

ROCKY VIEW COUNTY**BYLAW C-6947-2010**

A Bylaw to provide for and make provision of the improvement, maintenance, management, control and operation of cemeteries owned or operated by Rocky View County including but not limited to the Garden of Peace, Dalmead, and Bottrel cemeteries.

WHEREAS the ***Municipal Government Act***, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, authorizes a Municipality to regulate services provided by or on behalf of the Municipality;

AND WHEREAS the ***Cemeteries Act***, R.S.A. 2000, c.C-3, as amended or repealed and replaced from time to time and the regulations passed thereunder, requires a municipality which owns and operates cemeteries within its boundaries to operate and maintain the cemeteries in accordance with the ***Cemeteries Act*** and any regulations passed thereunder;

AND WHEREAS the ***Cemeteries Act***, R.S.A. 2000, c.C-3, as amended or repealed and replaced from time to time and the regulations passed thereunder, requires every operator of a cemetery to make bylaws, including bylaws respecting the organization, operation and management of the cemetery and the rights, privileges and responsibilities of the cemetery operator;

NOW THEREFORE, the Council of Rocky View County, duly assembled, enacts as follows:

1.0 TITLE

1.1 This Bylaw may be cited as the Rocky View County "Cemetery Bylaw".

2.0 DEFINITIONS:

2.1 In this Bylaw:

2.1.1 "**At-Need Interment**" means the purchase of Cemetery supplies or services due to an immediate Interment, Inurnment or Entombment need;

2.1.2 "**Authorized Person**" means the person who controls the disposition of the human remains or cremated remains pursuant to the ***General Regulations, AR 249/98***, as amended;

2.1.3 "**Burial Permit**" means a burial permit issued under the ***Vital Statistics Act***, R.S.A 2000, c. V-4, as amended, by the Director of Vital Statistics;

2.1.4 "**CAO**" means person appointed as the Chief Administrative Officer for the County pursuant to the ***Municipal Government Act***, R.S.A. 2000, c. M-26, as amended;

2.1.5 "**Cemetery**" means the lands identified in Section 3 of this Bylaw including but not limited to the Garden of Peace, Dalmead, Bottrel and Langdon Cemeteries

and any other parcel or tract of land owned or operated by the County which is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains are buried including pioneer cemeteries which may be acquired by the County from time to time;

2.1.6 "**Cemetery Plan**" means the plan of each Cemetery showing:

- a) How the Cemetery is divided by roadways and walks;
- b) The location of blocks or sections; and
- c) The location of grave lots.

2.1.7 "**Certificate of Title**" means a certificate issued by the Supervisor or his/her designate pursuant to this Bylaw once the applicable Fees and Charges have been paid, specifying the entitlement of an Interment, Inurnment or Entombment ground;

2.1.8 "**Child**" means any person two years of age up to and including twelve years of age;

2.1.9 "**Columbarium**" means a structure designed to store the ashes of dead human bodies or other human remains that have been cremated by way of individual compartments or Niches;

2.1.10 "**Council**" means the duly elected Council of Rocky View County;

2.1.11 "**County**" means Rocky View County;

2.1.12 "**Cremated Remains**" means human bone fragments that remain after cremation that may also include the residue or any other materials cremated with the Human Remains;

2.1.13 "**Crypt**" means an individual compartment in a Mausoleum for the storage of human remains;

2.1.14 "**Director**" means the Director appointed in accordance with **Cemeteries Act**, R.S.A 2000, c. C-3, as amended;

2.1.15 "**Director of Vital Statistics**" means a Director appointed under the **Vital Statistics Act**, R.S.A 2000, c. V-4, responsible for issuing Burial Permits and Disinterment Permits;

2.1.16 "**Disinter**" means the removal of human remains, from a closed or sealed Grave Lot, Niche or Crypt;

2.1.17 "**Disinterment Permit**" means the permit issued by a Director of Vital Statistics authorizing a Disinterment pursuant to the **Cemeteries Act** R.S.A 2000, c. C-3, as amended;

2.1.18 "**Employee**" means an employee of the County;

- 2.1.19 "**Fees and Charges**" means the amount to be paid for Interment, Disinterment, use and care of Grave Lots, and any other Cemetery supplies or Cemetery services as defined under the **Cemeteries Act** R.S.A 2000, c. C-3, as amended, and any other amounts as approved by the Council and specified in the County's Master Rates Bylaw, as amended from time to time;
- 2.1.20 "**Field of Honour**" means the area of the Cemetery shown on the Cemetery Plan as being reserved for the burial of veterans as defined under the **War Veterans Allowance Act, R.S., 1985, c. W-3**, as amended.
- 2.1.21 "**Grave Lot**" means the portion of land in a Cemetery that is sold or provided as a unit for one or more graves;
- 2.1.22 "**Green Interment**" means Interment in a designated section of the Cemetery, where the following criteria are met:
- a) disposition is in-ground human remains Interment only, and no cremated human remains are permitted;
 - b) embalming is not used;
 - c) a simple wood casket with no metal or a shroud is used to contain the body; and
 - d) native plants are sown on the grave;
- 2.1.23 "**Indigent**" means a person without means, support or known relatives requiring burial at a Cemetery, where the Minister of Employment and Immigration is responsible for the cost of burial or other disposition of that person's body.
- 2.1.24 "**Infant**" means any person less than two years of age;
- 2.1.25 "**Interment**" means the closing and burial of a casket containing a human body or human remains or, in the case of a Green Interment, a shroud containing a human body or human remains, or in the case of cremated human remains, an urn, in an in-ground Grave Lot, Niche, Ossuary or Crypt;
- 2.1.26 "**Mausoleum**" means a structure or building containing individual compartments or Crypts for the placement or storage of human remains;
- 2.1.27 "**Marker**" means a Memorial constructed of bronze or granite, set flush and level with the ground on a designated Marker Grave Lot;
- 2.1.28 "**Marker Permit**" means a permit issued by the Supervisor in accordance with this Bylaw authorizing the installation of a Marker;
- 2.1.29 "**Medical Health Officer**" means the person duly appointed from time to time by the Provincial Government to act as the Regional Medical Health Officer;
- 2.1.30 "**Memorial**" means all Markers, Monuments and Columbarium Niche or Mausoleum Crypt fronts, and any other form used to inscribe the names of

individuals interred within the Cemetery;

