

TOWN OF LANGHAM

BYLAW NO. 2019-02

A BYLAW RESPECTING THE OPERATION OF LANGHAM CEMETERY

The Council of the Town of Langham, in the Province of Saskatchewan, enacts as follows:

1. This bylaw shall be known as the "Cemetery Bylaw."
2. In this Bylaw:
 - a) "Administrator" shall mean the Administrator of the Town of Langham or his designate or any other person appointed by Council.
 - b) "Public Works Foreman" shall mean the person designated by the Langham Town Council to oversee the operation of the cemetery.
 - c) "Block 1" means the section of the cemetery where the graves are 4' by 8' and have generally been set out in groups of 24 per lot, the use of which shall be as set forth in Schedule "C" annexed hereto and forming part of this Bylaw or as the Schedule "C" may be amended from time to time by Council Resolution.
 - d) "Block 2" means the section where the graves are 5' by 10' and have been set out in rows the use of which shall be as set forth in Schedule "C" annexed hereto and forming part of this Bylaw or as the Schedule "C" may be amended from time to time by Council Resolution.
 - e) "Cemetery" shall mean Langham Cemetery located in the North West ¼, section 21, Township 39, Range 7, West of the 3rd Meridian.
 - f) "Certificate for Use" shall mean a permit for the future use of a plot.
 - g) "Cremains" shall mean the ashes of a cremated human body.
 - h) "Grave/Plot" shall mean a parcel of land in the Cemetery for which a Certificate For Use may be purchased for the future interment of human remains or cremains.
 - i) "License" shall mean a permit provided by the Town to a holder of a Certificate For Use with respect to a plot for the purpose of each interment of human remains or cremains.

- j) "Licensee" shall mean the holder, his/her heir, executor, or administrator of the Certificate For Use.
- k) "Monument" shall mean a tombstone or other structure in the Cemetery erected or constructed on any plot for memorial purposes.
- l) "Town" shall mean the Town of Langham.
- m) "Traditional Interment" shall mean the interment of the non-cremated human remains.

All other terms shall have the meaning as defined in "The Cemeteries Act."

3. **Graves/Plots**

- a) The Town may grant a Certificate For Use to any person for the exclusive use of a Grave. The said Certificate For Use shall be issued subject to all provisions of this Bylaw and any amendments thereto passed from time to time by Council. The fee for such Certificate For Use shall be in accordance with fees, rates, and charges as set forth in Schedule "A" annexed hereto and forming part of this Bylaw or as the Schedule "A" may be amended from time to time by Council Resolution.
- b) The License fee and all charges for work done or services rendered at Langham Cemetery shall be in accordance with the fees, rates, and charges as set forth in Schedule "A" annexed hereto and forming part of this Bylaw or as the Schedule "A" may be amended from time to time by Council Resolution.
- c) It shall be the responsibility of the Licensee to maintain a current address for service in the office of the Administrator.
- d) No grave shall be used for any other purpose than for the burial of the human dead.

4. **Surrender of Certificate For Use**

- a) Every transfer of any Certificate For Use for a Cemetery plot subsequent to the original sale thereof shall be made by the Licensee thereof giving to the Administrator a written notice containing a description of the plot, the date of the sale, and the name and address of the transferee. Upon receipt of such notice and payment of a fee of twenty five dollars (\$25.00), the Administrator shall forthwith enter in the register the date of the transfer and the name and address of the transferee and issue a new Certificate For Use.

- b) Whenever all human remains in a plot are removed from the Langham Cemetery, the plot shall be considered unavailable and cannot be sold back to the Town.
- c) The Town shall buy back any Certificate For Use in the Cemetery subject to the approval of the Administrator and where no interments have occurred. Any such Certificate For Use shall be bought at the original price paid less twenty five dollars (\$25.00), provided the individual can provide the original amount paid for the plot. If proof of purchase cannot be obtain, the Town will buy back the plot for fifty dollars (\$50.00).

