

**MUNICIPAL DISTRICT OF FAIRVIEW NO. 136
PROVINCE OF ALBERTA**

Bylaw No. 903

**A BYLAW OF THE MUNICIPAL DISTRICT OF FAIRVIEW NO. 136
IN THE PROVINCE OF ALBERTA, RESPECTING CEMETERIES
OPERATED BY THE MUNICIPAL DISTRICT OF FAIRVIEW NO. 136**

WHEREAS,

the Cemeteries Act being Chapter C-3 of the Revised Statutes of Alberta 2000 provides for a municipality purchasing and operating cemeteries, and

WHEREAS,

the Council of the Municipal District of Fairview No. 136 deems it expedient to supplement the said regulations respecting the operation of cemeteries owned and operated by the Municipality;

NOW THEREFORE

the Council of the Municipal District of Fairview No. 136 duly assembled, subject to the Cemeteries Act and any regulations pursuant to the said Act as either or both of them may be amended from time to time, enacts as follows:

1. This Bylaw shall apply to all cemeteries that are presently or may come under the control and direction of the Municipal District of Fairview No.136.

SALE OF PLOTS / RESERVATIONS

2. With respect to the cemetery plots, the following restrictions will be in place:
 - a) All cemetery plot are five (5) feet in width and ten (10) feet in length.
 - b) Fees for plots are as stated in Bylaw No. 898 – Fees and Rates
 - c) Reservations may be made for a maximum of two plots, except in the case where a member of the immediate family has predeceased the parents; whereby, sufficient reservation may be made for the parents. Plots must be paid for in full at the time of reservation.
 - d) Those persons owning plots in the cemetery shall not resell said plots for a profit, nor shall they allow interments in these lots for remuneration.
 - e) It is a condition of every plot sold in the cemetery that the purchaser expressly waives any claim arising by reason of any error or misdescription of any burial plot. The MD undertakes that it will attempt insofar as is reasonably possible, to avoid such errors but liability shall only extend to a refund, in case of error, of any money paid to the MD for a lot or lots and an undertaking to make an equivalent quality of lot or lots available in lieu of those originally allocated.

INTERMENTS / BURIAL OF URNS

3. With respect to the burial of urns, the following restrictions will be in place:
 - a) Two (2) urns may be buried on an existing gravesite at no charge. The urns shall be placed at the head and foot of the gravesite.
 - b) On a vacant plot up to (four) 4 urns may be buried. Four (4) sections will be quadrates NE, NW, SE, SW.
 - c) All urn burials must be done by hand.
 - d) All urn location placements must be reported to the office of the Municipal District in order to maintain accurate records.
4. With respect to the burial of remains, the following restrictions will be in place:

- a) All burials must be accompanied by a Burial Permit which needs to be submitted to the MD before the interment can proceed.
- b) Locating and digging the graves shall be the sole responsibility of the Undertaker. The MD will locate and mark the grave if required (the MD must be notified at least two days in advance to locate and mark the grave).
- c) No more than one body shall be buried in a regular sized plot.

MONUMENTS

5. That, respecting that portion of the Waterhole Cemetery located on the SW ½ of 15-81-03-W6th, Plots I 1-45 and J 1-45:
 - a) All monuments, plaques, structures must be placed on the cement runner and occupy no more than one half (1/2) of the cement runner and be no wider than the space allotted for the plot. No memorabilia is to be placed on the grass, and
 - b) No fences shall be erected around plots, and
 - c) Only one monument will be allowed for each burial plot, and
 - d) Maintenance of the grave marker is the responsibility of the deceased person's family. The MD will not be responsible for any damage which may be caused in any way whatsoever to any improvement of memorial designs places in the cemetery.
6. That trees of an evergreen variety, and as approved by the municipality may be planted by anyone within the designated areas. Municipal approval must be obtained prior to any planting.
7. That plans of the cemeteries under the direction and control of the said municipality shall be maintained in the records of that said municipality showing the appropriate dimensions and distances of each cemetery and showing the appropriate locations of the Field of Honor and lots designated for the burial of the bodies of destitute and indigent persons and for the burial of unclaimed bodies.
8. Lists of recent interments, etc. shall not be given to any commercial establishment, employee, or agent therefore.
9. Any matters not dealt with in this Bylaw and part of the Bylaw shall be dealt with by the Administrator in the manner that he/she deems most appropriate, having consideration for the appearance of the cemetery and the scope and intent of this Bylaw.
10. Bylaw Number 847 passed on June 11, 2002 dealing with the cemeteries is hereby rescinded.

This bylaw to take effect on the date of the final passing thereof.

Read a first time this 11th day of September A.D. 2012

Read a second time this 25th day of September A.D. 2012

Read a third time and finally passed this 25th day of September A.D. 2012


REEVE


CHIEF ADMINISTRATIVE OFFICER