



TOWN OF GIBBONS

Municipal Cemetery

Amending Bylaw PI 4-05

BEING A BYLAW OF THE TOWN OF GIBBONS IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE CONTROL AND REGULATION OF THE TOWN OF GIBBONS MUNICIPAL CEMETERY

WHEREAS, the Town of Gibbons is the owner and operator of the Town of Gibbons Municipal Cemetery

NOW THEREFORE, the Council of the Town of Gibbons duly assembled enacts as follows:

DEFINITIONS

“Artificial Ornaments” means any cut flowers, silk flowers or wreaths.

“Caretaker” means the Town employee working at the cemetery under the instruction and supervision of the Town Manager.

“CAO” means the Chief Administrative Officer or any person acting under his or her instructions, or other persons designated by the Town of Gibbons.

“Cemetery” means the cemetery in the Town of Gibbons known as the Municipal Cemetery owned and operated by and under the control of the Town and named “Gibbons Memorial Gardens”

“Council” means the Council of the Town of Gibbons.

“Family Plot” means a plot or several plots which lie adjacent to one another and which are to be reserved for the burial of more than one deceased member of a family.

“Flowering Ornamental” means any perennial, annual, and biannual flowering plant.

“Grave” means a plot used as a place of burial.

“Indigent” means a level of poverty in which real hardship and deprivation are suffered and

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comforts of life are wholly lacking.

“Marker” means a memorial which shall not exceed 8” above the surface of the foundation.

“Perpetual Care” means the basic maintenance of all plots and shall include leveling of the ground and the seeding and cutting of grass as required. It shall not include the maintenance, repair or replacement of monuments or markers.

“Plot” means a plot as shown on a plan of subdivision on record in the Town Office used as a place of burial.

“Summer” means May 1 to October 31.

“Town” means the Town of Gibbons.

“Vehicle” means something used to transport either goods or people and in this bylaw includes an animal such as a horse.

“Veteran” means a former member of the Armed Forces.

“Winter” means November 1 to April 30.

“Woody Ornamental” means any trees, shrubs, creepers and climbers.

1. GENERAL

- 1.1 The CAO shall have charge of the cemetery and shall exercise control over all persons employed therein.
- 1.2 The Town shall have authority to remove any weeds, or grass, funeral designs or floral pieces which, may become wilted, or any other article or thing, which is, in its opinion, unsightly.
- 1.3 If, in the opinion of the Town, any woody ornaments situated on or about the cemetery shall become, by means of their roots or branches, prejudicial to the general appearance to the ground or dangerous or inconvenient to the public, the Town shall have the right to remove such woody ornaments, or any parts thereof.
- 1.4 No person shall disturb the quiet or good order of the cemetery by improper noise, improper conduct or otherwise. A member of the Royal Canadian Mounted Police, Special Constable or a representative appointed by the Town to oversee the

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cemetery may evict, using such force as is reasonably necessary, or deny entrance to any person who contravenes this Bylaw.

- 1.5 Whenever the owner or family of a marker neglects to make the required repairs or alterations to a marker within 30 days after receiving notice from the Town to do so, the Town shall have the power to repair such marker and charge the cost to the owner or family which may be recovered as a debt from the owner or family to the Town.
- 1.6 No person shall turn loose or allow going at large or feed any cattle, swine, horses, dogs or any other animal in the cemetery.
- 1.7 Any Society desiring to hold a memorial service shall give the Town at least 10 days' notice in writing of their intention to do so.
- 1.8 No persons shall destroy, damage, deface or write upon any marker, tablet or other structure or object in any cemetery.
- 1.9 No person shall deposit any paper, sticks, or refuse of any sort on any portion of the land within the boundaries of the cemetery except in receptacles provided for the purpose.
- 1.10 All grading, seeding of grass, and sod work shall be done under the direction of the Town by employees of the Town.
- 1.11 Benches of a style approved by the Town may be permitted in the cemetery under such conditions as the Town may order.

