

**CITY OF BROOKS
BYLAW 25/26**

A BYLAW OF THE CITY OF BROOKS IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE CONTROL, REGULATION, OPERATION AND MAINTENANCE OF THE CITY OF BROOKS CEMETERY.

PURSUANT to the *Cemeteries Act of Alberta 2000, C-3* and the *Cemeteries Act, General Regulation, Alberta Regulation 249/1998*; and,

WHEREAS, under provisions of the *Municipal Government Act 2000 R.S.A. c. M-26* as amended, the Council of the City of Brooks has the authority to pass such a Bylaw;

NOW THEREFORE, the Council of the City of Brooks in the province of Alberta, duly assembled, enacts as follows:

1. TITLE

100. This Bylaw shall be referred to as the Cemetery Bylaw.

2. DEFINITIONS

200. In this Bylaw terms defined in the *Cemeteries Act of Alberta 2000, C-3* and the *Cemeteries Act General Regulation, Alberta Regulation 249/1998, as amended*, shall have the meaning ascribed to them in the Act or Regulation.

201. In this Bylaw, and its Schedules, the following words shall have the meaning ascribed to them unless the context or legislation otherwise requires,

202. “**Adult**” means, for this Bylaw and Cemetery purposes, a person over the age of 18 years old;

203. “**Burial Permit**” means a document acknowledging the registration of a death under the *Vital Statistics Act, 2007, c. V-4.1*, as amended, and as required for an Interment or cremation in the Province of Alberta;

204. “**Bylaw**” means the City of Brooks Cemetery Bylaw No. 25/26;

205. “**Casket**” means a container, or alternative form of container, for the fully enclosed containment of Human Remains, and used for Interment of the Human Remains;

206. “**Cemeteries Act**” means the *Cemeteries Act of Alberta 2000, C-3* and the *Cemeteries Act General Regulation, Alberta Regulation 249/1998*, as amended;

207. “**Cemetery**” means the City of Brooks Cemetery, or any other land owned or managed by the City and set apart or used, now or at a future date, as a place of Interment of Human Remains or Cremated Remains, and includes any incidental or ancillary buildings or structures on the land;

208. **“Cemetery Plan”** means the design plan of each Cemetery detailing the location of:
- 209. all roads and pedestrian walkways;
 - 210. Interment blocks, sections, or features;
 - 211. each Interment Plot, and for each type of Plot the permitted location of any Memorials;
 - 212. any buildings in the Cemetery; and,
 - 213. all significant trees, planting features, and general landscape treatments;
214. **“Cemetery Service”** means any form of service conducted in the Cemetery including, but not limited to, an Interment, Cremation Scattering, Disinterment, committal ceremony for Human Remains or Cremated Remains at a Plot, or a service of remembrance for a deceased person interred or scattered in the Cemetery;
215. **“Certificate of Interment Rights”** means a document issued by the City setting out the location, terms of use and other related information pertaining to a Plot purchased at the Cemetery;
216. **“Child”** means, for this Bylaw and Cemetery purposes, a person between 13 months of age and under 18 years of age;
217. **“City”** means the Municipal Corporation of the City of Brooks, Alberta and the area contained within the corporate boundaries of the City and may also mean:
- 218. the Municipal Council of the City;
 - 219. a Department of the City;
 - 220. a person appointed by the City to manage the operation and maintenance of the Cemetery or their designate;
 - 221. a person employed by the City; and/or,
 - 222. a person authorized by the City to perform work related to the development, management, operation and/or provision of service or maintenance of the Cemetery;
223. **“Columbarium”** means a structure or building that contains Niches for the Interment of Cremated Remains;
224. **“Cremation Plot”** means one kind of Plot within the Cemetery used, or intended to be used, for the Interment of Cremated Remains;

225. “**Cremated Remains**” means the human bone fragments and residue of other materials cremated with Human Remains, remaining after cremation;
226. “**Disinterment**” means the removal of Human Remains or Cremated Remains from an Interment Plot;
227. “**Family Member**” means, for this Bylaw and Cemetery purposes and is limited to, a parent or stepparent, a grandparent or step-grandparent, a sibling (natural, adopted or step), a spouse, a Child (natural, adopted or step) or a grandchild (natural, adopted or step);
228. “**Fee**” means a Fee, or the Fees established for the Cemetery and set out in Schedule ‘A’ of this Bylaw;
229. “**Field of Honour**” means an area of the Cemetery reserved for the Interment of members or former members of the Canadian Armed Forces or Their Majesty’s Armed Forces;
230. “**Grave**” means one kind of Plot, a space in the Cemetery for the in-ground Interment of Human Remains or Cremated Remains;
231. “**Grave Liner**” means a receptacle, constructed of a durable material, into which a Casket holding Human Remains or an Urn holding Cremated Remains is placed to provide reinforcement of a Plot as part of an in-ground Interment and, includes a Grave vault that may or may not have protective sealing features warranted by a third- party;
232. “**Holiday**” means any day of observance or Holiday, observed by the City;
233. “**Human Remains**” means a dead human body or stillborn Infant in any stage of decomposition, but does not include Cremated Remains;
234. “**Interment**” means the disposition of Human Remains or Cremated Remains by burial in the ground, and additionally for Cremated Remains placement in an above ground Columbarium Niche;
235. “**Interment Right**” means a perpetual right of use, acquired through purchase or permitted transfer, to a Plot at the Cemetery;
236. “**Indigent**” means a person without any known means of support, or any known family, requiring Interment at the Cemetery;
237. “**Infant**” means, for this Bylaw and Cemetery purposes, a person less than 1 year of age, including a stillborn;
238. “**Memorial**” means a product bearing a Memorial inscription constructed of granite, bronze, or another permanent material approved for Memorial use by the City which shall be in the form of a:

239. flat marker, that is installed flush with the ground surface of an Interment Plot;
240. upright monument, that projects above the ground surface of a Plot and is installed on a foundation approved by the City; and/or,
241. a Niche Memorial, which may be a plaque attached, or inscription made onto the outside surface or shutter of a Niche Plot;
242. **“Natural Burial”** means a form of environmentally sustainable Interment that meets specific criteria set out in this Bylaw;
243. **“Niche”** means one kind of Plot, a space usually within a Columbarium used, or intended to be used, for the Interment of Cremated Remains;
244. **“Peace Officer”** means a Bylaw Enforcement Officer appointed by the City of Brooks pursuant to Section 555 of the *Municipal Government Act* and for the purpose of enforcement of this Bylaw, also includes a Community Peace Officer or a member of the Royal Canadian Mounted Police;
245. **“Personal Representative”** means a person with legal authority established under law that has the authority to authorize the Interment, cremation or disposition of a deceased’s Human Remains or Cremated Remains;
246. **“Perpetual Care”** means the long-term care and maintenance, in perpetuity, of the Cemetery and all Interment Plots therein;
247. **“Plot”** means a designated space in the Cemetery, that is used or intended to be used for the Interment of Human Remains or Cremated Remains under a Right of Interment;
248. **“Rights Holder”** means a person that acquires an Interment Right for a Plot, or Plots, in the Cemetery;
249. **“Scattering”** means the irreversible scattng of Cremated Remains in a designated area or feature of the Cemetery and may include the comingling of Cremated Remains with previously scattered Cremated Remains;
250. **“Urn”** means a container used for the containment of cremated Human Remains and used for the Interment of the cremated Human Remains;
251. **“Veteran”** means a member or former member of the Canadian Armed Forces or Their Majesty’s Armed Forces and may include a member as described in the *War Veterans Allowance Act*;

252. **“Violation Tag”** means a tag or similar document issued by the City pursuant to the *Municipal Government Act*;
253. **“Violation Ticket”** means a ticket issued pursuant to Part II of the *Provincial Offences Procedures Act*, RSA 2000, c P-34, as amended and any Regulations thereto; and,
254. **“Working Day”** means every day of a year that is not a Saturday, a Sunday or a Holiday observed by the City.