- 2.1.31 "**Monument**" means an above-ground granite upright Memorial placed or constructed on a designated Monument Grave Lot, containing the Memorial inscription;
- 2.1.32 "**Monument Base**" means that portion of the Monument, constructed of granite, and set on the concrete Monument Foundation to provide stability and protection for the Monument;
- 2.1.33 "**Monument Foundation**" means the in-ground granite foundation, constructed to stabilize the Monument and Monument Base;
- 2.1.34 "**Monument Permit**" means a permit issued by the Supervisor in accordance with this Bylaw authorizing the installation of a Monument in a Cemetery.
- 2.1.35 "**Niche**" means a recessed space in a Columbarium used or intended to be used for the Interment of cremated remains;
- 2.1.36 "**Ossuary**" means an enclosed container used or intended to be used for commingled, non-recoverable Cremated Remains;
- 2.1.37 "**Owner**" means the person, corporation or other legal entity that has purchased a Grave Lot, Niche or Crypt in a Cemetery, Columbarium or Mausoleum in accordance with the provisions of this Bylaw;
- 2.1.38 "**Perpetual Care Fund**" means the funds and/or property received by the County for the purpose of providing perpetual care, as defined under the **Cemeteries Act**, R.S.A. 2000, c. C-3, for a Cemetery, Columbarium or Mausoleum, or any particular part of a Cemetery, Columbarium or Mausoleum;
- 2.1.39 "**Sales Contract**" means the agreement made and signed between the Owner, or the Authorized Person, and the County in accordance with this Bylaw, for the purchase of a Grave Lot, Niche or Crypt or any Cemetery supplies and/or Cemetery services as defined under the **Cemeteries Act**, R.S.A. 2000, c. C-4 and the specific terms of the sales agreement;
- 2.1.40 "**Scattering**" means the Scattering of cremated human remains upon the surface of the Cemetery in a designed area, with the remaining cremated remains being Interred in accordance with this Bylaw;
- 2.1.41 "**Supervisor**" means the individual appointed as the Cemetery Supervisor, or his or her designate, who is responsible for overseeing the operations of the Cemeteries and carrying out any act or function on behalf of the County under any applicable County or Provincial rules, regulations and legislation pertaining to the Cemeteries; and
- 2.1.42 "**Transfer Application**" means an application requesting the transfer of a Grave Lot, Niche or Crypt from an Owner to another person in accordance with this Bylaw.
- 2.2 All other words and phrases in this Bylaw shall be construed in accordance with

the meaning assigned to them in the **Cemeteries Act**, R.S.A. 2000, c.C-3 and the regulations passed thereunder, all as amended or replaced from time to time.

3.0 ESTABLISHMENT OF CEMETERIES

3.1 Pursuant to approval **[INSERT APPROVAL NUMBER]** issued by the Director, which is attached as Schedule "**[INSERT SCHEDULE NUMBER]**" to this Bylaw, Council hereby establishes the following lands to be set aside, operated, used and maintained by the County as Cemeteries pursuant to the **Cemeteries Act**, R.S.A. 2000, c.C-3:

- a) **Garden of Peace**, legally described as Block 1, Plan 1772 J.K. located in the NW 20-24-28-W4M and within the W1/2 of the NW 20-24-28-W4M;
- b) **Dalmead Cemetery**, legally described as Parcel G, Plan 449 FN and located in the in the NE 14-22-27-W4M;
- c) **Bottrel Cemetery**, legally described as Parcel A, Plan 2544 JK and located in the SE 21-28-4 W5M; and
- d) **Langdon Cemetery**, legally described as Plan 0914101, Block 1, Lot 1,

3.2 The County shall keep available for public inspection all Cemetery Plans and any other information that may be required under the **Cemeteries Act**, R.S.A. 2000, c. C-3, as amended and the regulations enacted thereunder during regular office hours, at the following locations:

- a) Garden of Peace Cemetery office building located at 16th Avenue (Highway 1 East) and Garden Road (100th Street N.E.) Calgary, Alberta; and
- b) County office building located at 911-32 Avenue N.E., Calgary, Alberta.

4.0 ORGANIZATION, OPERATION AND MANAGEMENT OF CEMETERIES

4.1 The Supervisor shall have control over all matters concerning the organization, operation and management of the Cemeteries in accordance with this Bylaw, the **Cemeteries Act**, R.S.A. 2000, c. C-3 and all regulations passed thereunder, as amended or repealed or replaced from time to time, and all applicable County and Provincial policies, rules, regulations and legislation.

4.2 The Supervisor reports to and takes direction from the CAO.

4.3 The Supervisor is responsible for:

- a) preparing and maintaining all records and files necessary for the proper administration, operation and management of the Cemeteries including but not limited to:
 - i) The records of Interment or storage of bodies in any Cemetery, Columbarium or Mausoleum;
 - ii) Sales Contracts;

iii) Certificates of Title; and

iii) Cemetery Plans;

b) reviewing, issuing and administering Sales Contracts, Certificates of Title and other documents and permits relating to Cemeteries;

c) authorizing an Interment or Disinterment;

d) preparing both an annual capital and operating budget for the Cemeteries for Council's approval as directed by the CAO;

e) maintaining records of all monies received and expended with respect to the Cemeteries;

f) coordinating, supervising and directing the work of all Employees, contractors, and suppliers relating to the Cemeteries;

g) making expenditures relating to the Cemeteries in accordance with the approved capital and operating budgets for the Cemeteries; and

h) such other responsibilities as may be directed by the CAO from time to time,

all in accordance with this Bylaw, the **Cemeteries Act**, R.S.A. 2000, c. C-3 and all Regulations passed thereunder, and all other applicable County and Provincial policies, rules, regulations and legislation;

4.4 With approval of the CAO or his/her designate, the Supervisor may assign one or more Employees to be responsible for the day to day operations of the Cemeteries including but not limited to:

a) digging, preparing, opening and closing Grave Lots;

b) opening and sealing Crypts and Niches;

c) installing Memorials on Grave Lots, Niches or Crypts;

d) constructing Monument Foundations and Bases;

e) supervising and directing all work performed by outside contractors and suppliers;

f) directing all funerals in the Cemeteries to the correct Grave Lot, Niche or Crypt;

g) maintaining the Cemeteries in a neat and tidy condition including maintaining walls, fences, gates, paths and other improvements; and

h) such other duties and tasks relating to the operation of the Cemeteries as deemed appropriate by the Supervisor from time to time.

4.5 Where a required expenditure is not included in the Cemetery's approved annual budget, the Supervisor shall make a written request to the CAO for funds to be considered by Council. The written request shall set out the details of the

expenditure.

- 4.6 Subject to Council's approval, the Supervisor shall ensure that a portion of all Cemeteries is set aside for the burial of unclaimed bodies and bodies of destitute and Indigent persons.

5.0 FEES AND CHARGES

- 5.1 Grave Lots, Niches, Crypts, or installations of Memorials may be purchased upon payment of the appropriate fee and entering into a Sales Contract with the County.

- 5.2 The fees for Grave Lots, Niches, Crypts, Interment, Disinterment, and any other applicable Cemetery Fees and Charges shall be those specified in the Master Rates Bylaw, as amended from time to time and approved by Council.

