



TOWN OF EDSON BYLAW NO. 2272

A Bylaw of the Town of Edson in the Province of Alberta, pursuant to the provisions of the *Cemeteries Act*, RSA 2000, c. C-3, and amendments thereto, to regulate and control the operation of the Edson Cemetery and the Glenwood Cemetery of the Town of Edson, and to repeal Bylaws No. 1897 and 1916.

WHEREAS the Council of the Town of Edson deems it desirable and expedient to repeal Bylaw No. 1897 and Bylaw No. 1916 and regulate and control the operation of the Edson Cemetery and the Glenwood Cemetery;

AND WHEREAS the Southwest Quarter of Legal Subdivision 5 of Section 28, Township 53, Range 17, West of the 5th meridian, as described on Certificate of Title No. 149Z33, is owned by the Town of Edson and was established and designated as a municipally owned and operated Cemetery and named "The Edson Cemetery" pursuant to Bylaw No. 95 and Bylaw No. 1576 and Council deems it advisable to continue the ownership of said Cemetery although this Cemetery is not presently used for interments;

AND WHEREAS Block B, Plan 5314 Z, described on Certificate of Title No. 113-N-85, is owned by the Town of Edson and was established and designated as a municipally owned and operated Cemetery pursuant to Bylaw No. 183 and Bylaw No. 1576 and Council deems it desirable to continue the ownership and operation of said Cemetery;

AND WHEREAS the Cemetery contained in Block B, Plan 5314 Z was named "The Glenwood Cemetery" pursuant to Bylaw No. 215, and Bylaw No. 1576 and Council deems it desirable to retain this name;

NOW THEREFORE the Municipal Council of the Town of Edson enacts as follows:

TABLE OF CONTENTS

PART I	TITLE, APPLICATION, DEFINITIONS AND INTERPRETATIONS
Section 1	Short Title
Section 2	Application
Section 3	Definitions
Section 4	Interpretations
PART II	CEMETERY LOCATION AND NAME
Section 5	Edson Cemetery
Section 6	Glenwood Cemetery
Section 7	Acquisition of Land
PART III	ADMINISTRATION
Section 8	General Administration Guidelines
PART IV	FEES
Section 9	Application of the Fees, Rates, and Charges Bylaw
PART V	SALE OF PRE-NEED BURIAL PLOTS, CREMATION PLOTS, AND COLUMBARIUM NICHES
Section 10	Sale of Burial Plots and Cremation Plots
Section 11	Sale of Columbarium Niches
Section 12	Sale of Field of Honour Burial Plots
Section 13	Cemetery Deed
Section 14	Re-Sale of Plots and Niches
Section 15	Unusable Plots Previously Purchased
PART VI	INTERMENTS / INURNMENTS and DISINTERMENTS
Section 16	Interment / Inurnment Rights
Section 17	Interment / Inurnment
Section 18	Disinterment / Reinterment
PART VII	MONUMENTS AND MARKERS
Section 19	Installations / Dimensions
Section 20	General Regulations and Maintenance

PART VIII CHANGE OF OWNERSHIP

- Section 21 Transfer of Ownership
- Section 22 Cancellation of Ownership / Return of Plot to Town
- Section 23 Reclamation of Unused Burial Plots or Niches

PART IX CEMETERY REGULATIONS

- Section 24 General Cemetery Regulations
- Section 25 Severability
- Section 26 Effective Date

PART I – TITLE, APPLICATION, DEFINITIONS AND INTERPRETATIONS

1. SHORT TITLE

- 1.1 This Bylaw may be cited as the “Cemeteries Bylaw”.

2. APPLICATION

- 2.1 The purpose of this Bylaw is to regulate and control the operation of the Edson Cemetery and Glenwood Cemetery, and to repeal Bylaws No. 1897 and 1916.

3. DEFINITIONS

- 3.1 “Act” – means the *Cemeteries Act*, RSA 2000, c. C-3, and amendments thereto.
- 3.2 “Base” - means a foundation or footing to support a monument or marker.
- 3.3 “Block” - means a group of eight or more burial plots as shown on the Cemetery Plan Map.
- 3.4 “Burial” – may refer to interment or inurnment.
- 3.5 “Burial Permit” - means a permit issued by a Funeral Home under the *Vital Statistics Act*, SA 2007, c. V-4.1 and required by law to bury or cremate the remains of the deceased. If the deceased has been cremated, a Cremation Certificate can be accepted in its place.
- 3.6 “Burial Plot” - means a subdivision of land for the purpose of interment of dead human bodies in the Cemetery as shown on the Cemetery Plan Map.

