

BYLAW NO. 818/07

**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATIONS OF THE RIMBEY CEMETERIES.**

**WHEREAS** The Town of Rimbey is the owner and operator of both West Haven Cemetery and Mount Auburn Cemetery;

**NOW THEREFORE** The Municipal Council of the Town of Rimbey, duly assembled, hereby enacts as follows:

**SECTION 1 – Definitions**

In this bylaw, unless the context otherwise requires:

- (a) “Artificial Ornaments” means any cut flowers, silk flowers or wreaths.
- (b) “Burial” means the interment of human remains or cremated human remains in a grave.
- (c) “Caretaker” means the employees actually working at the cemetery under the instruction and supervision of the Town Manager.
- (d) “Cement Liner” means a concrete burial receptacle placed in the plot into which the casket is lowered. The liner is designed to support the weight of the earth and standard cemetery maintenance equipment to prevent the grave from collapsing.
- (e) “Cemetery” means land that is set apart or used as a place for the burial of dead human remains or cremated human remains.
- (f) “Cemetery Board” means the Cemetery Board appointed by the Rimbey Town Council, and shall include any person authorized or appointed to carry out its duties, including town staff.
- (g) “Flowering Ornamental” means any perennial, annual and biannual flowering plant.
- (h) “Grave” means a lot or niche used as a place of burial.
- (i) “Lot” means a lot as shown on a plan of subdivision on record in the Town Office.
- (j) “Monument” means any structure in a cemetery erected or constructed on a grave or lot for memorial purposes.
- (k) “Niche” means a compartment as shown on a Columbarium Map on record in the Town Office for the storage of cremated remains.
- (l) “Town” means the Town of Rimbey.
- (m) “Woody Ornamental” means any trees, shrubs, creepers and climbers.

**SECTION 2 – Duties, Rights and Powers**

- (1) All the powers to the Cemetery Board by this bylaw shall be subject to the supervision and control of the Town Council.

...../2  


BYLAW NO. 818/07

**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATIONS OF THE RIMBEY CEMETERIES.**

- (2) The Cemetery Board shall have charge of the the cemeteries and shall exercise control over all persons employed therein.
- (3) It shall be the duty of the Cemetery Board to have lots available for the burial of human remains at all times.
- (4) The Town shall have the authority to order that the graves in any particular section of the cemetery shall be laid in any direction the Town may consider suitable.
- (5) The Town shall have the authority to have removed any weeds or grass, funeral designs, or floral pieces which may become wilted or any other article or thing which is in their opinion unsightly.
- (6) If, in the opinion of the Town, any woody ornamentals situated on or about the cemeteries shall become by means of their roots or branches or in any other way detrimental to adjacent lots, walks or driveways, prejudicial to the general appearance to the grounds or dangerous or inconvenient to the public, the Town shall have the right to remove such woody ornamentals or any parts thereof.
- (7) The Town shall have the right to remove fences, borders, railings, walls, hedges, copings and other enclosures now in existence as they may deem advisable after sufficient notice of their intention to do so has been published in a newspaper circulated in the Town, if the relatives are unknown.
- (8) (a) No persons shall disturb the quiet or good order of the cemetery by improper noise, improper conduct or otherwise.  
  
(b) A member of the Royal Canadian Mounted Police or the Cemetery Board or other person from time to time in charge of the cemeteries may evict therefrom using such force as is reasonably necessary, or deny entrance, to any person who contravenes paragraph (a) hereof.
- (9) Whenever the owner of a lot neglects to make the required repairs or alterations to a lot within 30 days after receiving written notice from the Town to do so, the Town shall have the power to repair such lot and charge the cost thereof to the owner which may be recovered as a debt from the owner to the Town.