3. CEMETERY ESTABLISHMENT

300. The following real property is owned, established, operated, and maintained by the City of Brooks as the Cemetery and is dedicated for that use, and shall continue to be operated and maintained for that purpose, and shall not be used for any other purpose:
301. Legal Description: City of Brooks, Alberta, Plan 9311193, Block 1; and,
302. Street Address: 1104 – 2nd Street W, Brooks, Alberta.
303. The Cemetery is established for the purpose of making Interment, Memorial and Cemetery Services available to all persons, irrespective of race, faith, orientation, or any other form of categorization.
304. The City shall have and retain full ownership over the land, buildings, plantings, roads, utilities, books, and records of the Cemetery, and as they deem necessary, subject to compliance with the *Cemeteries Act*, shall have the right to:
305. manage, maintain, or alter the Interment areas, roads, pathways, buildings, and infrastructure of the Cemetery;
306. change or remove plantings, move, relocate, or remove Memorials, grade, alter in shape or size, or otherwise change all or any part of the Cemetery; and,
307. add additional Interment and remembrance options and features at the Cemetery including but not limited to Columbarium, cremation Scattering gardens, Memorial walls, Memorial benches, Natural Burial.
308. To ensure operation and maintenance of the Cemetery is performed in a safe, efficient, and timely manner the City has a right of passage, always and in any manner, it deems necessary, over every Plot and all the land of the Cemetery.

4. ADMINISTRATION

400. The City reserves full and complete control, and management of the land, design, layout, Plots, buildings, landscaping, plantings, roads, utilities, books and records of the Cemetery and the authority to administer and enforce this Bylaw.
401. The application, administration and enforcement of this Bylaw shall be conducted by the City in accordance with the *Cemeteries Act*, the *Municipal Government Act*, and all City Bylaws, policies, rules and regulations, as amended.
402. The City shall:
- 403. supervise and direct all operations and maintenance of the Cemetery;
 - 404. ensure a full and proper accounting for all monies received and expended in connection with the operation and maintenance of the Cemetery; and,
 - 405. collect and retain full and complete records relating to Interment Rights sales, purchases, transfers, Interments, Scattering and Memorial installations, and such other records as may be required from time to time.
406. All documents relating to Plot purchases, Plot registration, Interment Rights Holders, Interments, and Memorials are protected under the *Protection of Privacy Act* and will not be distributed to any agent, commercial enterprise, or employee of the City.
407. Plot selection, the purchase of Interment Rights, Cemetery Services booking, Memorial installations, and any other Cemetery arrangements, and the payment of Fees for all Cemetery goods and services shall be made at the Brooks Public Works Building, 204 – 7 Street East, between 8:15 AM and 4:30 PM, Monday through Friday.
408. The City, at its cost and in a timely manner, shall have the authority to correct any error that may be made by it:
- 409. in making an Interment, Disinterment or in the description of a Plot or the transfer or conveyance of a Right of Interment;
 - 410. and grant in lieu thereof, a Right of Interment or Plot of equal value and location as far as is possible; and,
 - 411. in the instance an error may involve an Interment or Disinterment of Human Remains the City shall correct the error in compliance with and under such terms as may be set out in the *Cemeteries Act*.

5. INTERMENT RIGHTS

500. The City, subject to payment of an established Fee, as set out in Schedule 'A' which forms a part of this Bylaw, may grant an Interment Right for a vacant Plot in the Cemetery on an at-need or a reserve basis, and:
- 501. at the time a Plot is reserved, all applicable Fees and charges shall be collected. Fees for opening and closing shall be collected at the time of Interment; and,
 - 502. the City reserves the right to limit the number of Plots reserved by any one person to not more than five Plots.
503. The City shall issue to an individual paying the Fee for an Interment Right a Certificate of Interment Rights, which sets out in a purchasers name the rights of Plot use.
504. Purchase, or possession, of a Right of Interment:
- 505. confers to a Rights Holder, a right to use a Plot within the Cemetery, in compliance with this Bylaw;
 - 506. does not confer to a Rights Holder any title to, ownership of, or interest in the land of the Cemetery, or of a Plot therein, or any other special privilege over the land of the Cemetery; and,
 - 507. does not entitle a Rights Holder to require the City to perform an Interment until the Rights Holder complies in all other respects with this Bylaw.
508. A Rights Holder shall:
- 509. reserve the right to use a Plot they have purchased for themselves; or,
 - 510. designate who, other than themselves, is authorized to use an Interment Right registered in their name; and,
 - 511. assign any secondary rights to a Plot to another person, where an assignee shall be a Family Member of the Rights Holder.
512. A previously purchased Interment Right for a Plot may only be transferred back to the City, and the transfer shall be made under the following terms:
- 513. the original Interment Rights Holder or their Personal Representative makes written application to the City stating their intent to surrender the Interment Right;
 - 514. there are no Interments in, and no Memorials installed on, the Plot being transferred;
 - 515. the original Interment Rights Certificate is delivered to the City;

516. where application to surrender an Interment Right is made within 30 days of the original purchase date then 100% of the Fees paid shall be refunded; or,
517. where application to surrender an Interment Right is made 31 days or more after the original purchase date then 100% of the original purchase price of the Plot, less a 15% administration Fee shall be refunded; and,
518. no Interment Rights transfer between the City and a Rights Holder shall be valid unless authorized in writing by the City.
519. Notwithstanding Subsection 512, an Interment Right for a Plot may be transferred from the original Rights Holder to a member of their immediate family; however, Subsections 513 – 515 must be adhered to.
520. Where evidence of a clear line of transfer for an Interment Right that survives an original Rights Holder is not provided by a Personal Representative of the original Rights Holder, or their heirs or successors, the City shall have the authority to:
 521. determine a process, in a form prescribed by the City, the person or persons who may exercise a surviving right of Interment and under what terms and conditions a surviving right of Interment may be exercised; or,
 522. where a clear and distinct right of transfer or succession cannot be demonstrated or ascertained, prohibit the use of any surviving Interment Rights in a Plot.
523. The City may reclaim and resell a right of Interment for a vacant Plot where the right of Interment for the Plot was previously sold when:
 524. the City has not heard from the purchaser of the Interment Right, or from the purchaser's Personal Representative, for a period of 20 years; and,
 525. the City has made a reasonable and diligent effort to locate the purchaser of the Interment Right, or their Personal Representative, and has failed; and,
 526. in the instance an Interment Right for a Plot has been reclaimed and resold, and the Interment Right is subsequently required for use, the City shall provide another Interment Right of equal or greater value from the inventory of available Plots in the Cemetery.
527. Where a Plot becomes vacant by removal of the Human Remains or Cremated Remains therein, then, at the Rights Holder's request and as approved by the City, the Plot may revert to the City and in such case the City shall refund to the

- Right's Holder the original purchase price of Interment Right, less a 15% administration Fee.
528. A Rights Holder shall not sell, or offer to sell, for any form of remuneration, their permission to permit an Interment of Human Remains or Cremated Remains in a Plot.
529. The City shall have the right to limit or suspend the reservation of Plots in the Cemetery at any time.
530. The City shall have the authority to establish other Interment Rights for Plots in the Cemetery that may have the same classification as the Plots described herein but may also have a different Interment capacity and Memorial criteria specific to their design and location in the Cemetery.
531. The City may permit, subject to its discretion and authority and under terms of a memorandum of agreement between the City and a Columbarium supplier, a privately owned Columbarium to be constructed or installed in the Cemetery where:
532. the Columbarium supplier shall provide to the City a complete set of design drawings and construction materials used for the Columbarium and its foundation, and sets out the dimensions of the Columbarium itself, and the dimensions of each Niche and the intended Urn capacity of each Niche;
533. the sale of Interment Rights and Memorialization in the Columbarium are the responsibility of the Columbarium owner;
534. all Interments in the Columbarium are conducted in coordination with the City and in accordance with this Bylaw; and,
535. the Memorialization and maintenance of the Columbarium are conducted in accordance with any standard set out in this Bylaw and/or in the memorandum of agreement established between the City and the Columbarium supplier.

