

**Town of McLennan
CEMETERY BYLAW
Bylaw No. 2022-05**

A BYLAW OF THE TOWN OF MCLENNAN, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL THE OPERATIONS OF THE MCLENNAN PUBLIC CEMETERY

WHEREAS pursuant to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended and the regulations set forth in The Cemeteries Act of the Province of Alberta, the Council of the Town of McLennan deems it expedient to pass a Bylaw to regulate and control the operation of the McLennan Public Cemetery.

NOW THEREFORE, under the authority of the Municipal Government Act, the Council of the Town of McLennan, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This Bylaw may be cited as the "Cemetery" Bylaw.

ADMINISTRATION

2. The Town of McLennan Chief Administrative Officer shall be responsible for the selling of plots in the said cemetery, the keeping, making and maintaining of records required by law and for the collection of all fees and charges in connection therewith.
3. The plot will be selected by the Town of McLennan Chief Administrative Officer at the time of interment.
4. All individual plots either a Grave Plot or Cremation Plot shall have a dimension of 5 feet x 10 feet
5. The price of burial plots shall be as stated in the current Fee Bylaw and shall be payable at the time of obtaining or reserving the plot.
6. Any funds received by the Town for perpetual care shall be used to offset maintenance of the McLennan Public Cemetery.
7. Plots shall not be resold to any other party; however, plots may be transferred to another immediate family member, but no transfer shall be valid unless such transfer is duly registered in writing with the Chief Administrative Officer of the Town.
8. The owner of a plot(s) may transfer the plot back to the Town and shall be entitled to the refund of the original price.

Mayor
Initials: _____

CAO
Initials: _____

FIELD OF HONOUR

9. The Town shall set aside as shown on the Cemetery Plan Map in the Town of McLennan municipal office Plots 13, 14, 15 & 16 in each of the row's F, G, H & I, as the "Field of Honor" for the burial of Veterans.
10. No person other than a veteran as defined under the *War Veterans Allowance Act* or his/her spouse shall be permitted to be interred in a Field of Honour.
11. Spouses will be allowed to be buried in the Field of Honour provided they are buried in the same plot as the Veteran. Spouses will not be allowed to purchase and be buried in a separate plot. Only one (1) casket and one (1) cremain or two (2) cremains are permitted in one (1) plot.
12. Veterans and spouses may pre-purchase but not pre-select plots. Pre-purchase shall mean a payment made in the present towards a future burial plot. This payment does not include opening or closing fees, nor is it to be used toward reservation of a particular plot. The plot will be selected by the Town of McLennan Administrator at the time of interment.
13. Headstones may be 55.8 cm (one foot ten inches) or 76 cm (two foot six inches) in width, 30.5 cm (one foot in length), 15.2 cm (six inches in depth at the back) and 7.5 cm (three inches in depth at the front of the stone), to a maximum of two per plot if both are veterans.
14. Two headstones 55.8 cm (one foot ten inches) in width, or one headstone 76 cm (two foot six inches) in width, are permitted on one plot, but two headstones are only permitted if both interments are qualifying veterans.
15. For a spouse not qualifying as a veteran, but interred in the same plot, the name and date of the spouse may be engraved on the headstone, or a brass plate may be attached.
16. The cemetery shall not be used for any purpose other than burial grounds for dead human bodies and human cremate remains.
17. There shall be no double burials in one plot.

BURIALS

18. No burial shall be permitted in the cemetery without a burial permit issued by the Funeral Home under the Provincial Vital Statistics Act. If the deceased has been cremated a Cremation Certificate can be accepted in its place.
19. No plot shall contain more than one (1) full burial as the initial interment and three (3) cremains, or four (4) cremated remains.
20. There shall be no double burials in one plot.

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21. The depth of burial from the surface of the surrounding ground shall be 1.83m (six feet) with the exception of cremains. The depth of cremated remains shall be not less than 0.91m (three feet) from the surface of the ground.
22. Two cremated remains may be placed at the head of any grave already occupied at a depth of not less than three feet.
23. The cemetery shall not be used for any purpose other than burial grounds for dead human bodies and human cremated remains.
24. Cost of opening and closing any grave shall be the responsibility of the next of kin or whoever is responsible for the burial.

MONUMENTS

25. All Monuments shall be placed at the head of the plot on the portion undisturbed by excavation and shall be in line with the other monuments in that section of the cemetery. No foot markers will be permitted.
26. In respect of one Monument for two adjoining Graves, in which only one of the human remains are buried, the Monument shall be removed and replaced at the Owner's risk and expense to provide for the interment of the remains of the second person on the adjoining plot.
27. All monuments are to be installed in such a manner as to form a straight line with the other monuments around.
28. A monument placed upon a plot shall be of granite, marble, stone or bronze. No wooden monument will be permitted.
29. Grave decorations placed at the Cemetery shall conform to the following guidelines:
 - i. Flowers and similar decorations shall be placed in approved containers and affixed to the Monument.
 - ii. Grave decorations must not include lawn ornaments, fence, decorative rocks, pictures or any items made of breakable material on any part of the grave or adjacent to the Monument.
 - iii. No person shall plant any trees, shrubs, hedges, flowers, grass or other vegetation, with the exception of temporary memorial funeral designs or floral pieces within seven (7) days of the burial.
30. Excluding the Field of Honour, only one Monument will be allowed per Plot. If a second monument is required it must be a flat marker not exceeding 30"x30".
31. No Plot shall be covered by any slab of concrete, stone or other similar material.

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GENERAL PROVISIONS

- 32. If the owner of a plot is deceased and a conflict arises in regards to the plot, in the absence of a Court Order the people in the following order of priority will make the decision:
 - i. The personal representative designated in the will of the deceased
 - ii. The spouse of the deceased if the spouse was living with the deceased at the time of death, or the person who had been living with the deceased at the time of death as a spouse for a continuous period of at least 2 years
 - iii. An adult child of the deceased
 - iv. A parent of the deceased
 - v. An adult grandchild of the deceased
 - vi. An adult niece or nephew of the deceased

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

- 34. After seven (7) calendar days following a burial, the Town reserves the right to do any required maintenance.

- 35. Flowers are permitted but the caretaker may remove them if and when they become weathered and objectionable to the general appearance of the cemetery.

- 36. No person shall allow pets or animals to enter or remain in the Cemetery.

THAT this Bylaw shall come into effect on the date of the third and final reading.

READ a first time this 12th of September, 2022

READ a second time this 12th of September, 2022

READ a third time and finally passed this 12th of September, 2022

Mayor

Chief Administrative Officer

Mayor Initials: _____ CAO Initials: _____