

**TOWN OF STOUGHTON
BYLAW # 436/16**

A BYLAW RESPECTING THE USE AND SALE OF A COLUMBARIUM

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

Short Title

1. This bylaw may be cited as the Columbarium Bylaw.

Interpretation

2. In this Bylaw:

“*Administrator*” means the Administrator for the Town of Stoughton;

“*Cemetery*” means the Stoughton Cemetery located within the SW ¼ of Sec. 33, Tp. 8, R. 8, W2M;

“*Columbarium*” means a structure or building in a Cemetery designed for the purpose of storing or interring cremated human remains in sealed compartments or niches;

“*License*” means the interment rights for a lot or niche within a Cemetery;

“*Local Authority*” means the Town of Stoughton;

“*Memorial*” means a marker or a plaque that is used to memorialize a deceased person or persons;

“*Niche*” means each individual compartment to be used for the interment of cremated human remains;

Fees and Charges

3. (a) The fees and charges for the interment in a columbarium rendered at the Stoughton Cemetery shall be in accordance with the fees and charges as set out in Schedule ‘A’.
- (b) The fees and charges in Schedule ‘A’ shall exclude provincial and federal taxes and all applicable taxes shall be charged in addition to the fees listed in Schedule ‘A’.
- (c) The fees and charges set out in Schedule ‘A’ come into effect on the date specified in Schedule ‘A’ or where no date is specified in Schedule ‘A’, on the day this bylaw is adopted by Council.
- (d) The Administrator for the Town of Stoughton may make available a Deferred Payment Plan for a product or service on any terms provided that payment in full is required before any product or service can be provided to the purchaser.
- (e) A person who purchases cemetery goods and services under the Deferred Payment Plan shall also pay the Deferred Payment Administrative Fee set out in Schedule ‘A’.

Interments

4. The purchaser of a niche in a columbarium or authorized decision-maker thereof shall, prior to any interment:
 - (a) provide to the administrative office a properly authorized cremation certificate;
 - (b) pay all required fees in full in accordance with Schedule ‘A’.
5. Interments outside normal Cemetery business hours shall be permitted only as authorized by the Administrator and on payment of the applicable Surcharge set out in Schedule ‘A’.
6. A niche in a columbarium may hold as many as two urns.

License Transfers

7. The Licensee, or if the Licensee is deceased, the authorized decision-maker, may, subject to the approval of the Town of Stoughton and on any terms deemed reasonable by the Town of Stoughton, transfer a lot or niche to any individual.

License Returns

8. The Licensee, or if the Licensee is deceased, the authorized decision-maker, may, subject to the approval of the Administrator and on any terms reasonable by the Administrator, return a niche to the Town of Stoughton.
9. A niche may not be returned where memorialization has been completed on the niche cover and is shared by more than one niche unless the same person is the Licensee or authorized decision-maker for all niches to which the memorialization applies and pays the costs required by section 10.
10. If memorialization of a niche cover has been completed then the person seeking to return the niche shall pay all costs related to the removal and replacement of the niche cover.

11. Upon return of an unused niche, the Licensee or authorized decision-maker as the case may be, shall be entitled to the following:

- (a) For niches with the care and maintenance fee prepaid:
 - (i) 85% of the original fee paid including the care and maintenance; or
 - (ii) if original proof of purchase price cannot be located or otherwise determined then a refund of \$75.00 will be provided.
- (b) For niches without the care and maintenance prepaid:
 - (i) 85% of the original fee paid; or
 - (ii) if original proof of purchase price cannot be located or otherwise determined then no refund will be provided; the niche can be surrendered to the Town of Stoughton at no cost to the Licensee or authorized decision-maker.

12. The Administrator may, in his or her sole discretion, approve or deny the application.

13. No one may:


- (a) install a memorial; or
- (b) make any alteration to any structure in a Cemetery; or
- (c) remove a memorial or memorialization without the prior written approval of the Administrator.

Penalty

14. Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided by the general penalties of the Town of Stoughton.




MAYOR


ADMINISTRATOR

Certified to be a true copy of bylaw #436/16
adopted by resolution of Council on the day of
November, 2016.


R. C. Miskolczi, Administrator

Bylaw # 436/16

SCHEDULE 'A'

FEE SCHEDULE FOR COLUMBARIUM

Double Cremation Columbarium Niche: TOP ROW (Includes Costs for Plaque, Landscaping and Upkeep, Open/Close and Administration Fee)	\$1,900.00
Double Cremation Columbarium Niche: THIRD ROW (Includes Costs for Plaque, Landscaping and Upkeep, Open/Close and Administration Fee)	\$1,800.00
Double Cremation Columbarium Niche: SECOND ROW (Includes Costs for Plaque, Landscaping and Upkeep, Open/Close and Administration Fee)	\$1,700.00
Double Cremation Columbarium Niche: BOTTOM ROW (Includes costs for Plaque, Landscaping and Upkeep, Open/Close and Administration Fee)	\$1,600.00
Weekend and Statuary Holiday Surcharge	\$ 100.00
Deferred Payment Administration Fee	\$ 90.00
Memorial Plaques for those not interred in the Columbarium	\$ 450.00

All plaques must be ordered through the town office.

Applicable taxes will be added.