6. INTERMENT

600. Every Interment in the Cemetery shall comply with this Bylaw and any additional rule or regulation relating to Interment set out further in Schedule 'B', forming a part of this Bylaw.
601. Only Human Remains or Cremated Remains may be interred in the Cemetery.
602. The Scattering of Cremated Remains may be permitted in the Cemetery but only in designated Scattering areas of the Cemetery, otherwise, the Scattering of Cremated Remains on the surface of any Plot or on Cemetery grounds is prohibited.

603. No Interment shall be permitted until:
 604. the Personal Representative of a deceased completes, signs, and delivers to the City, an Interment (Disinterment) Authorization Form, in a form prescribed by the City;
 605. all Fees for a Plot, Interment, and for any other good or supplied by the City to facilitate an Interment, are paid in full to the City;
 606. advance notice, in a manner prescribed by the City, has been provided to the City;
 607. for Human Remains, an Alberta Burial Permit has been delivered to the City;
 608. for Cremated Remains, a Certificate of Cremation has been delivered to the City; or,
 609. where a death has occurred in a jurisdiction other than the province of Alberta, a disposition document, in a form deemed acceptable by the City, has been delivered to the City.
610. Advance notice for an Interment or Cremated Remains Scattering is required. The notice, documents and Fees for an Interment or Scattering shall be delivered to the City:
 611. not less than three business days prior to the Interment or Scattering; and,
 612. for an Interment or Scattering requested in a period shorter than above, the service may be accommodated, subject to the discretion of the City.
613. Upon provision of proper notice and authorization, Interments or Cremated Remains Scatterings may occur in the Cemetery:
 614. Monday through Friday, between 8:45 AM and 3:00 PM;
 615. at a set time arranged with the City;
 616. subject to the availability of staff and payment of a surcharge, as set out in Schedule 'A' of this Bylaw, on a Saturday, Sunday or Holiday observed by the City, between 10:00 AM and 1:00 PM; and,
 617. a service that goes past 4:00 PM is subject to a surcharge as set out in Schedule 'A' of this Bylaw.
618. Prior to accepting custody of Human Remains or Cremated Remains at a Plot, the City shall not be liable for any delay in an Interment and, after accepting custody, shall not be liable for any delay in an Interment arising from circumstances outside of the City's control.

619. The City shall have the authority to suspend or cancel Cemetery Services at, and limit or prohibit public access to the Cemetery where severe weather, road or grounds conditions, public health measures, or other extraordinary circumstance may warrant or pose a hazard to the public or City employees.
620. Every Interment, Cremated Remains Scattering, or Disinterment in the Cemetery shall be conducted by or performed under the supervision of the City.
621. Only the City, or an approved agent of the City, shall locate, excavate, open, or close a Plot in the Cemetery.
622. It is the responsibility of the Personal Representative of a deceased to provide the means and persons to transfer and deliver Human Remains or Cremated Remains to an Interment Plot for Interment or Scattering.
623. The City shall exercise due care and attention in making an Interment but shall not be liable for any emotional, psychological, or physical injury that may occur to a living person or injury to Human Remains or Cremated Remains, or damage to a container, Urn or other form of burial container sustained as part of an Interment except where such injury or damage is caused by the negligence of the City.
624. In accordance with the *Cemeteries Act*, the Minister of Community & Social Services shall be responsible for any costs associated with the disposition of the deceased Human Remains of an Indigent person.
625. All Burials of Indigent persons will be carried out in accordance with this Bylaw.

7. DISINTERMENT

700. Every Disinterment of Human Remains, or Cremated Remains shall be conducted in compliance with the *Cemeteries Act*, this Bylaw, and in a manner consistent with the dignity of adjacent Plots, and general community standards.
701. No Disinterment shall be allowed until:
 702. the Personal Representative of the deceased has provided to the City with a Disinterment authorization, in a form prescribed by the City; and,
 703. all Fees payable to the City for the Disinterment are paid in full to the City.
704. An applicant requesting a Disinterment of Human Remains or Cremated Remains from a Plot shall provide to the City, at their expense and in a form prescribed by the City:

705. such proof as the City may request, up to and including sworn affidavits, to establish their identity and their legal right to authorize the Disinterment;
706. a reason, satisfactory to the City for the Disinterment; and,
707. the City shall have the right to require the applicant, at their expense, to obtain a Court order that compels the City to make the Disinterment requested.
708. Except where ordered by a Court of competent jurisdiction or the Chief Medical Officer of Health of Alberta, normally no persons other than employees or authorized agents of the City along with a duly contracted funeral director shall be permitted to be present at the Disinterment of remains in the Cemetery. Further, the City may, at its discretion authorize a limited number of family members to witness a Disinterment, where such attendance is subject to any rules the City may stipulate for attendance to protect the safety of witnessing persons.
709. A Disinterment in the Cemetery shall, without exception, be performed on a day and at a time of the City's choosing.
710. The City's responsibility in the performance of a Disinterment is limited to:
 711. the excavation of soil from a Plot to permit access to the human or Cremated Remains buried in the Plot;
 712. the opening of a sealed Niche to permit access to the Cremated Remains interred in a Niche;
 713. the removal of intact burial liners; and,
 714. the closure of the Plot when the Disinterment/exhumation is complete.
715. No employee of the City shall be required to participate in the removal of exposed Human Remains from a Plot. The removal of exposed Human Remains and their transfer into a container that fully encloses the disinterred remains shall be performed by a Funeral Director authorized by and employed at the expense of the applicant requesting the Disinterment.
716. Other than the recovery of the Human Remains or Cremated Remains present in a Plot opened for a Disinterment the City shall make no commitment as to the recovery of any other material, personal effect, or other extraneous item from a Disinterment Plot.
717. The City shall dispose of, in a safe, environmentally sensitive, and dignified manner, all extraneous materials that may incidentally be recovered from a Disinterment Plot.

718. Human Remains interred in a Natural Burial Plot and Cremated Human Remains scattered at the Cemetery are considered, from the moment of Interment or Scattering, non-recoverable.
719. The City shall exercise due care and attention in making a Disinterment but shall not be liable for any emotional, psychological, or physical injury that may occur to a living person or injury to Human Remains or Cremated Remains, or damage to a container, Urn or other form of burial container sustained as part of a Disinterment except where such injury or damage is caused by the negligence of the City.

