

**TOWN OF BIG RIVER**  
**BYLAW 2018 - 02**

A BYLAW OF THE TOWN OF BIG RIVER TO ESTABLISH, MAINTAIN,  
REGULATE AND CONTROL A CEMETERY.

The Council of the Town of Big River, in the Province of Saskatchewan, under Section 8 of *The Municipalities Act*, enacts as follows:

1. The management and control of any public cemetery within the Town shall be vested in the Council, which shall allot burial plots therein and issue licenses therefore for interment of human remains and cremated human remains and may make regulations governing the same, not inconsistent with the Bylaw, with *The Cemeteries Act, 1999* and in consultation with the Cemetery Committee.
2. The Council may from time to time make such rules and regulations for the government of the grounds as it deems necessary and proper to secure and promote the general objects of the community.
3. The Town shall establish a Cemetery Committee to oversee the operation of the Cemetery with the Town:
  - (a) This Committee shall be comprised of 5 voting members and any number of associate members. One member is to be appointed from Town Council while other voting members shall be appointed as members-at-large. The Committee may designate any number of associate members who may attend meetings and participate in the operations of the Committee;
  - (b) The member of Council appointed to sit on the Committee will be reappointed annually at the January meeting of Council. Members-at-large will sit on the Committee until such time as they submit their resignation or Council revokes their appointment. Associate member appointments are at the pleasure of the Committee;
  - (c) The Committee shall at their first meeting in each year elect a Chairperson, Vice-Chairperson;
  - (d) The Town Administrator shall be the Secretary Treasurer of the committee and shall not have any voting powers;;
  - (e) A quorum of voting members must be present for a meeting to be legitimate. Any Committee member may move or second motions at meetings of the Committee; however, a majority of voting members must vote in favor of a motion for it to pass;

(f) The Committee shall be responsible for the day to day operations of the Cemetery;

(g) The Committee shall meet prior to April 15 of each year to prepare a budget for that year to be submitted to Council for their approval. Donations of funds by the Town will be forwarded to the Committee. Plot fees and donations by third parties will likewise be forwarded to the Committee;

(h) The Cemetery Committee will present a statement of receipts and payments for the previous year at the February meeting of Council;

(i) The Committee shall meet as many times in a year as deemed necessary to operate and maintain the Cemetery;

(j) The Council of the Town of Big River may reverse any decision made by the Committee that they feel may jeopardize the operation or financial status of the Cemetery.

4. CARE AND IMPROVEMENT OF GRAVES AND PLOTS:

(a) No person shall plant any tree, shrub or plant or do work of any kind in the Cemetery without the permission of the Cemetery Committee;

(b) The Committee may remove any monument, enclosure or any inscription or any other thing, placed in or upon any lot which it deems to be improper or injurious to the appearance of the cemetery;

(c) No person shall construct, in the cemetery, any fence, railing, trellis or coping, except with the permission of the Cemetery Committee;

(d) No person shall cut down any tree or shrub, or remove any monument, fence or railing except with the permission of the Cemetery Committee;

(e) If any tree or shrub, by means of its roots, branches or otherwise, becomes detrimental to an adjacent lot or avenue or dangerous or inconvenient, the Committee may direct the removal of, or remove, such tree or shrub or parts thereof;

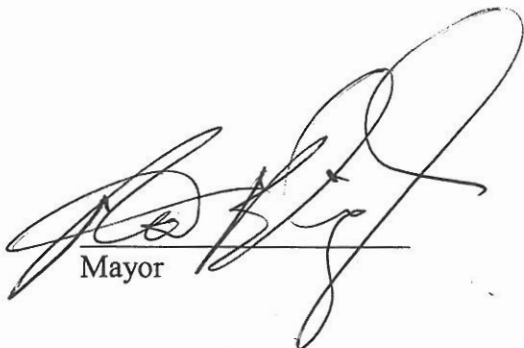
(f) The Town or any official thereof shall not be responsible for any mistakes resulting from lack of precise or proper instructions regarding the grave space on a lot or plot where an interment is to be or has been made;

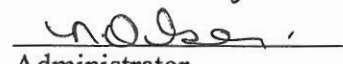
5. MONUMENTS AND MARKERS:  
No monument, marker or object of any kind shall be placed on any grave or plot in the Cemetery except as in this section provides:
- (a) All monuments, bases and markers shall be of granite, marble or stone, bronze, cement, or other suitable material. Monuments that are of crypt design must be of granite material. The front, top and backs of monuments shall be axed, honed or polished. No monument shall be erected except on a foundation approved by the Cemetery Committee or the Administrator, and shall consist of reinforced concrete, or approved foundation, and shall protrude at least four (4) inches beyond markers on all sides;
  - (b) No grave covers shall be placed on any grave or plot in the Cemetery except where grave covers exist prior to this Bylaw;
  - (c) Only flat markers allowed in Blocks 41 – 47;
  - (d) Any type of markers shall be allowed in all other areas;
  - (e) Plots in Block 47 to be sold only for the purpose of cremation;
  - (f) No monument or markers shall be erected in the Cemetery without the approval of the Cemetery Committee;
  - (g) No grave shall be less than six (6) feet in depth from the surface of the surrounding ground except in case of cremated remains which shall be buried a minimum of three (3) feet in depth.
6. (a) The sum of \$400.00 shall be charged for reservation of a plot and the sum of \$300.00 shall be charged for each interment;
- (b) There shall be no prepayment of interment;
  - (c) Each plot may contain 1 casket burial and 6 cremation burials; and in the case where there is a casket and cremations in the same plot, the casket must be the first burial in the plot;
  - (d) Where there is more than one cremation in a plot the locations of the cremations must have equal spacing within a plot.
  - (e) No owner of a plot shall allow an interment to be made therein for Remuneration;
  - (f) Council, may at their discretion, furnish free graves for the interment of the poor or of persons unable to pay the necessary expense;

- (g) In order that an accurate register of burials may be kept a statement shall be handed to the Administrator at the time of burial setting forth the burial lot, and the name of the deceased person;
- (h) No full casket graves shall be opened and no disinterment shall take place unless written permit is obtained from the Deputy Minister of Public Health;
- (i) As Cremation is not considered final disposition no disinterment permit is required from the Deputy Minister of Public Health; however, no cremations may be removed without the approval of the Cemetery Committee;
8. Any person who willfully destroys, mutilates, defaces, injures or removes any tomb, monument, gravestone, or any structure, railing or other work for the projection or ornamentation of the cemetery or any tree, shrub or plant or flowers, or plays any game or sport, discharges firearms except at a military funeral or willfully or unlawfully disturbs the peace and good order of the cemetery, or who commits a nuisance or behaves in an indecent or unseemly manner shall be liable to the penalties provided for an infraction of this bylaw.
9. Any person found guilty of an infraction of any of the provisions of this bylaw, shall be liable to the penalties imposed by *The Municipalities Act*.
10. Bylaw 2014 – 10 is hereby repealed.


Read a Third Time and adopted  
this 20<sup>th</sup> day of February, 2018



  
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Mayor

  
\_\_\_\_\_  
Administrator

Certified A True Copy  
of Bylaw # 2018-02

  
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Town Administrator