



**VILLAGE OF CREMONA**

**BY-LAW NO: 508-23**

**BEING A BYLAW OF THE VILLAGE OF CREMONA IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE CONTROL AND MANAGEMENT OF THE CREMONA COMMUNITY CEMETERY. THIS BYLAW SHALL BE KNOWN AS THE "CEMETERY BYLAW."**

**WHEREAS**, The Village of Cremona owns and operates a cemetery on land described as Part of Lot 2, Block 1, Plan 0412649 NW-35-29-04-W5M, and Plan 5494FS NW-35-29-04-W5M in the Province of Alberta;

**AND WHEREAS**, the Council of the Village of Cremona deems it necessary to pass a bylaw respecting the operation and to provide for the Control and Management of the Cremona Community Cemetery.

**AND WHEREAS**, under and by virtue of the authority conferred upon it by the Municipal Government Act, (M.G.A.) R.S.A. 2000, Chapter M-26, as amended or repealed and replaced from time to time, authorizes the Village of Cremona to regulate services provided by or on behalf of the Municipality;

**NOW THEREFORE** the Council of the Village of Cremona, in the Province of Alberta, duly assembled, enacts as follows:

**PART 1 DEFINITIONS**

- a) **"Burial"** means the interment of human remains or cremated human remains in a grave.
- b) **"Base"**: shall mean the bottom part of the lower portion of a monument.
- c) **"Block"**: shall mean an area of more than one plot.
- d) **"C.A.O"**: shall mean the Chief Administrative Officer of the Village.
- e) **"Cemetery"**: shall mean the following land hereby declared to be the cemetery of the Village of Cremona and shall hereafter be known as the Cremona Community Cemetery,
- f) **"Council"**: shall mean the Council of the Village of Cremona.
- g) **"Grave Liner"**: shall mean a concrete box placed in a grave to house a casket.
- h) **"Licensee"**: shall mean a person or persons who purchase a lot or lots in the cemetery
- i) **"Lot"**: shall mean a subdivision of land for the purpose of interment in the cemetery as shown on the cemetery map on record with the Village.
- j) **"Memorial Wall"**: shall mean a specified wall for the purpose of attaching memorial plaques.

- k) **“Monument”**: shall mean a memorial serving to help people remember a person buried in the cemetery.
- l) **“Interment”** means the excavation of a grave to the required depth and size, the placing (but not the provision) of an outer receptacle, the backfilling of the grave and the removal of any excess earth;
- m) **“Non-resident”**: is a person who has never lived in the Village of Cremona or Mountain View County.
- n) **“Permit”**: shall mean a prescribed form by the Village for application to carry out any work at the cemetery.
- o) **“Plot”**: shall mean one grave.
- p) **“Resident”**: is a person who has resided in the Village of Cremona and/or Mountain View County.
- q) **“Ribbon”**: shall mean a continuous strip of concrete with burial lots oriented perpendicular on each side and upon which monuments may be erected.
- r) **“Village”**: shall mean the Village of Cremona.

**PART 2 GENERAL RULES:**

**2.1** No person shall, while in the cemetery:

- a) Willfully destroy, mutilate, deface, injure, write upon or remove any monument, marker or other structure or object placed in the cemetery or any fence, railing or wood installed for protection or ornamentation.
- b) Willfully destroy, cut, break, pick or injure any tree, shrub or plant.
- c) Play any game or sport or discharge any firearm except at a military funeral.
- d) Willfully or unlawfully disturb the quiet or good order of the cemetery or persons assembled for the purpose of burying a body by improper noise or conduct.
- e) Be a nuisance, or at any time behave in an indecent or unseemly manner.
- f) Interfere with the cemetery or any lot, monument, marker, or other structure.

**2.2** No unleashed pets shall be allowed in the cemetery.

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- 2.3 All work in the immediate vicinity of a lot shall be discontinued during a burial service.

