

**TOWN OF HANNA  
PROVINCE OF ALBERTA  
BY-LAW 1021-2021**

A BYLAW OF THE TOWN OF HANNA, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATION OF THE HANNA MUNICIPAL CEMETERY.

WHEREAS *the Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 provides that a council of a municipality may pass bylaws respecting services provided by the municipality; and

WHEREAS the Town of Hanna owns and operates a cemetery on land described as Part of the SE ½ 21-31-14-W4M & NE ¼ 16-31-14-W4M; and

WHEREAS the Council of the Town of Hanna deem it necessary to pass a bylaw respecting the operation of the Hanna Municipal Cemetery

NOW THEREFORE THE COUNCIL OF THE TOWN OF HANNA ENACTS AS FOLLOWS:

**PART I BYLAW TITLE**

1.1 This bylaw shall be known as "the Hanna Municipal Cemetery Bylaw".

**PART II DEFINITIONS**

- 2.1 "Burial Plot" shall mean a single grave plot for burial of a casket or cremation urn.
- 2.1.1 Block Sections – Casket – Burial plots for caskets measure four feet by nine feet (4' x 9'). Each burial plot may be used for a maximum of one casket and/or four cremation urns.
- 2.1.2 Row Sections – Casket – Burial plots for caskets measure five feet by ten feet (5' x 10'). Each burial plot may be used for a maximum of one casket and/or four cremation urns.
- 2.1.3 Row Sections – Cremations – Burial plots for cremation urns measure five feet (5') by five feet (5') in size. Each cremation plot may be used for a maximum of two cremation urns.
- 2.2 "Chief Administrative Officer" is the person appointed by Council in accordance with the *Municipal Government Act*, or their delegate, and may be referred to throughout this bylaw as "CAO".
- 2.3 "Columbarium" shall mean an above ground structure containing compartments for storing the ashes of human remains that have been cremated.
- 2.4 "Columbarium Niche" shall mean reinforced concrete shelves that are finished in polished granite to hold cremation urns. Each columbarium niche may be used for a maximum of two cremation urns. Each niche measures twelve inches by twelve inches by sixteen inches (12 x 12 x 16).

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- 2.5 "Council" means the Council of the Municipality of the Town of Hanna.
- 2.6 "Field of Honour" shall mean an area in the Cemetery reserved for burial of veterans and their spouses. Non-veteran spouses may be buried with their spouse only after the veteran has been interred.
- 2.7 "Flowering Ornamental" shall mean any perennial, annual or bi-annual flowering plant.
- 2.8 "Interment" shall mean to place a casket or cremation urn in the cemetery. It means the excavation of a grave for a burial to the required depth and size, the back filling of the grave and the removal of any excess earth or the opening and closing of a columbarium niche.
- 2.9 "Memorial Monument" shall mean a monument placed in the cemetery, not on a burial plot.
- 2.10 "Marker" shall mean a memorial of granite, marble, bronze or other material, being placed on the monument foundation where provided or flush with the ground in areas without the monument foundation.
- 2.11 "Monument" shall mean a memorial of granite, marble, bronze or other material, which extends or rises above the ground to within a certain height and placed on the monument foundation where provided or on a suitable foundation in areas where the monument foundation is not provided.
- 2.12 "Owner" shall mean the person on record with the Town of Hanna as having purchased the burial plot.
- 2.13 "Reasonable Notice" means seven (7) days from the date of mailing of a notice.
- 2.14 "Town" shall mean the Town of Hanna or its duly authorized representatives.
- 2.15 "Undertaker" shall mean any registered or licensed embalmer or mortician or any other person authorized by Provincial Statute to inter deceased persons.
- 2.16 "Veteran" shall mean a person who at any time was a member of the armed forces of Canada, the United Kingdom, or any armed forces of a country allied with Canada or the United Kingdom, who served in any war or a member of the Royal Canadian Mounted Police.
- 2.17 "Woody Ornamental" shall mean any trees, shrubs and creeping or climbing plants.

### **PART III ADMINISTRATION**

- 3.1 The Chief Administrative Officer shall make all sales of burial plots in the Cemetery and opening/closing of burial plots and shall receive all monies resulting from the sales and opening/ closing of such burial plots.