**SECTION 3 – Lots & Niches**

- (1) The plans of subdivision of the lands made available for burial purposes & the Columbarium Map now on record in the Rimbey Town Office, together with all subsequent plans of subdivision of such lands approved by the Town, shall be the plans of the cemetery herein referred to and all interments shall be made and records kept by the Rimbey Town Office in accordance with such plans. Copies of all such plans shall be made available for inspection free of charge at the Rimbey Town Office during normal office hours.
- (2) The Town Office shall administer all sales of lots & niches and interments in the cemetery.



BYLAW NO. 818/07

**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATIONS OF THE RIMBEY CEMETERIES.**

- (3) The Town Office shall make all sales and receive all monies therefrom for all interments made in the cemeteries.
- (4) (a) Lots & niches in the cemetery shall be sold by the Town upon the purchaser paying the amounts set forth in Schedule "A" of this bylaw.  
  
(b) Schedule "A" may be changed from time to time by an amending bylaw of Rimbey Town Council  
  
(c) The funds received by the Town for perpetual care will be invested by the Town and the interest therefrom shall be used to offset the maintenance of the Town of Rimbey's cemeteries.
- (5) Posts to mark the limits of the lots shall be permitted, provided that they are placed within the limits of the lots and are level with and not projecting above the ground.

**SECTION 4 – Burials**

- (1) No burial shall be permitted in the cemetery unless a proper burial permit is produced by the party applying for the burial. No interment shall be permitted until the Town is provided with the following particulars:  
  
-Name of deceased.  
-Name of Funeral Home or person responsible for the burial.  
-Date and time of burial.  
-Name and address of person to be billed for cemetery lot or niche and perpetual care fees.
- (2) The owner of a lot or niche, or the person instructing the Town to open a grave shall give complete and precise instructions regarding the location of the grave, and the Town shall not be responsible for any errors resulting from the lack of proper instructions.
- (3) The use of cement liners are mandatory.
- (4) (a) Graves shall be dug and interments made only by persons under the supervision and direction of the Town. The Cemetery Board may restrict any grave openings during the winter months, having consideration for weather and ground conditions. The deceased person/persons shall be placed in the burial vault located in Mount Auburn Cemetery, at no charge, for such a period of time as is considered necessary by the Cemetery Board.  
  
(b) No person or persons not under the control or supervision, in person or verbally, of the Town shall open any grave for the purpose of interring or disinterring a body. A proper permit must be provided by the party applying for interment or disinterment.
- (5) No grave for the burial of a deceased person shall be less than 1 meter in depth from the surface of the ground surrounding the grave, from the top of the outermost receptacle.
- (6) No grave for the burial of a stillborn child shall be less than fifty (50) centimeters in depth from the surface of the ground surrounding the grave, from the top of the outermost receptacle. ....4

*DE*

BYLAW NO. 818/07

**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE  
OF ALBERTA, TO PROVIDE FOR THE CONTROL AND  
REGULATIONS OF THE RIMBEY CEMETERIES.**

- (7) No grave for the burial of cremated remains shall be less than fifty (50) centimeters in depth from the surface of the ground surrounding the grave.
- (8) The burial of cremated remains shall be in such portion or portions of the cemetery as may from time to time be designated by the Cemetery Board.
- (9) In no case shall the cremated remains of more than four persons be interred in a full size lot and in no case shall the cremated remains of more than two persons be interred in a cremation lot or niche.
- (10) The body of an adult person shall not be interred in the same grave in which a body has previously been interred unless the first body has been buried at a depth of at least 250 centimeters from the surface of the ground to the bottom of the grave. The first interment must use a cement liner. In no case shall the bodies of more than two adult persons be interred in the same grave.
- (11) When more than one body is interred in the same grave, the last interment shall be at a depth of at least one (1) meter from the surface of the ground to the top of the outermost receptacle.
- (12) No second interment shall be permitted in any lot in the cemetery on which there are unpaid charges due and payable to the Town.
- (13) All work in the immediate vicinity of a grave shall be discontinued during the burial service.
- (14) All burials within the limits of the cemetery shall be under the supervision and control of the Town, as outlined by this Bylaw.
- (15) Notwithstanding the foregoing, cremated human remains may be scattered on the surface of common ground at no charge. In order that concise records may be kept, applicants for this service must first contact the Town Office and supply the Town with a copy of the Certificate of Cremation along with the information required in Section 4(1) of this bylaw.
- (16) For the purpose of the preceding clause, "Common Ground" shall mean that portion of the cemeteries described in the cemetery plan.

