



Date of Consolidation: June 19, 2023

Consolidation of Bylaw No. 1082, 2021

Municipality of Crowsnest Pass ***The Municipal Cemeteries Bylaw*** *Adoption October 5, 2021*

As Amended By:
Bylaw No. 1140, 2023 adopted April 25, 2023

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1082, 2021
THE MUNICIPAL CEMETERIES BYLAW

BEING a bylaw of the Municipality of Crowsnest Pass in the province of Alberta, to provide for and make provision of the improvement, maintenance, management, control, and operation of cemeteries in the Municipality of Crowsnest Pass.

WHEREAS The Municipal Government Act, Chapter C-3 R.S.A 2000, as amended from time to time, provide council with the authorization to purchase, and undertake maintenance and control of cemeteries.

NOW THEREFORE, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled, enacts as follows:

1. Short Title

- 1.1 This Bylaw shall be cited as the “Municipal Cemeteries Bylaw”. “Cemeteries” being Passburg Cemetery, Hillcrest Mines Cemetery, Old Bellevue Union Cemetery, Bellevue Catholic Cemetery, Blairmore Catholic Cemetery, Blairmore Union Cemetery, New Blairmore Union Cemetery, Blairmore Union Columbarium, Coleman Catholic Cemetery, and Coleman Union Cemetery.

2. Definitions

2.1 In this Bylaw:

- (a) “**Act**” means the Cemeteries Act, being Chapter C-3 R.S.A 2000, as amended from time to time, and any regulations enacted thereunder;
- (b) “**Administration Fee**” means a charge for a service provided;
- (c) “**Adult**” means any person 18 years of age and over;
- (d) “**Caretaker**” means the person or persons duly authorized by the Cemetery Administrator to perform interments and to care for and maintain the Cemeteries;
- (e) “**Cemetery Administrator**” means the Director of Development, Engineering and Operations of the Municipality or his/her delegate;
- (f) “**Cemetery Contract**” means the agreement made and signed between the purchaser of the burial plot and the Municipality as set out in “Schedule B” of this Bylaw;
- (g) “**Cemetery Fees and Charges**” means the fees set out in Bylaw 1064, 2021 – Fees, Rates and Charges, attached as Schedule “A”;
- (h) “**Cemetery Work Permit**” means a permit for the installation, removal, and/or altering of a memorial anywhere in the Cemeteries as set out in Schedule “C” of this Bylaw;
- (i) “**Child**” means any person age 2 to the age of 18;

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This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

- (j) **“Common Grave”** means a designated plot where several unclaimed human remains are interred;
- (k) **“Contractor”** means any person, firm, or corporation engaged in placing, erecting or repairing any memorial or performing any work in the Cemeteries, other than an employee of the Municipality;
- (l) **“Council”** means the Municipal Council of the Municipality of Crowsnest Pass.
- (m) **“Cremated Remains”** means the ashes resulting from the cremation of a deceased human body and the human bone fragments that remain after cremation that may also include the residue or any other materials cremated with the human remains;
- (n) **“Cremation Liner”** means a ridged fiberglass shell structure, polypropylene vault or concrete vault to encase an Urn, or Urns, holding Cremated Remains;
- (o) **“Crypt”** means a single compartment of a mausoleum intended for the interment of human remains;
- (p) **“Disinterment”** means the removal, for the purpose of permanent relocation, of human remains along with the casket or container, or any remaining portion of the casket or container holding the human remains, from the Lot in which the human remains had been interred;
- (q) **“Flat Marker”** means a monument with dimensions that are wider in its base than its height;
- (r) **“Footstone”** means a flat monument that is placed flush with the surrounding turf at the foot of a grave for memorial purposes;
- (s) **“General Regulation”** means the Provincial Cemeteries Act Alberta Regulation 249/1998 with amendments up to and including Alberta Regulation 81/2019;
- (t) **“Infant”** means an individual under the age of 2;
- (u) **“Interment”** means the burial of human remains in a grave, burial;
- (v) **“Lot”** means a full burial plot, cremation plot, niche, or scatter garden;
- (w) **“Mausoleum”** means a structure wholly or partly above ground level and designed for the burial, entombment or storage of dead human remains;
- (x) **“Municipality”** means the Municipality of Crowsnest Pass in the Province of Alberta.
- (y) **“Niche”** means a single compartment of a columbarium for cremated human remains;
- (z) **“Perpetual Care”** means the ongoing care of plots/graves, columbaria, a Municipality owned monument, mausoleums, and crypts;

- (aa) **“Pillow Marker”** means a monument with dimensions sloping downwards towards its front;
- (bb) **“Scatter Garden”** means a designed area in the Cemeteries to scatter human remains;
- (cc) **“Upright Monument”** means a monument with dimensions greater in height than in thickness of its base’
- (dd) **“Vault”** means a lined and sealed burial receptacle which performs all the functions of the concrete grave box (permanent outer box), and in addition is designed and constructed using one or more lining and sealing materials to increase the overall tensile strength of the finished unit and to reduce the risk of the intrusion of exterior elements.