8. MEMORIALS

800. Every Memorial and the installation thereof shall conform to the Cemetery Plan, and the Plot type on which a Memorial is to be installed.
801. No inscription, engraving, ornamentation, or combination thereof, that is inconsistent with the dignity of adjacent Plots, the Cemetery or community standards shall be placed on any Memorial, where the City shall have the final authority as to what may or may not be approved.
802. Every Memorial, and the installation of every Memorial, shall conform to specifications and requirements established by the City for Memorials at the time an application is made for a Memorial installation, not at the time an Interment Right was purchased, or an Interment made.
803. No Memorial shall be installed on a Plot until:
- 804. an application for installation, which describes fully the Memorial's proposed size, design, material, inscription, and location has been submitted to the City;
 - 805. the City determines the Memorial described on the application complies in every way with the specifications set out for Memorial placement on the Plot where installation is proposed; and,
 - 806. all outstanding Fees, as may apply, for an Interment Rights, Interment, a Memorial and Memorial installation are paid in full to the City.
807. Where a Memorial installation applicant is a Memorial supplier other than the City, it is the responsibility of the Memorial supplier to confirm the correct location for a Memorial proposed for installation and, for a companion Memorial, to further confirm the correct orientation for a companion inscription on the Memorial. The City has no responsibility or financial liability for a Memorial where it can be shown these tasks were not performed by a Memorial supplier.
808. The installation of all Memorials shall:

- 809. be made by the City, or under the direction and supervision of the City;
- 810. occur during the regular operating hours of the City;
- 811. be made as soon as practicable after delivery of a Memorial to the Cemetery; and,
- 812. be subject to service and staff scheduling, weather, and ground conditions.
- 813. The City has the authority to refuse installation of a Memorial if the applicant has failed to comply with any requirement established by the City governing Memorials at the Cemetery. If a refusal occurs, the City shall inform the applicant what is deficient about the Memorial installation application and the steps that must be taken to resolve the deficiency.
- 814. The City has the authority to reject installation of a Memorial when the Memorial does not match the specifications described in the Memorial installation application form. If refusal occurs, the City shall inform the applicant what is deficient about the Memorial delivered for installation and the steps that must be taken to resolve the deficiency.
- 815. Where it is determined a Memorial has been installed that does not comply with this Cemetery Bylaw then a non-compliant Memorial may, without prior notice, be removed and placed in safekeeping by the City, at the expense of an Interment Rights Holder or their successor.
- 816. The City is responsible to maintain the land of the Plot on which a Memorial is installed but is not responsible for the maintenance of a Memorial on a Plot.
- 817. The City is not liable for the theft of, or vandalism to, any Memorial in the Cemetery. Further, the City is not obligated to replace a stolen Memorial or repair any damage to a Memorial in the Cemetery except where it can be shown theft of or damage to a Memorial was caused by the negligence of the City.
- 818. A Rights Holder or their successor is required to keep in good order all Memorials on their Plot, at their expense and to the satisfaction of the City.
- 819. If a Memorial falls into a state of disrepair, the City will document the condition of the Memorial and has the authority, without prior notice, to have the Memorial removed from the Plot and placed in safekeeping, and in each case at the expense of Rights Holder or their successor.
- 820. Columbarium Niche Memorialization shall be made in accordance with any applicable part of this Bylaw and any standards, rules and regulations established for the Columbarium, by the Columbarium owner.

9. CEMETERY RULES & REGULATIONS

900. Every person, upon entering and while within the Cemetery, shall follow every instruction of the City, including those posted on an any sign in the Cemetery.
901. Floral tributes may be placed at the Cemetery as follows:
 902. on the day of an Interment and for a period of 7 days following Interment, any type of floral tribute is permitted;
 903. after the 7-day period following an Interment, and from April 1 to October 31 only fresh cut flowers are permitted; potted plants, wreaths and artificial floral tributes of any type are prohibited;
 904. after the 7-day period following an Interment, and from November 1 to March 31, fresh cut flowers, potted plants, wreaths and artificial floral tributes of any type are permitted;
 905. one flower vase for the placement of flowers on a Plot, of a design approved, supplied, and installed, at a location designated by the City, at an applicant's expense, shall be permitted in each Plot;
 906. except for the day of Interment, the placement of floral tributes at the base of a Columbarium shall not be permitted;
 907. the City is not liable for the deterioration, damage or loss of flowers, decorations, hanging or staked glass orbs, or any other extraneous item placed on a Plot or at a Memorial site; and,
 908. the City has the right, without prior notice, to remove or order removal of flowers, decorations or other items placed on a Plot or at a Memorial site that may pose a safety risk or have deteriorated or otherwise become unsightly that detracts from adjacent Plots or the and the appearance Cemetery as a whole.
910. No person shall:
 911. scatter, inter, or otherwise dispose of any Cremated Remains or Human Remains within the limits of the Cemetery except in compliance with this Bylaw;
 912. scatter, inter or otherwise dispose of any pet or animal remains in the Cemetery;
 913. define or delineate any Plot or group of Plots in the Cemetery by a fence, railing, coping, hedge, Grave cover or by any other marking;
 914. willfully or negligently destroy, mutilate, deface, damage, injure or remove anything from the Cemetery, including and without

- limitation, any Memorial, plant, flower, tree, rock, or other item located in the Cemetery;
915. conduct any activity at the Cemetery other than attendance at Cemetery Service or the visitation of a Plot for the purpose of paying respect to the dead;
916. conduct themselves in a manner that disturbs the peace, quiet and good order of the Cemetery or the Cemetery Service being conducted therein;
917. discharge any firearm in the Cemetery other than at a military funeral for which a firearm salute has been authorized by the City and is conducted under the direct command of an officer in charge and only during scheduled Cemetery Service;
918. bring into or dump any rubbish, debris or other offensive item or matter in the Cemetery;
919. allow anyone under the age 16 years within the limits of the Cemetery that is not accompanied by a parent, guardian, or an adult supervisor;
920. drive any form of recreational utility vehicle, all terrain vehicle, or powered snow vehicle;
921. play any manner of sports game or sport or recreational activity within the limits of the Cemetery; and,
922. otherwise violate any provision of this Bylaw or the *Cemeteries Act*.
923. Dogs are permitted in the Cemetery providing they are:
924. under control of an adult;
925. on a short leash and not permitted to run-at-large; and,
926. not allowed to urinate or defecate on any Plot, Memorial, or on Cemetery property generally and if it does the person in control of the dog shall ensure that the excreta are completely removed and disposed of in a sanitary manner.
927. Notwithstanding Subsection 915, the City has the authority to permit special events to be conducted in the Cemetery that are, in the opinion of the City, deemed appropriate for and in keeping with the dignity and purpose of the Cemetery.
928. No tree, shrub, plant, bulb, flower, or other decorative plant feature may be planted, pruned, cut down, removed, or otherwise altered on a Plot or

anywhere else within the limits of the Cemetery without the express consent of the City.

929. No open flame, candle, or burning of any substance or other material may take place inside the Cemetery without prior authorization given by the City and, if approved, shall be conducted under the direct supervision of the City.
930. No work may be performed at the Cemetery except during the regular hours of the City, except where work outside of regular hours is authorized by the City.
931. All work in the Cemetery shall be performed by the City, an authorized agent of the City, or a person or business approved by the City.
932. The work and behavior of an agent of the City, or a person or business performing work in the Cemetery shall be subject to the supervision and control of the City.
933. A person or business that is going to perform work in the Cemetery shall, prior to commencement of work in the Cemetery, supply to the City, proof of Workers Compensation Insurance, Public Liability Insurance and Motor Vehicle Insurance, in a form and amount acceptable to the City.
934. No gratuity or extraordinary consideration shall be paid to or accepted by the City, or an employee or agent of the City for any service rendered or good provided in connection with the Cemetery.