**SECTION 5 – Monument**

- (1) All persons employed in the construction and erection of monuments or doing other work in the cemeteries whether employed by the Town or not shall be subject to the direction and control, directly or verbally, of the Town.
- (2) No monument shall be erected in the cemeteries until the design, description, and materials have been approved by the Town, a permit for the erection of such monument has been issued and the proscribed fee for such permit as provided for in Schedule "A" of this Bylaw has been paid. Monuments which are placed without a permit will be removed.



BYLAW NO. 818/07

**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE  
OF ALBERTA, TO PROVIDE FOR THE CONTROL AND  
REGULATIONS OF THE RIMBEY CEMETERIES.**

- (3) All monuments placed on Columbarium Niches shall be a standard 10x7 bronze wreath with bud vases.
- (4) Except in the Mount Auburn Cemetery, all monuments shall be placed on the foundation provided by the Town and shall be confined within the boundaries of the respective lots, and all monuments shall not exceed 40.5 centimeters above the foundation, or not be within 5 centimeters of the edge of the foundation, provided by the Town.
- (5) No monument shall be erected on Saturdays, Sundays, or holidays unless permission in writing has been granted by the Cemetery Board.
- (6) Except in the Mount Auburn Cemetery, all persons erecting monuments shall ensure to the satisfaction of the Town that such monuments are firmly secured to the foundation.
- (7) All persons erecting monuments shall ensure that the surrounding areas are left in the same conditions found.
- (8) No work shall be done upon any monument, nor shall any monument be removed from any grave or lot without the permission of the Town.
- (9) Concrete or stone slab covers over graves are prohibited.
- (10) The Town shall not be liable for damages resulting from theft, vandalism or damage whatsoever caused to monuments erected upon a plot.
- (11) The Cemetery Board reserves the right to remove any monument at the owner's cost, with written notice.
- (12) Whenever the owner of a lot neglects to make the required repairs or alterations to a monument within 30 days after receiving written notice from the Town to do so, the Town shall have the power to repair such monuments and charge the cost thereof to the owner which may be recovered as a debt from the owner to the Town.
- (13) Notwithstanding subsections 1-10, no upright marker shall be permitted in the West Haven Cemetery.

**SECTION 6 – Visitors**

- (1) No person shall enter or remain in the cemeteries between the hours of 10:00 p.m. of any day and 6:00 a.m. of the following day.

**SECTION 7 – Vehicles in the Cemeteries**

- (1) No person shall drive any vehicle through any cemetery at a greater rate of speed than 15 k/h.
- (2) The Cemetery Board may prohibit the driving of vehicles in any part of the cemeteries.
- (3) The Cemetery Board may prohibit the driving of any vehicle in the cemeteries when the roads are in an unfit condition. ....6



BYLAW NO. 818/07

**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE  
OF ALBERTA, TO PROVIDE FOR THE CONTROL AND  
REGULATIONS OF THE RIMBEY CEMETERIES.**

- (4) Unless authorized by the Cemetery Board, no bicycle, motorcycle or horse shall be allowed in the cemeteries except when it is part of a funeral procession.
- (5) The owner of any moving vehicle shall be responsible for any damage done by such vehicle within the boundaries of the cemeteries.

