# CITY OF YORKTON BYLAW NO. 16/2024

# A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE CONTROL AND TO REGULATE THE OPERATIONS OF CEMETERIES WITHIN THE CITY OF YORKTON

# Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

# Bylaw No. 16/2024 The Cemetery Bylaw

# **Table of Contents**

PART I Preliminary Matters	4
PART II	6
Administration and Enforcement of Bylaw	
Recovery of Abandoned Graves or Niches	
Fees	
Care and Maintenance Fees	
Disputes	
Director's Decision Final	
PART III	8
Availability and Service Times	
Notice Required	
Purchase of Interment Rights	
Use of Graves or Niches	
Refund of Interment Rights	
Sales of Interment Rights	
Burial Permits and Cremation Certificates	
Supervision and Direction.	
Vaults	
Adult Graves	
Child Graves	
Infant Graves	
Cremation Graves	
Military Graves	
Interment of Indigent Persons	
Woodland Path Graves	
Disinterments	
PART IV	13
Items in Cemetery Placed at Owner's Risk	
Permanent Items.	
	14
Memorials at Time of Interment	14
Applications for Monument Permit	
Monument Installation	
Monument Maintenance	
Placement of Monuments	
Vases	
Approved Materials for Monuments	
Upright Monuments	
Redemptorist Father Monuments	
Military Monuments	
Woodland Path Monuments	

PART V	17 18 18 18 19 19 19
General Terms Apply Engraving on Niches Niche Capacity  PART VI  Maintenance or Other Work Other Prohibited Activities Damage to Cemetery Offence Bylaw No.9/2021 Repealed Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	17 18 18 18 19 19 19
Engraving on Niches Niche Capacity  PART VI  Maintenance or Other Work Other Prohibited Activities Damage to Cemetery Offence Bylaw No.9/2021 Repealed Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	17 18 18 18 18 19 19 19
Niche Capacity	18 18 19 19 19
Maintenance or Other Work Other Prohibited Activities Damage to Cemetery Offence Bylaw No.9/2021 Repealed Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	18 19 19 19 19
Maintenance or Other Work Other Prohibited Activities Damage to Cemetery Offence Bylaw No.9/2021 Repealed Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	18 19 19 19 19
Damage to Cemetery Offence Bylaw No.9/2021 Repealed Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	19 19 19 19
Damage to Cemetery Offence Bylaw No.9/2021 Repealed Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	19 19 19 19
Offence Bylaw No.9/2021 Repealed Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	19 19 19
Coming into Force SCHEDULE A  The Hill Single 3 ft Grave Single 4 ft Grave	19
SCHEDULE A  The Hill  Single 3 ft Grave  Single 4 ft Grave	
SCHEDULE A  The Hill  Single 3 ft Grave  Single 4 ft Grave	
Single 3 ft Grave	
Single 3 ft Grave	20
Single 4 ft Grave	
The Meadow	21
Traditional Graves	
Cremation Graves	
Double Graves:	
The Woodland Path	22
Post Monuments:	22

# City of Yorkton Saskatchewan

#### Bylaw No. 16/2024

# A Bylaw of the City of Yorkton to provide for the Control and to Regulate the Operation of Cemeteries within the City of Yorkton

**Whereas,** pursuant to Part VIII, Section 54(1) of *The Cemeteries Act, 1999* an owner of a cemetery that is not a commercial cemetery may make bylaws for the operation of the cemetery;

**Now therefore,** the Council of the City of Yorkton in Council assembled hereby enacts as follows:

# PART I Preliminary Matters

#### **Short Title**

1. This Bylaw shall be known as "The City of Yorkton Cemetery Bylaw".

#### **Definitions**

- 2. In this Bylaw, unless the context otherwise requires, the expression:
  - a. "Act" means The Cemeteries Act, 1999;
  - b. "base" means the lower portion of a two-piece monument set on a foundation;
  - c. "care and maintenance" means the long-term care and maintenance of a cemetery, including levelling of the ground and seeding, cutting and watering of grass, but does not include the maintenance, repairs or replacement of memorials or monuments;
  - d. "casket" means a rigid container, usually constructed of wood, designed for the encasement of a human body for interment;
  - e. "**cemetery**" means any area set aside and/or used for the burial of human remains known as the City of Yorkton Cemetery.
  - f. "**cemetery office**" means the administration office of the Director responsible for the operations of the City Cemetery and enforcement of this Bylaw.
  - g. "**columbarium**" means a structure or building in a cemetery designated for the purpose of storing or interring cremated human remains in sealed compartments or niches;
  - h. "council" means the Council of the City of Yorkton;

