



**TOWN OF BLACKFALDS  
BYLAW 1180/14**

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**BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE CONTROL AND REGULATION OF THE TOWN OF BLACKFALDS CEMETERY.**

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NOW THEREFORE the Council of the Town of Blackfalds in the Province of Alberta duly assembled enacts as follows:

**PART 1 - TITLE**

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

**PART 2 – DEFINITIONS**

2. In this Bylaw, unless the context otherwise requires:
  - a. "Act" means the Alberta Cemetery Act, as amended.
  - b. "Base" shall mean the structure utilized to support a monument or marker and shall be constructed of concrete, granite, marble or slate and shall be a minimum of 150 mm thick and placed so as to be level with the adjacent ground level and shall be 150 mm wider than the base of the monument or marker that it supports.
  - c. "Cemetery Attendant" shall mean the designated staff member of the CAO in the Town of Blackfalds, and unless the context otherwise implies, any person authorized to carry out his/her duties.
  - d. "Cemetery" means the Cemetery in the Town known as the Town of Blackfalds cemetery which is owned and operated and under the control of the Town of Blackfalds.
  - e. "Cremation Urn" means an approved vessel used to hold ashed from cremated human remains, required for cremated remains to be placed in the columbarium niche.
  - f. "Columbarium" means a structure designed for storing the ashes of dead human bodies or other human remains that have been cremated.
  - g. "Deed" means the application for burial lot deed.
  - h. "Employee" means the Town employee actually working at the cemetery under the instruction and supervision of the Town.
  - i. "Funeral Director" means any registered or licensed embalmer or mortician.
  - j. "Grave" means a lot used as a place of burial.
  - k. "Grave decoration" means anything placed on a grave for memorial purposes.
  - l. "Grave Liner" means a wood rough box or fiberglass liner utilized to encase casket.
  - m. "Cremation Plot" means one third of a single grave plot measuring 1.84m in width and 1.23m in length and used for the purposes of interment of cremated remains.  
"Marker" means a flat structure constructed of bronze, granite, marble or slate placed on a base for memorial purposes.
  - n. "Holiday" means: New Year's Day, Good Friday, Victoria Day, Canada Day, Civic Holiday in August, Labour Day, Thanksgiving, Remembrance Day, Christmas Day, Boxing Day, and all holidays proclaimed or adopted by the Town.
  - o. "Plot" means a lot as shown on a cemetery plan on record in the Towns Municipal Office.
  - p. "Monument" means any upright structure constructed of granite, marble, or slate and placed on a base for memorial purposes.
  - q. "Niche" means a single compartment of a columbarium large enough to house one or two funeral urns.
  - r. "Non-Resident" means a person who immediately prior to his or her death or his or her application to purchase a lot did not live within the Town of Blackfalds or Lacombe County.
  - s. "Resident" means a person who has been ordinarily living in the Town and has resided in the Town immediately preceding his or her death or his or her application to purchase a lot.
  - t. "Town" means the Town of Blackfalds, in the Province of Alberta.
  - u. "Vault" means a concrete structure used to encase a casket.



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- v. "Working Hours" means regular hours of work from 8:30am to 4:30pm each day, Monday through Friday, excluding holidays.

**PART 3 - DUTIES, RIGHTS AND POWERS OF THE CAO**

- 3 The CAO may delegate any or all powers of this Bylaw to a Designate.
- 4 All the powers granted to the Employees by this Bylaw shall be subject to the supervision and control of the Town.
- 5 The Town shall have authority to order that the graves in any particular section of the cemetery shall be laid in any direction he may consider suitable.
- 6 The Town shall have the authority to remove any grave decoration designs or floral pieces which may become wilted, or any other article or thing after the expiration of 5 (five) days of placement or as deemed appropriate.
- 7 (a) The Town shall ensure that no person shall disturb the quiet or good order of the cemetery is maintained.  
  
(b) A member of the Royal Canadian Mounted Police or any employees of the Town, or the Bylaw Enforcement Office/Peace Officer may evict there from, using such force as is reasonably necessary, or deny entrance, to any person who contravenes paragraph (1) hereof.

