

**TOWN OF BIGGAR, SASKATCHEWAN**

**BYLAW NO. 99-613**

**A BYLAW TO ACQUIRE, MAINTAIN, REGULATE  
AND CONTROL THE BIGGAR CEMETERY**

---

THE COUNCIL of the Town of Biggar, in the Province of Saskatchewan, enacts as follows:

**SHORT TITLE**

1. This bylaw may be cited as The Biggar Cemetery Bylaw, 1999.

**INTERPRETATION**

2. In this Bylaw:
  - (a) “Administrator” means the Town Administrator for the Town of Biggar.
  - (b) “Caretaker” means the Town Superintendent or Recreation Director appointed by the Council to maintain the cemetery.
  - (c) “Cemetery” means that part of the SW ¼ of Section 31, Township 35, Range 14, West of the Third Meridian, in the Province of Saskatchewan, acquired by the municipality for cemetery purposes as approved by the Registrar under The Cemeteries Act which is hereby appropriated as a public cemetery to be called the Biggar Cemetery.
  - (d) “Cemetery Committee” means a person or persons duly appointed by the Council.
  - (e) “Council” means the Council of the Town of Biggar.
  - (f) “Monument” means any structure erected or constructed on a plot as a memorial to the dead.
  - (g) “Municipality” means the Town of Biggar.
  - (h) “Owner” means a person, a person’s heirs, executors or administrators who purchase a grave in the cemetery.
  - (i) “Plot” means a space for a single burial in the cemetery.

**SALE OF PLOTS**

3.
  - (1) Plots for burial purposes may be acquired from the Town upon making arrangements for payment of the appropriate fee.
  - (2) A cemetery deed shall be issued for each plot that is purchased.

**PLOT TITLE NOT VESTED**

4. Any person acquiring a plot under the provisions of this bylaw shall only acquire the right and privilege of burial of the dead therein and of constructing vaults or tombs and of erecting memorials subject to regulations which may be in force and shall not be deemed to acquire any title to the land which shall remain vested in the name of the town.

PLOT TITLE NOT TRANSFERABLE

5. All plots purchased for burial purposes are not transferable. If a person wishes to dispose of their unused plot, they may resell the plot to the town at the original purchase price.

PLOT DISINTERMENT

6. Where disinterment from a plot leaves a plot vacant, the deed to the plot shall revert to the town and the party paying the original fee shall be entitled to a refund of one-half of the purchase price of said plot, the balance to be retained by the town as a rental fee for the use of the property.

PRICES FOR PLOTS, OPENING AND CLOSING

7. The rates for the purchase of plots, the cost of opening and closing plots and cemetery limits shall be as set out in Schedule "A" attached hereto.

BURIALS

8. No person shall bury any dead body in the cemetery until such person has complied with the provisions of The Public Health Act and The Vital Statistics Act of the Province of Saskatchewan, and any regulations issued thereunder; and shall also have complied with the provisions of this bylaw.

INTERMENT NOTICE

9. Notice that an interment is to take place shall be given to the town at least thirty-six (36) hours before the time of interment. This provision shall not apply where burial is ordered sooner by Provincial or Federal law.

VEHICULAR TRAFFIC

10. Vehicles shall keep to the roadways provided in the cemetery and shall not exceed the speed of ten (10) miles per hour.
11. The cemetery shall be closed to all vehicles from five (5) P.M. or sunset, whichever is the later, until eight (8) A.M. unless by special permission of the town.

MONUMENTS AND MEMORIALS

12. All monuments placed in the cemetery shall be constructed of marble, granite, bronze or wood.

13. Each memorial shall be set upon a concrete foundation. The concrete foundation shall be four inches longer and four inches wider than the memorial to be erected thereon and shall be approved by the town.
14. No person shall place shells, stones, arbors, trellises, trees, shrubs, hedges or other objects in any part of the cemetery.
15. No person shall place any border, fences, railings, copings, or grave covers or other markings in any part of the cemetery.

PERMITS FOR MONUMENTS, MEMORIALS

16. No person shall place or erect any tombstone, monument or any other structure or make alterations of any kind until that person has furnished the town with all necessary information required as indicated in Form "B" and shall have obtained a permit from the Administrator as indicated in Form "C" of this bylaw.

TREES, SHRUBS, HEDGES

17. All trees, shrubs and hedges in the cemetery shall be the property of the town.

DOGS OR PETS

18. Dogs or pets shall not be allowed in the cemetery at any time.

CARE OF PLOTS

19. Borders, fences, railings, copings, curbs, hedges, trellises or grave covers of any kind on or around a plot, may at the request of the owner, be removed free of charge by the town.
20. Borders, fences, railings, copings, curbs, walls, hedges, trellises or grave covers of any kind on or around a plot, may be removed by the town if by reason of neglect or age, it becomes in a state of disrepair.
21. The Town shall have authority to remove all floral designs, flowers, trees, shrubs, plants or herbage of any kind from the cemetery as soon as, in the judgment of the town, they become unsightly, dangerous, detrimental or diseased.

- 22. The owner of a grave shall observe all provisions of this bylaw in order that cemetery plots can be maintained appropriately throughout the cemetery.

DESTRUCTION OF MONUMENTS, TREES, PLANTS

- 23. No person shall destroy, mutilate, deface, injure or remove any tombstone, marker, monument or like structure or any fence, railing, coping or other work for the protection or ornamentation of the cemetery or of any tombstone, marker, monument or like structure except as herein provided.
- 24. No person shall cut, break, trim, injure or destroy any tree, shrub or plant excepting as herein provided.

CEMETERY COMMITTEE RECOMMENDATIONS

- 25. A cemetery committee comprising no more than five (5) members of the general public may be appointed by council.
- 26. The cemetery committee can make recommendations to council in writing with respect to any matters concerning the maintenance of the cemetery.

PENALTIES

- 27. Any person found guilty of any infraction of the provisions of this bylaw shall be liable upon summary conviction to the penalties provided for in the General Penalty Bylaw.

REPEAL BYLAW

- 28. Bylaw No. 63-60 passed May 27, 1963 and all amending bylaws are hereby repealed.

EFFECTIVE DATE

- 29. This bylaw shall come into force and take effect from and after the date of the final passing thereof.

READ a first time this 4<sup>th</sup> day of August, A. D., 1999.

READ a second time this 4<sup>th</sup> day of August, A. D., 1999.

READ a third time and adopted this 4<sup>th</sup> day of August, A. D., 1999.

(SEAL)

---

Mayor

---

Town Administrator

**SCHEDULE "A" TO BYLAW NO. 99-613**

**TOWN OF BIGGAR, SASKATCHEWAN**

**BIGGAR MEMORIAL GARDENS CEMETERY**

**CEMETERY FEES**

1. **PLOT PRICES**
  - (1) Rate For One Plot \$364.00
  - (2) Rate For Common Grave For Stillbirth \$ 23.00
  
2. **OPENING AND CLOSING**
  - (1) Single Grave \$200.00
  - (2) Common graves for stillbirth \$ 75.00
  - (3) Charges for exhumation \$350.00
  
3. **OTHER CHARGES**
  - (1) Extra cost for funerals on Saturdays, Sundays or statutory holidays unless necessitated by Federal or Provincial regulations \$100.00
  
4. **CEMETERY PERMITS**
  - (1) Cemetery Permit Fee \$ 10.00
  
5. **CONSUMER PRICE INDEX**

An increase rounded up to the next highest \$1.00 shall be added to the plot price on April 1<sup>st</sup> of each year based on the annual change in CPI for Saskatoon for the previous calendar year.

