

**Village of Duchess
In the Province of Alberta
Cemetery Bylaw 499-21**

This bylaw replaces Bylaw 463-16

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** - a single grave plot 4 x 9 feet in size.
2. **Columbarium** - a structure or building designed for the purpose of storing the ashes of human remains that have been cremated.
3. **Council** - the Council of the Village of Duchess.
4. **Internment** - the excavation of the grave to the required size and depth.
5. **Monument** - a structure of bronze, granite, or marble or other material for memorial purposes, placed on any grave site.
6. **Niche** - an individual unit in the Columbarium.

Supervision and Control

1. The general administration of the cemetery shall at all times be under supervision of the Council.
2. The authorized representatives as appointed by the CAO of the Village of Duchess shall be responsible for the selling of a burial plots in the cemetery and keeping and making of all records required by the Cemeteries Act 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. Persons shall have the option of reserving a burial plot at the set rate at the time of purchase upon paying the required fee.
6. Burial rights in the cemetery may be sold only to the Village of Duchess 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. No person or organization may purchase more than ten (10) graves without Council's prior approval.
9. The CAO is hereby authorized and empowered to recover unused graves in accordance with the provisions of the Cemeteries Act.
10. Internments will not be conducted on Sundays or Statutory Holidays without the Village of Duchess' consent in writing.
11. 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.
12. In the case of disinterment, an amount of double the opening and closing charge will be charged.
13. The Village of Duchess will charge a nominal fee for plots and niches and for the opening and closing of graves and niches. This will include the placement of a temporary marker. A fee schedule will be attached and referred to as Schedule A.
14. A niche shall only be used for the storage (in an urn) of ashes of human remains. Only immediate family members may use the same niche. A maximum of two (2) urns may be placed in each niche.
15. Inscriptions may be made only on the exterior granite of a niche.
16. No burial shall be permitted in the Duchess Cemetery unless the Village of Duchess is in receipt of a burial permit issued pursuant to the Vital Statistics Act, R.S.S.1978 Chapter V-7.
17. No burial or disinterment will be permitted unless proper notice has been given, and the appropriate fees and charges have been paid.

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)
11. The Village of Duchess shall not be liable for the loss of or damage to any monument, marker or other object or planting located in the cemetery.
12. The Village of Duchess reserves the right to permanently move or remove any monument or marker from any grave.
13. The Village of Duchess reserves the right to permanently move or remove any monument or marker from any grave, for the purposes of performing necessary maintenance and/or for opening graves.
14. No advertising of any kind shall be permitted in the cemetery.
15. No person shall engage in or carry on any game, sport or other activity, or operate any motor vehicle, or bring an animal within the cemetery except in accordance with the Cemetery Regulations.

Effective Date

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

READ A FIRST TIME this 15th day of July 2021

READ A SECOND TIME this 15th day of July 2021

READ A THIRD TIME and finally passed this 15th day of July 2021

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Schedule A**Fees and Rates**

The fees and rates shall be as follows:

Plot Prices	\$400.00
Additional burial – casket – Arrangements must be made at the placement of the initial burial.	\$400.00
Weekday Opening & closing (includes temporary grave marker)	\$700.00
Weekend and Holidays – if staffing is available (includes temporary grave marker)	\$1000.00
Cremains (opening and closing for the burial of cremains) on an existing burial plot. Weekdays	\$200.00
Cremains (opening and closing for the burial of cremains) on an existing burial plot. Weekends and Holidays	\$300.00
Niche – Maximum of two urns	\$950.00
Opening & closing a niche in a columbarium - weekdays	\$150.00
Opening & closing a niche in a columbarium Weekends and Holidays	\$250.00
Engraving of niche doors – contact information will be supplied to the family of the deceased. Purchase of engraving will be the responsibility of the family.	

A standard design will be maintained and installation of the door will be included with the purchase price of a niche.

All prices are subject to G.S.T.