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- 3.2 The Chief Administrative Officer shall keep a correct account of all monies received and of all Town expenditures made in connection with the Cemetery and shall keep a suitable book of record with a descriptive record of each burial plot in the Cemetery and of every transfer or sale of a burial plot with the date of each sale or transfer of all business transacted in connection with the Cemetery.
- 3.3 The Chief Administrative Officer shall have the power to order the burial plots be sold in rotation or any manner considered suitable.
- 3.4 The price of burial plots, columbarium niches and opening/closing of burial plots shall be established in Schedule A of this Bylaw.
- 3.5 The Chief Administrative Officer shall designate the place where material to be used in connection with any work at the Cemetery is to be stored, or where excavated material is to be placed.
- 3.6 It shall be the duty of the Chief Administrative Officer to set aside and maintain an area in the Cemetery, which shall be known as a Field of Honour.
- 3.7 While the Town undertakes to provide all reasonable safeguards against damage, either willful or accidental, any marker or monument placed by the owner on any plot in the Cemetery is at the owner's risk.

#### **PART IV BURIAL PLOTS OR COLUMBARIUM NICHES**

- 4.1 Burial plots or columbarium niches shall be available for the burial of human remains at all times.
- 4.2 Charges for burial plots, columbarium niches, interments or disinterments are established in Schedule A of this Bylaw.
- 4.3 Burial plots or columbarium niches may be purchased and held in reserve by any person or estate by paying, in full, the price for the burial plot or columbarium niche as set out in Schedule A.
- 4.4 Burial plots or columbarium niches reserved in the Cemetery shall not be resold or transferred by any person or estate to any other person or estate, except with the permission of the Chief Administrative Officer.
- 4.5 The owner of a reserved burial plot or columbarium niche in the Cemetery may contact the Chief Administrative Officer to cancel the reservation in which case the Town will refund said holder 100% of the amount originally paid for such reserve.
- 4.6 The next of kin must provide permission for the burial of a person not registered to be buried in a reserved burial plot or columbarium niche.
- 4.7 Burial plots or columbarium niches shall not be used for any purpose other than interment of human remains.

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**PART V MONUMENTS, MARKERS & MEMORIALS**

- 5.1 Town administration must be contacted prior to the installation of monuments and/or markers in the Cemetery, to ensure that the monument or marker is being placed in the correct location.
- 5.2 In the Row Sections where cement monument foundation is provided, no concrete, stone, stucco, marble, granite or other type of loose or slab cover will be permitted on any burial plot and no concrete or stone corners, boundary walls, markers, fences, railings, walls, copings, boxes or other structures will be permitted on any burial plot. The only construction permitted will be for the placement of a monument or marker upon the cement foundation provided by the Town. Monuments or markers must be placed in proper alignment on the foundation in reference to the burial plot and shall be less than 2' in width and less than 5' in length for a single grave.
- 5.3 In the Block Sections without cement monument foundations, persons desiring to place a cover on any burial plot must obtain permission from the Chief Administrative Officer. Where there is an existing cover laid for a deceased relative, the new cover must be of a similar material and the space between all such covers must be sealed by concrete.
- 5.4 Under no circumstances will any structure exceed the width and length of the burial plot.
- 5.5 Twelve (12) full months should elapse between the date of interment and the placing of any monument or permanent cover, except in areas where the Town has provided concrete monument foundations.
- 5.6 Inscriptions on Monuments or Markers must be of sufficient depth and quality so as to be legible and durable. Metal plaques which oxidize or deteriorate are not permitted.
- 5.7 No inscription shall be placed on any Monument or Marker which is not in keeping with the dignity and decorum of the Cemetery
- 5.8 All persons erecting Monuments or Markers shall ensure that such Monuments or Markers are firmly secured to the foundation, and that the foundation is adequate to carry the Monument or Marker.
- 5.9 Memorial monuments must be approved by the Chief Administrative Officer prior to placement in the cemetery. The guidelines are established in Schedule B of this Bylaw.

**PART VI INTERMENT OR DISINTERMENT**

- 6.1 The Town or any officer thereof shall not be responsible for any mistake resulting from lack of precise or proper instruction regarding the burial plot where an interment is to be made or has been made.