**PART 4 – PLOTS AND NICHES**

- 8 The cemetery plans of the plots and niches made available by the Town for burial purposes are kept on record in the Municipal Office of the Town together with subsequent plans of cemetery lands approved by the Town. All burial records are maintained at the Municipal Office in accordance with such plans.
- 9 A burial plot deed as established in Schedule "B" is provided to the purchaser upon purchase of a burial plot or niche. Purchase price for burial plots and niches shall be as established in Schedule "A" annexed hereto.
- 10 Burial plot are identified by section and plot number and have dimensions of 3.74m by 1.85m for full plots and 1.84m by 1.23m for half plots.
- 11 Burial niches are sized .31m x .31 m for single niches and .31m x .41m for double niches.
- 12 The Town of Blackfalds shall administer all sales of deeds and interments in the cemetery, and receive all monies there from. Upon payment by any person of the full price of any deed, the Town shall furnish such person with a receipt for the sum paid.
- 13 No deed shall be resold to any other party, however, deeds may be transferred from one family member to another family member but no transfer shall be valid unless such transfer is duly registered with the Town.
- 14 Notwithstanding Section 13, a burial lot deed may be exchanged or transferred back to the Town, where upon the owner shall be entitled to receive a refund of the original purchase price, less an administration fee of 10%.
- 15 No lots or niches shall be used for any purpose other than burial of human bodies, and the cremated remains of human bodies.
- 16 The Town shall not be liable for damages resulting from theft, vandalism or damage howsoever caused to monuments erected upon a burial lot or niche.

**PART 5 – BURIALS**

- 17 No interment shall be permitted until a Burial Application and Permit in the form of Schedule "C" hereunto annexed has been completed and given to the Municipal Office.
- 18 Whenever a lot or niche is held by two or more person, an order for interment in such lot or any part thereof will be accepted by the Town from any one of the said persons or their personal representative, as indicated on Schedule "C".



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- 19 Between the months of May and October inclusive in any year, all applications for burials shall be made to the Town at least 48 hours before the time for the interment.
- 20 Between the months of November of one year and April of the following year inclusive, all applications for burials shall be made at least 72 working hours before the time for interment.
- 21 A charge for overtime will be payable by the applicant of the burial permit if it is necessary for workmen to remain after their usual daily working hours, weekends or statutory holidays.
- 22 The deed holder or the person instructing the Town to open a grave shall give complete and precise instruction and the Town shall not be responsible for any errors resulting from the lack of proper instruction.
- 23 Excavation for all plots including for cremation burial must be carried out by employees or designates of the Town.
- 24 Internment of cremated remains into columbarium niches will be undertaken by the funeral director or designate granted by the family of deceased. An employee of the Town must be in attendance for opening and closing of the niche.
- 25 No person or person not under the control or supervision of the Town shall open any grave for the purpose of interring or removing a body.
- 26 The burial of cremated remains shall be in such portion or portions of the cemetery as may from time to time be designated by the Town.
- 27 The cremated remains of up to two additional persons to be buried in the same regular lot in which a body is or is to be buried, and shall be placed adjacent to the monument.
- 28 The cremated remains of a maximum of three persons shall be allowed on a cremation plot.
- 29 No burial of cremated remains on designated cremated remains lots on which an existing monument is erected shall be allowed between November 1 of one year, and April 30 of the next year then following.
- 30 No additional interments shall be permitted in any lot in the cemetery on which there are unpaid charges due and payable to the Town.
- 31 Burials or internments shall not take place at the cemetery anytime during a funeral or burial service at such cemetery.
- 32 All work in the immediate vicinity of a grave shall be discontinued during a burial service.
- 33 The Town must be notified if a grave liner or vault is to be utilized.

**PART 6 - MONUMENTS**

- 34 All persons employed in the construction and erection of monuments or doing other work in the cemetery, whether employed by the Town or not, shall be subject to the direction and control of the Town.
- 35 No monument or marker shall be placed on a lot until an application is made to the Municipal Office and a permit in the form of Schedule "D" hereunto annexed has been issued.
- 36 Monuments shall be constructed of granite, marble or slate and have dimensions not to exceed 1.83m wide x .46m deep x 1m high.
- 37 Markers shall be constructed of granite, marble, slate or bronze and have dimensions not to exceed 1.83m wide x .46m deep x .20m high.
- 38 Bases for monuments shall be constructed of concrete or the same stone material as the monument or marker that it supports. Placement shall be done so in a manner as to maintain whenever possible, a proper alignment consistent with grave monuments on adjacent lots. Bases shall be a minimum of 150 mm



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thick and placed so as to be level with the adjacent ground level and shall be 150 mm wider than the base of the monument or marker that it supports;

- 39 persons erecting monuments shall ensure that such monuments are firmly secured to the foundation with glue and/or setting compound.
- 40 Monuments with urns attached are prohibited.
- 41 Markers may be utilized on regular plots where cremated remains are also interred.
- 42 Not more than three monuments shall be placed upon a single lot with a monument placed at the head of the grave and the second and third structures being that of markers.
- 43 All memorials for cremation lots shall be markers.
- 44 All foundations and monuments not installed in strict conformance to this Bylaw shall be removed at the request of the Town within five (5) working days.
- 45 Whenever the owner of a monument neglects to make the required repairs or alterations to a monument within 30 days after receiving written notice from the Town to do so, the Town shall have the power to repair such monument and charge the cost thereof to the owner which may be recovered as a debt from the owner to the Town.
- 46 Niche Tablets:
  - (a) Will be provided by the Town with the purchase of the niche.
  - (b) Will be provided upon request and upon payment of burial permit fees to arrange for engraved inscriptions.
  - (c) Not the responsibility of the Town once removed for engraving.
  - (d) Engraving must be done by a qualified company.
    - i) Engraving cost will be the responsibility of the purchaser of the niche.
    - ii) Engraving is limited to 75 characters, with suitable font size and type as required by the Town.
    - iii) Engraving will be white in colour only.
    - iv) Only one engraved design allowed per tablet with no surface attachments.

