

TOWN OF STOUGHTON

BYLAW #367/09

A BYLAW OF THE TOWN OF STOUGHTON TO PROVIDE  
FOR THE CONTROL AND REGULATION OF THE STOUGHTON CEMETERY.

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

1. That part of the South West Quarter Section 33, Township 8, Range 8, West of the 2<sup>nd</sup> Meridian, in the Province of Saskatchewan, acquired by the Town of Stoughton for cemetery purposes as approved by the Registrar under *The Cemeteries Act* shall be and is hereby appropriated as a public cemetery to be called the Stoughton Cemetery.
2. Subject to the provisions of section 13 hereof no burial shall be made in the Stoughton Cemetery unless a license has been obtained in accordance with this bylaw.
3.
  - a) The remains of any person whose death occurs in the Province of Saskatchewan shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of in the Stoughton Cemetery unless a permit of burial, removal or other disposal shall first have been issued by the registrar of the division in which the death occurs, or in the case of territory without municipal organization by the nearest convenient registrar.
  - b) Provided that when the death has occurred outside the Province and the body is brought into the province or burial in the Stoughton Cemetery, the transit and removal permit purporting to be signed by the registrar or proper officer of the place where the death occurred shall be deemed a sufficient permit of burial.

4. Upon written application therefore and upon payment of the fees hereinafter set forth, the Secretary Treasurer of this town, shall issue a license for a burial lot for the burial of a deceased person in the Stoughton Cemetery.

5. The license fees and all charges for work done and/or services rendered at the Stoughton Cemetery shall be in accordance with the fees and charges as set out in Schedule "A"

6. The fees, charges and rates as set out in Schedule "A" shall come into effect on July 8, 2009 and shall remain into effect until amended by bylaw.

7. All fees collected for perpetual care shall be invested by the Town of Stoughton in a separate fund called the 'Perpetual Care Fund' and shall be invested in accordance with the provisions of *The Cemeteries Act*.

8. Every license shall be in the following form:

TOWN OF STOUGHTON

In consideration of the sum of \$150.00 paid this day of \_\_\_\_\_ to the Secretary Treasurer of the Town of Stoughton, he/she is hereby granted a license and permission to use for the purpose of burial therein,  
Lot (s) \_\_\_\_\_ Plot \_\_\_\_\_ Block \_\_\_\_\_ in the Stoughton Cemetery.  
This license is granted subject to the provisions of Bylaw #367/09 governing said cemetery.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_.  
Cemetery License # \_\_\_\_\_.

9. No licensee of a lot shall allow any interment made therein for remuneration.

10. The licensee of a lot in the 'new' (Blocks 109-156) section of the cemetery may, subject to the approval of the Council, install a brass plaque or a granite marker, provided it does not rise more than 4 inches above the sidewalk. The memorial base may no higher than the sidewalk. The plaque must be securely anchored to the base of the memorial. The plaque shall not project beyond a plumb line from the outside dimension of the memorial base.

11. The Town of Stoughton shall set up a trust fund to be called the 'Stoughton Cemetery Trust Fund' in which will be deposited all fees received by way of the sale of cemetery licenses.  
The income from the Stoughton Cemetery Trust Fund may be paid to the Stoughton Cemetery Committee for the general upkeep of the cemetery as may be required from time to time. The Stoughton Cemetery Committee must requisition such sum from the town, setting out where such sum is to be paid.  
The principal monies of the Stoughton Cemetery Trust Fund may be expended on capital projects for the Stoughton Cemetery, as approved by council resolution.

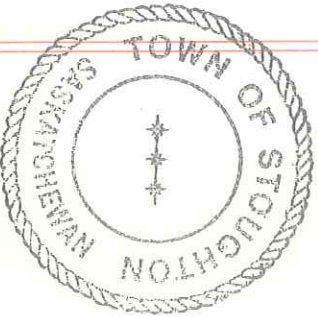
12. Upon payment of the fees which shall include perpetual care charges and which shall be established by resolution of Council from time to time, any party may secure a plot(s) in the Stoughton Cemetery.