2. PLOTS

- 2.1 The plans of subdivision of the lands made available by the Town for burial purposes on record at the Town Office. All interments shall be made, and records kept by the Town in accordance with such plans. Copies of all such plans shall be available for inspection free of charge at the Town Office during normal office hours.
- 2.2 The CAO shall supervise all sales of plots and interments in the cemetery.
- 2.3 Plots in the cemetery shall be sold by the Town upon completion of all necessary applications and permits and the purchaser has paid, in advance, the cost of the appropriate Plot and Perpetual Care amounts as shown in Schedule "A". Open and Close Fees are to be paid at time of burial at the current listed price as listed in Schedule "A". A maximum of 4 plots may be purchased at any one time.

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- 2.4 The Council may from time to time, by resolution amend the fees and charges for plots and service shown on Schedule "A" of this Bylaw.
- 2.5 Ownership of a plot may be transferred only upon completion of all required documentation and payment of applicable fees.
- 2.6 No plots shall be used for any purpose other than burial grounds for human bodies, and the cremated remains of human bodies.
- 2.7 No person other than an employee of the Town, or the owner of a plot or his agent, shall be permitted to care for any plot in the cemetery.
- 2.8 Fences, railings, walls, cooping, hedges, woody ornaments, and flowering ornamentals in or around the plots are prohibited.
- 2.9 The top of plots or graves shall be kept level with the surrounding ground.

3. BURIALS

- 3.1 Disinterment of a body or ashes shall not take place until a permit for disinterment is issued by the Provincial Director of Vital Statistics and delivered to the Town.
- 3.2 No interment shall be permitted until all applications and Permits have been completed and given to the Town.
- 3.3 Orders for Saturday and holiday burials must reach the office of the Town CAO 72 hours before the burial is to take place, unless the Town, otherwise allows.
- 3.4 Additional charges in respect of burials carried out on a Saturday, Statutory holiday, a declared holiday or after 3:00 p.m. weekdays shall be in accordance with the rates as established in Schedule "A".
- 3.5 There will be no Sunday burials.
- 3.6 Graves shall be opened and closed and interments made only by persons authorized to do so by the Town. No person or persons not under the control or supervision of the Town shall open or close any grave for the purpose of interring or removing a body.
- 3.7 No grave for the burial of a deceased shall be less than 5 feet in depth from the surface of the ground surrounding the grave.

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- 3.8 No grave for the burial of cremated remains shall be less than 24 inches in depth from the surface of the ground surrounding the grave.
- 3.9 Cremated remains may be interred in a plot or in the same plot with a body or in a plot with other cremated remains. A maximum of 2 cremated remains may be interred in the same plot as a body. A maximum of 6 cremated remains may be interred in one plot.
- 3.10 The body of a person shall not be interred in the same grave in which a body has previously been interred.
- 3.11 No second inurnment shall be permitted in any plot in the cemetery on which there are unpaid charges due and payable to the Town.
- 3.12 The Town may give consideration for the erection of a columbarium for cremains.
- 3.13 The Town shall supply graves in the cemetery, without charge, for the unclaimed bodies of deceased persons.
- 3.14 The Town shall supply graves in the cemetery, or a columbarium Niche, at a charge of 50% of the current plot price, for the bodies of indigent persons or veterans. If the spouse of a Veteran is buried in the same plot/columbarium perpetual fees will apply to the spouse.
- 3.15 All work in the immediate vicinity of a grave shall be discontinued during the burial service.
- 3.16 All burials within the limits of the cemetery shall be under the supervision and control of the Town.
- 3.17 Concrete liners or vaults are required for the burials of a body.

4. MARKERS

- 4.1 All markers will not exceed 8" above the surface of the foundation.
- 4.2 All persons employed in the construction and erection of markers or doing other work in the cemetery shall be subject to the direction and control of the Town.