5. **Interments and Disinterments**

- a) No person other than a qualified Funeral Director shall have charge of the interment or disinterment of a human body.
- b) No person other than the Public Works Foreman or a qualified Funeral Director shall have charge of the interment or disinterment of human cremains.
- c) A rough box only may be utilized in Block 1 but is not mandatory and fiberglass vaults must be utilized in Block 2 for all traditional interments.
- d) The opening and closing for all interments or disinterment's shall be completed by the Town. The Town shall only insert licensee supplied fiberglass vault tops and only at the time of closing. The installation and insertion of all other vault types shall be the responsibility of the licensee.
- e) All fees for opening and closing shall be in accordance with Schedule "A" annexed hereto and forming part of this Bylaw or as the Schedule "A" may be amended from time to time by Council Resolutions. Fees are payable to the Town by the Licensee or his/her legal representative and are due at the time of License application and shall be deemed to be in arrears 30 days after that date.
- f) At least forty-eight (48) hours notice (during normal office hours) shall be given to the Public Works Foreman before the proposed time of interment, if proper notice is not give there may by an extra fee charged. This provision as to notice shall not apply in the case of interment of a person who has died from a communicable disease.
- g) Graves for Traditional Interments shall be at least six (6) feet in depth from the surface of the ground surrounding the Grave. No casket burial shall be permitted in a plot where cremains have been buried.

- h) Graves for cremated remains shall be at least thirty inches (30) in depth from the surface of the ground surrounding the Grave.
- i) Disinterment shall only be permitted upon the production of the written permission of the Minister of Public Health issued pursuant to an application under the Public Health Act, and upon the payment of the appropriate fee as set out in Schedule "A" annexed hereto and forming part of this Bylaw or as the Schedule "A" may be amended from time to time by Council Resolution.
- j) No disinterment shall be carried out between November 1 and March 31 unless authorized by the Attorney General of the Province of Saskatchewan. The proposed time of disinterment shall, subject to the provisions of any order of the Minister of Public Health or the Attorney General of the Province, be subject to the consent of the Public Works Foreman.
- k) Prior to any interment, any person arranging for the interment in any Grave in the Cemetery shall provide the following to the Town:
 - i) A Burial Permit issued by the properly authorized officer of the Provincial Government;
 - ii) In the case of Cremains, a copy of the cremation certificate issued by the crematorium; and
 - iii) An application for a License completed with the necessary information and signed by the Licensee or his/her legal representative and accompanied with the Certificate for Use.
- l) After hours, weekend and holiday interments are subject to extra charges as set out in Schedule "A" in addition to any other fees
 - i) The Town may postpone any interment in the event of severe weather that makes the Cemetery impassable and ties up Town equipment.

6. **Indigent Burials**

- a) At the request of the Minister of Social Services or the Minister of Public Health, the Town shall provide Graves without charge for the interment of indigent persons.

7. Care and Improvement of Graves

- a) All graves lots in the cemeteries shall be entitled to basic maintenance and care which includes leveling of the ground and the seeding and cutting of grass as required. It shall not include the maintenance, repair or replacements of monuments or markers.
- b) No person shall place any trees, flowers, shrubs, or similar plant material intended for growth on any Grave in the Cemetery. Any such trees, flowers, or similar plant material situated on or adjacent to any plot or part thereof that are, in the opinion of the Public Works Foreman, detrimental to any adjacent Grave, path or roadway or to the general appearance of the Cemetery or become dangerous or inconvenient to the public, or hinder the normal maintenance of the Cemetery may be ordered removed by the Public Works Foreman.
- c) No person shall construct any fence, railing, trellis, coping, or concrete cover on any grave in the Cemetery. In Block 1, concrete grave covers may be allowed, but only where they compliment an existing grave cover on a spouse's plot adjacent to the new plot, and only if the existing grave cover is in good repair.
- d) Should any fence, railing, trellis, coping, border, tree, shrub, or hedge erected before passing of this Bylaw be in a state of disrepair or become offensive or is encroaching on adjacent graves, roadway, or walkway, or hinder the routine maintenance of the Cemetery, the Public Works Foreman may order the removal of same. The Public Works Foreman shall give notice in writing to the Licensee at his last known address for service. If the Licensee is unable to be notified at the last known address or where no address is available, the Public Works Foreman may proceed with the removal without further notice.
- e) Natural or artificial flowers shall be permitted in holders, vases, or other unbreakable receptacles as set out in Schedule "B" annexed hereto and forming part of this Bylaw or as the Schedule "B" may be amended from time to time by Council Resolution.
- f) No person shall place or maintain on any grave any glass encased designs, stands, holders, vases, or other objects made of glass.
- g) In order to preserve the proper appearance of the grounds, the Public Works Foreman shall have the authority to remove any article placed on any Grave when the article is considered objectionable or its removal is deemed necessary by the Public Works Foreman. When the Public Works Foreman considers the removed article to be of value, the Public Works Foreman shall forward a written notice to the Licensee at his last known address, notifying him of the removal of the article and that such article may be claimed within thirty (30) days of the date of the notice.