- 5.3 All revenues received by the County in accordance with Section 5.2 of this Bylaw must be remitted to the CAO or his/her designate who shall be responsible to ensure that the monies are deposited in a separate account for use by the Cemetery for all expenditures included in the applicable Cemetery's annual budget.

6.0 RESERVED AREAS

- 6.1 The County may, by agreement with a society, church or other organization reserve a section of the Cemetery to be used exclusively for the Interment and/or Inurnment of deceased members of the society, church or other organization. Upon such an agreement being made no person shall be issued a Certificate of Title within the reserved area, unless the application to the County to purchase a Certificate of Title within the reserved area is accompanied by documentation from an authorized representative of the society, church or other organization confirming that the person is entitled to Interment or Inurnment in the reserved section. A current list of individuals, authorized by the church or other organization shall be submitted to the County by no later than January 15 of each year, including examples of their signatures. All Sales Contracts, Certificates of Titles, permits issued and services rendered by the County, under these conditions, shall be subject to payment of all applicable Fees and Charges.

7.0 PERPETUAL CARE FUND

- 7.1 It shall be a condition of all Sales Contracts for the purchase of:

- a) A Grave Lot, Niche, Crypt, Memorial or other space in the Cemetery, Columbarium or Mausoleum; or
- b) A Memorial or other structure;

that a percentage of the sale price under the Sale Contract shall be set aside for Perpetual Care of the Cemetery.

- 7.2 The percentage of the sale price to be deposited into the Perpetual Care Fund shall be approved by Council and set out in the County's Master Rates Bylaw

as amended.

7.3 All funds or property received for the Perpetual Care Fund shall be remitted to and managed by the County and may be invested in accordance with **Municipal Government Act**, R.S.A. 2000, c. M-26.

7.4 The amount to be transferred to the Perpetual Care Fund shall be specified on all applicable receipts for Certificates of Title or other Sales Contracts.

7.5 The interest and/or dividend income earned by the Perpetual Care Fund shall only be used for the purpose of paying for the maintenance and upkeep of the Cemeteries.

7.6 The County may receive gifts, bequests or donations in any amount from any person for purposes of endowing any Grave Lots(s) or any part or parts of a Cemetery. Any monies received shall be placed in the Perpetual Care Fund and income from there shall be used for the purpose or purposes expressed in such gift, bequest or donation.

8.0 GRAVE LOTS

8.1 All Grave Lots shall be of the following sizes:

a) Adult –not less than 2.8 m (length) x 1.2 m (width) (9 ft x 4 ft).

b) Child–not less than 2.13 m (length) x 1.07 m (width) (7 ft x 3ft- 6 in).

c) Infant– not less than 1.37 m (length) x 0.91 m (width) (4.5 ft x 3 ft).

d) Cremated Remains– not less than .61 m (length) x .61 m (width) (2 ft x 2 ft).

8.2 No Grave Lot shall be located closer than 9.1 meters from a public highway.

8.3 No Adult Grave Lot shall contain more than two (2) dead human bodies and four (4) sets of cremated remains. All other Grave Lots shall only contain one (1) dead human body or two (2) set of cremated remains.

8.4 Two casket Interments in the same Grave Lot shall not be permitted in the Garden of Sermon on the Mount and Garden of Gethsemane.


8.5 No Adult Grave Lot shall contain more than four (4) sets of cremated remains unless prior written permission has been received from the Supervisor.

8.6 Grave Lots sold prior to the adoption of this Bylaw shall adhere to the original dimensions.

9.0 NICHES AND CRYPTS

9.1 Each above ground Interment in the Cemetery shall be in a Niche or Crypt.

9.2 No Niche shall be used for any purpose other than the Interment of the ashes of dead human bodies or other human remains that have been cremated.



9.3 No Crypt shall be used for any purpose other than the storage of dead human bodies or other human remains.

9.4 No Niche shall contain more than two (2) sets of cremated remains unless prior written permission has been received from the Supervisor.

9.5 For a Niche:

- a) an urn to be placed in a Niche shall be made of a material, manufactured for the express purpose of containing cremated remains, and shall be approved by the Supervisor in accordance with this Bylaw and any policies adopted by the County;
- b) the number of cremated remains to be placed in each Niche is determined by the urn size and Niche dimensions. All urn sizes and Niche dimensions shall be approved by the Supervisor in accordance with this Bylaw and any policies adopted by the County to a maximum of two (2);

9.6 For a Crypt:

- a) a casket to be placed in a Crypt shall not exceed 61 cm (height) x 76 cm (width) x 221 cm (length) (2 ft x 2 ft- 6 in x 7 ft- 3in); and
- b) a casket shall be made of a material, manufactured for the express purpose of containing human remains, and shall be approved by the Supervisor.

9.7 All inscription installations for a Niche or Crypt shall be the responsibility of the Supervisor, and

- a) may be placed or installed on each Niche or Crypt provided that the applicable Memorial installation Fees and Charges are paid, and the Memorial conforms to the requirements of this Bylaw.
- b) shall be inscribed into the shutter stone consisting solely of given names and/or initials and surname together with years of birth and death or the age of the decedent to the following specifications:
 - i) for Crypt: the surname and given name and/or initials, year of birth and year of death; no more than 28 cm (11") in length each.
 - ii) for Niche: the surname and given names and/or initials plate no more than 28 cm (11") in length each, the surname lettering to be 1.9 cm (3/4") in height, and given name and initial lettering to be 1.3 cm (1/2") in height using a font that is specified by the Supervisor.

9.8 Only pictures of the deceased may be affixed to the face of a Crypt. The pictures must be covered and locked in a frame 9 cm x 12 cm (3-1/2 in x 4-3/4 in) cast in bronze alloy, manufactured specifically for this purpose. The picture frame may only be installed by the Supervisor provided the applicable installation Fees and Charges are paid.

9.9 Niche Portraits will not be allowed on exterior Columbaria.

9.10 At the time of Interment, cremated remains in urns may be placed either inside the casket or alongside the casket, but only one Memorial inscription shall be permitted on each Crypt front.

9.11 No person shall alter, embellish or adorn any Niche or Crypt without the prior written consent of the Supervisor and in accordance with this Bylaw and any applicable Provincial legislation.

10. SALES CONTRACTS

10.1 Any person wishing to purchase a Grave Lot, Niche and Crypt or other space or a Memorial in the Cemetery is required to enter into a written Sales Contract with the County, which shall include:

- a) the name of the purchaser;
- b) the date of the purchase;
- c) the amount of the sale and terms of payment;
- d) the amount to be deposited in to the Perpetual Care Fund, as calculated in accordance with Section 7 of this Bylaw; and
- e) in the case of a Grave Lot, its location, area or dimensions; or
- f) in the case of a Niche or Crypt, the number or other designation of the Niche or Crypt; and
- g) any other information the Supervisor deems necessary or appropriate.