- 3.7 *"Cemetery"* - means land that is set apart to be used as a place for the burial of dead human bodies or other human remains.
- 3.8 *"Cemetery Deed"* - means a document signed by the Chief Executive Officer or their Designate pursuant to this Bylaw once the applicable Fees, Rates and Charges have been paid, specifying the entitlement to an Interment or Inurnment within a Burial Plot.
- 3.9 *"Cemetery Plan Map"* - means the plan of each Cemetery showing:
- a. the location of blocks or sections;
 - b. the location of burial plots; and
 - c. the location and layout of the Columbarium.
- 3.10 *"Chief Administrative Officer"* – means the Chief Administrative Officer of the Town of Edson or their designate.
- 3.11 *"Columbarium"* - means a structure designed for storing cremains.
- 3.12 *"Companion Urn"* – is a cremation container intended to hold the cremains of two individuals.
- 3.13 *"Council"* - means the Council of the Town of Edson.
- 3.14 *"Cremains"* - means the ashes of deceased human bodies or other human remains that have been cremated.
- 3.15 *"Cremation Plot"* - means a burial plot for the burial of cremains.
- 3.16 *"Disinterment"* - means the removal of human remains or cremains from a Burial Plot or Columbarium Niche.
- 3.17 *"Double Depth"* - means a burial plot dug at extra depth at the time of interment of the first casket to accommodate a second interment at regular depth (see single depth).
- 3.18 *"Field of Honour"* - means the area of the Cemetery shown on the Cemetery Plan Map as being reserved for the burial of Veterans.
- 3.19 *"Flat Marker"* - means a flat structure of granite, marble, concrete or other material approved by the Town for memorial purposes placed on any burial plot level with the base.

- 3.20 *"Heirs"* – means a person legally entitled to the property of the Rights Holder.
- 3.21 *"Interment"* - means the excavation of a burial plot to the depth and size required by the Act, the placing (but not the provision) of a rough box, the backfilling of the burial plot and the removal of any excess earth, and may also refer to inurnment.
- 3.22 *"Interment / Inurnment Rights"* - gives the Rights Holder the ownership to the plot or niche, rights to be interred in the plot or niche, and the right to say who can be buried in the plot or niche. Interment Rights also include the right to erect a monument or flat marker and direct inscriptions.
- 3.23 *"Interment (Inurnment) Rights Holder"* – means the person, corporation or other legal entity for whom the burial plot or niche in the Cemetery was purchased, in accordance with the provisions of this Bylaw, who is named in the Cemetery Deed, and who possesses the Interment/Inurnment Rights. The holder may or may not be the one who paid for the plot or niche.
- 3.24 *"Inurnment"* - means the opening of a columbarium niche, the placing of cremains therein, and the closing of the columbarium niche and/or the excavation of a burial plot to the depth and size required by the Act, the placing (but not the provision) of the urn, the backfilling of the burial plot and the removal of any excess earth.
- 3.25 *"Liner or Vault Box"* - means a box placed in the ground to totally enclose a casket in a burial plot in the Cemetery.
- 3.26 *"Monument"* - means an upright structure including a base or memorial of granite, marble or other material approved by the Town for memorial purposes which projects above surrounding grounds.
- 3.27 *"Monument Permit"* - means a document that allows the erection or installation of a monument or a flat marker on a burial plot.
- 3.28 *"Next of Kin"* - means the parents, spouse, children, or siblings of the Rights Holder.
- 3.29 *"Niche"* - means a section of a columbarium structure designed for storing cremains.
- 3.30 *"Niche Emblem"* - means an addition to the niche plate wreath memorial representing the religious, professional, fraternal, social, or personal interests of the deceased.