Where no claim is made to the Public Works Foreman after the expiry of thirty (30) days or where no notice can be given, the Public Works Foreman shall dispose of the article.

- h) The Town shall remove all grave covers which are in a state of disrepair or in need of lifting due to the grave has settled. No repair to grave covers will be allowed.
- i) The Town reserves the right to remove all grave covers, regardless of condition. No grave cover, shall be removed from the Cemetery without first applying for and receiving approval from the Administrator by submitting a Concert Cover Removal application form.
- j) When the Town removes a grave cover, the Town shall relocate any existing monument (and base) to a new monument pad constructed by the Town. If feasible, the location of the monument pad shall be in accordance with the requirement set forth in Schedule "B" annexed hereto and forming part of the Bylaw or as Schedule "B" may be amended from time to time by Council Resolution.

8. **Monuments and Markers**

- a) No Monument/Marker, or object of any kind shall be placed on any grave in the Cemetery except as provided for in this Section and as set out in Schedule "B" annexed hereto and forming part of this Bylaw or as the Schedule "B" may be amended from time to time by Council Resolution.
- b) No Monument/Marker shall be erected in or removed from the Cemetery with out first applying for and receiving approval from the Administrator by submitting a Monument/Marker application form. No approval shall be given until all fees have been paid.
- c) All Monument/Marker installations and the cost thereof shall be the responsibility of the Licensee.
- d) Foot markers, corner markers and other such markers shall not be installed in any part of the Cemetery.

9. **Veterans Section**

- a) The Town has set aside and shall maintain a portion of the Cemetery as a Veteran's Section for the placement of Memorial Crosses. Memorial Crosses shall only be placed for those Veterans who had enlisted in Langham and the Park Municipality and whose names appear on the Langham Legion Honour roll.

10. **General**

- a) Children under the age of (14) shall not be permitted in the Cemetery unless accompanied by an adult who shall be responsible for their proper conduct.
- b) No dogs or other pets shall be allowed in the Cemetery.
- c) Sports activities of any kind and the equipment used for sporting activities shall not be allowed in the Cemetery.
- d) No person shall discharge any firearms in the Cemetery except by special permission given by the Public Works Foreman.
- e) No Person shall unlawfully disturb persons assembled for the burial of the dead, or commit a nuisance, or behave in an indecent or unseemly manner in the cemetery.
- f) All workmen employed on any work in the Cemetery shall comply with all orders of the Public Works Foreman and all workmen shall cease work when a burial is taking place in the vicinity of the work.
- g) Notice given to any person pursuant to this Bylaw shall be deemed sufficient if in writing and mailed postpaid to the last know address of the Licensee as entered in the Cemetery records.
- h) Situations that are not specifically covered by this Bylaw shall be dealt with at the discretion of the Public Works Foreman in conjunction with the Administrator.
- i) This Bylaw shall come into force on the day of its final passing.

11. **Infractions of the Bylaw**

Any person who contravenes the provisions of this Bylaw or fails to comply herewith, or with any notice given hereunder, is guilty of an offence and liable to a penalty of:

- a) not less than \$100 and not more than \$2,000 in the case of an individual; and
- b) not less than \$200 and not more than \$5,000 in the case of a corporation.

12. **Repeals**

Bylaw No. 2004-03 is hereby repealed.

READ A FIRST TIME THIS 9th day of September, 2019

READ A SECOND TIME THIS 23th day of September, 2019

READ A THIRD TIME AND PASSED THIS 23rd day of September, 2019

MAYOR

ADMINISTRATOR

**TOWN OF LANGHAM
SCHEDULE "A"
TO BYLAW NO. 2019-02**

LANGHAM CEMETERY FEES

PLOTS AND INTERMENTS

The following costs will be billed by the Town of Langham

Certificate For Use Fee	Block 1	\$500
	Block 2	\$500
Transfer Fee (per plot)		\$25
Buy Back Fee		\$50
Cemetery Fund		\$200

License for Burial Fees

April 1 to October 31

Traditional Burial		
Opening/Closing		\$800
Cremains		
Opening/Closing		\$300

November 1 to March 31

Traditional Burial		
Open/Closing		\$1200
Cremains		
Opening/Closing		\$600

Weekend, Holidays, After Hours Burial

Evenings, Saturdays, Sundays & Holidays	\$300
Additional Charges	
- after 4 pm from May 1 to Sept 30	
- after 3 pm from October 1 to April 30	

Exhumations

Traditional Human remains	\$1000
Opening/closing	
Cremains	\$500
Opening/closing	

Monuments/Markers

Monument/Marker Application Fee

\$50

Licensee is responsible for all Monument costs. See Schedule "B" for Monument Policy and Schedule C for grave use Policy.
In Block 2 the monument pad will be supplied by the Town of Langham.