2.2 All other terms used in this Bylaw shall have the meaning as is assigned to them by the Act, to the extent that said meaning differs from the ordinary meaning of such terms.

3. **“Regulations”**

- 3.1 The Cemetery Administrator shall be responsible for the sale of lots, in the Cemeteries, the keeping and making of all records required by law or such other records and plans as may be ordered by the Council and for the collecting of all fees and charges in connection therewith;
- 3.2 All persons employed in the construction of burial vaults, erection of monuments or performing other work in the cemeteries whether employed by the Municipality or not shall be subject to the direction and control of the Cemetery Administrator. If the persons performing the work are not a municipal employee, they must have a “Cemetery Work Permit” with them on the job site. Cost of such work permit is set out in “Schedule B” of this Bylaw;
- 3.3 All persons who purchase lots shall be held responsible for the cost thereof and for all charges in connection therewith. Payment must be made in full at time of purchase;
- 3.4 All persons who purchase a lot cannot sell said lot to another person. If the Municipality so wishes, and in accordance with the General Regulation, they may buy the lot back for an amount representing at least 85% of the market value of the plot at the date of resale;
- 3.5 Any broken or unsightly graves whose owners cannot be notified may be repaired by the Municipality upon approval from the Cemetery Administrator;
- 3.6 The Municipality shall not be responsible for any damage to any marker, monument, or headstone with the cemeteries, unless said damage was created by the Municipality;
- 3.7 All requests for full plot burials shall be made at least seventy-two (72) hours before the time of interment. Under special circumstances, this time frame may be waived by the Cemetery Administrator;
- 3.8 No grave shall be dug or opened by any other person other than by designated employees of the Municipality, delegated employees of a licensed funeral home under the authorization of the Municipality or a person duly authorized by the responsible party of the Municipality;

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- 3.9 Within a full plot, a full burial and up to four (4) cremation remains will be allowed;
- 3.10 Within a cremation plot, up to four (4) cremation remains may be interred except a cremation plot designated by the Municipality as a Common Grave;
- 3.11 No body shall be disinterred from any grave without a written order from the owner of such grave and without such owner having first produced a disinterment permit that has been issued in accordance with section 42 of the "*Vital Statistics Act*;" (*Cemeteries Act, Sec 11*);
- 3.12 The Cemetery Administrator shall make plots available for the burial of unclaimed bodies and bodies of destitute or indigent persons; (*Cemeteries Act, Sec 12 (1)*);
- 3.13 When a burial plot is made available under Sec 12 (1) in the *Cemeteries Act*, 50% of the cost of the plot under "Schedule A" will be the amount charged;
- 3.14 Perpetual Care to be supplied by the Municipality of Crowsnest Pass includes seeding of plots, seasonal cutting of grass and weeds, trimming or cutting trees, repair of perimeter fencing, and general maintenance. Perpetual care does not include care, maintenance, upkeep or repair of any monuments, or plaques, grave covers or fencing on an individual plot;
- 3.15 The new section of the Bellevue Catholic Cemetery shall allow no concrete coverings and all headstones are to be of the pillow type or upright;

4. In-Ground Interment

- 4.1 A Grave Lot shall not be less than 1.2 meters in width and 2.8 meters in length except in those sections intended exclusively for the burial of the bodies of children and of urns containing human cremated remains;
- 4.2 A Cremation Lot shall not be less than 1.2 meters in width and 1.2 meters in length;
- 4.3 Only human remains are allowed to be interred within the cemetery;
- 4.4 Concrete Grave Liners shall be made of reinforced concrete not less than 5 centimeters (2 inches) thick and shall consist of two side walls, two end walls and a cover sufficient to bridge the coffin or casket over its entire length;
- 4.5 Wooden liners are strictly prohibited;
- 4.6 Fiberglass Grave Liners shall be made of durable fiberglass not less than 0.52 centimeters thick and shall be able to withstand 14,000 pounds of top load pressure;
- 4.7 All mausoleums shall be constructed of durable materials that shall provide protection against vandalism to the bodies contained within, not give rise to any offensive or public health nuisance, and have accurate records of interment or storage of bodies for administrative purposes;