**PART 7 – VISITORS**

- 47 No person other than an employee under the direction of the Town shall enter or remain in the cemetery between sunset of one day and sunrise of the day next following.
- 48 No person shall drive any vehicle through the cemetery at a greater rate of speed than 20 km/h.
- 49 The Town may prohibit the driving of vehicles in any part of a cemetery.
- 50 The Town may prohibit the driving of any vehicle in the cemetery when the roads are in an unfit condition.
- 51 The owner of any moving vehicle shall be responsible for any damage done by such vehicle within the boundaries of the cemetery.

**PART 8 - GENERAL PROVISIONS**

- 52 Any group or society desiring to hold a memorial service at the cemetery shall give the Town at least 10 days notice in writing of their intention to do so.
- 53 No person shall:
  - (a) Erect fences, railings, walls, copings, hedges, or white rock in or around any lots.



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- (b) Destroy, damage, deface or write upon any monument, or other structure or object in the cemetery.
  - (c) Deposit any paper, sticks, or refuse of any kinds on any portion of the lands within the boundaries of the cemetery except in receptacles provided for that purpose.
  - (d) Remove the sod in graves or from any portion of any lot in the cemetery without first obtaining the consent of the Town.
- 54 All grading, seeding of grass and sodding work shall be done under the direction of the Town by employees of the Town.
- 55 No person, other than an employee of the Town, the owner of a deed or his agent, shall be permitted to care for any lot in any cemetery.
- 56 No animal shall be allowed in the cemetery.
- 57 The fees and charges set forth in Schedule "A" annexed hereto are hereby established as the charges for services provided under this bylaw.

**PART 9 – PENALTY**

- 58 Any person who commits a breach of any of the provision of this bylaw shall on conviction for such breach, be liable to a penalty of not less than One Hundred (\$100.00) dollars and not exceeding One Thousand (\$1,000) dollars exclusive of costs, or in the case of non-payment of the fine and cost imposed to imprisonment for any period not exceeding sixty (60) days.
- 59 This Bylaw shall repeal Bylaw 1169/13 and Bylaw 1180/14 shall come into effect upon the date on which it is finally read and passed.

READ for the first time this 24<sup>th</sup> day of JUNE A.D., 2014.

(RES. 193 /14)

  
MAYOR MELODIE STOL

  
CAO MYRON THOMPSON

READ for the second time this 12<sup>th</sup> day of AUGUST A.D., 2014.

(RES. 228 /14)

  
MAYOR MELODIE STOL

  
CAO MYRON THOMPSON

READ for the third time this 12<sup>th</sup> day of AUGUST A.D., 2014.

(RES. 229 /14)

  
MAYOR MELODIE STOL

  
CAO MYRON THOMPSON



SCHEDULE "A"  
TOWN OF BLACKFALDS BYLAW 1180/14  
CEMETARY FEES

**Grave Plot – Full**

Single Plot - Resident	\$400
Single Plot - Non Resident	\$600

**Cremation Plot**

Single Plot - Resident	\$200
Single Plot - Non Resident	\$300

**Columbarium Niche (includes tablet and initial open/close)**

Single Niche - Resident	\$500
Single Niche - Non Resident	\$700
Double Niche - Resident	\$800
Double Niche - Non Resident	\$1000
Double Niche – Second Opening & Closing	\$75

**Grave/Cremation Plot/Niche Opening & Closing**

	Summer	Winter	Weekend/After Hrs
Plot – Resident	\$300	\$400	\$400
Cremation Plot – open & close	\$100	\$125	\$250
Niche – additional open/close	\$100	\$100	\$200
Other - including Overtime	Based on assigned overtime rate plus overhead		





**SCHEDULE "C"**  
**TOWN OF BLACKFALDS BYLAW 1180/14**  
**BURIAL APPLICATION AND PERMIT**

Name of Deceased: \_\_\_\_\_ Date of Death: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Deceased was resident of \_\_\_\_\_ Town of Blackfalds \_\_\_\_\_ Lacombe County \_\_\_\_\_ Other

Date of Burial \_\_\_\_\_ Time \_\_\_\_\_

Arrangements provided by: \_\_\_\_\_

**NEXT OF KIN:**

1. Name: \_\_\_\_\_

Address: \_\_\_\_\_ PH#: \_\_\_\_\_

2. Name: \_\_\_\_\_

Address: \_\_\_\_\_ PH#: \_\_\_\_\_

The applicant acknowledges and agrees that a permit for burial is issued subject to the provision of the Town of Blackfalds Cemetery Bylaw and amendments thereto.