10. CEMETERY FEES

1000. The City shall, on a regular basis review, establish, add, or amend the Fees to be charged at the Cemetery for the provision of Interment Rights, Interments, Memorials or Memorial installations and such other Cemetery Services or goods ancillary to the provision of service, operation, and maintenance of the Cemetery.
1001. Cemetery Fees shall, upon request, be made available to the public without reservation.
1002. The Fees established for the Cemetery shall be set out in Schedule 'A', which forms a part of this Bylaw.

11. CEMETERY PERPETUAL CARE

1100. The City shall, in perpetuity, be responsible for the long-term care and maintenance of the Cemetery.
1101. Every Cemetery shall be maintained, in perpetuity, to a standard that is aesthetically appropriate and permits for the safe use and visitation of the Cemetery and all Plots contained therein.

12. BYLAW CONTRAVENTION

1200. The Cemetery is, and all activities in the Cemetery are, subject to and protected under the *Cemeteries Act R.S.A 2000 ed. 2017*, the *Municipal Government Act 2000 R.S.A. c. M-26*, the *Provincial Offenses Procedure Act R.S.A. 2000, c.P-34*, and this Bylaw.
1201. A person, or a group of persons, who contravenes or does not otherwise comply with any provision of this Bylaw is guilty of an offence and the City may act to:
1202. expel the person, or group of persons, from the Cemetery;
1203. impose a fine to the person, or group of persons, for each contravention; or,
1204. pursue such additional legal action it deems necessary or appropriate to address the Bylaw contravention.
1205. Where a contravention of this Bylaw is of a continuing nature, each day on which it continues or is repeated shall constitute a separate offense and shall be liable to a separate penalty.
1206. The enforcement of this Bylaw and penalties arising from the contravention of this Bylaw are set out further in Section 13 of this Bylaw.

13. VIOLATIONS & PENALTIES

1300. A person who contravenes or does not comply with any provision of this Bylaw is guilty of an offence.
1301. Fines and penalties imposed on a conviction for an offence under this Bylaw are an amount owing to the City.
1302. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any Fees, charges or costs from which that person is liable under the provisions of this Bylaw or any other Bylaw.
1303. Any person who breaches any provision of the Bylaw is guilty of an offence and liable:
1304. to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.
1307. A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person who has contravened any provision of this Bylaw.
1308. A Violation Tag shall be deemed to be sufficiently served if:
1309. served personally on the accused; or,

1310. mailed to the address of the registered owner of the property concerned or to the person concerned; or,
1311. served personally upon the manager, secretary, receptionist or other officer or person apparently in charge at any premises of the accused, or by mailing a copy to such accused.
1312. A Violation Tag shall state:
 1313. the name of the person or other information to adequately identify the person;
 1314. approximate location of where the offence took place;
 1315. the offence;
 1316. the penalty for the offence;
 1317. that the penalty shall be paid within fourteen days from the issuance of the Violation Tag; and,
 1318. any other information deemed necessary by the Chief Administrative Officer or by the provisions of the *Municipal Government Act* or the *Provincial Offences Procedure Act*, RSA 2000, c P-34 as amended, or as repealed and replaced from time to time.
1319. Where a breach of this Bylaw is of a continuing nature, each day on which it continues or is repeated shall constitute a separate offense and shall be liable to a separate penalty.
1320. Where a Violation Tag has been issued for breach of any provision of this Bylaw, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the City the penalty specified on the Violation Tag.
1321. Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.
1322. If a person upon whom a Violation Tag is served above fails to pay the voluntary payment within the time specified, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 11 of the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended, or as repealed and replaced from time to time.
1323. The person to whom a Violation Ticket has been issued pursuant to the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended, or as repealed from time to time, may plead guilty by making a voluntary payment in respect to the summons by delivering to the Provincial court, on or before the initial appearance date, the Violation Ticket together with an amount

equal to the specified penalty for the offence as provided for in Schedule 'A' of this Bylaw.

1324. Any person who is guilty by way of summary conviction of an offence under the provisions of this Bylaw shall be liable for a fine of not less than the amount specified for that particular breach of this Bylaw, plus associated court costs pursuant to Part 11 of the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended, or as repealed and replaced from time to time.

REMEDIAL ORDERS

1325. A Peace Officer is hereby authorized and empowered to issue a remedial order to any person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
1326. A remedial order written pursuant to this Bylaw may:
- 1327. direct a person to stop doing something, or to change the way in which the person is doing it;
 - 1328. direct a person to take any action or measures necessary to remedy the contravention of this Bylaw, and, if necessary, to prevent a recurrence of the contravention;
 - 1329. state a time period within which a person must comply with the directions; and,
 - 1330. state that if the person does not comply with the directions required by the City within the specified time period, the City will take further action or measures it deems appropriate at the expense of the person.
1331. A remedial order written pursuant to this Bylaw may be served, in the case of an individual:
- 1332. by physically delivering it to the person; or,
 - 1333. by mail addressed to the person at their apparent place of residence or at any address for the person on the tax roll of the City or at the Land Titles registry; and,
 - 1334. a remedial order is deemed to be received seven days after it is mailed.
1335. A remedial order written pursuant to this Bylaw may be served, in the case of a company or corporation or other such entity:
- 1336. by physically delivering it to any director or officer of the company;

1337. by physically delivering it to a person apparently in charge of an office of the company at an address held out by the company to be its address; or,
1338. by mail addressed to the registered office of the company; and,
1339. a remedial order is deemed to be received seven days after it is mailed.
1340. If, in the opinion of a Peace Officer, service of the remedial order cannot be reasonably affected, or if the Peace Officer believes that the owner and/or occupier of the premises is evading service, the Peace Officer may post the remedial order in a conspicuous place on the premises to which the remedial order relates, or on the private dwelling place of the owner of the premises, as registered at the Land Titles Office or on the municipal tax roll for the premises, and the remedial order shall be deemed to be served upon the expiry of three days after the remedial order is posted.
1341. Every person who fails to comply with a remedial order issued pursuant to this Bylaw within the time set out in the remedial order commits an offence.
1342. If the person to whom a remedial order has been issued fails to comply with the remedial order within the time specified therein, the City may take whatever steps are necessary to remedy the contravention of this Bylaw and the cost of doing so becomes a debt owing to the City by the person to whom the order was issued.
1343. If, in the opinion of the City, a contravention of this Bylaw requires immediate action, the City may perform any work necessary to address the contravention of this Bylaw without prior notice or a remedial order and all costs incurred by the City will be payable by the person alleged to have contravened this Bylaw.
1344. If the City does not receive the payment of any expense incurred as provided in this Bylaw, the City may charge the same against the property to be recovered in like manner as taxes assessable against the property.

NOTICE OF APPEAL

1345. A person who has received a remedial order may request the City to review the remedial order issued in accordance with this Bylaw by written notice of appeal within fourteen days of the date the remedial order is received.
1346. Each notice of appeal shall:
1347. state with reasonable detail the grounds of the appeal;
1348. state the name, address and interest of the appellant; and,
1349. be dated and signed by the appellant or, on their behalf, by

their agent and, if signed by an agent, shall state the name and address of the agent as well as that of the appellant.