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- 4.3 No markers shall be erected in the cemetery until all applications and permits have been completed. Permit fees shall be charged in accordance with the amounts shown on Schedule "A" of this Bylaw.
- 4.4 When cremains are placed in a plot where a body has been interred, flat markers shall be placed at the foot of the plot marking the cremains.
- 4.5 When up to 6 cremains are placed in a plot, flat markers shall be placed at the top of each of the burial sites.
- 4.6 No markers shall be erected on Saturdays, Sundays or holidays unless permission in writing has been granted by the Town.
- 4.7 All persons erecting markers shall insure that such markers are firmly secured to a foundation.
- 4.8 All persons erecting markers shall insure that the surrounding areas are left in the same condition as found.
- 4.9 No work shall be done upon any marker, nor shall any marker be removed from any grave or plot without permission from the Town.
- 4.10 No permanent marker shall be placed on any grave plot or columbaria plot prior to the interment of human remains in such grave plot or columbaria unless it is a double plot or columbaria and one of the persons are interred in the plot.
- 4.11 No grave cover is allowed in any portion of the cemetery.

5. PERPETUAL CARE

- 5.1 A perpetual care fee will be added to the purchase price of all burial, cremation and columbarium plots.
- 5.2 The Cemetery Perpetual Care Reserve Fund shall be established for the future care of the cemetery once the Town establishes that the cemetery is full as determined by the CAO.
- 5.3 Interest from the Perpetual Care Fund shall be used for maintenance of the cemetery as determined by the Town.

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- 5.4 Perpetual care to be supplied by the Town shall not include the care, maintenance, upkeep, repair or replacement of any marker, which has been placed in the cemetery.
- 5.5 Tax deductible donations will be accepted and held in the Town of Gibbons Cemetery Perpetual Care Reserve Fund.

6. VISITORS

- 6.1 No persons shall enter or remain in the cemetery between the hours of 11:00 p.m. of any day and 6:00 a.m. of the next day following.

7. VEHICLES IN CEMETERY

- 7.1 No person shall drive any vehicles through the cemetery at a greater rate of speed than 20 km per hour.
- 7.2 The Town may prohibit the driving of vehicles in any part of the cemetery.
- 7.3 Unless authorized by the Town, no vehicle shall be allowed in the cemetery except when it is a part of a funeral procession.
- 7.4 The owner of any moving vehicle shall be responsible for any damage done by such vehicle within the boundaries of the cemetery.

8. PROVISIONS FOR RULES AND REGULATIONS

- 8.1 The Council may make 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.
- 8.2 Schedule A may be submitted to Council for amendment from time to time as long as the body of this Bylaw does not change.

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9. PENALTY

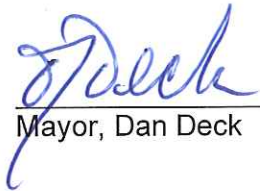
- 9.1 Any person who commits a breach of any of the provisions of this bylaw shall, on conviction, be liable to a penalty not exceeding \$1,000.00 exclusive of costs, or in the case of non-payment of the fine and cost imposed to imprisonment for any period not exceeding 60 days.

This Bylaw will come into effect as of September 1, 2019.

Read a first time this 26th day of June, 2019

Read a second time this 24th day of July, 2019

Read a third and final time this 24th day of July, 2019



Mayor, Dan Deck



CAO, Farrell O'Malley

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SCHEDULE "A"

