

TOWN OF ARCOLA **BYLAW NO. 2026-03**

A BYLAW TO CONTROL THE ARCOLA AND DISTRICT CEMETERY AND TO REGULATE THE INTERMENT OF HUMAN REMAINS THEREIN

The Council of the Town of Arcola, in the Province of Saskatchewan, enacts as follows:

1. SHORT TITLE

This Bylaw may be cited as the "Arcola and District Cemetery Bylaw".

2. DEFINITIONS

In this Bylaw:

- a) "Administrator" means the Administrator of the Town of Arcola or their designate.
- b) "Beautification Committee" means a committee established by Council for the purpose of recommending and undertaking Cemetery beautification projects.
- c) "Beautification Fund" means a fund established for Cemetery beautification and improvement projects.
- d) "Burial" means the interment of a deceased person in a casket or the interment of cremated remains in an urn.
- e) "Cemetery" means the Arcola and District Cemetery located on lands legally approved and designated for cemetery purposes.
- f) "Council" means the Council of the Town of Arcola.
- g) "General Fees Bylaw" means the Town of Arcola General Fees Bylaw, as amended from time to time.
- h) "General Operating Fund" means the Town of Arcola General Operating Fund.
- i) "Interment" means the burial of human remains or cremated remains.
- j) "Lot" means a cemetery plot purchased for burial purposes.
- k) "Maintenance Person" means the person or contractor retained by the Town to perform Cemetery maintenance.
- l) "Office" means the Town of Arcola Office.
- m) "Perpetual Care Fund" means the Cemetery Trust Fund established for the perpetual care and maintenance of the Cemetery.
- n) "RM" means the Rural Municipality of Brock No. 64.
- o) "Town" means the Town of Arcola.

3. CEMETERY ESTABLISHMENT

That part of the South East Quarter of Section 18, Township 8, Range 4, West of the Second Meridian, acquired and approved for cemetery purposes pursuant to The Cemeteries Act, shall continue to be maintained as a public cemetery known as the Arcola and District Cemetery.

4. ADMINISTRATION

4.1 The Town shall administer and maintain the Cemetery.

4.2 The Administrator shall maintain accurate records of:

- a) all lot sales;
- b) all interments and disinterments;
- c) the name of each deceased person interred;
- d) the location of each interment;
- e) the dates of all interments and disinterments; and
- f) all transfers and repurchases of cemetery lots.

5. LOT SALES

5.1 Cemetery plots shall be sold for Three Hundred Dollars (\$300.00) per plot plus GST.

5.2 Of each plot sold:

- a) Seventy-Five Dollars (\$75.00) shall be deposited into the General Operating Fund; and
- b) Two Hundred Twenty-Five Dollars (\$225.00) shall be deposited into the Perpetual Care Fund.

5.3 The purchase of a lot grants the right of interment only and does not transfer ownership of the land.

5.4 No owner of a lot shall permit an interment therein for remuneration or profit.

5.5 Cemetery lots shall not be sold, assigned, or transferred without the written approval of the Administrator and the transfer being recorded in the cemetery records.

5.6 The Town may, at its sole discretion, repurchase an unused cemetery lot.

5.7 The Town shall not be obligated to repurchase any lot.

5.8 No refund shall be issued for any lot in which an interment has occurred.

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6. INTERMENTS

6.1 No interment shall take place without authorization from the Town.

6.2 No interment shall take place unless all permits, authorizations, and documentation required by provincial legislation have been obtained.

6.3 Except in extraordinary circumstances approved by the Administrator, a minimum of three (3) business days' notice shall be provided to the Administrator prior to any interment.

6.4 The purpose of the notice period is to allow the Town sufficient time to verify ownership records, locate and mark the burial location, coordinate cemetery access, and arrange any necessary maintenance activities.

6.5 The notice shall identify:

- a) the deceased;
- b) the funeral home or person responsible for the arrangements;
- c) the location of the intended interment; and
- d) the date and time of the interment.

6.6 No interment shall take place without the written authorization of the lot owner or their legal representative.

6.7 The Town reserves the right to refuse or postpone an interment where:

- a) the required notice has not been provided;
- b) cemetery records cannot be verified;
- c) weather or site conditions create safety concerns; or
- d) the proposed burial location cannot reasonably be prepared in time for the requested interment date.

6.8 Interments wishing to occur during winter conditions will be subject to the Town's approval and will be subject to additional charges for snow removal, site preparation, plot marking, access preparation, equipment use, labour, or other costs incurred by the Town.

6.9 Additional charges associated with winter interments shall be assessed in accordance with the Town's General Fees Bylaw, as amended from time to time.

6.10 The costs of grave excavation, grave closing, and any services provided by a funeral home, contractor, or third party shall remain the responsibility of the person arranging the interment.

6.11 The scattering of cremated remains within the Cemetery is prohibited unless specifically authorized by Council.

7. DISINTERMENTS

7.1 No grave shall be opened for disinterment without all permits and approvals required by law.

7.2 All costs associated with a disinterment shall be borne by the person requesting the disinterment.

8. MONUMENTS AND MARKERS

8.1 Lot owners may install monuments or markers.

8.2 Grave covers, curbing, fencing, borders, or other structures surrounding a grave site are prohibited unless approved by Council.

