The Town shall sell Niches only as they are available.
9. Vases, flowers, and other funeral designs or floral pieces may be placed only at the base of the Columbarium during the Interment. No permanent placements at the base or the top of the Columbarium shall be allowed.
10. The Town shall not be liable for damages to the contents of Niches whether resulting from theft, vandalism or other damage howsoever caused.
11. Bronze plaques and inscriptions shall be purchased through the Town of Stettler. All direct costs are to be paid by the purchaser of the Niche for the bronze plaques and inscriptions.

F. Perpetual Care:

1. A Perpetual Care Fee will be added to the purchase price of all Burial Plots, Cremation Plots and Columbarium Niches.
2. The Cemetery Perpetual Care Trust Fund shall be established for the future care of the Cemetery once the Town establishes that the Cemetery is full as determined by the Town's Chief Administrative Officer (CAO).
3. Interest from the Perpetual Care Fund shall be used for maintenance of the Cemetery as determined by the Town.
4. Perpetual Care to be supplied by the Town shall not include the care, maintenance, upkeep, repair or replacement of any monument or marker which has been placed in the cemetery.
5. Tax deductible donations will be accepted and held in the Lake View Cemetery Perpetual Care Trust Fund.
6. When plots or niches are sold back to the Town the perpetual care fee shall be refunded in accordance with Section D(7).

G. Interments:

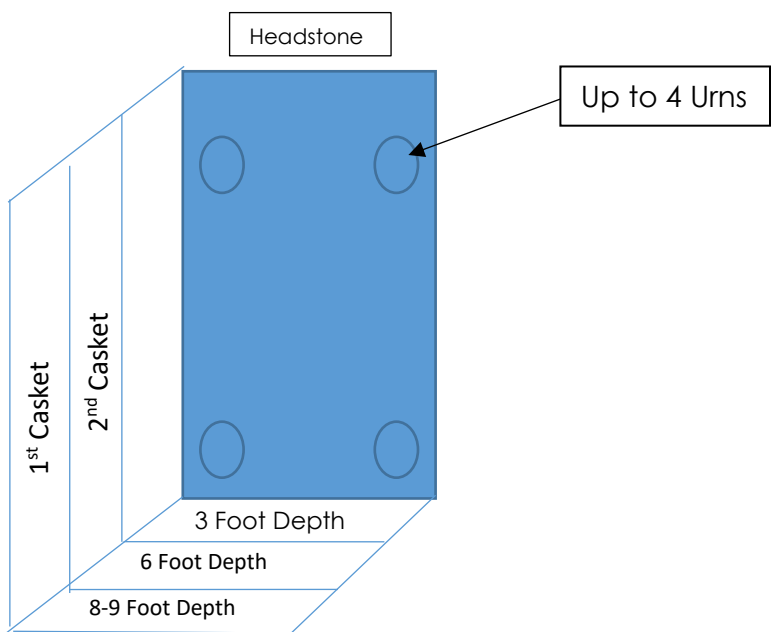
1. No Interment shall be made in the Cemetery until the provisions of the Public Health Act and Vital Statistics Act of the Province of Alberta have been complied with, and with any regulations issued thereunder.
2. No Interments shall be permitted in the Cemetery unless a fully completed Cemetery Application Form and a proper Burial Permit is produced by the party applying for the Burial. An application may be considered as not received if all required information isn't supplied. All applications for Burial/interment shall be made to the Town Office during Regular Working Hours/Day (8:30 am to 4:30 pm Monday to Friday, not including holidays observed by the Town of Stettler).
 - i) For Interments at any time of year, all applications for Burial shall be made at least 16 Regular Working Hours (2 full regular work days) before the day of Interment. An application made beyond Regular Working Hours shall be deemed to be made to/received by staff at the Town Office at the beginning of the following Regular Working Day.

An application for Burial/Interment which does not comply with the appropriate notice above is considered a Short Notice Burial Application. The Town reserves the right to refuse a Short Notice Burial Application should the Town determine it is unable to perform the required Interment preparations in the requested time frame. Provided the Town can perform the necessary Interment preparations within the short notice period, the application will be accepted, however an additional Short Notice Burial Extra Fee and/or Overtime will be charged as per Schedule "A" which is attached to and forms part of this Bylaw.