- i. "cremated human remains" means human bone fragments that remain after cremation;
- j. "**cremation**" means the process of reducing the human body using high heat and flame.
- k. "die" means the upper portion of a two-piece monument that is placed on the base;
- 1. "**Director**" means the Director assigned responsibility for the City Cemetery by the City Manager and includes anyone acting as their designate in carrying out the provisions of the Bylaw;
- m. "disinterment" means the removal of human remains or cremated human remains from a grave or columbarium;
- n. "**flat marker**" means a monument set flush with the ground with a flat and level surface upon which an inscription may be made or a bronze plaque affixed;
- o. "**foundation**" means a pre-cast granite pad; a pre-cast concrete slab or a poured in place pad reinforced with steel mesh, set at a grade for the purpose of placing a monument:
- p. "grave" means an area specifically designated to accommodate the interment of human remains or cremated human remains:
- q. "human remains" means a dead human body, but does not include cremated human remains;
- r. "interment" means the placement of human remains or cremated human remains in a grave or niche;
- s. "interment rights" means a license granted by the City to a person to allow interment in accordance with this Bylaw and the Act;
- t. "interment rights holder" means a person who holds interment rights to a grave or niche, or any person authorized by law to act on that person's behalf;
- u. "**memorial**" means a monument, plaque, inscription or ornamentation that is used to identify or commemorate a deceased person;
- v. "**monument**" means a permanent memorial structure with inscribed or attached lettering or artwork as a means to commemorate a deceased person;
- w. "**niche**" means an individual unit or compartment in a columbarium;

- x. "**Parks Manager**" means the person placed in charge of day-to-day administration of the City Cemetery;
- y. "perpetual care" means the amount paid by each grave provided to ensure that annual care and maintenance of the Cemetery is provided after the Cemetery reaches capacity;
- z. "**post**" is an upright monument for cremation interments permitted only in the Woodland Path;
- aa. "**Redemptorist Father**" are the Most Holy Redeemer, a religious congregation of Catholic Priests and Brothers;
- bb. "The Hill" means the older section in the Cemetery marked as sections 1 through 27;
- cc. "**The Meadow**" means the newer section in the Cemetery marked as sections 27A through 38;
- dd. "**upright monument**" means a monument projecting above the ground that is set upon a foundation;
- ee. "urn" means a container into which cremated human remains are placed prior to interment;
- ff. "vault" means a structural enclosure made of fiberglass, designed to cover a casket or urn and used to prevent the sinking or slumping of graves;
- gg. "Woodland Path" means the naturalized cremation area within the wooded areas of The Meadow and marked as sections 36 and 38.

#### **PART II**

# **Administrative and Operational Matters**

# **Administration and Enforcement of Bylaw**

- 3. Subject to the other provisions of this Bylaw and to *The Cemeteries Act, 1999* and the regulations thereto, where a person makes an application in the form provided by the Director and pays the requisite fees, the Director shall issue to the person a license for the exclusive use of a grave or a niche.
  - a. The holder of the license acquires no property rights in the Cemetery or any niche within a columbarium.
- 4. All funerals in the Cemetery shall comply with the provisions of *The Public Health Act*, *The Vital Statistics Act*, *The Funeral Service & Cremation Act* and *The Cemeteries Act*, *1999* of the Province of Saskatchewan and with any regulations issued thereunder and as amended from time to time.

- 5. The Director shall furnish Council with a written report at the end of each year, of all interments, disinterments and removals for the year, and shall keep and maintain a complete set of records of all transactions in connection with the operation of the Cemetery.
- 6. In the event of a discrepancy between the license and the administrative records, the latter shall take preference.
- 7. Notice given to any person pursuant to this Bylaw shall be deemed sufficient if in writing and mailed to the last known address of such person as entered into the Cemetery records.
- 8. The Director may close the cemetery from time to time as deemed necessary and appropriate by the Director.