Should a monument be required to be moved to accommodate an opening, all such costs will be the responsibility of the Licensee

**TOWN OF LANGHAM
SCHEDULE "B"
TO BYLAW NO. 2019-02**

LANGHAM CEMETERY MONUMENT POLICY

All monuments and installations thereof must be in accordance with this schedule.

No Monument/Marker shall be erected in or removed from the Cemetery with out first applying for and receiving approval from the Administrator by submitting a Monument/Marker application form. No approval shall be given until all fees have been paid.

There shall be no more than one monument per grave.

Flat grass markers installed at grade will be allowed for marking cremains burials or for memorial where burial has been elsewhere. Markers will only be allowed over cremains locations as specified in Schedule C of the Cemetery Bylaw.

No concrete grave covers will be permitted except as allowed for by Section 7 (b) of the Cemetery Bylaw.

The licensee of a grave or graves will be the authority in regards to the placement of a monument on a grave or graves. The Town does not accept any responsibility for resolving disputes between surviving family members or friends resulting from the placement of a monument.

Monuments and Flat Grass Markers are placed in the Cemetery at the risk of the licensee of the grave or graves. The Town accepts no responsibility for theft or damage resulting from vandalism or Cemetery maintenance.

All monument installation and the cost thereof shall be the responsibility of the Licensee. Monument installation in Block 1 shall include the cost and installation of a 127 cm (4 ft 2 in) by 60 cm (2 ft.) monument pad installed on the western 60 cm (2 ft) of the grave involved. Monument installation in Block 2 shall be on the monument pads provided for by the Town.

All monuments shall be of granite, bronze, marble, or stone and have a minimum thickness of 10cm (4 in.)

The sides of the base (excluding the top and bottom) must have a rock-pitch finish. Any base with a minimum height of 15 cm (6 in.) will be permitted a sawn or polished margin. The margin must be made so that a minimum of 10 cm (4 in.) on the bottom of each side is left as a rock-pitch finish. A monument without a base must have at least 10 cm (4 in.) on the bottom of each side left as a rock-pitch finish.

All bases (or monuments without bases) are subject to the following:

- (a) the maximum width of a base shall be 45 cm (18 in.);
- (b) the maximum length of a base shall be 15 cm (6 in.) less than the width of the monument pad.
- (c) The minimum height of a base shall be 10 cm (4in).

All dies are subject to the following;

- (a) the overall length and width dimensions (including any fixtures) will not exceed the length and width of the base.

Flat grass markers for cremains burials are subject to the following;

- (a) the minimum thickness shall be 8cm (3 in.);
- (b) the maximum length shall be 40 cm (16 in.);
- (c) the maximum width shall be 35 cm (14 in.).

Total monument height will not exceed 90 cm (36 in.).

Any monument assembly erected must have the base and die joined, front and back, by use of a non-permanent setting compound. Monuments cannot be permanently attached or pinned to the concrete pad.

All vases must be permanently affixed and positioned so that no part extends beyond the length or width of the base nor extends above the total monument height. Marble or granite vases will be restricted to a minimum thickness of 2.5cm (1in.) at any point.

**TOWN OF LANGHAM
SCHEDULE "C"
TO BYLAW NO. 2019-02**

LANGHAM CEMETERY GRAVE USE POLICY

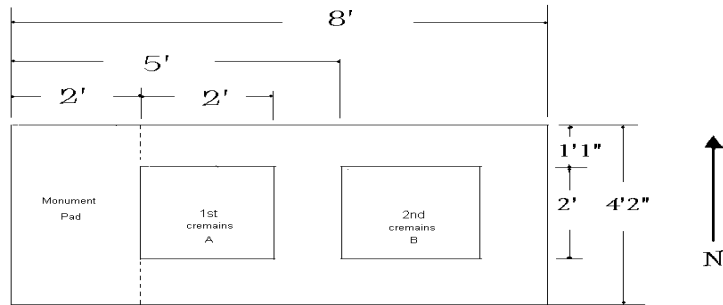
Block 1

A maximum of one casket burial and 2 cremains burials will be allowed per plot subject to the following;

Casket burials will be allowed only when there is a full 4'2" x 8' space available.