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- 6.2 No burial shall be permitted in the Cemetery unless a burial permit issued by the proper office of the Government is provided to the Town.
- 6.3 Undertakers must provide the necessary lowering devices and make their own arrangement for the placing of mats, wreaths, flowers, etc. around the burial plot.
- 6.4 In the case of interment and disinterment, the excavations shall be made by person(s) authorized and under the direction of the Chief Administrative Officer.
- 6.5 In all cases, notification of intention to inter must be given to the Town office during regular office hours
- 6.5.1 Between May 1 and October 31 in any year, at least 48 hours prior to the time of the interment.
- 6.5.2 Between November 1 and April 30 in any year, at least 72 hours prior to the time of the interment.
- Notification may be waived when body to be interred died from a contagious disease or if special circumstances so require.
- 6.6 Funerals must reach the Cemetery not later than 4:00 P.M. on the date of the burial. The Off Hours charge will apply if it is necessary for Town personnel to remain after their usual working hours.
- 6.7 All work being conducted in the immediate vicinity of the Burial plot shall be discontinued during a burial service at that burial plot.
- 6.8 Disinterment of a body shall not take place until a permit for disinterment is issued by the Provincial Director of Vital Statistics and delivered to the Town of Hanna.
- 6.9 The person requesting a disinterment shall give complete and precise instructions regarding the location of the grave. The Town of Hanna shall not be responsible for any errors resulting from the lack of proper instruction.

## **PART VII MAINTENANCE**

- 7.1 The Town is responsible for maintenance of the Cemetery grounds, except for monuments, markers or other structures on graves.
- 7.2 Once an interment has taken place in a burial plot, topsoil will be put in place and leveled. Once weather permits and wherever possible, the plot will be seeded to grass by the Town.
- 7.3 Every owner of a burial plot or next of kin shall maintain any monument or structure in proper repair.
- 7.4 The Chief Administrative Officer may authorize the removal of any Monument from a Burial Plot when necessary to gain access to another plot, provided that such Monument is re-installed in a like manner.

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- 7.5 The Chief Administrative Officer shall have authority to have removed from any grave any weeds, grass, funeral designs or floral pieces that have become wilted, or any other articles or items, which are in his opinion, unsightly.
- 7.6 Where any curbs, fences, railings, walls, copings, trellises, hedges, tree, or shrubs, or the like on or around a burial plot have by reason of age or neglect become unsightly or objectionable, the Chief Administrative Officer may cause same to be removed, but in doing so, will leave the area in a safe, proper and neat condition.
- 7.7 Where the Chief Administrative Officer finds any monument, marker or other structure upon a burial plot in a state of disrepair, unsightly or objectionable, or directly interfering with routine cemetery maintenance, the Chief Administrative Officer may cause such to be removed, after 30 days notice of the intention to do so has been given to the owners of the plot, or to the next of kin if the owner is deceased, or published in a newspaper circulated in the Town of Hanna, if the relatives are unknown.
- 7.8 If in the opinion of the Chief Administrative Officer, any woody ornamentals situated on or about the Cemetery become, by means of their roots or branches, or in any other way detrimental to adjacent Burial plots, walks or driveways, prejudicial to the general appearance of the grounds, or dangerous or inconvenient to the public, the Chief Administrative Officer shall have the right to direct the removal of such woody ornamentals, or any parts thereof.
- 7.9 Any person who willfully destroys, mutilates, writes on, defaces, injures or removes any monument or marker, or any structure, vehicle, building, machinery, tools, equipment, or any material placed or left in the Cemetery, or any railing, fence or other work for the protection, maintenance, or ornamentation of the Cemetery or burial plot, or willfully destroys, cuts, picks, breaks, or injures any woody ornamental in the Cemetery or plays any game or sport or discharges or carries a firearm except firearms at a military funeral, or who willfully or unlawfully disturbs persons assembled for the purpose of burying a body in the Cemetery, or who commits a nuisance or at any time behaves in an indecent or unseemly manner in the Cemetery, shall be subject to the penalties of this By-Law.
- 7.10 No person shall turn loose, ride or allow going at large any cattle, swine, horses, dogs, cats or any other animal in the Cemetery.
- 7.11 All material and equipment likely to injure any grass, shrubbery, monument, marker or cover shall be moved on planks or otherwise in such a manner as to protect such grass, shrubbery, monuments, markers and covers from injury.
- 7.12 All vehicles shall use established roadways.
- 7.13 Any regulations not followed regarding structures on burial plots will result in the removal of said structure at the owner's expense.