10.2 Any person wishing to enter into an agreement for the provision of Cemetery services or Cemetery supplies is required to enter into a written Sales Contract with the County which shall include:

- a) a detailed listing of the Cemetery supplies or Cemetery services or both to be provided;
- b) the cost of the Cemetery supplies or Cemetery services to be provided;
- c) the amount to be deposited in the Perpetual Care Fund, as calculated in accordance with Section 7 of this Bylaw; and
- d) shall be signed by the purchaser.

10.3 Regardless of the specific wording of any Sales Contract, Certificate of Title or other agreement between the County and a purchaser of a Grave Lot, Niche or Crypt, it is a condition of every agreement relating to the sale or use of a Grave Lot, Niche or Crypt, that the parties to the agreement expressly waive any right to claim against the County and its officers and employees, arising by reason of any error or mistake in relation to the description of any Grave Lot, Niche or Crypt.

11.0 SALE AND TRANSFER OF GRAVE LOTS, NICHES AND CRYPTS

- 11.1 Ownership of all Cemetery lands remains vested in the County at all times. The Owner only acquires the right and privilege for the Interment of human remains and cremated remains, and the installation of Memorials, all in accordance with this Bylaw and the **Cemeteries Act**, R.S.A. 2000, c. C-3 and all regulations passed thereunder.
- 11.2 All Grave Lots, Niche and Crypts shall be held and disposed of free from the provisions of the **Land Titles Act**, R.S.A. 2000, c. L-4.
- 11.3 When the County agrees to sell a Grave Lot, Niche or Crypt and receives the full payment of all Fees and Charges as required under this Bylaw, the County shall deliver a copy of the Sales Contract and Certificate of Title to the Owner.
- 11.4 The interest provided to the Owner of a Grave Lot, Niche or Crypt is limited to using the Grave Lot, Niche or Crypt for the purposes of burying or storing dead human bodies or remains in accordance with this Bylaw and all applicable Provincial and Federal Legislation.
- 11.5 No Interment, Entombment, Marker, Monument, inscription or Memorial is permitted to be undertaken until payment of all applicable Fees and Charges has been made in full.
- 11.6 An Owner who has purchased a Grave Lot, Niche or Crypt pursuant to a Sales Contract, which has not yet been used, may transfer the Grave Lot, Niche or Crypt to another person, group or organization, upon providing the Supervisor a complete Transfer Application in accordance with this Bylaw.
- 11.7 A Transfer Application shall include the following information:
- a) the location and lot or compartment number of the Grave Lot, Niche or Crypt that is being transferred;
 - b) in the case of a transfer of a Grave Lot, the dimensions of the Grave Lot;
 - c) the name and address of the person to whom the Grave Lot, Niche or Crypt is being transferred (the "Transferee");
 - d) date of the transfer;
 - e) payment of the applicable transfer Fee set forth in the Master Rates Bylaw;
 - f) if a Perpetual Care Fund contribution has not previously been paid, such contribution in the amount set out in the current Master Rates Bylaw applicable to Grave Lots, Niche or Crypts;
 - g) where the Grave Lot being transferred is in the Field of Honour, evidence that the transferee is a Veteran as defined under the War Veterans Allowance Act, R.S.C. 1985, c. W-3, as amended or the spouse of a Veteran;
 - h) if the Grave Space, Niche or Crypt to be transferred is located in a reserved

area under Section 6 of this Bylaw, documentation from an authorized representative of the society, church or other organization confirming that the transferee is a member of the society, church or other organization;

- i) the original Sales Contract and Certificate of Title for the Grave Space, Niche or Crypt;
- j) if available, the name of the Transferee's next of kin; and
- k) such other information as the Supervisor may reasonably request.

11.8 Where the Sales Contract includes the provision of Cemetery services or Cemetery supplies, the Transferee must enter into a new Sales Contract with the County.

11.9 Where the Supervisor receives a completed Transfer Application together with the appropriate Fees and Charges, all in accordance with this Bylaw, he/she shall cancel the original Certificate of Title and issue a revised Certificate of Title in the name of the Transferee and record the transfer in the Cemetery records.

11.10 No person shall transfer a Certificate of Title for a Grave Lot, Niche or Crypt to another person, group or organization unless such transfer is made pursuant to this Bylaw.

12.0 PERMISSION TO INTER

12.1 No human remains or cremated remains shall be Interred in a Cemetery until the Supervisor has:

- a) signed and issued the appropriate forms including the Certificate of Title or, in the case of an At-Need Interment, a Sales Contract where the Certificate of Title is not available;
- b) ensured that the Authorized Person has signed the Certificate of Title and Sales Contract;
- c) received the appropriate Burial Permit; and
- d) received the applicable Interment Fees and Charges.

12.2 All applications for an Interment must be made to the Supervisor at least 48 hours prior to the time of Interment and shall be made, during regular office business hours.

12.3 Notwithstanding Section 12.2, if Interment is required or directed under any Provincial or Federal legislation or associated Regulation, or in the case of an At-Need Interment, the Supervisor may receive applications for an Interment directly and outside of regular business hours.

12.4 Where the Provincial Medical Health Officer directs, pursuant to any applicable Provincial Act or regulation, that a body be Interred in a Cemetery during any

period when the County office is closed, permission to Inter the body in a Cemetery shall be obtained directly from the Supervisor.

12.5 An Authorized Person, who makes application for an Interment, including an At-Need Interment, shall provide the Supervisor the following information, and always meeting the requirements of the applicable Provincial Acts and regulations:

- a) the name, age, date of birth, and date of death of the deceased person;
- b) a copy of the Burial Permit;
- c) a copy of the Sales Contract and Certificate of Title;
- d) whether the body has been labeled in accordance with the Bodies of Deceased Persons Regulation, AR 135/2008 as being infected with a communicable disease;
- e) the time and date of the funeral;
- f) if applicable, the service number of a Veteran and if required, the service number of a Veteran's Spouse;
- g) the name and mailing address of the Authorized Person; and
- h) any other information the Supervisor may reasonably request.

13.0 INTERMENT

13.1 No body, other than a deceased human body, or the cremated remains shall be Interred in the Cemeteries and all Interments shall be subject to and comply with this Bylaw.

13.2 A person delivering a body labeled under the **Bodies of Deceased Persons Regulation** AR 135/2008 as being infected with a communicable disease, shall inform the Supervisor at least 48 hours prior to the time of delivering the remains.

13.3 Each Interment of a deceased human body or the cremated remains shall be made in a completely enclosed container, in accordance with the, **Cemeteries Act**, RSA 2000, c.C-3, as amended, the **Public Health Act**, R.S.A. 2000, c. P-37, as amended and all applicable Regulations and approved by the Supervisor.