- 3.31 *“Niche Name Plate”* - means the plates being screwed on to the niche plate wreath indicating the name and dates of birth and death of the deceased.
- 3.32 *“Niche Plate Wreath”* - means a standard marker specifically used for the Glenwood Cemetery columbarium as a memorial.
- 3.33 *“Provincial Government”* – means the Province of Alberta.
- 3.34 *“Reinterment”* – means a second or further interment or burial.
- 3.35 *“Rights Holder”* – means the Interment / Inurnment Rights Holder.
- 3.36 *“Section”* - means a group of blocks as indicated in the Cemetery Plan Map.
- 3.37 *“Single Depth”* - means a burial plot dug at regular depth at the time of interment to accommodate a single casket burial
- 3.38 *“Town”* – means the Municipality of the Town of Edson.
- 3.39 *“Veteran”* - means a person who at any time was a member of the Armed Forces of Canada, the United Kingdom, or any armed forces of a country allied with Canada or the United Kingdom, in any war.

4. INTERPRETATION

- 4.1 All words and phrases other than those defined in section 3 of this Bylaw shall be construed in accordance with the meaning assigned to them in the *Act*.
- 4.2 Words importing the singular shall include the plural or vice versa whenever the context so requires.

PART II – CEMETERY LOCATION AND NAME

5. EDSON CEMETERY

5.1 The property belonging to the Town and located in the Southwest Quarter of Legal Subdivision 5, Section 28, Township 53, Range 17, West of the 5th Meridian, as described on Certificate of Title No. 149Z33 and known as “The Edson Cemetery”, shall be retained as a public Cemetery although said Cemetery is not presently being used for interments.

6. GLENWOOD CEMETERY

6.1 The property belonging to the Town and located in Block B, Plan 5314 Z, as described on the Certificate of Title No. 113-N-85 and which is known as “The Glenwood Cemetery”, shall be and is appropriated as a public Cemetery.

7. ACQUISITION OF LAND

7.1 The Town is hereby empowered to acquire further lands as may be deemed necessary for use as a public Cemetery.

PART III - ADMINISTRATION

8. GENERAL ADMINISTRATION GUIDELINES

8.1 The operation of the Edson and Glenwood Cemeteries shall be in accordance with this Bylaw and the *Act*.

8.2 The Town shall be responsible for the selling and administration of plots and niches, and the keeping of all necessary records. The Town shall have sole control of matters related to Cemetery burials, maintenance, and upkeep.

8.3 Cemetery information is available at the Town of Edson Civic Centre during working hours.

8.4 The Chief Administrative Officer shall ensure that this Bylaw is reviewed every 5 years.

PART IV - FEES**9. APPLICATION OF THE FEES, RATES, AND CHARGES BYLAW**

- 9.1 All Fees, Rates and Charges in connection with the sale, use and care of plots, niches, and/or other facilities which are or may in the future be offered in connection with the Cemetery operation, shall be in accordance with the "Fees, Rates and Charges Bylaw."

PART V - SALE OF BURIAL PLOTS, CREMATION PLOTS, AND COLUMBARIUM NICHES**10. SALE OF BURIAL PLOTS AND CREMATION PLOTS**

- 10.1 Burial plots and/or Cremation plots may be purchased and/or held in reserve by any person or estate by paying in full the plot price as set out in Fees, Rates and Charges Bylaw.
- 10.2 The purchase price of the plot does not include the opening and closing for casket and/or remains, or the digging of an additional depth to provide for a double depth burial.
- 10.3 No more than four reserve plots in the Cemetery may be purchased by any person or estate, except where approved by the Chief Administrative Officer.

11. SALE OF COLUMBARIUM NICHES

- 11.1 Columbarium niches may be purchased and/or held in reserve by any person or estate by paying in full the niche price as set out in the Fees, Rates and Charges Bylaw. The Columbarium Niche price includes the first opening and closing of the niche as well as the Niche plate wreath and all engravings.
- 11.2 Not more than two niches in the Cemetery may be purchased by any person or estate, except where approved by the Chief Administrative Officer.

12. SALE OF FIELD OF HONOUR BURIAL PLOTS

- 12.1 Veterans may purchase burial plots as set out in the Fees, Rates and Charges Bylaw.
- 12.2 Proof of Veteran status is required when purchasing a plot in the Field of Honour.

13. CEMETERY DEED

- 13.1 A Cemetery Deed for any burial plot(s), cremation plot(s) or columbarium niche(s) so sold shall be signed by the Chief Administrative Officer and delivered to the Rights Holder of the plot under the corporate seal of the Town.
- 13.2 When ownership has changed by means of transfer of ownership, a letter from the Town confirming the transfer will replace the Cemetery Deed.