**PART 3. BLOCK, PLOT AND LOT:**

- 3.1 The Village shall make all sales of lots in the cemetery and shall receive all monies resulting from the sale of such lots.
- 3.2 Every lot sold must be purchased for a specific individual or for a specific family.
- 3.3 Any person(s) purchasing a lot must provide the name and contact information for a family member, descendant or responsible party to the Village Office. Any lot purchased for the purpose of reservation for a future interment will be subject to the following conditions:
- a) the Village will call each contact person for each reserved but unoccupied lot on a cycle of a minimum of every five (5) years to ensure that the lot is still required.
  - b) if the Village should be unable to contact this person within a period no less than two (2) weeks after the first attempt then the plot fee will be forfeited and the plot will be eligible to be resold.
- 3.4 The Village reserves the right to limit the number of lots developed and/or make available for sale each year, and to direct the area and sequencing of development and lots sales.
- 3.5 The CAO or designate shall keep a current account of all monies received there from and of all expenditures made in connection with the cemetery, the location of each lot, the name of the licensee of each lot, the name and location of each and every interment and disinterment and all other transactions necessary to keep a complete record of all business transacted in the cemetery.
- 3.6 The fees for the purchase, opening or closing of lots at the cemetery shall be in accordance with the rates set out in the Village of Cremona Rates Bylaw.
- 3.7 Any person acquiring a lot or lots under the provision of this Bylaw shall

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only acquire the right and privilege of burial of the dead therein subject to the provisions of this Bylaw and shall not be deemed to acquire any title

to the land which shall remain vested in the name of the Village.

- 3.8 If the Village for any reason deems a previously purchased lot unusable, the Village will supply a similar lot at no cost to the original purchaser or heirs and the original lot shall revert to the Village.
- 3.9 No lots shall be further subdivided or altered in any manner at variance with the cemetery plans unless authorized by the Village.
- 3.10 The Village shall take all reasonable precautions to protect licensees and the property rights of the licensee within the cemetery from loss or damage; but the Village distinctly disclaims all responsibility or liability for loss or damage from causes beyond its control and especially from damage caused by the elements, of an act of God, common enemies, thieves, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or an order of a military or civil authority.

#### **PART 4. INTERMENTS AND DISINTERMENTS**

- 4.1 No lot shall be used for any other purpose than for the burial of the human dead.
- 4.2 No interments in an adult lot shall contain more than (1) casket and (8) cremains. At the discretion of the CAO or designate any lot may have this maximum capacity lowered for any reason.
- 4.3 Whenever a block, plot or lot is held jointly by two or more parties, authority for interment in such block, plot, or lot or any part thereof will be accepted by the Village from anyone of the said parties or their executors or agents.
- 4.4 No interments shall be permitted in the cemetery until an approved burial permit has been filed with the Village.
- 4.5 The use of a flat lid grave liner is a requirement for casket burial within the cemetery.
- 4.6 The Village assumes no liability or responsibility for any interments.
- 4.7 Notwithstanding any other provision of this bylaw, orders for burials must reach the Village (48) hours (two clear working days) before burial is to take place, unless the C.A.O., for emergency reasons, otherwise allows.
- 4.8 Burial services are not permitted on Sunday. Burial services shall be

primarily conducted between the hours of 8:00 a.m. to 3:00 p.m. Monday to Friday inclusive. If burial service is required after 3:00 p.m. or on Saturday or Statutory Holidays, such fees to provide same shall be based on the rate as stated in the Village of Cremona Rate Bylaw.

- 4.9 Lots shall be opened and closed only by persons employed by the Village or with prior approval from the Village and no person or persons, not under the Control or employment of the Village shall open or close any lot for the purpose of interring or removing a body.