- 4.8 All receptacles or urns housing cremated remains that are to be placed in a columbarium niche shall be made of durable materials that will not deteriorate thereby creating a nuisance to the public and Municipality;
- 4.9 For administrative purposes, only one cremated person shall be placed inside a single niche within a columbarium;
- 4.10 Each interment in the Cemetery, other than those of Cremated Remains, shall provide for not less than 0.8 meters (approximately 2.75 feet) of earth between the upper surface of the Grave Liner and the and the level of the ground surrounding the grave;
 - (a) Each interment of Cremated Remains in the Cemetery shall be made in a container and shall be buried in the grave no less than 0.5 meters (1.64 feet) deep, except where a concrete encased container of Cremated Remains is used as a foundation base for a memorial tablet installed on the grave;

5. Cemetery Perpetual Care Fund

- 5.1 Perpetual care fund is part of the purchase price of plots. This fund ensures the ongoing care of plots/graves, columbaria, mausoleums, and crypts by the Municipality. Headstones and concrete covers are exempt and must be maintained by the family(s);

6. Memorials

- 6.1 Memorials may only be placed, installed, or removed by the interment right holder or authorized representative, or a person authorized by the Cemetery Administrator;
- 6.2 Due to winter conditions, installation of memorials may not occur from November 1 to April 30.
- 6.3 All memorials shall conform to the approved plan of the cemetery and its sections, and shall be constructed of granite or bronze;
- 6.4 Concrete grave coverings are not permitted in any Cemetery within the Municipality of Crowsnest Pass;

7. Floral Offerings And Adornments

- 7.1 Cut flowers, artificial flowers, wreaths, and floral offerings may be placed on graves in the Cemeteries, but may be removed by the Municipality if their condition is considered by the Municipality to be unsightly;
- 7.2 The lighting of candles or any type of flame is strictly prohibited within the Cemetery;
- 7.3 No floral receptacles may be placed that are not constructed of durable material. Glass or other fragile receptacles are not permitted;

8. Damages To Cemeteries

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- 8.1 No person shall damage, destroy, mutilate, deface, injure, or remove any memorial, monument, or structure, fence or other structure surrounding a Cemetery;
- 8.2 Any person who willfully destroys, mutilates, defaces, injures, or removes any tomb, monument, memorial, or other structure placed in a cemetery, or any fence, railing or other structure, or willfully destroys, cuts, breaks, or injures any shrub or plant, or in any way violates any grave within the same shall be guilty of an infraction of the Bylaw and be liable on summary conviction;

9. General

- 9.1 No person shall plant, remove, cut down or destroy any trees, shrubs, plants, flowers, bulbs or rocks in the Cemetery, other than an employee of the Municipality authorized to do so. The Municipality may remove and dispose of any object not authorized;
- 9.2 For maintenance safety reasons, the Municipality does not allow fences, railings, walls, trees, shrubs, or hedges around cemetery lots;
- 9.3 No person, other than employees of the Municipality or a licensed funeral home, may drive a motorized vehicle into the Cemetery without first obtaining authorization from the Municipality;
- 9.4 The discharging of firearms, other than in the regular volleys at burial services or authorized by the Municipality is strictly prohibited within the Cemetery;
- 9.5 Any person willfully displaying misconduct, destruction, causes injury to persons or property, is guilty of general nuisance and/or contravention of the bylaw shall be liable for all repairs, a monetary fine of no greater than \$2,000.00 and possible criminal charges;
- 9.6 General maintenance work within the Cemetery, gravesite repairs and memorial installations must be conducted in a reasonably neat and tidy fashion with no cause for distress or nuisance to the Municipality or general public;
- 9.7 Any interments in the Cemeteries with a particular religious or cultural designation shall regard those rituals or ceremonies affiliated or established with said religion and culture;
- 9.8 In the instance of an “unknown location” of a veteran, a marker may be placed in a dedicated section of a Cemetery deemed appropriate by Cemetery Administrator;
- 9.9 Any matters not dealt with in the Bylaw shall be dealt with by the Cemetery Administrator in the manner that they deem most appropriate, having consideration for the appearance of the cemetery and the scope and intent of this Bylaw.

10. Enactment

- 10.1 This Bylaw shall come into force and effect when it has received third reading and has been duly signed.
- 10.2 This Bylaw repeals and replaces Bylaw No. 298, 1992.

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READ a **first** time in council this 6th day of July 2021.

READ a **second** time in council this 5th day of October 2021.

READ a **third and final** time in council this 5th day of October 2021.

Blair Painter

Blair Painter
Mayor

ORIGINAL SIGNED

Patrick Thomas

Patrick Thomas
Chief Administrative Officer

Schedule "A" – Cemetery Fees

Social Services Current Provincial Rate

Full Plot – Adult/Child \$700.00 + GST

Full Plot – Infant (5 years and under) \$250.00 + GST

Cremation Plot – Adult/Child \$250.00 + GST

Cremation Plot – Infant (5 years and under) \$100.00 + GST

(50% of Cemetery Plot Fees are contributed to the Perpetual Care Reserve)

Open & Close Plot - Adults/Child \$350.00 + GST

Open & Close Plot – Infants \$200.00 + GST

Open & Close Cremation \$250.00 + GST

Additional Open & Close – Over and above regular fees

Burials during weekends or statutory holidays \$400.00

Burials prior to 7 am or after 3 pm Monday – Friday \$300.00

Cemetery Work Permit \$30.00

Amended – Bylaw 1140, 2023, Adopted April 25, 2023.

