

Town of Mayerthorpe
Province of Alberta
Canada.

BYLAW NO. 1169

**BEING A BYLAW OF THE TOWN OF MAYERTHORPE TO AUTHORIZE CEMETERY
OPERATIONAL PRACTICES**

WHEREAS, the Mayerthorpe and area cemetery is operated by the Town of Mayerthorpe in accordance with the Cemeteries Act of Alberta, RSA 2000, Chapter C-3.

AND WHEREAS Mayerthorpe Town Council wishes to update its legislation to reflect current pricing;

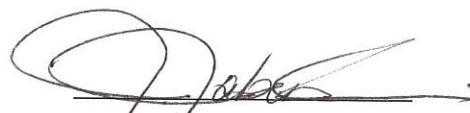
NOW THEREFORE, the Council of the Town of Mayerthorpe in the Province of Alberta, duly assembled, hereby enacts as follows:

1. The attached Appendix A shall constitute the operating guidelines for the cemetery.
2. Town Council shall consult the Mayerthorpe Cemetery Committee prior to finalizing any changes to the attached Appendix A.
3. Town of Mayerthorpe Bylaw No. 1154 is hereby rescinded.
4. Should any provision of this bylaw be found to be invalid then such invalid provision shall be severed and the remaining bylaw shall be maintained.
5. This Bylaw becomes effective upon third reading.

Read a first time this 9th day of January, A.D. 2023.

Read a second time this 9th day of January, A.D. 2023.

Read a third time and duly passed this 9th day of January, A.D. 2023.


Janet Jabush, Mayor


Jennifer Sunderman, C.A.O.

APPENDIX "A"

**TOWN OF MAYERTHORPE
BYLAW NO. 1169 - CEMETERY REGULATIONS**

The care, operation, administration, and regulation of the Mayerthorpe Cemetery are the sole responsibility of the Council of the Town of Mayerthorpe.

Any and all requests regarding burials must be directed to the Town Office. A Funeral Information Form must be filled out and returned to the Town Office. A faxed or e-mailed copy will be accepted; however, the original must follow by mail. Notification of burial/interment or inurnment will not be deemed to be received until the Funeral Information Form has been received.

The Town must be notified in writing two business days prior to a burial/interment or inurnment taking place within the period May 1 through October 31 and three business days prior to a burial/interment or inurnment taking place within the period November 1 through April 30 prior to a burial taking place. A Late Notification Fee plus opening/closing fees shall be applicable when less than the minimum notice, not including weekends and/or holidays, is given for a burial/interment or inurnment. If additional fees (i.e. equipment rental etc., overtime etc.) are incurred due to lack of notification, these fees will be invoiced as well. Exceptions to the above may be authorized at the Chief Administrative Officer's discretion. The Town shall not be liable for additional third-party fees when the Funeral Information Form has not been given by the minimum notice prior to a burial/interment or inurnment."

Plot is synonymous with lot or niche.

No one other than the designated Town employee may suggest, promise or otherwise imply that any lot or niche is available for current purchase.

Only designated Town employees or their agents may open or close grave sites, including cremation plots and niches.

Some dirt must always be left at the burial/interment or inurnment site for funeral rites.

Town employees do not disinter bodies or cremains. A private contractor must be engaged. The Town must be notified in writing at least three working days prior to disinterment taking place. All Cemetery Act regulations must be followed in disinterring remains.

All burials must have a grave liner of concrete or metal. Wood liners are not permitted. Cremations do not require a grave liner.

The walk-through gate is to be left open at all times. Keys to the main gate will be provided or gates will be opened when deemed necessary by only the designated Town employee or their agent. The main gate will be left open on Mother's Day and Father's Day plus other holidays when appropriate.

The sale of plots or niches will follow in numerical order of blocks and plots or niches in phases as designated by Council. Variations from this sequence must be authorized by the Chief Administrative Officer.

No person shall allow a domestic animal to enter the Cemetery, except domestic animals used for human assistance ie. seeing-eye dogs or a domestic animal belonging to the deceased – funeral service only.

There are areas of the Cemetery that are inaccessible by Town equipment to open a plot without causing damages. In these cases, the family will be responsible to pay any extra relating to the opening and closing. These costs may include but are not limited to, vacuum truck, manual closing.