1350. When hearing an appeal the City shall:
- 1351. hold a hearing within 30 days after receipt of the remedial order;
 - 1352. ensure that the notice of the hearing is mailed to the appellant at least 5 days prior to the date of the hearing;
 - 1353. consider each appeal having due regard to the circumstances and merits of the case to the Cemetery Bylaw;
 - 1354. not be bound by rules of evidence applicable to courts of civil or criminal jurisdiction;
 - 1355. afford to every person concerned the opportunity to be heard, to submit evidence of others; and,
 - 1356. make and keep a written record of its proceeding which shall be in the form of a summary of evidence presented to the City at the hearing.
1357. In determining an appeal, the City,
- 1358. may confirm, vary, substitute or cancel a remedial order; and,
 - 1359. shall render its decision in writing to the appellant within 15 days of the hearing.

14. SEVERABILITY

1400. The headings given to the parts, sections and paragraphs in this Bylaw and its Schedules are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.
1401. If any part, section, subsection, or phrase, of this Bylaw or its Schedules is for any reason held to be invalid by a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

15. REPEAL OF BYLAWS

1500. That Bylaw No. 21/12, 22/06 and 25/03 and all amendments made thereto, are hereby repealed in their entirety.

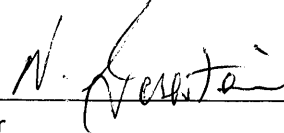
16. EFFECTIVE DATE

1600. This Bylaw shall take effect at the date of final passing thereof.

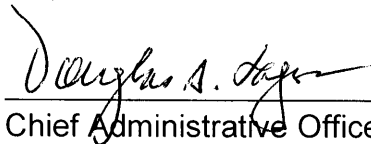
Read a first time this 15th day of December, 2025.

Read a second time this 15th day of December, 2025.

Read a third time this 12th day of January, 2026.



Mayor



Chief Administrative Officer

SCHEDULE 'A': Cemetery Fees

Burial Plots	2026	2027	2028	2029	2030
Adult	\$480.00	\$576.00	\$691.00	\$829.00	\$995.00
Child	\$240.00	\$288.00	\$345.00	\$415.00	\$498.00
Infant	\$240.00	\$288.00	\$345.00	\$415.00	\$498.00
Cremains	\$240.00	\$288.00	\$345.00	\$415.00	\$498.00
Field of Honour	N/C	N/C	N/C	N/C	N/C

Interment Fees (Opening/Closing)	2026	2027	2028	2029	2030
Adult	\$480.00	\$576.00	\$691.00	\$829.00	\$995.00
Child	\$360.00	\$432.00	\$518.00	\$622.00	\$746.00
Infant	\$240.00	\$288.00	\$345.00	\$415.00	\$498.00
Cremains	\$240.00	\$288.00	\$345.00	\$415.00	\$498.00
Field of Honour – Cremains	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00
Field of Honour – Casket	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00

Miscellaneous Fees	2026	2027	2028	2029	2030
Scattering	\$175.00	\$180.00	\$186.00	\$191.00	\$197.00
Surcharge (after 4:00 p.m.)	\$180.00	\$216.00	\$259.00	\$311.00	\$373.00
Weekend/Holiday	\$240.00	\$288.00	\$345.00	\$415.00	\$498.00
Disinterment - Cremains	\$400.00	\$412.00	\$424.00	\$437.00	\$450.00
Disinterment - Casket	\$960.00	\$1,152.00	\$1,382.00	\$1,659.00	\$1,991.00
Perpetual Care	\$400.00	\$480.00	\$576.00	\$691.00	\$829.00
Monument Permit	\$50.00	\$51.50	\$53.00	\$54.50	\$56.00

Columbarium	2026	2027	2028	2029	2030
Upper Niches*	\$2,000.00	\$2,060.00	\$2,122.00	\$2,185.00	\$2,251.00
Lower Niches*	\$1,750.00	\$1802.00	\$1,857.00	\$1,912.00	\$1,970.00
Interment for second urn	\$258.00	\$266.00	\$274.00	\$282.00	\$290.00
Perpetual Care – Columbarium**	\$206.00	\$212.00	\$219.00	\$225.00	\$232.00

*including Interment and Marker approval for first urn within the Niche

**charged only to outside agencies for a non-City owned Columbarium

SCHEDULE 'B': Interment Rights & Interments

1. INTERMENT RIGHTS

100. In addition to requirements set out in the Bylaw, the following rules shall apply to the definition and classification of Interment Rights and Interment Plots in the Cemetery.
101. The design, layout, dimensions, location of Interments and placement of Memorials for every Plot type in the Cemetery shall be those set out in the design plan established for the Cemetery.
102. The City shall have the authority to vary the dimensions of a Plot or group of Plots as circumstances may dictate or as it deems appropriate for the operation and maintenance of the Cemetery.
103. The City shall have the authority to establish, amend or otherwise set out Interment Rights for other Plots in the Cemetery that have the same classification and Interment capacity as the Plots described herein or that may have a different classification and Interment capacity.
104. The following specifications shall constitute the Plot types and permitted Interment densities for Plots as they may be designed and laid out in the Cemetery,
 105. **Human Remains – Standard In-Ground Burial Plot** suitable for the Interment of the Human Remains of one person and the secondary Interment of the Cremated Remains of not more than ten persons, and the installation of one upright Memorial monument and two flat Memorial markers;
 106. **Human Remains – Natural Burial Plot** suitable for the Interment of the Human Remains of one person and the secondary Interment of the Cremated Remains of not more than two persons, and Memorialization in a communal format established by the City for Natural Burials;
 107. **Cremated Remains – In-Ground Burial Plot** suitable for the Interment of the Cremated Remains, depending on the Plot of not more than six persons, and the installation of one flat Memorial marker;
 108. **Cremated Remains - Niche Interment Plot** suitable for the Interment of the Cremated Remains of not more than two persons;
 109. **Cremated Human Remains – Scattering** as and where designated by the City for the non-recoverable Scattering of Cremated Remains on the surface of the ground, and Memorialization in a form established by the City.

110. The secondary Interment of Cremated Remains into a Human Remains Interment Plot, shall not occur in the Plot until after the Human Remains Interment has been made into the Plot.
111. The Interment of Cremated Remains into a Cremation Plot or a Cremation Niche Plot shall be based on the Cremated Remains being enclosed in individual cremation Urns, or a companion Urn, or a cremation Grave Liner that can be accommodated within the Plot where the Interment is planned.
112. It is the responsibility of the Personal Representative of a deceased to ensure Urns or Grave Liners being considered for Cremated Remains Interment can be accommodated in a Cremation Plot. The City shall have the authority, without liability or recourse, to refuse to permit a Cremated Remains Interment where an Urn, or Urns, or Cremated Remains Grave Liner delivered for Interment do not fit into a Cremated Remains Plot.
113. **Field of Honour:** The City shall establish and maintain a Field of Honour in the Cemetery for the purpose of interring eligible Veterans of the Canadian Armed Forces or Their Majesty's Armed Forces, subject to the following criteria:
 114. Plots in a Field of Honour are suitable for the Interment of the Human Remains or Cremated Remains of one Veteran and the Cremated Remains of one Family Member of the interred Veteran. No other persons are permitted to be interred in a Field of Honour Plot;
 115. Plots in a Field of Honour may have Memorialization in a form consistent with any established by the Department of Veterans Affairs, the Department of National Defence, or the Royal Canadian Legion EID No. 63;
 116. there shall be no charge for a Field of Honour Plot in the Cemetery; however, charges for opening and closing the Plot and any other applicable Cemetery Fees shall be paid at the rates established by the City;
 117. confirmation of eligibility for Interment in a Field of Honour is required prior to Interment, where eligibility shall be obtained from the Department of Veterans Affairs, the Department of National Defence, or the Royal Canadian Legion EID No. 63;
 118. salutes involving the discharge of firearms will be permitted only for the Interment of a Veteran in a Field of Honour, and only after approval has been made in writing by the City in coordination with the Detachment Commander of the Brooks Royal Canadian Mounted Police.