13.4 In all Grave Lots containing one or more dead human bodies or one or more sets of human remains, the caskets shall be buried in accordance with the **General Regulations** AR 249/98 as amended.

13.5 Each Interment in a Grave Lot shall provide for not less than 0.9 m (3 ft.) of earth between the general surface level of the ground at the Grave Lot and the upper surface level of the casket containing the human remains.

- 13.6 Each Interment of cremated remains, in an area so designated, shall provide for not less than 0.3 m (1 ft) of earth between the general surface level of the ground at the Grave Lot and the upper surface level of the container.
- 13.7 No Interment shall take place outside the hours of 8:00am – 3:30pm or on a Sunday or Statutory Holiday unless:
- a) Burial is necessary to comply with the **Public Health Act**, R.S.A. 2000, P-37, as amended or the regulations thereunder;
 - b) Other special circumstances exist, which in the opinion of the Supervisor, warrant a departure from this Section.
- 13.8 Interments occurring on Saturdays or otherwise outside the standard hours and days set out in Section 13.6 may be subject to additional Fees and Charges as specified in the Master Rates Bylaw.
- 13.9 Funerals must reach the Cemetery no later than 2:30 p.m. on the date of the Interment. A charge for overtime may be made if Cemetery personnel are required to remain after 4:00 p.m. on a normal business day.
- 13.10 No person shall dig or open a Grave Lot, Niche, Crypt or other area of Interment except the Supervisor. Subject to the directions and supervision of the Supervisor, family members shall be allowed to close the top 2' of a Grave Lot using shovels provided by the Cemetery.
- 13.11 All Grave Lots will be prepared for Interment on the basis of recognized health and engineering requirements and soil conditions so as to ensure safety and the prevention of health hazards.
- 13.12 No Interments shall be permitted without the presence of the Authorized Person or his/her delegate.

14.0 SCATTERING OF CREMATED REMAINS

14.1 Cremated remains shall be:

- a) permitted on the surface of the Cemetery in a designated area as approved by the Supervisor;
- b) scattered under the direction and supervision of the Supervisor;
- c) covered with a ground cover by the Supervisor; and
- d) non-recoverable.

14.2 If all cremated remains are not scattered, the remaining cremated remains shall be interred without a container or in a biodegradable urn a minimum of .3 m (1 ft) below the general surface level of the ground.

15.0 INTERMENT IN THE "FIELD OF HONOUR"

15.1 The County may designate a portion or portions of any Cemetery as a Field of

Honour as defined in the **War Veterans Allowance Act, R.S., 1985, c. W-3** and the regulations under that Act, for those persons who have been in active service with the Armed Forces of Her Majesty or of Her Majesty's Allies.

15.2 In order to confirm that a deceased person is eligible to be Interred in a Field of Honour, the Authorized Person must provide the Supervisor with the following information:

- a) the deceased person's service number; and
- b) a copy of supporting documents from the Veterans Affairs Canada; or
- c) an affidavit identifying the deceased person as a veteran as defined under the **War Veterans Allowance Act, R.S., 1985, c. W-3**, as amended.

15.3 No person other than a veteran as defined under the **War Veterans Allowance Act, R.S., 1985, c. W-3**, as amended or his/her spouse shall be permitted to be interred in a Field of Honour.

15.4 Where there are "war dead" as defined by the Commonwealth War Graves Commission, only Monumental features or structures approved by the Commonwealth War Graves Commission shall be placed or constructed within the Field of Honour or, where those graves are dispersed: on that grave.

16.0 GREEN INTERMENTS

16.1 Green Interments may be undertaken only in those Cemetery sections specifically designated for that purpose in the Cemetery plot plan.

16.2 Upon a person paying the applicable Fees and Charges set forth for Green Interments, the County may sell an unsold Green Interment Grave Lot in the Cemetery to that person and shall issue to that person a Certificate of Title.

16.3 The Fees and Charges for a Green Interment shall include the installation by the Supervisor or his/her designate of one native tree, shrub or other plant material, as chosen by the Authorized Person from an approved plant material list, in a designated area of the Cemetery as determined by the Supervisor or his/her designate.

16.4 A Certificate of Title for a Green Interment may not be an exact Grave Lot but shall guarantee a Grave Lot in the Green Interment section of the Cemetery.

16.5 A Grave Lot shall not be less than 2.74 m (length) x 1.2 m (width) (9 ft x 4 ft).

16.6 Each Green Interment in the Cemetery shall provide for not less than 0.9 m (3 ft) of earth between the general surface level of the ground at the Grave Lot and the upper surface of the shroud or biodegradable casket containing human remains.

16.7 Memorials for Green Interments shall be limited to those areas and structures that may, from time to time, be made available by the County.

17.0 DISINTERMENT

17.1 No human remains or cremated remains shall be Disinterred from a Cemetery unless the Supervisor:

- a) has received a written request for Disinterment from the Authorized Person in compliance with the Cemeteries Act, R.S.A. 2000, c. C-3 and all regulations passed thereunder;
- b) has received payment of all applicable Fees and Charges; and
- c) has received a Disinterment Permit from the Authorized Person.

17.2 The Authorized Person requesting a Disinterment shall give complete and precise written instructions. The County shall not be liable nor responsible for any errors or omissions in relation to a Disinterment when the instructions provided to the County were incomplete, incorrect or lacked specificity.

17.3 No person other than the Supervisor or his/her designate shall open a Grave Lot or Niche or make a Disinterment in the Cemetery.

17.4 No casket, container or shroud may be opened without a Court Order or the written consent of the Authorized Person or his/her delegate.

17.5 No Disinterment shall be made of the first Interment from any double depth Grave Lot in which a second Interment has been made, unless the second Interment is disinterred at the same time at a fee as specified in the Master Rates Bylaw.

17.6 The County is not responsible for damage to any casket, urn or other container sustained during Disinterment.

17.7 A replacement casket/container may be required when Disinterring remains, the cost of which shall be payable by the Authorized Person.

17.8 The Authorized Person shall be responsible for all costs associated with Disinterment.

17.9 Notwithstanding the aforementioned, from time to time human remains may be encountered, given that the Cemetery lands may have been used as a pioneer Cemetery. In that event, and assuming no record of the decedent exists, remains shall be respectfully relocated to a location prepared and designated on the site for the purposes of re-interring remains that are unexpectedly encountered.

18.0 MEMORIALS

18.1 All Memorials, including Marker Memorials, shall be installed by the Supervisor or his/her designate.

18.2 All Memorials which are not supplied by the Cemetery shall be supplied by the Authorized Person, in accordance with this Bylaw.