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## **PART VIII GENERAL PROVISIONS**

- 8.1 No person shall disturb the quiet and good order of the Cemetery by noise or other improper conduct.
- 8.2 The Town of Hanna will take all reasonable precautions to protect the property within the Cemetery, but assumes no responsibility for the loss of, or damage to, any Monument, Marker or part thereof or any other article placed on a Burial Plot or to a Plot itself.
- 8.3 No person, other than authorized Town employees, shall disturb or remove or place any Flowering Ornamental, Woody Ornamental, sod or dirt anywhere in the Cemetery except as may be provided for herein.
- 8.4 No person shall place woody ornamentals on a burial plot or at the head or foot of a burial plot.
- 8.5 No person shall destroy, damage, deface or write upon any Monument, Marker or other structure or object in the Cemetery.
- 8.6 No person shall deposit any paper, sticks or refuse of any kind on any portion of the lands within the boundaries of the Cemetery, except in receptacles provided for that purpose.

## **PART IX ENFORCEMENT**

- 9.1 Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable to pay a fine not exceeding \$5,000 exclusive of costs, for breach thereof, or in the case of non-payment of the fine and costs, imprisonment for a period not exceeding 60 days.

## **PART XI SEVERABILITY**

- 10.1 Should any provision of this Bylaw be invalid then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

## **PART XII REVIEW AND ENACTMENT**

- 11.1 Town of Hanna Bylaw 941-2008 and any amendments thereto are hereby repealed.
- 11.2 This bylaw shall come into effect as of the date of final reading.

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READ A FIRST TIME THIS 13<sup>th</sup> DAY OF JULY 2021.

READ A SECOND TIME THIS 13<sup>th</sup> DAY OF JULY 2021.

  
\_\_\_\_\_  
Mayor Chris Warwick

  
\_\_\_\_\_  
Chief Administrative Officer  
Kim Neill

READ A THIRD TIME AND FINALLY PASSED THIS 13<sup>th</sup> DAY OF JULY 2021.

  
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Mayor Chris Warwick

  
\_\_\_\_\_  
Chief Administrative Officer  
Kim Neill

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Schedule A  
Municipal Cemetery Bylaw

Rates effective July 13, 2021

Charge for a Grave

Casket	\$300.00
Infant Section	\$100.00
Cremation	\$150.00
Columbarium Niche (Top two rows)	\$1,150.00
Columbarium Niche (Lower rows)	\$1,050.00

Charge for Interment (Regular Working Hours)

Casket	\$400.00
Infant Casket	\$100.00
Cremation	\$100.00
Columbarium Niche	\$75.00

Charge for Interment (Off Hours)  
(Saturday, Sunday, Evenings & Holidays)

Casket	\$600.00
Infant Casket	\$200.00
Cremation	\$200.00
Columbarium Niche	\$150.00

Charge for Disinterment (Regular Working Hours)

Casket	\$600.00
Infant Casket	\$100.00
Cremation	\$100.00
Columbarium Niche	\$75.00

Charge for Disinterment (Off Hours)  
(Saturday & Sunday, evenings & holidays)

Casket	\$700.00
Infant Casket	\$200.00
Cremation	\$200.00
Columbarium Niche	\$150.00

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Schedule B  
Municipal Cemetery Bylaw

To provide guidance the placement of a memorial monument at the Hanna Municipal Cemetery.

1. All costs related to a memorial monument are the responsibility of the person making the request.
2. Requests to place a memorial monument must be made in writing to the Chief Administrative Officer. Requests must include:
  - a. Design features
    - i. Angel, bench, cross, obelisk, statue, etc.
    - ii. Monument material
    - iii. Monument size
  - b. Preferred location for the monument.
3. Memorial monuments must be placed on a cement foundation.
4. Memorial monuments shall not be placed in the Cemetery without written approval.

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