14. RE-SALE OF PLOTS AND NICHEs

- 14.1 A Rights Holder of burial plots, cremation plots, or columbarium niches shall not re-sell said lots or niches, nor shall they allow interments in these lots for remuneration.

15. UNUSABLE PLOTS PREVIOUSLY PURCHASED

- 15.1 If the Town for any reason deems a previously purchased plot unusable, the Town will supply a similar lot at no cost to the Rights Holder, heirs or next of kin and the original plot shall revert to the Town, upon notification to the Rights Holder, heirs or next of kin.

PART VI – INTERMENTS / INURNMENTS AND DISINTERMENTS

16. INTERMENT / INURNMENT RIGHTS

- 16.1 Interment / Inurnment Rights for a plot or niche give the Rights Holder the ownership to the plot or niche, rights to be interred in the plot or niche, and the right to say who can be buried in the plot or niche. Interment Rights also include the right to erect a monument or flat marker and direct inscriptions.
- 16.2 If there is more than one Rights Holder, then all parties must give their consent before any interments take place or a monument is erected except where the following conditions apply:
- a. One of the current Rights Holders is being buried;
 - b. If the Interment Rights Holder left a will, then the main beneficiary of the deceased's estate is entitled to the Interment Rights. This beneficiary is also known as the heir of the Rights Holder.
- 16.3 If the estate is divided equally between multiple persons, they are all entitled to the Interment Rights.

- 16.4 If the Rights Holder did not leave a will, then the persons entitled to the Rights are the direct next of kin following their blood line as follows:
- a. Surviving Spouse → All surviving children → All surviving grandchildren
 - b. In cases where there are no surviving children: Surviving Spouse → Surviving Parents → All surviving siblings → All nephews/nieces → All Cousins

17. INTERMENT / INURNMENT

17.1 Cemetery plots or niches shall be used only for the burial of human remains and cremated human remains.

17.2 Interment/Inurnment Notification

- a. All applications for burials are to be made to the Town during regular working hours. Any changes to the initial instructions must also be reported to this office.
- b. Applications for plot burials are required in advance and will be based on weather and/or ground conditions. Applications for plot burials shall be made at least two full working days before the burial during Summer Months (May 1st to Mid-October), and at least three full working days before the burial during Winter Months (Mid-October to April 30th).
- c. Notification of intention of inurnment in the Columbarium must be given to the Town during regular working hours, at least 48 hours prior to the time of inurnment.
- d. For traditional casket burials, a Burial Permit issued by an authorized authority such as a Funeral Director/Home is required prior to the interment occurring.
- e. For inurnments, a Burial Permit or Cremation Certificate issued by an authorized authority such as a Funeral Director/Home is required prior to the inurnment occurring.

17.3 Single Depth

- a. A Single Depth Plot can only be used for the single burial of a person in a casket with the provision that up to four (4) cremains may be interred on top of the burial.
- b. Usage of a single depth plot shall be limited to one (1) opening and closing for a casket and up to four (4) openings and closings for the cremains.
- c. The rate for opening and closing a single depth plot for interment or inurnment is subject to the rates provided in the Fees, Rates and Charges Bylaw.
- d. A Single Depth Plot having a cremation as its first burial will be converted to a full cremation plot.

17.4 Double Depth

- a. A Double Depth Plot can only be used for two (2) burials in casket with the provision that up to four (4) cremains may be interred on top of the topmost burial.
- b. Usage of a double depth plot shall be limited to two (2) opening and closing for the caskets and up to four (4) partial openings and closings for the cremains.
- c. The rate for opening and closing a double depth plot for interment or inurnment is subject to the rates provided in the Fees, Rates and Charges Bylaw.
- d. A Double Depth Plot having a cremation as its first burial will be converted to a full cremation plot.

17.5 Cremation Plot

- a. A Cremation Plot can only be used for inurnments of up to six (6) cremains. A companion urn will be equivalent to a count of two (2) cremains in the plot.
- b. There will be no succeeding opening and closing to add cremains in an already buried urn.
- c. The rate for opening and closing a cremation plot for inurnment is subject to the rates provided in the Fees, Rates and Charges Bylaw.
- d. A Single or Double Depth Plot having a cremation as its first burial will be converted to a full cremation plot.