Plot prices shall be:

Full Size Plot

Grave Plot.....	\$420.00 Plus GST
Perpetual Care.....	\$240.00 Plus GST
<u>Opening & Closing</u>	
Summer.....	\$425.00 Plus GST
	\$525.00 Plus GST Weekends & Statutory Holidays
Winter.....	\$525.00 Plus GST
	\$625.00 Plus GST Weekends & Statutory Holidays
Vacuum Truck/Closing.....	Estimated Costs \$500.00 - \$1000.00

Administration Fee

Fee.....	\$25.00 Excludes GST
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Cremation Plot

Cremation Plot.....	\$370.00 Plus GST
Perpetual Care.....	\$240.00 Plus GST
<u>Opening and Closing</u>	
Summer.....	\$100.00 Plus GST
	\$150.00 Plus GST Weekends & Statutory Holidays
Winter.....	\$125.00 Plus GST
	\$225.00 Plus GST Weekends & Statutory Holidays

Administration Fee

Fee.....	\$25.00 Excludes GST
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Blocks 13 to 18 inclusive and 56, 57 and 58 have been designated for Veterans and their wives or husbands. These are intended for Veterans of World War One; World War Two; and the Korean War.

Veterans

Grave Plot.....no charge
Spouse Plot.....\$420.00 Plus GST
Perpetual Care.....\$240.00 Plus GST

Open & Closing

Summer.....\$425.00 Plus GST
\$525.00 Plus GST Weekends & Statutory Holidays
Winter.....\$525.00 Plus GST
\$625.00 Plus GST Weekends & Statutory Holidays

Administration Fee

Fee.....\$25.00 Excludes GST

If the cremains of children are buried in a Veteran's plot, then the cremation plot fee would apply.

Indigents

Grave Plot.....\$210.00 Plus GST
Perpetual Care.....\$240.00

Opening & Closing

Summer.....\$425.00 Plus GST
\$525.00 Plus GST Weekends & Statutory Holidays
Winter.....\$525.00 Plus GST
\$625.00 Plus GST Weekends & Statutory Holidays

Administration Fee

Fee.....\$25.00 Excludes GST

Indigents

Cremation Plot.....\$185.00 Plus GST
Perpetual Care.....\$240.00

Opening and Closing

Summer.....\$100.00 Plus GST
\$150.00 Plus GST Weekends & Statutory Holidays
Winter.....\$125.00 Plus GST
\$225.00 Plus GST Weekends & Statutory Holidays

Administration Fee

Fee.....\$25.00 Excludes GST

Infant – Under 12 months.....No Charge for Plot

Opening and Closing.....\$212.50 Plus GST
\$262.50 Plus GST Weekends & Statutory Holidays
Perpetual Care.....\$240.00 Plus GST

Administration Fee

Fee.....\$25.00 Excludes GST

Niche

(Inside Dimensions: 12.5" x 12.5" x 14")

Niche.....	\$1,000.00 Plus GST*
Perpetual Care.....	\$ No Charge
First Opening Weekend or Holiday.....	\$50.00
Opening (Second and Subsequent).....	\$ 100.00 Plus GST
Opening Weekends(Second and Subsequent).....	\$ 150.00 Plus GST
Bronze Plaque.....	\$600.00 + GST includes Freight of \$75.00
Date Plaque.....	\$70.00 + GST includes Freight of \$20.00
Memory Plaque	\$325.00 + GST includes Freight of \$55.00

Administration Fee

Fee.....	\$25.00 Excludes GST
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* First opening is included in the Fee.

** Bronze Plaque shall be ordered at same time as purchase of the Niche.

Niche Fee revenue shall offset columbarium purchase costs, cemetery improvement costs, and in the event of no cemetery improvement expenditures, revenue can then offset overall cemetery annual operating costs. Surplus Niche Fee revenue shall be transferred to the Cemetery Reserve on an annual basis.

Late Notification – Less than two business days prior to a burial/interment or inurnment taking place within the period May 1 through October 31 and three business days prior to a burial/interment or inurnment taking place within the period November 1 through April 30.

Fee.....	\$250.00 Plus GST
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Closing after 3:00 p.m. Weekdays

Fee.....	\$75.00 Plus GST
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Municipal Damage Deposit – Contractors or their agents

Deposit.....	\$200.00 (Excludes GST and includes \$25.00 Administration Fee)
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Cremation Plots may or may not be opened in the winter months. It is at the discretion of the Chief Administrative Officer.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 are to be known as "Full Size Plot - Cremation Only". Plots in the "Full Size Plot - Cremation Only" section are to be sold for the current price of a full-size plot but are to be used for cremations only. No more than 4 cremations allowed in a full-sized plot. Full burials/interment will not be allowed unless the plot was reserved prior to November 1, 2011.