CEMETERY FEES

	Plot	Perpetual Care	Weekday Open & Close 9 am – 3 pm	Saturday & Holiday Additional Charges for Open & Close	
				AM	PM
Regular Plot					
Summer	\$1,050.00	\$200.00	\$450.00	\$200.00	\$275.00
Winter	\$1,050.00	\$200.00	\$650.00	\$200.00	\$275.00
Cremation Plot – (One Plot will accommodate up to 6 Urns)					
Summer – 1 st Urn	\$1,050.00	\$200.00	\$250.00	\$200.00	\$275.00
Winter – 1 st Urn	\$1,050.00	\$200.00	\$400.00	\$200.00	\$275.00
Summer – 2 nd – 6 th Urn	-	\$100.00	\$250.00	\$200.00	\$275.00
Winter – 2 nd – 6 th Urn	-	\$100.00	\$400.00	\$200.00	\$275.00
Cremation Plot – Interred with previous casket (2 inurnments can be made in one site where a casket in interred)					
Summer	-	\$100.00	\$250.00	\$200.00	\$275.00
Winter	-	\$100.00	\$400.00	\$200.00	\$275.00

Veterans & Indigent

The Town shall supply graves in the cemetery, or a columbarium Niche, at a charge of 50% of the current plot price, for the bodies of indigent persons or veterans. If the spouse of a Veteran is buried in the same plot/columbarium perpetual fees will apply to the spouse.

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<u>Single Columbaria</u>	Plot	Perpetual Care	Weekday Open & Close 9 am – 3 pm	Saturday & Holiday Additional Charges for Open & Close	
				AM	PM
Single Niche – Top Row					
Summer	\$750.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter	\$750.00	\$150.00	\$300.00	\$200.00	\$275.00
Single Niche – 2nd Row					
Summer	\$700.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter	\$700.00	\$150.00	\$300.00	\$200.00	\$275.00
Single Niche – 3rd Row					
Summer	\$650.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter	\$650.00	\$150.00	\$300.00	\$200.00	\$275.00
Single Niche – 4th Row					
Summer	\$600.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter	\$600.00	\$150.00	\$300.00	\$200.00	\$275.00

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<u>Double Columbaria</u>	Plot	Perpetual Care	Weekday Open & Close 9 am – 3 pm	Saturday & Holiday Additional Charges for Open & Close	
				AM	PM
Double Niche – Top Row					
Summer – 1 st Opening	\$1,250.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter – 1 st Opening	\$1,250.00	\$150.00	\$300.00	\$200.00	\$275.00
Summer – 2 nd Opening	-	-	\$250.00	\$200.00	\$275.00
Winter – 2 nd Opening	-	-	\$300.00	\$200.00	\$275.00
Double Niche – 2nd Row					
Summer – 1 st Opening	\$1,200.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter – 1 st Opening	\$1,200.00	\$150.00	\$300.00	\$200.00	\$275.00
Summer – 2 nd Opening	-	-	\$250.00	\$200.00	\$275.00
Winter – 2 nd	-	-	\$300.00	\$200.00	\$275.00
Double Niche – 3rd Row					
Summer – 1 st Opening	\$1,150.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter – 1 st Opening	\$1,150.00	\$150.00	\$300.00	\$200.00	\$275.00
Summer – 2 nd Opening	-	-	\$250.00	\$200.00	\$275.00
Winter – 2 nd Opening	-	-	\$300.00	\$200.00	\$275.00
Double Niche – 4th Row					
Summer – 1 st Opening	\$1,100.00	\$150.00	\$250.00	\$200.00	\$275.00
Winter – 2 nd Opening	\$1,100.00	\$150.00	\$300.00	\$200.00	\$275.00
Summer – 1 st Opening	-	-	\$250.00	\$200.00	\$275.00
Winter – 2 nd Opening	-	-	\$300.00	\$200.00	\$275.00

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Other Charges

1. Transfer of Burial Deed - \$200
2. Disinterment (on production of certificate from Vital Statistics)
 - Casket - \$600.00
 - Cremins - \$300.00
3. Re-internments shall be at burial costs
4. Grave Marker Permit Fee - \$25.00
5. Inscription on Columbaria Doors
 - Double – as quoted by contractor + \$100.00 administration fee
 - Single – as quoted by contractor + \$100.00 administration fee
6. Memory Wall
 - Inscriptions & Plate – as quoted by contractor + \$50.00 administration fee

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