18.3 No person shall install, erect or place within any Cemetery, any Memorial or structure without first obtaining the following from the Supervisor:

- a) Marker Permit; or
- b) Monument Permit,

in the form attached as Schedule "B" to this Bylaw.

18.4 No Memorial shall be delivered to or installed in any Cemetery unless:

- a) the Supervisor has approved the Memorial in accordance with this Bylaw and any applicable County policies;
- b) the Supervisor has confirmed the Memorial conforms to the requirements of this Bylaw;
- c) the Supervisor has issued either a Marker Permit or a Monument Permit;
- d) the Supervisor receives at least 5 days notice prior to delivery of the Memorial;
- e) the Supervisor receives a manifest of items to be delivered;
- f) delivery of the Memorial is between 8:00 am to 3:30 pm Monday - Friday, excluding statutory holidays;
- g) the applicable installation Fees and Charges, as required under this Bylaw, have been paid;
- h) the Memorial conforms to the plan of the Interment section of the Cemetery; and
- i) the Memorial Foundation has been installed by the Supervisor.

18.5 The Supervisor, upon receiving a written request for the placement or installation of a Memorial, may request such information as may, in the opinion of the Supervisor, be required to ensure that the Memorial is placed in a manner that accords with this Bylaw and any applicable County policy, and may place conditions upon any approval or permit granted.

18.6 No person shall deliver Memorials to any Cemetery without prior approval from the Supervisor.

18.7 Any Memorial delivered outside the hours permitted for delivery, as required in Section 18.4(f), or without the approval of the Supervisor, may be removed and the owner of the Memorial shall be charged applicable fees.

18.8 Any Memorial that is illegally placed or does not conform to this Bylaw will be removed at the Authorized Person's expense.

18.9 All Memorials are the property of the Authorized Person and all required maintenance or repair of the Memorial is the sole responsibility of the Authorized Person.

- 18.10 The Authorized Person is responsible for the restoration or repair of any damage to the Memorial during shipping and off-loading by the Memorial supplier.
- 18.11 Authorized Persons are responsible to ensure that Memorials are maintained in a proper state of repair.
- 18.12 If, in the opinion of the Supervisor, any Memorial is in a state of disrepair which may pose a hazard or risk to the public or is detrimental to the maintenance and aesthetics of the Cemetery, and the disrepair has not been caused by Cemetery operations, the Supervisor may issue the Authorized Person, at his/her last known mailing address, 30 days written notice requiring the Memorial to be repaired or removed. If the Memorial has not been repaired or removed in accordance with the written notice, then the Supervisor may remove the Memorial from the Cemetery and put it into secure storage. The Memorial may be replaced if the disrepair is remedied to the satisfaction of the Supervisor. All Memorial removal, repair, storage and replacement costs are at the sole cost of the Authorized Person
- 18.13 All Memorials shall be installed by the Supervisor.
- 18.14 Due to winter conditions, installation of Memorials may not occur from November 1 to April 30.
- 18.15 All Memorial related work shall be performed during regular business hours of the Cemetery (8:00 am – 3:30 pm) Monday to Friday, excluding statutory holidays.
- 18.16 Where two (2) persons are buried side by side in adjacent Grave Lots, a Memorial which provides for the commemoration of both persons may be used instead of two separate Memorials provided the single Memorial is set midway between the two Grave Lots.
- 18.17 A second Marker is allowed where cremated remains are Interred in an occupied Adult Grave Lot. The Marker shall be centered below and immediately adjacent to the existing Marker and shall conform to the Marker sizes stipulated in subsection 18.18 d iv) for bronze and subsection 18.20 f) for granite. The two (2) Memorials shall be made of the same materials.
- 18.18 Each bronze flat Marker (including an invertible bronze vase) shall:
- a) be centrally positioned at the head of the Grave Lot with the top surface of the Marker set level and flush with the surface of the surrounding ground;
 - b) have the letters, numerals and ornamentation chased and buffed and shall not protrude more than .95 cm (3/8 in) above the flat surface of the Memorial. Each casting shall be true and free from defects and roughness;
 - c) be cast with at least two (2) integral bosses on the underside, the bosses to be tapped or drilled to receive anchor lugs or bolts. These shall be non-corroding of a minimum diameter of .95 cm (3/8 in) and of metal electrolytically similar to the Marker;

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d) conform to one of the following measurements:

- i) for a single Adult Graves Space, including an attached vase, be a maximum of 91 cm (length) x 35.6 cm (width) (36 in x 14 in) and a minimum of 40 cm (length) x 25.4 cm (width) (16 in x 10 in),
- ii) for side-by-side Adult Grave Lots, including an attached vase, a maximum of 142.2 cm (length) x 45.7 cm (width) (56 in x 18 in), and a minimum of 81.3 cm (length) x 30.5 cm (width) (32 in x 12 in),
- iii) for a Child Grave Lot, a maximum of 91 cm (length) x 35.6 cm (width) (36 in x 14 in), and a minimum of 25.4 cm (length) x 25.4 cm (width) (10 in x 10 in),
- iv) for an Infant Grave Lot, 30.5 cm (length) x 15.2 cm (width) (12 in x 6 in),
- v) for cremated remains Grave Lots (single)- maximum of 35.6 cm (length) x 20.3 cm (width) (14 in x 8 in), and a minimum of 25.4 (length) x 20.3 (width) (10 in x 8 in);

e) be installed on a granite Base:

- i) not less than 10.2 cm (4 in) and not more than 13 cm (5 in) in thickness,
- ii) showing a smooth surface 5 cm wide (2 in) around each edge of the bronze,
- iii) with rock-pitched sides, side surfaces true and perpendicular with the top surface of the attached Marker,
- iv) having drilled holes, to accommodate the mechanical attachment of the Marker with corrosion resistant, threaded bosses and washers, to be supplied by the Authorized Person, and
- v) having, if required, a 11.4 cm (4.5 in) diameter drilled hole to accommodate the invertible flower vase container.

18.19 All flower vases for ground installation may be separate or integral to the Marker and provided with a container so designed and of sufficient strength as to protect the vase in an inverted position in the ground. The vase container shall be of a resilient, corrosion-resistant material, and shall be securely attached by non-corrosive fasteners. The bottom of the container shall be sealed except for a drainage hole no larger than 3.8 cm (1.5 in) in diameter.