13. No mounds shall be made in the Cemetery to a greater height than two (2) inches above the surrounding ground.



14. The licensee of a lot is prohibited from planting any trees and/or shrubs or any other plant material on any lot.
15. The licensee of a lot is prohibited from constructing any fence, railing, trellis or coping.
16. The Council may, if the condition is not remedied by the Licensee, remove any plant material, fencing, railing, trellis or coping present at the date this Bylaw is passed that:
  - a. Is in a state of disrepair.
  - b. Becomes offensive.
  - c. Encroaches on adjacent burial plots, roadways or walkways.
  - d. Cemetery maintenance becomes an issue.
  - e. At the discretion of Council.
17. The Town of Stoughton shall, pursuant to section 16, send a notice in writing to the Licensee at the last known address and post a notice for thirty (30) days on the gravesite directing the Licensee to contact the town office. If no claim is made to the Council after the expiry of thirty (30) days or where no notice can be given, the Council shall dispose of the articles.
18. No work shall be done in the Cemetery without a permit issued by Council.
19. Ornaments, including flower holders or vases, crosses and statues, may be permitted on burial plots if they are:
  - a. Unbreakable – meaning impossible to break under normal usage and/or easily broken with rough usage, able to withstand an attempt to vandalize or break, including, but not limited to; stone, slate, granite, concrete, hardened/rubberized plastic, steel and other materials.
  - b. Permanently secured to the base of the memorial.
  - c. Does not exceed 36 centimeters in height; and
  - d. Does not project a plumb line from outside dimension of the memorial base.
20. No monuments or markers for the purpose of designating graves shall be allowed in the Cemetery unless such monument or markers have first been submitted to and approved by Council and their permission for the erection of the same herein has been obtained in writing.
21. No new curbs or structures of any material shall be permitted around or over any gravesite.
22. In any case where the Council decides that any grave or plot, cover, curbing or object is unsightly, they shall give the next of kin of the interred written notice to remove from the grave or plot any unsightly cover, curbing or object within thirty (30) days of the date of such notice.
23. In the event that the next of kin shall not comply with the notice of Council, or in the event that the next of kin cannot be located, then the Council shall conduct the necessary work to remedy the unsightliness.
24. Benches and other permanent structures can be purchased with the permission of the Council; the placement would be up to the discretion of the Council and then would become the property of the Town of Stoughton.
25. During Winter months (October 16 to April 14) all vases attached to monuments must be inverted and flowers must be removed. The town assumes no responsibility for missing or damaged flowers and vases.
26. Temporary items that are placed on a grave, monument or concrete foundation are considered temporary and are removed or disposed of on a monthly basis by the town; definition of temporary items are at the discretion of Council.
27. Permanent items only approved monuments or approved parts thereof are considered permanent items and are permitted to remain in the cemetery year-round.
28. At the time of interment, all types of flowers and other items are permitted on the grave the day of the burial and will be left for a period of seven (7) calendar days. Any time after this period, the item will be removed and disposed of by the town.
29. The town of Stoughton reserves the right to plant or remove all perennial flowers, shrubs and trees and to landscape or to carry out improvements to the cemetery grounds.
30. The Council shall, from time to time, report to the owners of the lots upon the condition of any monument out of repair and it shall be the duty of the owner of such monument to repair such monument without delay, to the satisfaction of Council.
31. Whenever an owner of a monument neglects to make the required repairs or alterations within three (3) months after receiving due notice from the Council, the Council shall have the authority to remove such monument from the cemetery or to repair such monument and charge the cost of such removal or repair to the owner, which may be recovered as a debt from the owner to the town.
32. The Town of Stoughton will not be responsible for the cost of any repair resulting from damage to any tombstone or monument however caused, nor shall the town be responsible for the upkeep of any tombstone or monument.


33. The licensee of lots and their families shall be allowed access to the grounds at all reasonable times and may improve their lots at such times.
34. The interment of destitute persons shall be in the next available lot in the series of lots that are being sold at that time.
35. No burial shall take place in the Stoughton Cemetery except when an agent of the town is present.
36. The Secretary Treasurer of the town shall keep an accurate record setting forth the name of the deceased person, the location of burial of such person and the date of burial.
37. When possible at least one day's notice of an intended burial shall be given to the Secretary Treasurer of the town or the town's agent. Such notice shall state the size of the coffin or, the measurement of the case, and the location of the grave.
38. The Town of Stoughton shall be responsible for digging and back-filling all graves. The charges shall be paid to the Secretary Treasurer of the Town of Stoughton before the interment. The receipt shall be given and produced at or before the time of interment.
39. No graves shall be opened and no disinterment shall take place unless a written permit is obtained from the Minister of Public Health.
40. Any person found guilty of an infraction of any of the provisions of this bylaw shall be liable to the penalties imposed by the general penalties of the town.
41. Bylaw # 358/08 hereby repealed.



  
Heather Balon-Barnmann, Mayor

  
R. C. Miskolczi, Administrator

Certified a true copy of Bylaw #367/09  
adopted by resolution of council on the  
7th day of July .

  
R. C. Miskolczi, Administrator

SCHEDULE 'A'

The Cemetery rates are as set out below:

Plots including Perpetual Care \$150.00 plus GST

Internment Summer Weekday Rates (April 15 to October 15) - \$400.00 plus GST

Internment Weekends/Holidays Rates (i.e. overtime Costs extra) - \$500.00 plus GST

Internment Winter Weekday Rates (October 16 – April 14) - \$500.00 plus GST

Internment Weekends/Holidays Winter Rates (i.e. overtime costs extra) - \$600.00 plus GST

Internment Cremains Year Round Rates - \$150.00 plus GST

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