\_\_\_\_\_ Signature of Applicant

**Permit for Burial** The Town of Blackfalds grants permission for the burial of the above deceased in the Blackfalds Cemetery this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_ Authorized Signature (Town of Blackfalds)

**Grave/Cremation Plot/Niche Fees - As Per Schedule "A"**

	Summer	Winter	Weekend/After Hrs
Plot – Resident	\$300 (Regular Working Hours)	\$400	\$400
Cremation Plot – open & close	\$100	\$125	\$250
Niche – additional open/close	\$100	\$100	\$200
Other - including Overtime	Based on assigned overtime rate plus overhead		

Plot: \_\_\_\_\_ Summer \_\_\_\_\_ Winter \_\_\_\_\_ Wk/Aft Total \$ \_\_\_\_\_

Cremation: \_\_\_\_\_ Summer \_\_\_\_\_ Winter \_\_\_\_\_ Wk/Aft Total \$ \_\_\_\_\_

Niche: \_\_\_\_\_ Summer \_\_\_\_\_ Winter \_\_\_\_\_ Wk/Aft Total \$ \_\_\_\_\_

Other: \_\_\_\_\_ Summer \_\_\_\_\_ Winter \_\_\_\_\_ Wk/Aft Total \$ \_\_\_\_\_

Total Payment Remitted: \_\_\_\_\_

GST (if applicable): \_\_\_\_\_

Payment Method: \_\_\_\_\_

Credit Card Authorization (if required) \_\_\_\_\_

Payment Received by: \_\_\_\_\_

Receipt # Issued: \_\_\_\_\_





**SCHEDULE "D"**  
**TOWN OF BLACKFALDS BYLAW 1180/14**  
**PLOT MONUMENT/MARKER INSTALLATION PERMIT**

**Application for:** Plot \_\_\_\_\_ Lot \_\_\_\_\_

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_ Phone: \_\_\_\_\_

I, \_\_\_\_\_, company representative apply for a permit for the installation of a Plot Monument/Marker as shown on the details of this application for the above plot in accordance with the requirements of Town of Blackfalds Cemetery Bylaw 1180/14 on behalf of \_\_\_\_\_ Owner/Executor for the deceased \_\_\_\_\_ (Name).

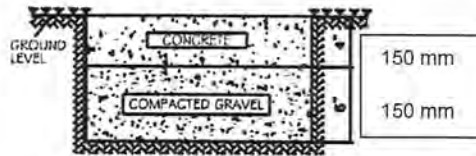
\_\_\_\_\_ Signature Company Representative

The Owner/Executor has authorized the installation as indicated by his/her signature given on this application.

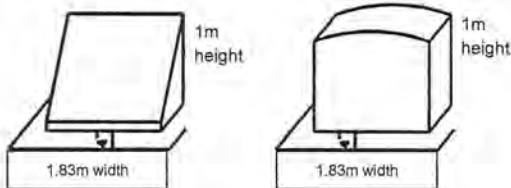
\_\_\_\_\_ Signature Owner/Executor

**Valid Town of Blackfalds Business License:** \_\_\_\_\_ Yes/No (If "No" enclose license fee)

**Concrete Foundations Required for Mounting both Upright Monuments and Flat Markers:**



**Upright Monument Description:**



Monument Material \_\_\_\_\_

Upright Monuments are only allowed in Blocks 1, 3, 6, 7, 11, A, B, C & D.

**Flat Marker Description:**



FLAT MARKER  
MAXIMUM HEIGHT 0.2m

Marker Material \_\_\_\_\_

**See the current Cemetery Bylaw for rules and regulations regarding monument and marker installations.**

Certification of Installation: I, \_\_\_\_\_ hereby certify that the above monument or marker has been installed in accordance with all provisions of the Town of Blackfalds Cemetery Bylaw.

Signature of Installer: \_\_\_\_\_ Date: \_\_\_\_\_

**This permit shall be returned to the Town of Blackfalds office following certification of installation.**

**For Office Use Only:**

Installation checked and approved by: \_\_\_\_\_ Date: \_\_\_\_\_

ALL MONUMENTS MUST BE PLACED IN ACCORDANCE WITH THE TOWN OF BLACKFALDS CEMETERY BYLAW AND ARE VALID FOR 60 CALENDAR DAYS FROM THE DATE OF APPLICATION.