## **Recovery of Abandoned Graves or Niches**

9. The City may recover abandoned graves or niches in accordance with the Act.

#### Fees

- 10. Fees and charges for cemetery services are established as part of the City's annual operating budget. A complete listing of fees and charges will be maintained by the City.
- 11. All fees must be paid in advance of supplies or services being provided.
- 12. The Director may offer a Deferred Payment Plan for pre-need products or services on any terms deemed reasonable, provided that full payment is required before the product or service is provided to the purchaser.

#### **Care and Maintenance Fees**

- 13. Care and maintenance fees shall, in accordance with the Act, be collected for each sale of a memorial or interment rights.
- 14. All fees collected for care and maintenance shall be:
  - a. Held by the City in a separate fund called the care and maintenance fund; and
  - b. Invested in accordance with the provisions of the Act.
- 15. The City is not bound to expend on any grave or niche in any year an amount greater than the annual interest earned on the amount paid for care and maintenance with respect to that grave or niche.

#### **Disputes**

16. The City does not accept any responsibility for resolving disputes between surviving family members or others in respect to any matter related to the Cemetery.

#### **Director's Decision Final**

17. In all cases where the Director is empowered by the Bylaw to approve applications or make any other decision, the Director's decision is final.

#### PART III

# **Interments and Disinterments**

# **Availability and Service Times**

- 18. The Cemetery is open for interments and disinterments every day of the year, with the exception of Christmas Day and Boxing Day, and subject to the times listed below.
- 19. Interments and disinterments shall occur during the following hours on any day other than a statutory holiday:
  - a. Monday to Friday: 9:00 a.m. to 4:30 p.m.
  - b. Saturdays: 9:00 a.m. to 4:00 p.m.
  - c. Sundays and Statutory Holidays: 9:00 a.m. to 1:00 p.m.
- 20. Interments and disinterments occurring outside of the hours set out above:
  - a. Must be approved by the Director; and
  - b. Are subject to additional fees.
- 21. The Director may limit the number of services each morning or afternoon to ensure all services are properly managed.

#### **Notice Required**

- 22. The Director must be notified in writing, during regular office hours, of any interment or disinterment at least two (2) business days in advance, excluding of Saturdays, Sundays or statutory holidays.
- 23. The Director may, subject to payment of the short notice surcharge, approve an interment or disinterment in cases where the notice of two (2) business days has not been provided.

#### **Purchase of Interment Rights**

- 24. Any person may, upon application to the Director and payment of all required fees, including care and maintenance fees, purchase interment rights to a grave or niche in the City of Yorkton Cemetery.
- 25. An interment rights holder with interment rights to a grave shall acquire the right to use the grave for the burial of human remains in accordance with the provisions of the Bylaw, but no other rights whatsoever.

- 26. The interment rights holder shall maintain current address for services with the Director.
- 27. An interment rights holder with interment rights to a niche itself shall:
  - a. Acquire the right to use a niche for the storage in an urn, of cremated human remains in accordance with the provisions of this Bylaw, but no other rights whatsoever; and
  - b. Comply with any terms or conditions outlined on the ownership certificate issued by the City to the interment rights holder.

#### **Use of Graves or Niches**

- 28. The use of a grave or niche for interment must be authorized in writing by the interment rights holder.
- 29. The Director may require proof of purchase of interment rights or proof of authorization to prove the right of a person to use a grave or niche for interment.

# **Refund of Interment Rights**

- 30. An interment rights holder may request and receive a refund of interment rights provided that:
  - a. The request is made in writing;
  - b. The grave or niche has not been used for interment; and
  - c. Any monuments or other items on the grave or niche are removed.
- 31. A person who qualifies for a refund shall receive the following amounts, less all costs incurred by the City to return the grave or niche to a state where it can be resold:
  - a. 100% of any opening and closing fees paid;
  - b. 85% of the original grave or niche license fee paid (15% withheld as an administration fee)
  - c. If the original proof of purchase price cannot be located or otherwise determined, a refund of \$100.00 will be provided.
- 32. The Director may withhold approval of a refund of fees paid for any grave or niche if the Director deems it to be unusable.