2. INTERMENTS

200. In addition to requirements set out in this Bylaw, the following rules shall apply when making an Interment of Human Remains or cremated Human Remains into the Cemetery Plot, or the Scattering of cremated Human Remains in the Cemetery.
201. **Human Remains – Standard In-Ground Burial:** every Interment of Human Remains shall be made:
202. at a depth sufficient to ensure there is, when filled and closed, not less than 76 centimetres (30 inches) of soil between the finished surface of the Plot and the uppermost surface of the Human Remains, Casket enclosing the Human Remains, or a Grave Liner used in the Plot, and
203. directly into the ground or, on an optional basis, may be made into a Grave Liner of a design approved by the City and supplied and installed at the expense of the Personal Representative of a deceased.
204. **Human Remains – Natural Burial:** every Interment of Human Remains in a Natural Burial Plot, or section of the Cemetery designated for Natural Burial shall be made in accordance with the rules set out further in this Schedule governing Natural Burials.
205. **Cremated Remains – In-Ground Burial:** every in-ground Interment of cremated Human Remains shall be made,
206. at a depth sufficient to ensure there is, when filled and closed, not less than 30 centimetres (12 inches) of soil between the finished surface level of the Pot and the uppermost surface of the Urn enclosing the Cremated Remains, or a Grave Liner used in the Plot, and
207. directly into the ground, or on an optional basis, may be made into a Grave Liner of a design approved by the City, and a Cremated Remains Grave Liner may have a size suitable for the containment of the Cremated Remains of two people.
208. Where a Grave Liner is to be used for an Interment, the Grave Liner shall be delivered to the Cemetery for installation in a Plot not later than 4 hours prior to the scheduled Interment time.
209. No Grave Liner is permitted for a Natural Burial.
210. **Cremated Remains - Niche Interment:** every Columbarium Niche Interment of cremated Human Remains shall be made in accordance with any rules or procedures established by the City for Cremated Remains Niche Interments into a specific Columbarium in the Cemetery.

211. **Scattering of Cremated Human Remains:** every Scattering of Cremated Human Remains is limited to Scattering in designated Scattering Gardens or Areas of the Cemetery and any rules or procedures established by the City for cremation Scattering.
212. Subject to any direction or instruction issued by the City, a Funeral Director shall be responsible for supplying, delivering, setting up, and removing Graveside Naturals, mats, lowering devices and such other Graveside equipment as they require for an Interment service.
213. All Graveside equipment and materials supplied and used by a Funeral Director for an Interment service shall be removed from an Interment site within 1 hour of the conclusion of the Interment service.

3. NATURAL BURIALS

300. The City shall have the right to designate Plots and areas within the Cemetery where the Natural Burial of Human Remains and Cremated Remains may be accommodated.
301. The criteria that follow here apply to the provision of Natural Burial.
302. Rights of Interment for Natural Burial Plots may be purchased where such Plots will be used for the Interment of the Human Remains of one person and the secondary Interment of the Cremated Remains of not more than two persons, or where no Interment of Human Remains is intended, the Interment of the Cremated Remains of not more than three persons.
303. Human Remains proposed for Natural Burial Interment shall be:
- 304. in a natural state and shall not be embalmed;
 - 305. clothed or wrapped in natural, fully biodegradable fibers or material;
 - and,
 - 306. fully enclosed, clothed, wrapped, shrouded in a shroud, in a Casket or alternative container with a rigid base that permits the dignified transport and safe handling of the Human Remains.
307. A shroud, Casket or alternative container proposed for Natural Burial shall:
- 307. comply with any provisions for Caskets or containers set out in the *Cemeteries Act*;
 - 308. be approved for use by the City prior to a scheduled Natural Burial service;
 - 309. be primarily constructed of fully biodegradable and environmentally sustainable materials;
 - 310. have interior finishing primarily fabricated of fully biodegradable and environmentally sustainable materials and natural fibers;

311. have, as a function of their design, a safe and secure means with which to facilitate the dignified transfer of the Human Remains enclosed to the Interment site and lowered into the excavated Plot;
 312. except for minimally necessary structural hinges, nails, and screws, not have any extraneous part, fixture or decoration attached that is made of plastic, metal, or other non-biodegradable material;
 313. not have a high gloss or polish finish achieved through the application of any synthetic or environmentally hazardous, toxic, or non-biodegradable chemical or agent;
 314. not have been constructed with the use of synthetic or environmentally hazardous, toxic, or non-biodegradable glue, epoxy, or other form of bonding agent;
 315. not have any interior liner, shroud, bag, or other lining that is fabricated from nonbiodegradable materials; and,
 316. not have any non-biodegradable personal items, mementos or articles placed inside the space occupied by the Human Remains.
317. Shrouds, Caskets or alternative containers that are constructed from fibreboard, particle board, plywood, non-sustainable or exotic wood, metal, bleached or non-recycled cardboard or other form of non-sustainable, non-biodegradable or artificial material are prohibited from Interment in a Natural Burial Plot.
318. The City shall have the right to approve, or to refuse to accept for Natural Burial, any shroud, Casket, or alternative container proposed for Interment in a Natural Burial Plot.
319. Interment of Human Remains in a Natural Burial Plot shall be made at a depth consistent with Subsection 202 of this Schedule and sufficient to achieve the effective, natural decomposition of the Human Remains interred and ensure the interred Human Remains will not be disturbed by wildlife.
310. No form of exterior Grave box, Grave Liner, or protective vault is permitted in a Natural Burial Plot.
311. It is the responsibility of the Personal Representative of a deceased person being interred in a Natural Burial Plot to:
317. ensure a shroud, Casket or alternative container proposed for Interment in a Natural Burial Plot is a City approved container; and,
 318. arrange for the dignified transfer of the Human Remains to the Gravesite.

319. Where a Right of Interment has been purchased for a Natural Burial Plot, the secondary disposition of Cremated Remains in the Plot shall not be made until all the permitted Interment of Human Remains have been made in the Plot.
320. The City shall have the right to utilize such equipment, including motorized equipment, to open and close a Natural Burial Plot as it deems operationally efficient and necessary to protect the safety of all City personnel, and any person participating in and attending the Interment service and to permit for the safe and dignified Interment of Human Remains into the Plot, and shall make every reasonable effort to replace soil in a Grave occupied by Human Remains in as sensitive a manner as is practical.
321. The City makes no warranty to protection nor bears any liability for the aesthetic, structural or physical impact made to a Casket or alternative container and the interred Human Remains that may arise from the replacement of Gravesite soil into a Natural Burial Plot.
322. Human Remains and Cremated Remains interred in a Natural Burial Plot shall be considered non-recoverable from the date of Interment and the City shall not be obligated to accommodate the discretionary request for any Disinterment from a Natural Burial Plot.

4. MEMORIALS

400. The installation of a Memorial on any Plot in the Cemetery shall comply with Schedule 'C', which forms a part of the Bylaw.