17.6 Columbarium Niche

- a. A Columbarium Niche can only be used for inurnments of up to two (2) cremains. Any urn placed in a niche in the columbarium must not exceed the size of the niche (12" x 12" x 15"). If two urns will be placed in the niche, the total size of the urns must not exceed the size of the niche.
- b. The rate for the first opening and closing of the niche is included in the purchase price of the niche. The second and any additional opening and closing is subject to the rate provided in the Fees, Rates and Charges Bylaw.

17.7 Field of Honour

- a. The plots numbered 800 through to 811, inclusive, in the Glenwood Cemetery shall be set aside as the *Field of Honour* and only the remains of Veterans and, subject to s. 17.7(b), their spouses shall be allowed to be buried in that section of the Glenwood Cemetery.
- b. A Veteran's spouse's cremains may be interred in a Veteran's plot, but only after the Veteran has been interred.
- c. The rate for opening and closing a burial plot for a Veteran is subject to the rates provided in the Fees, Rates and Charges Bylaw.

17.8 Permission for Burial Other than the Rights Holder

- a. A Permission for Burial Form for occupied and unoccupied plots may be signed by the Rights Holder, prior to demise, to provide a list of names of people allowed to be interred in the plot.
- b. The general rules, conditions and fees outlined in this Bylaw apply to the interment or inurnment of a person other than the Rights Holder pursuant to this section.

17.9 Liners or Vault

- a. At a minimum, it is the Cemetery requirement for all full casket burials that a rough box liner be used to house the casket when placed in the plot.
- b. Notwithstanding s. 17.9(a), the family of the deceased may choose to use concrete liners or vault at their cost/discretion.

17.10 Scattering of Cremated Remains

- a. No person shall scatter cremated remains on the surface of the Cemetery.

18. DISINTERMENT / REINTERMENT

18.1 Disinterment takes place, regardless of circumstances, when a burial plot is being dug up or a columbarium niche is being opened to remove the remains/cremains of the deceased.

- a. Disinterment/reinterment for the purposes of gathering parts of the remains/cremains and returning the remaining remains/cremains back to the plot is not permitted.

18.2 Reinterment from a different location or cemetery is equivalent to a new interment or inurnment and subject to the rates provided for in the Fees, Rates and Charges Bylaw.

18.3 A request for disinterment or reinterment shall be accompanied by such forms and signatures as required by the Town and/or the law of the Provincial Government.

- a. A disinterment of a body, regardless of circumstances, shall not take place until a Disinter/Reinter Permit is issued by the Provincial Government and a copy thereof is presented to the Town. No Provincial permit is required for the disinterment of an urn, except where the cause of death or stillbirth is a communicable legislated in the Bodies of Deceased Persons Regulation. A permit is required if there is uncertainty as to whether a body is cremated.

- b. In the case of disinterring cremated remains, the request to the Town will include a Statutory Declaration outlining the parameters of the removal as well as a form releasing the Town from any liability.
 - i. The Town may request a copy of the medical certificate for disinterring cremated remains, which must be provided by the Rights Holder prior to any disinterment/reinterment.
 - c. The rate for disinterment or reinterment is subject to the rate provided in the Fees, Rates and Charges Bylaw.
 - d. Reinterment of remains/cremains from a different location or cemetery must include the request to reinter and application for interment or inurnment.
- 18.4 The funeral home must provide their staff and all necessary equipment or supplies to handle human remains during a disinterment/reinterment.
- 18.5 For the purposes of conducting a disinterment/reinterment, the Town will only be responsible for:
- a. locating the urn, rough box, vault or casket;
 - b. opening of the plot; and
 - c. closing of the plot.
- 18.6 For the purposes of conducting a disinterment/reinterment, the Town will not be responsible for moving monuments or markers, grave covers, or grave borders that are on top of the casket or urn being located.
- 18.7 For the purposes of conducting a disinterment/reinterment, third-party contractors must be hired to move and reinstall any monument or marker, or to remove any grave cover or grave boarder.
- 18.8 Any grave cover or grave border removed shall not be reinstalled.
- 18.9 Town staff will not inter any casket or urns under a monument or grave cover.
- 18.10 No plot shall be opened for any reason by any person not in the employment of the Town.
- 18.11 No columbarium niche door shall be opened or closed by any person not in the employment of the Town.