## **Sales of Interment Rights**

- 33. In the event an interment rights holder sells their interment rights, the interment rights holder must immediately:
  - a. Notify the City of the name and address of the buyer; and

b. Pay the required administration fee.

#### **Burial Permits and Cremation Certificates**

- 34. Where a burial permit is required, no burial shall be permitted until the Director has received the required burial permit.
- 35. Where a cremation certificate is required, no burial shall be permitted until the Director has received the required cremation certificate.

# **Supervision and Direction**

36. All interments and disinterments shall occur with the approval, and under the direct supervision and direction of the Director.

#### **Vaults**

- 37. No interment into a grave shall be allowed without the use of a vault that has been approved by the Director.
- 38. The above does not apply in the case of an interment of a cremation urn or into a child or infant grave.
- 39. The vault shall be restricted to fiberglass material and have a base.
- 40. Vaults are to be delivered to the City of Yorkton Cemetery one (1) business day prior to the interment.

#### **Adult Graves**

- 41. In a single adult grave, the following interments are permitted, up to a maximum total of four (4) interments:
  - a. Up to 1 casket interment;
  - b. Up to 3 interments of cremated human remains.
- 42. Human remains must be interred prior to the interment of cremated human remains.
- 43. In the event that an interment rights holder would like to inter human remains into a grave that already contains cremated human remains, the cremated human remains would first need to be disinterred, subject to payment of the disinterment fees.
- 44. Adult burial plots must be at least six (6) feet deep.

#### **Child Graves**

45. A child grave may be used:

- a. To inter the human remains of one (1) child aged ten (10) and under; and
- b. If the casket measures less than 48 inches in length.
- 46. Additional interments of cremated human remains may be permitted in a child grave if:
  - a. The cremated human remains to be interred are those of a parent or sibling of the child interred in the grave; and
  - b. The space permits additional interments; as approved by the Director.

#### **Infant Graves**

- 47. An infant grave may be used:
  - a. To inter the human remains of one (1) infant aged two (2) and under; and
  - b. If the casket measures less than 24 inches in length.
- 48. Additional interments of cremated human remains may be permitted in an infant grave if:
  - a. The cremated human remains to be interred are those of a parent or sibling of the infant interred in the grave; and
  - b. The space permits additional interments; as approved by the Director.

#### **Cremation Graves**

- 49. In a cremation grave in The Meadow section of the Cemetery, a maximum of four (4) interments of cremated human remains shall be permitted.
- 50. In a cremation grave in The Woodland Path section of the Cemetery, a maximum of two (2) interments of cremated human remains shall be permitted.
- 51. Up to three (3) cremation interments are allowed, located at the head, middle, or foot, except:
  - a. In a four (4) feet by five (5) feet grave, up to four (4) cremation interments at the head-left, head-right, foot-left, and foot-right.
  - b. In the Woodland Path, up to two (2) cremation interments located left and right.

# **Military Graves**

- 52. Interments of the following persons are, subject to availability, permitted in a military grave:
  - a. Persons who at the time of their death were serving members of the Canadian Armed Forces;

- b. Veterans of the Canadian Armed Forces;
- c. Serving or past members of the Royal Canadian Mounted Police;
- d. The human cremated remains of the spouse of any person listed above that is or will be interred in a military grave.

## **Interment of Indigent Persons**

- 53. The City shall, when instructed to do pursuant to the provisions of the Act, provide interment rights free of charge for a deceased indigent person.
- 54. The interment of deceased indigent persons shall occur in a grave, the location of which shall be within the sole discretion of the Director.
- 55. No person may install a monument on a plot utilized for the interment of a deceased indigent person until the care and maintenance fee for the monument has been paid.
- 56. No other interments shall be permitted in a grave provided pursuant to this section until the fee for the grave has been paid.

#### **Woodland Path Graves**

- 57. To maintain the natural aesthetic and environment of the Woodland Path, minimal grounds maintenance will be provided, including the following restrictions:
  - a. No fences, railings, bedding plants, potted plants, or materials intended for growth.
  - b. No borders, fences, railings, trellises, coping, hedges, concrete/stone corners, or iron posts.
  - c. No ornaments or decorations, including flower holders, vases, crosses, mementos, ceramics, statues, windmills, balloons, glass, baskets, solar lights, or lanterns.
  - d. No planting or removal of any plant species.
  - e. Grass and weed maintenance will only ensure the visibility of the Memorial's face.
  - f. Food and beverages for memorialization are not permitted.
- 58. A Woodland Path cremation plot may accommodate a maximum of two (2) cremation interments.