Schedule "B" – Cemetery Contract



Municipality of Crowsnest Pass
PO Box 600
Crowsnest Pass, AB T0K 0E0

Phone (403) 562-8833
Fax (403) 563-5474

CEMETERY CONTRACT

<p>Cemetery</p> <p><input type="checkbox"/> Coleman Catholic <input type="checkbox"/> Coleman Union <input type="checkbox"/> Blairmore Catholic <input type="checkbox"/> Blairmore Union <input type="checkbox"/> Bellevue Catholic <input type="checkbox"/> Passburg Union <input type="checkbox"/> Hillcrest Cemetery</p>	<p>Plot _____ Row _____ Section _____</p>	<p>Type of Burial</p> <p><input type="checkbox"/> Adult <input type="checkbox"/> Child <input type="checkbox"/> Cremation</p>														
<p>Interment Date _____ Time of Interment ____:____ <input type="checkbox"/> AM <input type="checkbox"/> PM</p>																
<p>PURCHASER DETAILS</p> <p>Surname: _____ Given Name(s): _____ Mailing Address: _____ City: _____ Province: _____ Postal Code: _____ Phone Number: _____ Signature: _____</p>	<p>DECEASED DETAILS</p> <p>Surname: _____ Given Name(s): _____ Date of Birth: _____ Date of Death: _____ <input type="checkbox"/> Male <input type="checkbox"/> Female</p>	<p>Funeral Home: _____ Funeral Director: _____</p>														
<p>Special Instructions: _____</p>																
<table style="width:100%; border-collapse: collapse;"> <tr><td>Full Grave</td><td style="text-align: right;">\$ _____</td></tr> <tr><td>Cremation Plot</td><td style="text-align: right;">\$ _____</td></tr> <tr><td>Opening & Closing</td><td style="text-align: right;">\$ _____</td></tr> <tr><td>Weekend/Holiday Rate</td><td style="text-align: right;">\$ _____</td></tr> <tr><td>SUB-TOTAL</td><td style="text-align: right;">\$ _____</td></tr> <tr><td>G.S.T.</td><td style="text-align: right;">\$ _____</td></tr> <tr><td>TOTAL</td><td style="text-align: right;">\$ _____</td></tr> </table>	Full Grave	\$ _____	Cremation Plot	\$ _____	Opening & Closing	\$ _____	Weekend/Holiday Rate	\$ _____	SUB-TOTAL	\$ _____	G.S.T.	\$ _____	TOTAL	\$ _____	<p>PAYMENT DETAILS</p> <p>Date paid in full _____</p> <p><input type="checkbox"/> Cheque # _____ <input type="checkbox"/> Debit # _____ <input type="checkbox"/> Cash</p>	
Full Grave	\$ _____															
Cremation Plot	\$ _____															
Opening & Closing	\$ _____															
Weekend/Holiday Rate	\$ _____															
SUB-TOTAL	\$ _____															
G.S.T.	\$ _____															
TOTAL	\$ _____															
<p>Signed by Municipal Representative _____ Name of Municipal Representative _____ Date Signed: _____</p>																

Schedule "C" – Cemetery Work Permit



Municipality of Crowsnest Pass
PO Box 600
Crowsnest Pass, AB T0K 0E0

Phone (403) 562-8833
Fax (403) 563-5474

CEMETERY WORK PERMIT APPLICATION

APPLICATION # _____		FEE \$ _____
CEMETERY NAME AND LOCATION _____		MUST ACCOMPANY APPLICATION
PLOT _____	ROW _____	SECTION _____
NAME OF PLOT OWNER _____	DETAILED DRAWING OF WORK TO BE DONE – PLEASE INCLUDE MEASUREMENTS	
NAME OF DECEASED <input type="checkbox"/> SAME AS OWNER _____		
NAME OF APPLICANT <input type="checkbox"/> SAME AS OWNER _____		
MAILING ADDRESS OF APPLICANT _____ _____		
DATE _____		
SIGNATURE OF APPLICANT _____		
DATE APPROVED: _____		
NAME OF MUNICIPAL REPRESENTATIVE _____		
SIGNATURE OF MUNICIPAL REPRESENTATIVE _____		

NOTE: IF FURTHER INFORMATION IS REQUIRED, PLEASE CALL THE MUNICIPAL OFFICE AT 403-562-8833.

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