3. All orders for Interment in the Cemetery shall be signed by the Owner of the Plot in which such Interment is to be made, or the local representatives of such Owner, except in the case of the Funeral Homes who have entered into an agreement with the Town whereby the said Funeral Homes agree to be responsible for all Interments ordered by telephone, fax or otherwise. No Interment shall be permitted until the forms provided by the Town have been completed and given to the Town's Chief Administrative Officer (CAO) or Designate.
4. No Interment shall be made without the written proof of ownership of the Plot, unless the CAO or Designate otherwise allows.
5. The person instructing the Town to open a Grave shall give complete and precise instructions regarding the size and location of the Grave, and the Town shall not be responsible for any errors resulting from the lack of proper instruction.
6. Interment shall be made only between the hours of 8:00 a.m. and 8:00 p.m. Opening and Closing fees for services are set forth in Schedule "A" which is attached to and forms part of this Bylaw.
7. No Grave shall be less than six (6) feet in depth from the surface of the surrounding ground. No Grave for the Burial of cremated remains shall be less than eighteen (18) inches in depth from the surface of the surrounding ground. Where two caskets or coffins are placed in one Grave above each other the top of the outer case of the first casket or coffin shall be at least six (6) feet in depth from the surface of the surrounding ground.

Burials Options - Full Size Plots:

- For interment of human remains in 4x9 full size plot: Depth of the grave is to allow for a minimum of 3' of earth between the upper surface of the grave liner and the ground.
- The use of a Grave Liner is mandatory. If a concrete liner is used, the maximum dimensions cannot exceed 94" in length, 35" width, and 28" in height. If a polypropylene or HDPE liner is used, the maximum dimensions cannot exceed 91" in length, 35.5" in width, and 30" in height. Oversized grave liners will require pre consultation with the CAO or Designate.



8. Outer Burial Receptacles, approved by the Funeral Homes issuing the Burial Permit, for coffins or caskets shall be used for all Burials. A cement Outer Burial Receptacle shall be the only material permitted to be used for the bottom casket where two caskets or coffins are placed in one grave on top of each other. Polypropylene or HDPE vaults are only

allowed in Blocks 13, A, B C, and D of the cemetery. Due to soil integrity, the possibility of a cave-in, and the safety of Town of Stettler Staff and all users of the cemetery, the Town of Stettler reserves the right not to allow a double casket burial, if in the opinion of the Town it is unsafe to do so. The Funeral Home is responsible for purchasing and maintaining a suitable inventory of outer Burial receptacles.

9. No Grave for the Burial of cremated remains shall be less than eighteen (18) inches in depth from the surface of the surrounding ground.
 - If there are no casket burials in the plot, the container or urn that holds the remains must not exceed eighteen (18) inches in diameter, and 4' in height.
 - If there is a casket burial in the plot, the container or urn that holds the remains must not exceed eighteen (18) inches in diameter and eighteen (18) inches in height.
 - If an urn is requested to be interred in the center of the plot, no other interments or burials must be permitted in the same plot.
10. Grave Covers are prohibited except where one presently exists.
11. Before an Interment is made in any Grave, an application in writing shall be made to the Town and all fees for services as set forth in Schedule "A" which is attached to and forms part of this Bylaw shall be paid by the applicant.
12. A charge for overtime will be payable by the applicant for any Burials requiring Town employees to remain after Regular Working Hours as set forth in Schedule "A" which is attached to and forms part of this Bylaw.
13. The Town of Stettler must be notified that Cremated remains of another person may be in the casket/vault at the same time that Interment takes place.
14. Cremated remains, to a total of four, may be interred in a plot. The Town shall furnish Plots in the Cemetery for the bodies of Destitute or Indigent persons or for unclaimed bodies of deceased persons in accordance with Provincial Legislation. The Town will charge 50% of the amount that would ordinarily be charged for the purchase of plots; the Minister of Seniors, Social Community and Social Services will be responsible for the costs of burial in accordance with Provincial Legislation.
15. All locations of Interment shall be determined at the time of Burial as per the next available Plot. An additional three (3) Plots may be purchased and reserved at this time.
16. Graves for the purpose of interments shall be opened and closed only by persons employed by the Town of Stettler.
17. The Funeral Home shall be responsible for lowering the casket and the placing and removal of "greens". The Funeral Home representative shall be present until the Outer Burial receptacle is closed.
18. Whenever a Plot is held by two or more persons, an order for Interment in such Plot or any part thereof will be accepted by the Town from any one of the said persons or their personal representative.
19. No person shall accept any fee or reward for the Interment of any body in a Plot of which such person is the Owner, or over which he exercises any power of control.
20. No Plots shall be used for any purpose other than Burial grounds for human bodies, and the cremated remains of human bodies.