#### **Disinterments**

- 59. No person shall disinter human remains, including cremated human remains, without a disinterment permit from the Minister of Health, which must be provided to the Director.
- 60. No disinterment shall occur without being ordered pursuant to *The Coroners Act*, 1999.
- 61. In the case of any disinterment, the City is only responsible for ensuring that the soil is sufficiently excavated to permit safe access to the human remains or cremated human remains for removal by the attending funeral home staff.
- 62. All physical removal of interred human remains, including cremated human remains, must be conducts by the attending funeral home staff.

#### **PART IV**

# Memorials

# **Items in Cemetery Placed at Owner's Risk**

- 63. All memorials or other objects or things of any kind, including fences, planted and potted flowers, are placed in the Cemetery are at the owner's risk.
- 64. The City accepts no responsibility and shall in no circumstances be liable for damage to or loss of any property, including memorials or other objects or things of any kind, including fences, planted and potted flowers, resulting from theft, vandalism, degradation, normal wear and tear or any other cause outside of the control of the City.
- 65. The City may move or remove, either temporarily or permanently, any memorial or other object or thing of any kind, including fences, planted and potted flowers, located in the Cemetery, including for the purpose of:
  - a. Performing maintenance;
  - b. Opening graves;
  - c. Preserving or maintaining an orderly and proper appearance of the Cemetery;
  - d. Removing items that are considered objectionable or unnatural, such as solar lights, chimes, stepping stones, flags and poles; and
  - e. Enforcing the requirements of this Bylaw.
  - f. Or any other reason deemed necessary or required by the City.
- Any memorials which have been removed by the City may be tagged for identification and stored for up to 30 days, then disposed of if unclaimed.
- 67. Food and/or beverages are not permitted as part of any memorialization.

68. Flowers and/or personal items may be placed on a grave to commemorate a significant day or holiday (e.g. birthday) with the prior approval from the Director. Items can stay for up to ten (10) days before Cemetery staff remove them.

#### **Permanent Items**

- 69. Only memorials approved by the Director as permanent items are permitted to remain in the Cemetery in permanent flower holders or vases that are affixed to the monument.
- 70. Items that have deteriorated or present an obstacle or hazard will be removed.

#### **Flowers**

- 71. Flowers in containers that are not part of an approved monument may be removed and disposed of by the City.
- 72. All items or things placed on a grave or monument foundation that are not permitted by the Director or this Bylaw may be removed and disposed of by the City.

#### **Memorials at Time of Interment**

- 73. Temporary memorials such as flowers are permitted on a grave or base of a columbarium on the day of interment and may remain for a period of ten (10) days following interment.
- 74. The City may remove and dispose of anything left on a grave or columbarium after the expiration of ten (10) days.

# **Applications for Monument Permit**

- 75. Applications for monument permits must be made by the Monument Company on an application form provided by the City.
- 76. Applications for monument permits that do not comply with this Bylaw shall not be approved, regardless of whether the proposed monument matches an existing or previously installed monument.
- 77. Upon approval, a copy of the monument permit shall be returned to the applicant.
- 78. The City accepts no responsibility for any monument work that occurs prior to the City providing its approval.
- 79. The person who applies for the monument permit in the Cemetery is responsible for determining the width of the grave or graves and ensuring that the requirements respecting the monuments set out in this Bylaw are observed.
- 80. Applications for monuments that exceed City regulations will not be approved. Monuments impeding cemetery operations, as deemed by the Director, will incur a repositioning surcharge.