- 18.12 Any refund for a plot will only be provided to the Rights Holder, heirs or next of kin.
- 18.13 The disinterment process must abide by the Alberta Regulation 135/2008, the Bodies of Deceased Persons Regulation and the *Public Health Act*, RSA 2000, c. P-37, and amendments thereto.

PART VII - MONUMENTS AND MARKERS

19. INSTALLATIONS/DIMENSIONS

- 19.1 The Chief Administrative Officer is hereby authorized to set design standards and required dimensions for monuments or markers.
- 19.2 Monuments or Markers
- a. Monuments or flat markers must be made of granite, marble, or bronze.
 - b. No fixtures or ornaments may be attached to a monument or marker without Town approval.
 - c. Monuments (vertical markers) placed above ground level will only be allowed in Blocks 001 – 336 and Blocks 401 – 530.
 - d. In Blocks 337 – 400, only flat markers set flush with the ground will be allowed.
 - e. Only one (1) additional flat marker per plot is allowed for all blocks.
 - f. Application for a Monument Permit can be made during working hours at the Town of Edson. A Monument Permit Fee applies to applications for monument installations, including in cases where the monument will be installed at the center of two plots.
 - g. Installation of any monument shall not take place until its design, description, and material composition has been approved by the Town and a Monument Permit has been paid for and issued.
 - i. Approved monuments or markers must be placed or erected by a qualified and insured contractor approved by the Town.
 - ii. Repair/Reinstallation Permit Applications must be submitted for repairs and re-installations of monuments or markers to be performed at the Cemetery. No monument repairs/reinstallation shall occur without Town approval. No monument permit fee will apply for existing monuments or markers to be repaired and re-installed.
 - h. Monument Permits must be secured before monument orders are placed. The Town is not in any way responsible for any orders placed for monuments or markers before Town approval has been granted.
 - i. The Town may impose conditions on the installation of monuments or markers in order to preserve the integrity of the natural and built environments in the Cemetery, including

conditions related to soil preparation, landscaping, and the period of time that must elapse following interment/inurnment and prior to a monument or marker being installed.

- j. In Sections where a concrete runner is provided, all monuments shall be installed directly on the runner provided, with or without a base.
- k. Grave covers and foot stones are not permitted.
- l. When an installation of a monument or flat marker is in non-compliance with the Cemetery Bylaw, a notice identifying the non-compliance will be issued by the Town. If the problem is not rectified, the Town has the authority to remove the monument in question.

19.3 Niche Plate Wreath

- a. Only niche plate wreaths issued by the Town, in conformance with design standards set by the Town, shall be installed at The Glenwood Cemetery columbarium.
- b. No person other than the Town or its authorized agents shall install a niche plate wreath at The Glenwood Cemetery Columbarium.
- c. The cost for a niche plate wreath shall be as set out in the Fees, Rates and Charges Bylaw.
- d. The cost for a niche emblem shall be the responsibility of the person making the request.

20. GENERAL REGULATIONS AND MAINTENANCE

- 20.1 No person is required to place a monument or marker on a plot.
- 20.2 The Town may, from time to time, report to the Rights Holder, heirs, or next of kin on the condition of any monument in need of repair, and it shall be the duty of the owner of such monument, or the next of kin, to repair the same without delay and to the satisfaction of the Town.
- 20.3 There shall be no canvassing, advertising or placement of advertising trademarks on any monument or flat marker installed in the Cemetery.
- 20.4 The Town shall not be liable for loss or damage to any monument or marker caused by acts of vandalism, natural erosion, or third parties.
- 20.5 The Town may remove a damaged monument or flat marker without notice if it poses a safety hazard or concern.

PART VIII - CHANGE OF OWNERSHIP**21. TRANSFER OF OWNERSHIP**

- 21.1 Burial plots, cremation plots, and columbarium niches reserved in the Glenwood Cemetery shall not be transferred by any person or estate without permission from the Town. A transfer fee shall apply as per the Fees, Rates and Charges Bylaw.
- 21.2 The Rights Holder, heirs, or the next of kin shall provide proof of ownership and/or authorization to request a transfer of ownership. Proof of ownership and/or authorization can be, but is not limited to, the following:
- a. Cemetery Deed
 - b. Payment Receipt
 - c. Letter of Authorization from the Rights Holder
 - d. Documents identifying heirs, such as Wills and Letters of Probate
 - e. Identification for Rights Holder, heirs, or next of kin
- 21.3 When ownership has changed by means of transfer of ownership, documentation from the Town confirming the transfer will replace the Cemetery Deed.