Burials of cremains between plots are not allowed.

Plots designated for Full Burials, not more than 1 full burial and four urns will be allowed.

When a plot is to be used for both full burial and cremation burial(s), the cremations shall not be buried until the full burial has taken place.

No more than two urns will be allowed in a cremation plot or niche.

A Cemetery Entrance Form must be filled out by anyone authorized to make renovations or alterations to a grave only when a vehicle and/or powered equipment is required. This shall include relatives of the deceased. Cemetery Entrance Forms are available at the Town Office.

A Municipal Cemetery Damage Deposit form must be completed, include the applicable deposit, and submitted to the Town by contractors or their agents prior to entering the Mayerthorpe Cemetery.

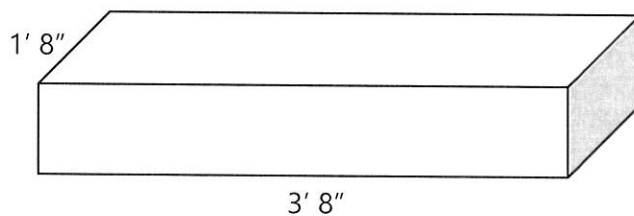
No monument shall be installed in such a manner that the neighboring grave cannot be opened. There must be a 4" reveal on the foundation to allow for proper grass cutting around the base. Permanent monuments, pillows and flat markers must be installed under the direction of a Town employee. All major renovations and changes must be approved by the Town.

Insurance for monuments, pillows, flat markers bronze plaques, and memorial plaques are the responsibility of the purchaser, and not the municipality. Insurance should cover vandalism, and replacement costs.

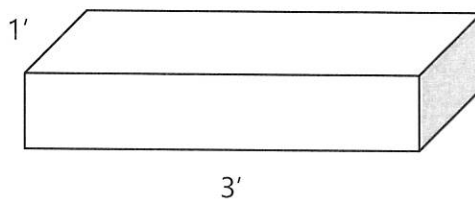
The placement of monuments, pillows and flat markers, is the responsibility of the family of the deceased in all sections of the cemetery. Families shall be responsible for monuments, pillows and flat markers in disrepair.

The placement of monuments, pillows and flat markers must not take place prior to the burial/interment.

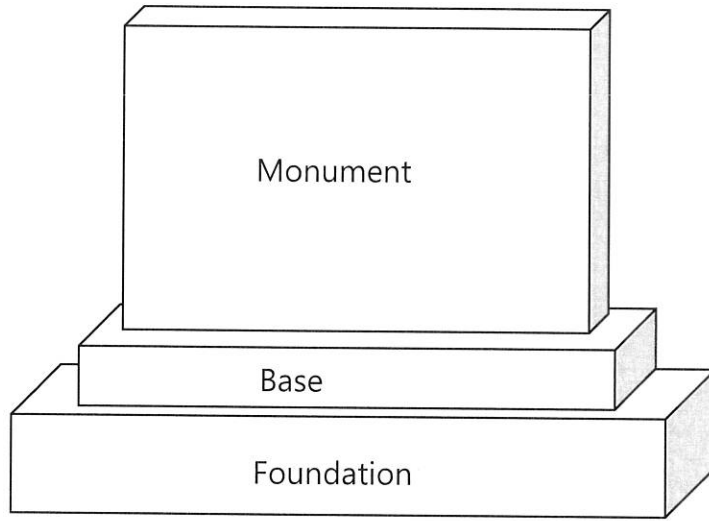
Foundations must be of a size no larger than 3' 8" wide x 1' 8" ft deep



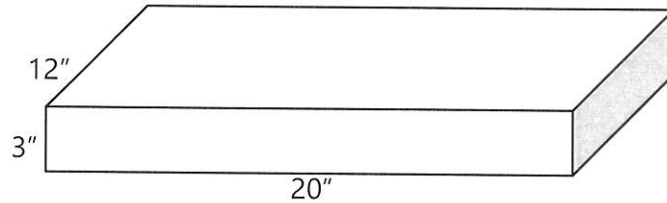
Base must be of a size no larger than 3' wide and 1' deep