#### **Monument Installation**

- 81. Any Monument Company completing the installation of a monument in the Cemetery must:
  - a. Have an approved monument permit;
  - b. Have a valid City of Yorkton Business License
  - c. Have a minimum of \$2 million liability insurance.
  - d. Confirm installation appointments 24 hours in advance with the cemetery office.
- 82. Any Monument Company conducting work in the Cemetery must adhere to the following stated conditions:
  - a. The City of Yorkton Cemetery Bylaw; and
  - b. The City's Health and Safety Program for Contractor Policy No. CITY-1.1.
- 83. All monument work shall not occur outside of the operating hours of the Cemetery.
- 84. Installation of flat markers and monument foundations must be flush with the surrounding ground.
- 85. Monument locations will be inspected prior to and after all work is completed. If any work does not comply with this Bylaw, the City will require corrections be completed at the Monument Company's expense.

#### **Monument Maintenance**

- 86. Monument companies must get approval from the cemetery office before working on any monuments and are responsible for repairing any damages they cause. The City of Yorkton is not liable for damages from improper monument installation.
- 87. The City's responsibility to maintain monuments shall be limited to keeping the ground in such condition that the monument remains level and straight.

#### **Placement of Monuments**

- 88. Placement of primary monuments shall be:
  - a. In the Hill, at the head of the grave centered.
  - b. In the Meadow, centered on the concrete runner of the intended grave.
  - c. In the Woodland Path, centered on the grave not any closer than 6 inches from the path.

- 89. Placement of additional monuments shall be:
  - a. In the Hill, only as a flat marker butted up to the primary monument;
  - b. In the Meadow, only as a bronze plaque mounted to the base of the primary monument
  - c. Sub-bases are permitted so long as the overall height of the monument does not exceed 36 inches high.
- 90. Placement of monuments on child or infant graves shall use flat markers only, centered on the grave and aligned with existing primary monuments. Occasionally, this placement should be centered at the foot end of the child or infant plot.

#### Vases

- 91. Vases must be permanently affixed to a monument and positioned so that no part extends beyond the length or width of the base or above the height of the monument.
- 92. Vases on a flat marker are only permitted if the vase can be inverted to accommodate winter operations.
- 93. Vases on flat markers must be inverted from November 1 to March 31.

# **Approved Materials for Monuments**

- 94. Subject to below, granite and marble are approved materials for monuments.
- 95. Bronze, anchored to a base of granite or concrete, and granite are approved materials for use as flat markers.
- 96. Marble is approved only for use as the die of a monument or parts of a die such as vases, but no other parts, including the base.
- 97. Other materials not specifically mentioned may be approved by the Director, subject to the applicant satisfying the Director that the materials are long-lasting and require no ongoing maintenance.

# **Upright Monuments**

98. Upright monument must have the base and die joined by use of a non-permanent setting compound and must not be permanently attached or pinned to the foundation.

# **Redemptorist Father Monuments**

99. A traditional cross monument may be placed on a Redemptorist Father grave. The maximum height is 32 inches and the base can be 10 inches high.

# **Military Monuments**

- 100. A flat marker in memory of the veteran's spouse may be placed at the head of the veteran's grave.
- 101. The spouse of a veteran may be memorialized on the veteran's monument if the spouse was also a veteran.

#### **Woodland Path Monuments**

- 102. Only flat, cremation, and post monuments are allowed. No other monuments, benches, or memorials are permitted in the Woodland Path.
- 103. Each plot is allowed a maximum of one (1) monument.

## **Monument Specifications**

104. Monuments shall, unless otherwise permitted by the Director, meet the size and finish requirements set out in Schedule "A".

#### PART V

#### **Columbariums**

# **General Terms Apply**

105. Except as otherwise modified by this Part, the general terms of this Bylaw that apply to monuments also apply to any columbarium.

#### **Engraving on Niches**

- 106. The City is responsible for arranging the approved engraving for columbarium niches, subject to the Director's final approval. To maintain consistency, the following templates must be used:
  - a. Standard Times New Roman, plain finish for all lettering.
  - b. Family name: engraved in 1 ¼ inch maximum type size on a single line.
  - c. Hyphenated family names with over 12 letters: The second part falls to the second line, replacing optional upper epitaph lines.
  - d. For two cremated remains with different last names (e.g., common law): Two lines of 1¼ inch letters for family names, omitting optional upper epitaph lines. Given names and dates in a smaller type size than the family name.
  - e. First names and initials: Engraved in ¾ inch type.
  - f. Dates of birth, death, and optional epitaphs: Engraved in ½ inch letters.
  - g. Engraving fee is included in the columbarium niche cost.

h. Engraving allowed before inurnment; a temporary cover will be installed by the City of Yorkton until the engraved cover is returned.