H. Disinterment

1. A written order from the Owner of the Plot and a Permit for the disinterment or removal of a body from the Provincial Medical Health Officer must be provided and approved by the Town of Stettler prior to disinterring a body.
2. The Owner of the plot, Permit Holder or Provincial Medical Officer requesting the disinterment, shall be responsible for cost of the disinterment process including post plot cleanup, to be done by a qualified company or person(s) only during Regular Work Hours, to the satisfaction of the Town of Stettler.

I. Care of Plots, Monuments and Markers:

1. To obtain the best landscape effects, it is essential that the Town shall assume the general care of the entire Cemetery. The Owner(s) of Plots shall observe all rules and regulations passed from time to time by the Town for keeping the Plots in order.
2. No person shall be permitted to do any work on any Plot except with the written consent of the Town. The Town will mark the dimensions of the Plot. All levelling, seeding of grass and sodding work shall be done by the Town.
3. Fences, railings, walls, enclosures, copings, hedges, woody ornamentals, flowering ornamentals in or around the Plots are prohibited. Coverings or slabs placed over any Plots are prohibited.
4. The Town shall, from time to time, report to the Owner on the condition of any Monument or Marker which is in disrepair/uneven and it shall be the duty of the Owner of such Monument or Marker to repair the same, without delay to the satisfaction of the Town.
5. Whenever any Owner of a Monument or Marker neglects to make the required repairs or alterations, after being given due notice by the Town, the Town shall allow a period of thirty (30) days to elapse after which time, it shall have power to repair or remove such Monument or Marker and charge the cost thereof to the Owner which may be recovered as a debt from the Owner to the Town.
6. Every Owner of a Plot in the Cemetery, or the Owner's Personal representative, shall be held responsible for the cost of the Plot and for all charges in connection therewith, including Disinterment or removal of a body when applicable. The Person signing the Cemetery Application Form will be held responsible for all charges in connection with such interment. Such Person, shall in addition, be held responsible for compliance with the regulations governing erection of Monuments applicable to that part of the Cemetery in which the Interment is made.

J. Installation/Repair or Replacement of Monuments & Markers:

1. All persons employed in the construction, erection and maintenance of monuments or markers, whether employed by the Town or not, shall be subject to the direction and control of the Town. No work shall proceed until it is authorized by the CAO or Designate.
2. Any Person conducting any type of work such as installation, engraving, or repair of a monument must be a qualified contractor or licensed to do such type of work.
3. All firms or individuals wishing to place a new Monument or Marker or repair/replace a Monument or Marker must first obtain a permit from the Town of Stettler. A Monument Permit must be completed and returned to the Town Office before any work is undertaken. The Monument Permit is Schedule "B" attached to and forming part of this Bylaw. All persons erecting, repair or replacing Monuments or Markers shall ensure that the surrounding areas are left in the same condition as found. It is understood that payment of the Monument Permit Fee shall be in lieu of the Business License required by the Town.
4. No Monuments or Markers shall be erected, repaired or replaced on Saturdays, Sundays, or Holidays unless permission in writing has been granted by the Town of Stettler.
5. (a) In Blocks 4, 8, 9, 12 & 13 of the Cemetery, a foundation shall be provided by the Owner which allows for the installation of a Flat Marker only. Upright Monuments are not allowed. Markers with a maximum of one (1) inch above ground are allowed.

The foundation is to be level, flush with the ground and made of concrete or any other material approved by the Town of Stettler. The foundation shall be at least four (4) inches in depth. The foundation shall extend not less than four (4) inches in any direction from the base of the flat marker. The dimension of the foundation shall be 24" X 48" for a single Plot and 24" X 96" for a double Plot.

- (b) In Blocks 1, 3, 6, 7 & 11 of the Cemetery, a foundation shall be provided by the Owner which allows for the installation of a Monument or Marker. Upright Monuments shall

not exceed forty (40) inches in height. The foundation is to be level, flush with the ground and made of concrete or any other material approved by the Town of Stettler. The foundation shall be at least four (4) inches in depth. The foundation shall extend not less than four (4) inches in any direction from the base of the Monument or Marker. The dimension of the foundation shall be 24" X 48 for a single Plot and 24" X 96" for a double Plot.

