

**Village of Duchess
Cemetery Bylaw 2006 – 433/07**

This bylaw replaces Bylaw 432/06 – Cemetery Bylaw 432/06

Being a bylaw of the Village of Duchess in the province of Alberta with respect to management and control of the Duchess Cemetery.

Under authority of the Municipal Government Act providing for the passing of a Bylaw by the Municipal Council for cemetery management.

Whereas, the Village of Duchess is the owner of the cemetery situated at S.W.1/4 Sec.33 N.W. ¼ Sec. 28, Twp. 20, Rge. 14, W.4M.

And whereas Council deems it necessary and expedient to have certain regulations pertaining to the management and control of the cemetery.

Now therefore, the municipal Council of the Village of Duchess in the Province of Alberta, hereby enacts as follows.

Title

This Bylaw will be cited as the “**Village of Duchess Cemetery Bylaw**”.

Definitions

In this Bylaw, unless context otherwise requires, the word, term or expression:

1. **Burial Plot** shall mean a single grave plot 4 x 9 feet in size.
2. **Council** shall mean the Council of the Village of Duchess.
3. **Internment** shall mean the excavation of the grave to the required size and depth.
4. **Monument** shall mean a structure of bronze, granite, or marble or other material for memorial purposes, placed on any grave site.

Supervision and Control

1. The general administration of the cemetery shall at all times be under supervision of the Council.
2. The Village of Duchess or authorized representative shall be responsible for the selling of a burial plots in the cemetery and keeping and making of all records required by law and as ordered by Council.
3. The Village of Duchess will be responsible to collect all fees pertaining to the opening and closing of each burial plot.
4. Burial rights in the cemetery shall not be sold, transferred or disposed of in any way by any person without the written consent of the Village of Duchess.
5. Person shall have the option of reserving a burial plot at the set rate at the time of purchase.
6. Burial rights in the cemetery may be sold to the Village of Duchess only for the identical amount the purchaser paid for them, regardless of the date of the original purchase.
7. No person shall be buried in any plot unless he is the registered owner of the burial rights in the said plot. Burial plots no longer needed, will be sold back to the Village of Duchess at the original purchase price.

8. Internments will not be conducted on Sundays or Statutory Holidays without the Village of Duchess' consent in writing.
9. A maximum of two burials per plot shall be allowed in a burial plot providing the first burial is of sufficient depth to allow for a second burial.
10. In the case of disinterment, an amount of double the opening and closing charge will be charged.
11. The Village of Duchess will charge a nominal fee for plots and for the opening and closing of graves. This will include the placement of a temporary marker. A fee schedule will be attached and referred to as Schedule A.

Maintenance & Control

1. No monuments, grave markers or structures of any kind whatsoever shall be installed or placed in the said cemetery without being approved by the Village of Duchess.
2. Only one monument will be allowed on each burial plot. One marker, flush with the ground may be placed on each grave in addition to the monument.
3. All monuments must be installed on a concrete base that must be at least four inches wider than the widest portion of the monument and must be of sufficient strength and depth to properly support the monument. The concrete base must be installed flush with the ground.
4. Lettered boards, enclosures or designs of any description designating graves, other than the standard materials available, will not be allowed without permission from Council.
5. No shrubs, trees or flowers may be planted in any part of the cemetery other than those planted by the cemetery caretakers or authorized representative.
6. The Village Foreman shall have the authority to have removed from any grave any weeds, grass, funeral designs or floral pieces which have become wilted, or any articles or things which in his opinion are unsightly.
7. No person shall erect upon a grave plot any cover, curbs, fences, railings, walls, copings, trellises, hedges, trees, or shrubs. Where any of the same have been previously erected on or around a grave plot, and have by reason of age or neglect become unsightly or objectionable, the Village of Duchess Foreman or his authorized representative, may cause the same to be removed, but in doing so, will leave the area in a safe, proper and neat condition.
8. If any trees, shrubs or the like situated in any plot become inconvenient in any way, detrimental to the adjacent plots, dangerous, unsightly or objectionable, the Village Foreman shall have the right to have the same removed, but in doing so, will leave the area in a safe, proper and neat condition.
9. Ownership of grave stones, grave markers and monuments belongs to the estate of the deceased person(s).
10. Maintenance, preservation, improvements and embellishments of grave stones, grave markers and monuments is the sole responsibility of the estate of the deceased person(s).

Effective Date

This Bylaw shall come into full force and effect upon third and final reading.

READ A FIRST TIME this 15th day of January, 2007

READ A SECOND TIME this 15th day of January, 2007

READ A THIRD TIME and finally passed this 15th day of January, 2007

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Schedule A

Fees and Rates

The fees and rates shall be as follows:

Plot Prices	\$320.00
Opening & closing (includes temporary grave marker)	\$350.00
Cremaains (opening and closing for the burial of cremaains) on an existing burial plot.	\$100.00

All prices are subject to G.S.T.