No casket burial will be allowed if there has been a previous cremains burial.

No cremains burial will be allowed where there is concrete grave cover.

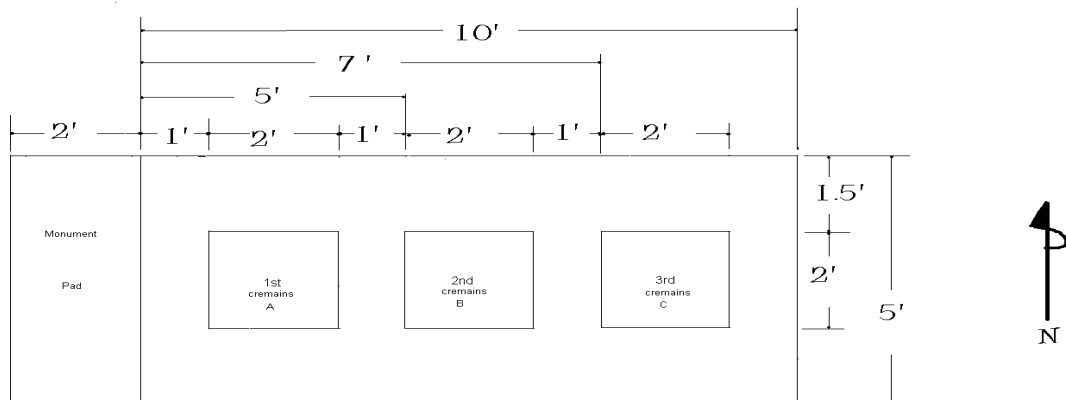


Note: A physical inspection may be required in Block 1 to determine if cremains can be allowed. (Monument location? Encroachment?)

Block 2

A maximum of one casket burial and 3 cremains burials will be allowed per plot.

No casket burials will be allowed if there has been a previous cremains burial.



TOWN OF LANGHAM
APPENDIX I
TO BYLAW NO. 2019-02

Monument or Marker Application Form
Langham Cemetery

I/We, _____ hereby apply

for permission to construct _____, remove _____ a:

_____ Monument _____ Flat Grass Marker

On Block Number _____ Lot Number _____ Plot Number _____

Flat Grass Marker Cremains Location 1st____, 2nd____,3rd____

Are there cremains interred at this location? Yes ___ No ___

 If not, this is assumed to be a memorial marker only.

Name(s) on monument or marker _____

Name of Monument Company _____

I/We hereby agree to follow the conditions as stated in Schedules B and C of the
Langham Cemetery Bylaw.

Expected installation date _____

Licensee _____

Signature

For Department Use Only

Have all outstanding fees been paid? Yes____. No____

Fee Paid _____ Receipt # _____ Date _____

Date of approval _____

Administrator

Location staked _____

Inspection date _____

TOWN OF LANGHAM
APPENDIX II
TO BYLAW NO. 2019-02

Certificate for Use
Langham Cemetery

Block Number _____

Lot Number _____

Plot Number _____

Licensee _____

Signature

Fee Paid _____ **Receipt #** _____

Date _____

Administrator

TOWN OF LANGHAM
APPENDIX III
TO BYLAW NO. 2019-02

License for Burial
Langham Cemetery

Block Number _____ Lot Number _____ Plot Number _____

Type of Burial: Traditional Cremains

Name of Deceased _____

Next of Kin _____

Date of Birth Year ____ Month __ Day __

Place of Birth _____

Date of Death Year ____ Month __ Day __

Place of Death _____

Date of Burial Year ____ Month __ Day __

Marital status _____ Sex __ Age _____

Occupation _____

Cause of Death _____

Funeral Director _____

Licensee _____

Signature

Date _____ Fee _____ Receipt # _____

Administrator

This Certificate entitles the bearer to the right of use of the property described hereon. Copy of Certificate For Use to be Attached.

TOWN OF LANGHAM
APPENDIX IV
TO BYLAW NO. 2019-02

Concrete Cover Removal Application
Langham Cemetery

DATE: _____

NAME: _____

ADDRESS: _____

PHONE _____

I hereby agree to have the concrete cover removed: Yes _____ No _____

I hereby agree to have the concrete pillow removed: Yes _____ No _____

from the following site:

NAME: _____

BLOCK: _____
LOT: _____
PLOT: _____

For removal, disposal of concrete, and site restoration by:

TOWN OF LANGHAM _____

OTHER _____

Name of Remover

Signature of Applicant