## **PART 5. CARE OF LOTS**

- 5.1 The Village is the sole provider of general care services of the entire cemetery. The licensee of a lot shall observe all rules and regulations passed from time to time by the Village for keeping lots in order.
- 5.2 The village employees shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the cemetery as soon as they become unsightly, dangerous, detrimental, or diseased.
- 5.3 The Village reserves the right to prevent the planting or removal of any flowers, floral designs, trees, shrubs, plants or herbage of any kind.
- 5.4 All installations in the cemetery not conforming to the rules, regulations and provisions of the bylaw may be made to conform by the Village, except where such conformity may destroy the installation.

## **PART 6. OFFENCES & PENALTIES**

- 6.1 Any person, who contravenes any provision of this Bylaw, is guilty of an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 (ten thousand dollars), or to imprisonment for not more than one year, or to both fine and imprisonment.
- 6.2 The Chief Administrative Officer or a Bylaw Enforcement Officer is hereby authorized and empowered to issue Violation Tags to any person who the Chief Administrative Officer or Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 6.3 A Violation Tag may be issued to such person:  
a) Either personally; or  
b) By mailing a copy, via registered mail, to such person at his or her last known postal address.



- c) The Violation Tag shall be in a form approved by the Chief Administrative Officer or Bylaw Enforcement Officer and shall State;
- d) The name of the person; The offense; The appropriate penalty for the offense as specified in Schedule "B" of this Bylaw;
- e) That the penalty shall be paid within 21 days of the Violation Tag; and
- f) Any other information as may be required by the Village.

6.3 The levying and payment of any fine or imprisonment for any period provided in the Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs, from which he is liable under the provisions of this Bylaw.

## **PART 7. GENERAL**

Any provision contained within this Bylaw is subject to being changed at the discretion of the C.A.O. Changing of a provision is independent of all other provisions and it is further the intention of the Municipal Council that if any provision of this by-law is changed or is declared invalid, all other provisions shall remain valid and enforceable.

11.2 Bylaw 386-05 is hereby rescinded.


This By-law shall have full force and effect on the final passing thereof.

READ THE FIRST TIME THIS 21<sup>ST</sup> DAY OF NOVEMBER, A.D., 2023.

READ A SECOND TIME THIS 21<sup>ST</sup>, DAY OF NOVEMBER, A.D., 2023.

READ A THIRD TIME THIS 21<sup>ST</sup> DAY OF NOVEMBER, A.D., 2023.

READ A THIRD AND FINALLY PASSED THIS 21<sup>ST</sup> DAY OF NOVEMBER, A.D., 2023



Tim Hagen, Mayor



Karen O'Connor, Chief Administrative Officer



## Schedule "B"

### VILLAGE OF CREMONA

#### BY-LAW NO: 508-23

**BEING A BYLAW OF THE VILLAGE OF CREMONA IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE CHARGING OF RATES FOR THE VARIOUS SERVICES THAT THE VILLAGE OF CREMONA PROVIDES AND TO ALLOW FOR CEMETERY SERVICES FEE SCHEDULE.**

**WHEREAS** pursuant to the provision of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26-1, as amended, the Council of the Village of the Cremona deems it desirable to pass a Bylaw to provide for the charging of rates for the various services that the Village of Cremona provides.

**NOW THEREFORE** the Council of the Village of Cremona, duly assembled, enacts as follows:

- 1 **Short Title:** This Bylaw may be cited as the Rates Bylaw.
- 2 **Cemetery Fees (Bylaw 509-23)**

#### **RATES FOR CEMETERY PLOTS:**

Resident: \$350.00 + \$350.00 Perpetual Care Fee  
Non-Resident: \$1,000.00 + \$1,000.00 Perpetual Care Fee

#### **OPENING AND CLOSING FEES:**

	<u>Plots</u>	<u>Cremins</u>
Summer (May-October):	\$750	\$75
Winter (November-April):	\$850	\$75

#### **OVERTIME FEES:**

Weekdays outside of 8am - 3pm  
and Saturdays/Statutory Holidays \$50.00 per hour/per person

#### **MEMORIAL WALL FEES:**

Memorial Wall: \$100.00 + \$ 200.00 Perpetual Care Fee