22. CANCELLATION OF OWNERSHIP / RETURN OF PLOT TO TOWN

- 22.1 Section 22 of this Bylaw must appear in each confirmation of purchase of a Reserved Plot or Columbarium Niche in the Glenwood Cemetery as a Cancellation / Refund Policy as per the Act.
- 22.2 The ownership of any unused plot or niche at the Cemetery may be cancelled for any reason by means of a Request for Cancellation.
- 22.3 Requests for Cancellation under s. 22.2 must be:
- a. In writing;
 - b. Signed by the Rights Holder;
 - c. Accompanied by proof of ownership acceptable to the Town, including but not limited to:
 - i A Cemetery Deed;
 - ii Documents identifying heirs, including Wills and Letters of Probate; or
 - iii Identification for heirs or next of kin.

- 22.4 Notwithstanding s. 22.3(b), if the Rights Holder is deceased, their heirs or next of kin may submit a Request for Cancellation under s. 22.2.
- 22.5 If a Request for Cancellation is received by the Town within 30 days of the purchase of an unused plot or niche, the Town shall buy back the unused plot or niche at 100% of the purchase price without charge or penalty.
- 22.6 If a Request for Cancellation is received by the Town more than 30 days after the purchase of an unused plot or niche, the Town shall buy back the unused plot or niche at 100% of the purchase price once the following amounts have been paid to the Town:
- a. An Administration Fee as set out in the Fees, Rates, & Charges Bylaw; and
 - b. The value of any cemetery supplies and services already provided by the Town.

23. RECLAMATION OF UNUSED BURIAL PLOTS AND NICHES

- 23.1 As a condition of sale, the Town has the right to reclaim all unused burial plots or niches after the period of twenty years has expired, as per the *Act*.

PART IX - CEMETERY REGULATIONS

24. GENERAL CEMETERY REGULATIONS

- 24.1 No glass bottles, earthen jars, metal or wooden boxes containing artificial wreaths, flowers or other memorial tributes shall be allowed in any section of the Cemetery, and any so placed shall be entirely removed as per the direction of the Town.
- 24.2 Lettered boards, enclosures, or designs of any description designating plots, other than the monuments or flat markers allowed by the Cemetery will not be allowed.
- 24.3 No shrubs, trees, or flowers may be planted in any part of the said Cemetery other than those planted by the Town in the areas reserved for such planting.
- 24.4 The Chief Administrative Officer may remove from any plot any weeds or grass, funeral designs or floral pieces which have become wilted, or any other articles or things which are deemed unsightly.

- 24.5 No person shall erect upon a plot any curbs, fences, railings, walls, coping, trellises, hedges, trees, or shrubs, or the like, and where any of the same have been previously erected on or around any burial plot, and have by reason of age or neglect become unsightly or objectionable, the Chief Administrative Officer may cause it to be removed.
- 24.6 All vehicular traffic shall travel at speeds no greater than twenty (20) kilometres per hour and shall be restricted to roadways only. Service vehicles will be permitted off the roadways when providing the necessary services of the Cemetery.
- 24.7 The use of snowmobiles and other all-terrain recreation vehicles shall not be permitted.
- 24.8 No person shall litter or commit any willful damage to the Cemetery’s landscape or any monument, building or other structure in the Cemetery.
- 24.9 Pets are only permitted in the Cemetery when their owners pay respects or participate in burial ceremonies. All pets must be leashed or contained at all times.
- 24.10 The Town may remove all unauthorized installations in the Cemetery.

25. SEVERABILITY

- 25.1 If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 25.2 In any place where this Bylaw conflicts with any Provincial Act or Regulation, the latter shall govern.

26. EFFECTIVE DATE

- 26.1 Bylaw No. 1897 and Bylaw No. 1916 are hereby repealed.
- 26.2 This Bylaw shall come into effect upon third reading.

READ a first time this 18th day of January, 2022.

READ a second time this 18th day of January, 2022.

PLACED for third reading this 18th day of January, 2022.

READ a third time and finally passed this 18th day of January, 2022.

Mayor Kevin Zahara

Christine Beveridge, CAO