18.20 Each flat granite Marker shall be:

- a) not less than 10.2 cm (4 in) and not more than 13 cm (5 in) in thickness;
- b) supplied with sawn-sides true and perpendicular with its surface;
- c) for individual adult Grave Lots, a maximum of 101.6 cm (length) x 45.7 cm (width) (40 in x 18 in), and a minimum of 50.8 cm (length) x 30.5 cm (width) (20 in x 12 in);

- d) for side-by-side adult Grave Lots, a maximum of 152.4 cm (length) x 55.9 cm (width) (60 in x 22 in), and a minimum of 91.4 cm (length) x 40.6 cm (width) (36 in x 16 in),
- e) for a Child Grave Lot, a maximum of 101.6 cm (length) x 45.7 cm (width) (40 in x 18 in), and a minimum 35.6 cm (length) x 35.6 cm (width) (14 in x 14 in),
- f) for an Infant Grave Lot, 35.5 (length) x 25.4 (width) (14 in x 10 in); and
- g) for cremated remains Grave Lot, a maximum of 45.7 cm (length) x 30.5 (width) (18 in x 12 in), and a minimum of 35.6 (length) x 30.5 (width) (14 in x 12 in).

18.21 Each upright Monument shall:

- a) be made of granite;
- b) not exceed:
 - i) for a single Adult Grave Lot- 116.8 cm (length) x 35.6 cm (width) x 182.9 cm (height) (46 in x 14 in x 72 in),
 - ii) for side by side Adult Grave Lot- 233.7 cm (length) x 35.6 cm (width) x 182.9 cm (height) (92 in x 14 in x 72 in),
- c) be on a granite Base that:
 - i) for a single adult Grave Lot, does not exceed 122 cm (length) x 40.6 cm (width) x 25.4 cm (height) (48 in x 16 in x 10 in),
 - ii) for a side by side adult Grave Lots, does not exceed 243.8 cm (length) x 40.6 cm (width) x 25.4 cm (height) (96 in x 16 in x 10 in),
 - iii) is of the same matching stone and colour as the Monument, and
 - iv) has a maximum of 2" polished finish top and a smooth sawn bottom,
- d) be pinned to the Base using a minimum dowel pin size of 1.3 cm (½") diameter (dowel holes not to exceed .31 cm (1/8 in) larger than the dowel diameter). Dowel pins must be not less than 15.24 cm (6 in) in length, evenly extended into the Monument and Monument Base.

18.22 Notwithstanding Section 18.21, upright Monuments in historic sites designated on the Cemetery plot plan may be replaced based on the dimensions of the original Memorial.

18.23 The Supervisor may arrange for the temporary removal of a Memorial without permission of the Authorized Person if, during the excavation of an adjoining Grave Lot, or other works, the Memorial is found to be a hazard or removal of the Memorial is required to gain access to a Grave Lot for Interment preparation, provided the Memorial is replaced in its original position on the Grave Lot as

soon as is reasonably possible. This work shall be done at the cost of the County.

19.0 MONUMENT FOUNDATIONS

19.1 Concrete Foundations are required for all Monuments.

19.2 Monument installations shall only occur under the direction and supervision of the Supervisor.

19.3 All work shall be performed during regular business hours of the Cemetery (8:00 a.m. – 3:30 p.m.) Monday to Friday, excluding statutory holidays.

19.4 All contract workers and suppliers shall:

- a) be subject to the County's Occupational Health & Safety Policy,
- b) not enter the Cemetery to perform work without the prior written consent of the Supervisor,
- c) submit a copy of their Workers Compensation and Liability Insurance coverage to the Supervisor;
- d) immediately cease work in the vicinity of a funeral until the conclusion of the service;
- e) remove all rubbish and surplus material as directed by the Supervisor. Any rubbish or material not removed shall be removed by the County and the labour and material dumping expenses charged to the Authorized Person, as specified in the Master Rates Bylaw; and
- f) be responsible for any damage or injury which occurs directly or indirectly as a result of the work being performed by the contract workers and suppliers.

20.0 GENERAL

20.1 Cut flowers, wreaths, floral offerings, artificial flowers or other articles may be placed on Grave Lots, but will be removed by the Supervisor when their condition is considered to be detrimental to the aesthetics of the Cemetery or for the purpose of regular Cemetery maintenance. Any article removed pursuant to this Section, will be held at the Cemetery for collection. After 14 days, the Cemetery will dispose of any unclaimed items. The Cemetery is not obligated to give notice of removal or disposition.

20.2 Artificial wreaths and flowers will be allowed from the last cutting of the lawn in the fall, approximately October 1st, until the first cutting in the spring, approximately May 15th. Artificial flowers remaining in the Cemetery after May 15 will be removed and stored at the Cemetery until June 1 of each year, at which time they will be disposed.


20.3 No person shall plant any shrubs, trees, bulbs or flowers in any part of any Cemetery except the Supervisor or his/her designate. Illegally planted plant material will be removed by the Supervisor.

- 20.4 No person shall drive a vehicle in a Cemetery at a speed of more than 30 km/h (18 mph), shall be subject to the directions and orders of the Supervisor and must adhere to the applicable laws in force at the time in the Province of Alberta.
- 20.5 No person shall ride an All Terrain Vehicle, snowmobile, or horse in the Cemetery except as part of a funeral procession.
- 20.6 No person shall drive any vehicle with a trailer within the Cemetery without first obtaining the written permission from the Supervisor prior to entering the Cemetery.
- 20.7 No person shall enter the Dalmead, Bottrel or Langdon Cemeteries with a vehicle except as permitted by the Supervisor.
- 20.8 No person shall drive a vehicle over any lawns, gardens or flower beds unless permitted by the Supervisor.
- 20.9 All persons and funeral processions in the Cemetery shall obey the instructions of the Supervisor.
- 20.10 No person shall carry or discharge firearms in any Cemetery unless such person is participating in a military funeral and has lawful authority to bear such a firearm.
- 20.11 No person shall disturb persons assembled for a funeral, gravesite service or visitation.
- 20.12 Any person not behaving with proper decorum within a Cemetery or who is otherwise disturbing the peace and quiet of the Cemetery may be evicted by the Supervisor.
- 20.13 No person shall throw, abandon or otherwise dispose of rubbish anywhere within a Cemetery, Mausoleum or Columbarium except in the receptacles specifically provided for that purpose by the County.
- 20.14 No person shall destroy, damage, alter, write on, deface, or remove any Memorial, structure, railing, fence, or other work for the protection, maintenance or ornamentation of any Cemetery, Mausoleum, Columbarium or Grave Lot, or any vehicle, building, machinery, tool, equipment, or any other material placed or left in any Cemetery, Mausoleum or Columbarium.
- 20.15 No person shall destroy, cut, pick, break or damage any tree, shrub or plant in the Cemetery except as directed by the Supervisor.
- 20.16 No person shall create any nuisance, engage in activities such as games or sport, or otherwise engage in any activity that is, in the opinion of the Supervisor, a Peace Officer or Bylaw Enforcement Officer, indecent or disrespectful, disturbing to the solemnity or repose of a Cemetery, or disturbing of other persons assembled for the purpose of a funeral or interment within a Cemetery, Mausoleum or Columbarium.
- 20.17 No person having care, control or ownership of a domestic animal, shall allow or

permit that animal to be present within in the boundaries of any Cemetery, Mausoleum or Columbarium. This Section does not apply to Service Dogs.