# **Niche Capacity**

107. The capacity of each niche is not defined so long as they do not exceed the dimensions of the niche being 10 inches on the vertical by 10 inches on the horizontal and 14 inches deep from front to back.

#### **PART VI**

# Prohibited or Regulated Activities, Offences and Coming into Force

#### **Maintenance or Other Work**

- 108. Any work occurring in the Cemetery, including landscaping, grading, placement of memorials, grounds keeping, watering, monument work, construction, maintenance and beautifying the grounds, is subject to the approval and supervision of the Director.
- 109. No person shall complete any upkeep of the Cemetery that is provided by the City, including plantings, mowing grass, laying sod, reseeding, filling sunken graves or other turf maintenance, trimming trees and shrubs, removing wilted flowers and decorations, edging around headstones and other clean up, without prior approval from the Director.

#### **Other Prohibited Activities**

- 110. No advertising of any kind is permitted in the cemetery.
- 111. No animals shall be allowed in the cemetery.
- 112. No person shall disturb the quiet or good order of the cemetery by noise or other improper conduct.
- 113. No person shall, without the prior approval of the Director:
  - a. Operate a motor vehicle in the cemetery other than on streets or in designated parking areas;
  - b. Operate a recreational vehicle in the cemetery;
  - c. Enter any portion of the cemetery that is set apart for storage facilities;
  - d. Injure any shrub or tree or pick or destroy any flower, wild or cultivated, that is growing in the cemetery;
  - e. Perform any work in the cemetery, including landscaping, planting or trimming flowers, shrubs or trees, grading, watering, construction, maintenance, mowing grass, laying sod and reseeding grass;
  - f. Inter, disinter or scatter human remains or cremated human remains;

- g. Place, plant, alter or erect any memorial or other object or planting of any kind in the cemetery; or
- h. Remove any memorial or other object or planting of any kind from the cemetery.

# **Damage to Cemetery**

- 114. No person shall cause damage to the grounds of the cemetery or to any memorial or other object or planting of any kind located in the cemetery.
- 115. A person who causes damage contrary to the above is responsible for paying any costs necessary to remedy the damages caused.

#### Offence

- 116. No person shall contravene any provision of this Bylaw.
- 117. Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
  - a. In the case of an individual, to a fine not exceeding \$2,000.00;
  - b. In the case of a corporation, to a fine not exceeding \$5,000.00.

# Bylaw No.9/2021 Repealed

118. Bylaw No. 9/2021, The Cemetery Bylaw is repealed.

#### **Coming into Force**

119. This Bylaw shall come into force and take effect on the date of final passing thereof.

Introduced and read a first time this 25<sup>th</sup> day of November, A.D., 2024.

Read a second time this 25<sup>th</sup> day of November, A.D., 2024.

Read a third time and adopted this 25<sup>th</sup> day of November, A.D., 2024.

#### SCHEDULE A

# **Monument Specifications Size and Finish Requirements**

- 1. In this Schedule, unless context otherwise requires:
  - a. "ft" means feet
  - b. "deep" means front back, when facing the monument.
  - c. "high" or "thick" means bottom to the top.
  - d. "wide" means left to the right, when facing the monument.

#### The Hill

# Single 3 ft Grave

Foundation: Maximum 32 inches wide by 25 inches deep by 6 inches thick.

Minimum 4 inches thick.

Must protrude 4 inches from all sides of the base.

Upright Monument: Base is maximum 28 inches wide by 16 inches deep by 6 inches high.

Die is maximum 22 inches wide by 6 inches deep by 28 inches high. Overall height of the monument cannot exceed 36 inches above the

ground.

The sides of the base must have a rock-pitch finish.

Pillow Monument: Base is maximum 28 inches wide by 17 inches deep by 6 inches high.

Die is maximum 22 inches wide by 12 inches deep by 8 inches high.

Flat Marker: Maximum 28 inches wide by 16 inches deep by 6 inches thick.

Minimum 3 inches thick.

Bronze plaques must be installed on a concrete or granite foundation with

a 2 inches border exposed on all sides.