- (c) In Blocks A, B, C and D of the Cemetery, the Town will provide a suitable concrete base for the mounting of Monuments or Markers. The maximum upright including the base monument shall not exceed forty (40) inches in height. Monuments or Markers must be placed four (4) inches back of the leading edge and shall not exceed fourteen (14) inches in width and the length shall not exceed forty (40) inches for a single Plot or eighty-four (84) inches for a double Plot.
- 6. Due to the age of the Cemetery, in some cases the Monument size will be determined by the actual Plot space available.
 - 7. The base of all Monuments or Markers should be firmly secured to the foundation. The foundation must be adequate to carry the weight of the Monument or Marker. All foundations for Monuments or Markers shall be confined within the boundaries of the respective Plots. All Monuments and Markers shall be placed at the head of the Plot on solid ground and shall be in line with other Monuments or Markers in that section of the Cemetery. No Foot Markers or Secondary Markers are permitted.
 - 8. No Monuments or Markers shall be placed, replaced or repaired from November 1st to April 30th.
 - 9. All work of any description shall cease while a Funeral or Interment is being conducted nearby. All trucks, equipment and workmen shall withdraw from view from the location of the Funeral Service.
 - 10. The Town may refuse the placement of any Monument or Marker which may otherwise conform to the Regulations of this Bylaw, but is not in keeping with the general appearance of the Cemetery.
 - 11. Any Monument or Marker not conforming to the Bylaw specifications shall be removed by the Town following a thirty (30) day notification to the Owner and/or installation company and will be held for sixty (60) days by the Town.
 - 12.
 - (a) The Town shall not be liable for damages resulting from theft, vandalism or damage, howsoever caused to Monuments or Markers erected upon a Plot.
 - (b) The Town will not be responsible for any errors resulting in Monuments or Markers being designed, or the description on the face being inaccurate.
 - (c) The Town shall not be responsible for normal wear and tear on Monuments, including but not limited to small chips and scratches from maintenance equipment.
 - 13. At the time of purchase of a Monument or Marker provision should be considered to record any additional future Interments on the same Monument or Marker. Refer to Sections G (11) to G (14) inclusive.

K. Penalty:

- 1. Any person who destroys, damages, defaces or writes upon any monument or marker or other structure or object in the Cemetery in contravention of Section B13, Regulations, of this Bylaw shall be guilty of an offense, and liable upon summary conviction to a fine of not less than five hundred dollars (\$500.00) and to a total fine of not more than two thousand, five hundred dollars (\$2,500.00) plus all costs of restoration and in default of payment to imprisonment for a period not exceeding six (6) months.
- 2. Any person who commits a breach of any of the other provisions of this Bylaw shall on conviction for such breach, be liable to a penalty of not less than one hundred dollars (\$100.00) and not exceeding two thousand dollars (\$2,000.00) exclusive of costs, or in the case of non-payment of the fine and costs imposed, to imprisonment for any period not exceeding sixty (60) days.

3. The Town will pay a reward of one hundred dollars (\$100.00) to any person for information that will lead to the conviction of any person committing a breach of this Bylaw.

L. Provisions for Rules and Regulations:

1. The Town's Chief Administrative Officer (CAO) may make interpretations of rules and regulations, not inconsistent with this Bylaw for the effectual carrying out of this Bylaw and for the efficient management, control and regulation of the Cemetery.

M. Severability:

1. Should any section or part of this Bylaw be found to have been improperly enacted or ultra vires, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

Bylaw 2085-16 is hereby repealed.

This Bylaw shall come into effect on the date of final passing.

READ a first time this 20th day of May, A.D. 2025.

READ a second time this 20th day of May, A.D. 2025.

READ a third time and finally passed this 20th day of May, A.D. 2025.

Mayor

Assistant CAO

Bylaw 2188-25
Schedule “A”

1. Purchase of Plot(s)

(a) Resident	\$700.00	plus perpetual care	\$100
(b) Non-resident	\$900.00	plus perpetual care	\$100
(c) Columbarium Niche	\$750.00	plus perpetual care	\$50

2. Opening & Closing Fees (Monday - Friday)

	Summer <u>(May 1-Oct 31)</u>	Winter <u>(Nov 1-Apr 30)</u>
(a) Half Size & Full Size Graves	\$725.00	\$1000.00
(c) Cremation	\$250.00	\$325.00
(d) Columbarium Niche	\$100.00	\$100.00
(e) Columbarium Supervised Access Fee	\$50.00	
Short Notice Burial Extra Fee	\$100.00	\$150.00

Plus \$40.00 for every ½ hour or part thereof Town of Stettler Staff time past 4:30 pm Monday - Friday.

3. Overtime Opening & Closing Fees
(Saturday, Sunday, Holidays)

	Summer <u>(May 1-Oct 31)</u>	Winter <u>(Nov 1-Apr 30)</u>
(a) Half Size & Full Size Graves	\$925.00	\$1200.00
(c) Cremation	\$450.00	\$525.00
(d) Columbarium Niche	\$200.00	\$200.00

4. Monument Permit Fee

\$50.00

GST is to be charged on all above items.