8.3 All monuments and markers shall be installed in a safe and workmanlike manner.

8.4 The Town may require the removal, repair, or replacement of any monument or marker deemed unsafe.

8.5 The Town reserves the right to remove any monument, marker, enclosure, bench, inscription, decoration, or other object considered improper, offensive, dangerous, unsafe, or detrimental to the appearance or maintenance of the Cemetery.

9. TREES, SHRUBS, AND IMPROVEMENTS

9.1 No person shall plant trees, shrubs, hedges, flowers, or other permanent vegetation within the Cemetery without written approval from the Town.

9.2 Any work being performed on a grave, monument, marker, or lot must be reported to the Town Office prior to commencement.

10. DECORATIONS

10.1 Flowers, wreaths, decorations, solar lights, and similar memorial items may be placed on lots provided they do not interfere with maintenance operations.

10.2 The Town may remove and dispose of flowers, decorations, solar lights, ornaments, artificial flowers, fencing, or other items that:

- a) interfere with maintenance operations;
- b) create a safety hazard;

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- c) become unsightly, damaged, or abandoned; or
- d) detract from the appearance of the Cemetery.

11. ACCESS TO CEMETERY

- 11.1 Lot owners and their families shall have access to the Cemetery at all reasonable times.
- 11.2 No person shall damage, deface, remove, or disturb any monument, marker, grave, building, fence, roadway, tree, shrub, flowerbed, or other Cemetery property.

12. PERPETUAL CARE FUND

- 12.1 The Town shall maintain a Cemetery Perpetual Care Fund.
- 12.2 Donations, gifts, bequests, and contributions designated for perpetual care shall be deposited into the Perpetual Care Fund.
- 12.3 Interest earned on the Perpetual Care Fund may be transferred annually to the General Operating Fund to offset Cemetery maintenance costs.
- 12.4 The principal of the Perpetual Care Fund shall remain intact and shall not be expended except where permitted by law and approved by Council.

13. COST SHARING

- 13.1 The Town of Arcola and the RM of Brock No. 64 shall share in the operating and maintenance expenses of the Cemetery.
- 13.2 At the end of each calendar year, the Town shall prepare an itemized statement of Cemetery revenues and expenditures.
- 13.3 Interest earned on the Perpetual Care Fund and applied toward Cemetery maintenance shall be deducted from the annual expenses prior to cost sharing.
- 13.4 The remaining balance of Cemetery expenses shall be shared equally between the Town of Arcola and the RM of Brock No. 64, with each municipality responsible for fifty percent (50%) of the net costs.
- 13.5 The Administrator shall provide the annual statement to the RM of Brock No. 64.

14. BEAUTIFICATION FUND AND COMMITTEE

- 14.1 Council may establish a Beautification Committee to recommend and undertake improvements to the Cemetery.
- 14.2 Prior to commencing any project, the Committee shall provide Council with details of the proposed work and an estimated project budget.
- 14.3 An annual report shall be submitted to Council outlining completed projects, projects in progress, and future recommendations.
- 14.4 Approval of Council shall be required prior to the expenditure of any Beautification Fund monies.
- 14.5 The Town may maintain a Cemetery Beautification Fund for donations and fundraising proceeds designated for Cemetery improvement projects.
- 14.6 Monies deposited into the Beautification Fund, including any interest earned thereon, shall remain in the Beautification Fund and shall be used exclusively for Cemetery beautification and improvement projects approved by Council.
- 14.7 The Administrator shall maintain accounting records for all revenues and expenditures associated with the Beautification Fund.

15. MAINTENANCE

- 15.1 General Cemetery maintenance shall be the responsibility of the Town.
- 15.2 Upkeep, repair, replacement, and maintenance of monuments, markers, foundations, and private improvements shall remain the responsibility of the lot owner or family.
- 15.3 The Town may retain contractors or enter into agreements for Cemetery maintenance services as deemed necessary by Council.
- 15.4 Where Council elects to contract Cemetery maintenance services, the contract shall be tendered or procured in accordance with the Town's Purchasing Policy.

16. LIABILITY

The Town shall not be responsible for loss of or damage to monuments, markers, foundations, flowers, decorations, shrubs, trees, or other items caused by weather, vandalism, theft, maintenance operations, acts of nature, or circumstances beyond its control.

17. OFFENCES AND PENALTIES

Any person who contravenes any provision of this Bylaw is guilty of an offence and liable to the penalties established under the Town of Arcola General Penalty Bylaw.

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18. REPEAL

Bylaw No. 11-2006 and any amendments thereto are hereby repealed.

19. COMING INTO FORCE

This Bylaw shall come into force upon final passing by Council.

Read a first time this 9th day of June, 2026

Read a second time this 9th day of June, 2026

Read a third time and adopted this 9th day of June, 2026



[Signature]
Mayor

[Signature]
Administrator

Certified a true copy of
Bylaw No. 2026 passed on the
9th day of June, 2026

[Signature]
Administrator