# Single 4 ft Grave

Foundation: Maximum 44 inches wide by 25 inches deep by 6 inches thick.

Minimum 4 inches thick.

Must protrude 4 inches from all sides of the base.

Upright Monument: Base is maximum 40 inches wide by 16 inches deep by 6 inches high.

Die is maximum 34 inches wide by 6 inches deep by 30 inches high. Overall height of the monument cannot exceed 36 in above the ground.

The sides of the base must have a rock-pitch finish.

Pillow Monument: Base is maximum 40 inches wide by 17 inches deep by 6 inches high.

Die is maximum 34 inches wide by 12 inches deep by 8 inches high.

Flat Marker: Maximum 40 inches wide by 16 inches deep by 6 inches thick.

Minimum 3 inches thick.

Bronze plaques must be installed on a concrete or granite foundation with

a 2 inches border exposed on all sides.

**Double Graves:** 

Foundation: Maximum 68 inches wide by 25 inches deep by 6 inches thick.

Minimum 4 inches thick.

Must protrude 4 inches from all sides of the base.

Upright Monument: Base is maximum 64 inches wide by 16 inches deep by 6 inches high.

Die is maximum 58 inches wide by 6 inches deep by 30 inches high. Overall height of the monument cannot exceed 36 inches above the

ground.

The sides of the base must have a rock-pitch finish.

Pillow Monument: Base is maximum 64 inches wide by 17 inches deep by 6 inches high.

Die is maximum 58 inches wide by 12 inches deep by 8 inches high.

Flat Marker: Maximum 64 inches wide by 16 inches deep by 6 inches thick.

Minimum 3 inches thick.

Bronze plaques must be installed on a concrete or granite foundation with

a 2 inches border exposed on all sides.

# The Meadow

#### **Traditional Graves**

Upright Monument: Base is maximum 42 inches wide by 16 in deep by 6 inches high.

Die is maximum 36 inches wide by 6 in deep by 30 inches high. Overall height of the monument cannot exceed 36 inches above the

ground.

The sides of the base must have a rock-pitch finish.

Pillow Monument: Base is maximum 42 inches wide by 17 inches deep by 6 inches high.

Die is maximum 36 inches wide by 12 inches deep by 8 inches high.

Flat Marker: Maximum 42 inches wide by 16 inches deep by 6 inches thick.

Minimum 3 inches thick.

Not permitted to be installed flush in the ground.

#### **Cremation Graves**

Upright Monument: Base is maximum 42 inches wide by 14 inches deep by 6 inches high.

Die is maximum 36 inches wide by 6 inches deep by 30 inches high. Overall height of the monument cannot exceed 36 inches above the

ground.

The sides of the base must have a rock-pitch finish.

Pillow Monument: Base is maximum 42 inches wide by 14 inches deep by 6 inches high.

Die is maximum 36 inches wide by 10 inches deep by 8 inches high.

Flat Marker: Maximum 42 inches wide by 14 inches deep by 6 inches thick.

Minimum 3 inches thick.

Not permitted to be installed flush in the ground.

**Double Graves:** 

Upright Monument: Base is maximum 64 inches wide by 16 inches deep by 6 inches high.

Die is maximum 58 inches wide by 6 inches deep by 30 inches high. Overall height of the monument cannot exceed 36 inches above the

ground.

The sides of the base must have a rock-pitch finish.

Pillow Monument: Base is maximum 64 inches wide by 17 inches deep by 6 inches high.

Die is maximum 58 inches wide by 12 inches deep by 8 inches high.

Flat Marker: Maximum 64 inches wide by 16 inches deep by 6 inches thick.

Minimum 3 inches thick.

Not permitted to be installed flush in the ground.

The Woodland Path

**Post Monuments:** 

Single Post: Maximum 16 inches wide by 10 inches deep by 24 inches high.

Foundation is not required. Material must be granite.

Option to have it hollow for the cremated human remains to be placed.

Double Post: Maximum 20 inches wide by 16 inches deep by 24 inches high.

Foundation is not required. Material must be granite.

Option to have it hollow for two cremated human remains to be placed.

Flat Marker: Maximum 18 inches wide by 24 inches deep by 4 inches thick.

Foundation is not required. Installation is above ground.