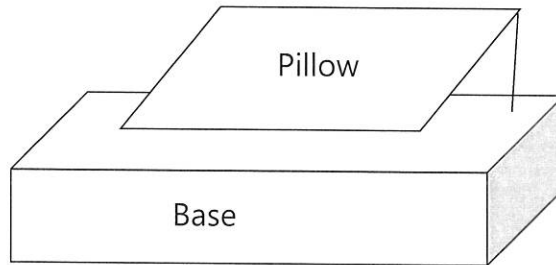
Monuments must be of a height of no more than 3'



Flat Markers for lots designated for cremations must be 12"x20"x 3" and set flush with the ground level, face and edges shall be smooth cut.



Pillow grave markers are similar to flat markers, but are 6-8 inches high, usually with a slightly slanted face created from having a higher back edge and shallow slope, and often sit on a base in the cemetery.



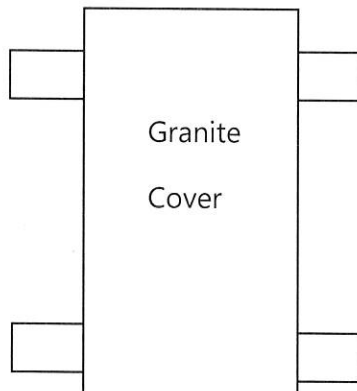
Niche bronze plaques shall be uniform in size, inscription as established by the supplier.
Niche bronze plaques shall be ordered through the Town.

Requests to place commemorative markers, for those buried elsewhere or those who have been scattered shall be allowed in an existing plot providing:

- 1) that the grave marker be installed flush abutting the existing plots grave marker(s) and
- 2) that the person(s) making the request obtain and provide the Town with written consent, if deemed necessary by the Chief Administrative Officer.

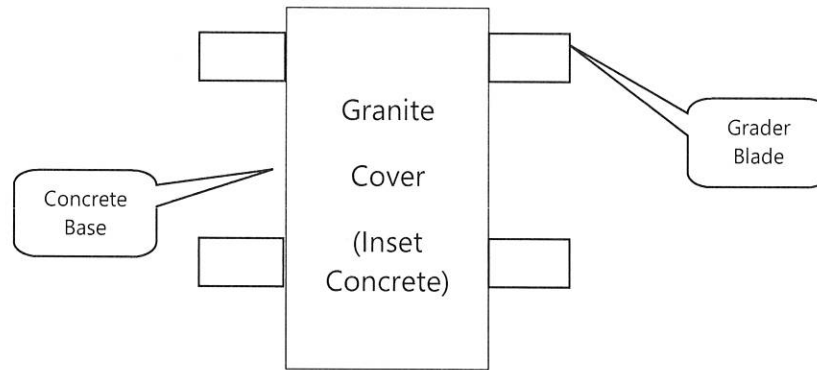
Grave covers will not be permitted to be placed or replaced, except for flat covers of granite at ground level that will allow a mower to pass over. Granite covers are to be installed one of two ways:

1. The cover can be installed on metal grader blades which go across the plot onto solid ground (level, free from excess moisture, and compacted) cover is inset at ground level.



2. The cover can be placed on a concrete foundation resulting in concrete foundation being backfilled to the cover and cover being set at ground level.





Mayerthorpe Cemetery shall not be responsible for any damage to or the destruction of any improvements, grave covers, flat markers, monuments, pillows, memorial plaques, bronze plaques of any kind on cemetery grounds resulting from, but not limited to, cemetery maintenance, the elements, acts of God, storms, lighting, thieves, vandalism, malicious mischief, explosion, fire, war, or riots. All repairs are the responsibility of the family of the deceased.

In the case of a nonconforming monument, pillow, flat marker, memorial plaque, bronze plaque or cover purchased and not allowed in the cemetery the financial responsibility falls to the purchaser.

With the exception of flat marker, pillow or monument placement or care, only Town employees or their designated agents will be permitted to work in the Cemetery.

Trees, shrubs and flowers shall be planted only in areas designated for that purpose. Artificial flowers shall be removed at the discretion of the caretaker when they are deemed to be unsightly. No ornamental fences or additions are allowed that would obstruct maintenance.

It is the responsibility of any Funeral Director to ensure that all rules and regulations of the cemetery are known.

Copies of this by-law, and these rules and regulations shall be given to everyone who purchases a cemetery plot or niche, at the time of purchase.