**SECTION 8 – General Provisions**

- (1) Unless permission has been obtained from the Town, no person shall remove, destroy, prune or otherwise interfere with any woody or flowering ornaments in the cemeteries. Any woody ornamentals planted within the boundaries of the cemeteries must be done so under the authorization and/or supervision of the Town.
- (2) Fences, railings, walls, copings, hedges, in or around the lots are prohibited.
- (3) Artificial ornaments are allowed in a continuous basis unless they become unsightly as noted in Section 2(5)
- (4) No person shall destroy, damage, deface, or write upon any monument, tablet or other structure or object in the cemeteries.
- (5) No person shall deposit any paper, sticks, or refuse of any kind on any portion of the lands within the boundaries of the cemeteries except in receptacles provided for that purpose.
- (6) No person shall remove the sod in graves or from any portion of any lot in the cemeteries without first obtaining the written consent of the Cemetery Board.
- (7) All grading, seeding of grass, and sodding work shall be done under the direction of the Town.
- (8) No person, other than an employee of the Town, or the owner of a lot or his agent shall be permitted to care for any lot in any cemetery.
- (9) Benches of a style approved by the Cemetery Board may be permitted in the cemeteries under such conditions as the Cemetery Board may order.
- (10) The top of lots or graves shall be kept level with the surrounding ground.
- (11) No animal shall be allowed in any cemetery unless such animal is on a leash and accompanied by an adult person.
- (12) The Town shall operate the cemeteries in accordance with the Cemeteries Act of Alberta, and other provincial and federal legislation and regulations.
- (13) Flowers are restricted to the bud vases on all niches.



BYLAW NO. 818/07

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE  
OF ALBERTA, TO PROVIDE FOR THE CONTROL AND  
REGULATIONS OF THE RIMBEY CEMETERIES.

SECTION 9 – Penalty

- (1) Any person who commits a breach of any of the provisions of this bylaw shall on conviction for such breach, be liable to a penalty not exceeding five hundred (\$500.00) dollars, or not less than twenty-five (\$25.00) dollars, exclusive of costs, or in the case of non-payment if the fine and cost imposed to imprisonment for any period not exceeding sixty (60) days.

All previous bylaws pertaining to cemeteries in Rimbey are hereby rescinded.

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

Read a First Time in Council this 13 day of November, 2007

Read a Second Time in Council this 13 day of November, 2007

UNANIMOUSLY AGREED to Present Bylaw 818/07 for Third and Final Reading.

Read a Third Time and Finally Passed this 13 day of November, 2007

  
MAYOR

  
TOWN MANAGER

SCHEDULE "A" OF BYLAW #818/07

PLOT SALES

\$350.00 for each plot; payable when the plot is reserved. This fee applies to all plots regardless of the residency of the applicant, except as noted below.

\$1700.00 for each niche, payable when the niche is reserved. This fee includes 2 open & closes, perpetual care & memorial plaque with a maximum of 2 engravings.

Children's plots may be sold at one-half of the above price if only a half plot is requested.

\$175.00 for each cremation plot.

50% (fifty percent) of the conventional plot sale charge for Legion members (not including spouses) reserving plots in the Legion section of West Haven Cemetery, in accordance with Section 13(3) of the Cemeteries Act, R.S.A. 1980.

OPENING AND CLOSING

\$320.00 for each opening and closing in summer, excluding cremation

\$400.00 for each opening and closing in winter, excluding cremation.

\$365.00 for each double depth opening and closing in summer.

\$465.00 for each double depth opening and closing in winter.

\$100.00 for opening and closing of a cremation plot in summer.

\$160.00 for opening and closing of a cremation plot in winter.

\$50.00 for additional opening and closing of a niche.

\$250.00 additional charge for any opening and closing required on a statutory holiday or weekend.

\$150.00 additional charge for the opening and closing of a niche required on a statutory holiday or weekend.

\$1000.00 for a disinterment of human remains not cremated.

PERPETUAL CARE

\$110.00 per plot in Mount Auburn and West Haven Cemeteries.

\$110.00 per plot for a cremation plot.

GST will be added to all the above charges.

MONUMENT PERMITS

\$25.00 per permit – no GST