- 20.18 The owner of any vehicle or any individual causing or contributing to damage to a Grave Lot, Memorial, Columbarium, Mausoleum, structure, or any part of the lands, or facilities of a Cemetery shall be responsible for cost and expenses incurred by the County as a result of that damage.
- 20.19 No person shall be in the Cemetery at any time other than the operating hours, dusk to dawn, seven days a week, except as permitted by the Supervisor.
- 20.20 Children under the age of twelve years must be accompanied by an adult, who shall be responsible for the child's good conduct
- 20.21 No gratuities shall at any time be given to any officer, contractor or employee of the County, nor shall any reward be given for any personal service or attention.
- 20.22 Selling of flowers or plants or soliciting the sale of any commodity or advertising of any sort in a Cemetery is prohibited, except as permitted by the County.
- 20.23 Nothing in this Bylaw relieves a person from compliance with any and all applicable Federal and Provincial laws and/or regulations, and/or other Bylaws and/or regulations of the County.
- 20.24 The County is not liable for exercising its discretion to not take action pursuant to this Bylaw if that decision is made in good faith.
- 20.25 Nothing in this Bylaw shall restrict the County's rights at common law or under any applicable legislation to enforce its rights and obligations with respect to the Cemeteries.
- 20.26 Should any provision of the Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained

21.0 OFFENCE

- 21.1 Any person who contravenes Part 20 of this Bylaw is guilty of an offence and is liable upon summary conviction, to the specified penalty for that offence as set out in Schedule "C" to this Bylaw.
- 21.2 Notwithstanding Section 21.1 of this Bylaw, any person who commits a second offence under this Bylaw within one (1) year of committing a first offence under this Bylaw, is liable on summary conviction to double the fine set out in Schedule "C" to this Bylaw, for the offence.
- 21.3 Notwithstanding Section 21.1 of this Bylaw, any person who commits a third or subsequent offence under this Bylaw within one (1) year of committing a two offences under this Bylaw, is liable on summary conviction to triple the fine set out in Schedule "C" to this Bylaw, for the offence.
- 21.4 Each day that a contravention continues constitutes a separate offence under this Bylaw. However, no person shall incur fines for violations of this Bylaw in excess of Ten Thousand (\$10,000.00) Dollars.
- 21.5 Under no circumstances shall a person contravening any provision of this Bylaw be subject to the penalty of imprisonment.
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22.0 VIOLATION TAGS AND TICKETS

22.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue Violation Tags to any person whom the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened Part 20 of this Bylaw.

22.2 A Violation Tag may be issued to such person:

- a) Either personally; or
- b) By mailing a copy, via registered mail, to such person at his or her last known postal address.
- c) The Violation Tag shall be in a form approved by the Chief Administrative Officer and shall state:
 - i) The name of the person;
 - ii) The offence;
 - iii) The appropriate penalty for the offense as specified in Schedule "C" of this Bylaw;
 - iv) That the penalty shall be paid within 21 days of the issuance of the Violation Tag; and,
 - v) Any other information as may be required by the County.

22.3 Where a Violation Tag is issued pursuant to this Bylaw, the person to whom the Violation Tag is issued may in lieu of prosecution of the offense, pay the County the penalty specified in the Violation Tag.

22.4 A Bylaw Enforcement Officer is hereby authorized and empowered to issue Violation Tickets to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened Sections 20.4-20.17, 20.19 or 20.21 of this Bylaw;

22.5 A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the person responsible for the contravention in accordance with the ***Provincial Offences Procedure Act***, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time;

22.6 The person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of 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 "C" to this Bylaw;

22.7 When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to Section 22.6 and the ***Provincial Offences Procedure Act***, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

23.0 COMING INTO EFFECT

23.1 This Bylaw shall come into effect once it has received three readings and has been signed.

NOW THEREFORE Rocky View County hereby enacts the following:

1. That Cemetery Bylaw C- 4531-95 is hereby rescinded upon three readings of Bylaw C-6947-2010.
2. That Bylaw C-6947-2010 comes into full force and effect upon third reading thereof.

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on June 29, 2010, on a motion by Councillor Branson.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on June 29, 2010, on a motion by Councillor McLean.

That Council grant permission to give Bylaw C-6947-2010 third and final reading, on June 29, 2010, on a motion by Councillor Buckley.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on June 29, 2010, on a motion by Councillor Boehlke.

Reeve

Municipal Secretary

SCHEDULE "A"

Legal Descriptions and Sketches of the Cemeteries

**[INSERT LEGAL DESCRIPTIONS AND SKETCHES REQUIRED UNDER
REGULATION 14 OF THE *GENERAL REGULATIONS*]**



SCHEDULE "B"**Marker or Monument Permit**

_____ (Insert Name of Individual) (the "Permit Holder") is hereby authorized to have the following Marker/Monument installed in accordance with the County's Cemetery Bylaw:

(insert description and dimensions of the Memorial)

(the "Memorial") on the Grave Lot located at _____ (insert Grave Lot location) in the _____ (Insert Cemetery Name) (the "Site"). A copy of the Cemetery Plan with the proposed Memorial Site is attached to this Memorial Permit.

The Permit Holder is authorized to have the Memorial installed on the Site subject to the following conditions:

1. The Permit Holder has paid the applicable Fees and Charges as required under the Cemetery Bylaw.
2. The installation of the Memorial shall be completed by the Supervisor or his/her designate in accordance with the **Cemetery Bylaw**.
3. The Memorial to be installed is delivered at _____ (insert time) OR between 8:00 am to 3:30 pm on Monday – Friday, excluding holidays.
4. When delivered the Memorial is, in the opinion of the Supervisor:
 - a. In good repair;
 - b. Will not constitute a nuisance or danger to public safety; and
 - c. Complies with requirements under Section 18 of the **Cemetery Bylaw**.
5. The Supervisor receives a manifest of items to be delivered.
6. The Memorial conforms to the plan of the Interment section of the Cemetery.
7. The Memorial Foundation has been installed by the Supervisor.
8. The Permit Holder shall be responsible for maintaining the Memorial in good repair pursuant to the terms of the Cemetery Bylaw.
9. The Permit Holder shall provide the name of an individual/corporation who shall be responsible for the Memorial after the Permit Holder's death.

SCHEDULE "C"
OFFENCES AND PENALTIES

	Violation Tag	Violation Ticket
FIRST OFFENCE:	\$50.00	\$75.00
SECOND OFFENCE:	\$100.00	\$150.00
THIRD OFFENCE and subsequent offences:	\$200.00	\$300.00