SCHEDULE 'C': MEMORIALS

1. MEMORIAL RULES

100. All Memorials are the property of the Memorial purchaser, and the care or repair of a Memorial is the responsibility of the purchaser and, a Rights Holder or their successor is required to keep in good order and repair, at their expense and to the satisfaction of the City.
101. The City shall have the right, without notice, to temporarily move a Memorial from a Plot if, during the excavation of a Plot or an adjoining Plot, such removal is needed to gain access to a Plot, to ensure the safety of Cemetery workers, or to protect the Memorial from potential damage during the Interment process. Memorials that have been moved shall be replaced, by the City, into its original position on the Plot from which it was removed as soon as possible after an Interment has been completed.
102. No Memorial shall be installed, replaced, or modified within the Cemetery by any person other than the City or a person authorized by the City. Every request to replace or modify an existing Memorial must be with the consent of the Plot Rights Holder or their successors and/or the Family Members of the person interred in the Plot or, as may be permitted at the discretion of the City, in the event the Plot Rights Holder or their successors and/or the Family Members of the person interred in the Plot cannot be located.
103. If any Memorial, or part of a Memorial, erected in the Cemetery is in a state of disrepair that may be hazardous to the public, Cemetery personnel, or become detrimental to the maintenance and overall appearance of the Cemetery, the City, after providing 30-days notice in writing to the Plot Rights Holder or their successors at their last known address on file with the City, may have the Memorial removed from the Cemetery if it has not been repaired in accordance with the notice provided.
104. Except for Plots Memorialized prior to the passage of this Cemetery Bylaw no Plot shall have a Memorial inconsistent with this Bylaw or be defined by any fence, hedge, or railing or other form of embellishment except as approved and 'grandfathered' by the City.

2. MEMORIAL SPECIFICATIONS

200. It is the responsibility of a Rights Holder or the Personal Representative of a deceased to arrange for the supply of a Memorial on a Cemetery Plot. The City has no responsibility to place, at the City's expense, any form of temporary or permanent Memorial on a Plot.
201. At the time of an Interment the City may permit a temporary, non-permanent identification Memorial that is:

202. of a design and size approved by the City;
 203. placed on a Plot at a location determined by the City;
 204. permitted to remain on the Plot for a period not to exceed six months from the date of Interment, and after six months the City has the authority to remove and dispose of the Memorial, without prior notice.
205. All Memorial sizes are measured in centimetres (inches), are always written - length x width x height, and may have a variance of not more than plus / minus 1.0 cm (0.3 in.).
206. Flat Markers: Flat Markers may be:
207. Stone: Made of granite or another type of hard stone approved by the City, shall be not less than 10 cm (4 in.) thick and, shall have sides that are true and perpendicular to the top surface of the Memorial; or,
 208. Bronze: Comprised of a bronze marker securely attached to a concrete or granite pillow base, where the base shall be not less than 10 cm (4 ins.) thick and shall have sides that are true and perpendicular to the top surface of the marker.
209. Flat Marker Sizes: flat stone markers or bronze markers on a concrete or granite base shall be of the following sizes:
210. Standard Plot - Single Memorial: One Memorial only that is 50 cm by 30 cm by 10 cm (20" x 12" x 4");
 211. Standard Plot - Side by Side / Adjoining: One Memorial only for two Human Remains that is 70 cm by 40 cm by 10 cm (28" x 16" x 4");
 212. Child Plot: One Memorial only that is 50 cm by 30 cm by 10 cm (20" x 12" x 4");
 213. Cremation Plot - Single Interment: One Memorial only that is 50 cm by 30 cm by 10 cm (20" x 12" x 4");
 214. Cremation Plot – Companion Interment: One Memorial only for two Cremated Remains that is 40 cm by 25 cm by 10 cm (16" x 10" x 4").
215. Subject to the Cemetery design plan, pillow markers may be permitted on Plots as an alternative to a flat marker. Pillow markers shall be the same size as the dimensions set out in Subsections 210 - 214 but shall have a pitched / slanted face not more than 15.2 cm (6 ins.) high at the back of the Memorial slanting to 10.1 cm (4 in.) high at the front of the Memorial.

216. On Plots designated for upright Memorial monuments the monuments shall:
 217. be constructed of granite;
 218. have the marker attached to a granite base with dowel pins and / or an adhesive epoxy compound approved by the City and, in instances where dowels are mandated by the City, the dowels shall be made of a non-corrosive material, be centered on the base, be not less than 15.2 cm (6 ins.) in length and evenly extended into both the markers and the base and installed in a 'dry' mode;
 219. have an inscription and design carved or engraved on the face of the marker, or a bronze plaque securely anchored to the face of the marker with non-corrosive fasteners and /or an adhesive epoxy approved by the City; and,
 220. not have any inscription, lettering, plaque or other form of adornment or decoration engraved, inscribed, or otherwise attached to the back or any side of the marker or its base.
221. Upright Memorial monuments shall:
 222. not exceed 61 cm (24 in.) in height – marker and base combined;
 223. not exceed 76 cm (30 in.) wide x 50 cm (20 in.) high x 15 cm (6 in.) deep; and,
 224. for a single standard Plot, have a base that is not more than 91 cm (36 in.) wide and 15 cm (6 in.) deep and 10 cm (4 in.) high; or,
 225. for a side-by-side standard companion Plot have a base that is not more than 101 cm (40 in.) wide 25 cm (10 in.) deep and 10 cm (4 in.) high.
226. Other than a metal or stone flower vase that is an integral part of the design of a Memorial approved for installation by the City, no other form of flower vase, candleholder, lantern, or other form of fixture may be attached in any manner to a Memorial, placed adjacent to where a Memorial is installed, or placed anywhere on a Plot in the Cemetery.
227. Memorials in a Columbarium owned and operated by the City shall be in the form of an inscription engraved on a Niche shutter, where the inscription shall,
 228. be coordinated through the City;
 229. subject to a design chosen from six options, have an inscription engraved on the surface of the shutter, and is limited to, the given name(s) or initial(s), the surname, the year of birth and the year of death of the deceased interred in the Niche;
 230. shall be made in a font style, size and layout that is consistent with adjacent shutters and with the overall design established for the Columbarium of which the Niche is a part; and,

231. not have any other form of symbol, decoration or other form of adornment engraved, inscribed, or attached to the surface of the shutter.
232. Memorials in a Columbarium owned and operated by a third party, as permitted to be in the Cemetery shall:
 233. be consistent with the design plan of the Columbarium filed with the City under Subsection 532 of the Bylaw;
 234. be made in a form consistent with the design parameters established for the Columbarium by the Columbarium owner/operator; and,
 235. the City bears no responsibility for any error made in Memorialization of a third party owned Columbarium.
236. Custom Memorial Donation / Dedication: The City may permit the donation and dedication of a Memorial planting, Memorial bench, or other form of custom Memorial feature at the Cemetery, subject to the following criteria,
 237. an application, in a form prescribed by the City, shall be made to the City giving the proposed specifications, design and materials of the custom Memorial and the design must be approved in writing by the City before any delivery or installation can proceed;
 238. site selection in the Cemetery shall conform to the design plan of the Cemetery;
 239. installation, if not performed by the City, shall be made under the supervision of the City;
 240. the cost of the Memorial, any Memorial site improvements, and installation of the Memorial shall be borne by the applicant; and,
 241. the installation of a custom Memorial in the Cemetery does not entitle the donor or an applicant to any privilege or right over the land upon which the Memorial may be situated.