

Amended  
Bylaw 3782/94  
Amended  
4300/2011

TOWN OF HIGH RIVER  
ALBERTA  
BY-LAW NO. 3510/84

BEING A BY-LAW OF THE TOWN OF HIGH RIVER TO PROVIDE FOR THE CONTROL AND REGULATION OF CEMETERIES OPERATED BY AND UNDER THE CONTROL OF THE TOWN OF HIGH RIVER.


WHEREAS


the Municipal Council has authority to pass by-laws providing for the control and regulation of the cemeteries operated by and under the control of the Municipality;

NOW THEREFORE

the Council of the Town of High River enacts as follows;

1. In this By-Law, unless the context otherwise requires:
  - (a) "Cemetery" means any cemetery operated by and under the control of the Town of High River;
  - (b) "Lot" means a lot as shown on a Plan of Subdivision of a cemetery on record in the Town Office;
  - (c) "Memorial Tablet" means a structure of bronze, marble, granite or other materials for memorial purposes placed on any grave or lot level with the surrounding ground;
  - (d) "Town" means the Corporation of the Town of High River.
2. The plans of subdivision of the lands made available by the Town for cemetery purposes now recorded in the Town Office, together with all subsequent plans of subdivision of such lands approved by the Town, shall be the plans of the cemeteries herein referred to and all interments shall be made and records kept in accordance with such plans. All such plans shall be open for inspection free of charge at the Town Office during office hours.
3. The said cemetery or burial ground shall hereafter be known as and designated as "The Highwood Cemetery".
4. No person shall further subdivide or alter any lot in any manner at variance with the subdivision of such lots as shown on the plans on record in the Town Office.
5. Lots shall be sold and maintained in the said cemetery and shall be rendered in accordance with the tariff of fees as outlined in ~~Schedule "A" of this By Law 3754/95~~ the current rate bylaw.
6. All persons who purchase lots in the said cemetery shall be responsible for the cost thereof and all charges in connection therewith, including interment costs. Such person shall in addition be responsible for compliance with the regulations governing the erection of monuments applicable to that part of the cemetery in which the interment is made.
7. No person shall sell a cemetery lot to any other person. If it is found that a lot is no longer required, then it shall be sold back to the Town for the original purchase price.
8. ~~All funds accruing from the sale of burial lots, including interment fees, shall be applied solely to the maintenance, care and upkeep of the said cemetery, including roads providing access to the cemetery.~~
9. The Town, its agents or employees shall not be responsible for any injury resulting to any persons who enters a cemetery or any damage to any lot, memorial tablet, monument or other structure located within the said cemetery, unless such injury or damage is shown to be caused by negligence of the Town, its agents or employees.

Amended  
4300/2011  
Amended  
Bylaw 3782/94  


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Bylaw 3782/94  


BY-LAW NO. 3510/84

- El.* 9. Lots in the said cemetery shall be used only for the burial of deceased human bodies.
- El.* 10. No person shall accept any reward for the interment of any body in a lot of which such person is the owner or over which he exercises any power of control.
- El.* 11. Undertakers shall have all orders for interments signed by the owner of the lot in which such interment is to be made, or by legal representatives of such owners.
- El.* 12. No burials shall be permitted in the said cemetery unless a proper burial certificate is produced by the party applying for the burial and a burial permit is issued. All applications for burials shall be made at least forty-eight (48) hours before the time of interment.
- El.* 13. No second interment nor monument shall be permitted in any lot in the said cemetery on which there are unpaid charges due and payable to the Town.
- El.* 14. No person shall carry on any work in the immediate vicinity of any burial service in the said cemetery.
- El.* 15. The portion(s) of the said cemetery known as the "Field of Honor" for the burial of service and ex-service men and women of the Armed Forces shall be as designated by Council.
- El.* 16. All burials made under the auspices of any Department of the Government of Canada or the Province of Alberta shall be made at the sole expense of the authorizing Canadian or Provincial Government Department.
- El.* 17. No person shall:
- (a) erect, plant or maintain borders, fences, railings, copings, walls, curbs, or hedges in or around any lot;
  - (b) plant any trees or shrubs in the said cemetery unless he is an employee of the Town;
  - (c) plant flowers on any lot without the consent and supervision of the Town;
  - (d) care for or cultivate any lot without the consent and supervision of the Town;
  - (e) place or deposit any glass encased wreath or any stand, holder, base, receptacle, jar, bottle, or pot made of glass on any lot;
  - (f) place or maintain any artificial floral decorations on lots between May 1st and September 30th;
  - (g) remove, destroy, prune or otherwise interfere with any trees, shrubs, plants or flowers in any cemetery without consent of the Town;
  - (h) deposit any soil, paper, sticks, or refuse of any kind on any road in the said cemetery;
  - (i) place any stand, holder, base or other receptacle for flowers or plants, or any flower pots, jars, bottles, iron and wire works, or any ornaments or construction of any kind which the Town deems to be unsightly or otherwise unsuitable for the said cemetery;
  - (j) destroy, deface, damage or write upon any memorial tablet, monument or other structure or object in the said cemetery.

BY-LAW NO. 3510/84

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<sup>18</sup> 19. The Town may remove any object erected, maintained, planted or placed in the said cemetery contrary to the provisions of Section 18.

*Ed*

<sup>19</sup> 20. If, in the opinion of the Town, any floral pieces, trees, shrubs, or plants on any lot become detrimental to adjacent lots, walks or driveways, or are prejudicial to the general appearance of the said cemetery, the Town may remove any such floral pieces, trees, shrubs, plants or any parts thereof.

*Ed*

<sup>20</sup> 21. No person shall erect:

- (a) a memorial tablet, monument or vault in the said cemetery until the design and description thereof has been approved by the Town and permission for the erection of such monument has been given, and, the Town may refuse consent if such monument, vault, or monumental structure is, in the opinion of the Town, prejudicial to the general appearance of the said cemetery or to the interests of the owners of other lots;
- (b) any monument or other memorial of artificial stone unless the Town has given permission and/or approval;
- (c) a grave marker which projects above the level of the ground in any section of the said cemetery.

*Ed*

<sup>21</sup> 22. No lot shall be covered by any slab of cement or other similar material.

*Ed*

<sup>22</sup> 23. No owner shall allow any marker, memorial tablet, monument or vault to be in a state of disrepair.

*Ed*

<sup>23</sup> 24. An owner of a marker, memorial tablet or monument shall have thirty (30) days to make repair after written notice of disrepair has been sent from the Town after which time the Town shall have power to remove or repair such marker, memorial tablet or monument and charge the cost thereof to the owner, which may be recovered as a debt due to the Town by the owner.

*Ed*

<sup>24</sup> 25. No monument shall be removed from any grave lot without the permission of the Town.

*Ed*

<sup>25</sup> 26. No person shall:

- (a) operate a vehicle on a road in the said cemetery at a greater rate of speed than 10 miles per hour (16 kilometers per hour);
- (b) operate a vehicle on any portion of the said cemetery not set aside as a road.

*Ed*

<sup>26</sup> 27. Notice given to any person pursuant to this By-Law shall be deemed sufficient if in writing and mailed postpaid to the last known address of such person as entered on the Town records.

*Ed*

<sup>27</sup> 28. The interment of the poor and all persons unable to pay the necessary expenses shall be in such portions of the ground as may be from time to time designated, and the Council is hereby empowered to furnish free such graves for the poor of any denomination on the certificate of a clergyman of the denomination to which such poor belongs and on an order signed by the Mayor, provided that where the deceased did not belong to any denomination or religious body or where it cannot be ascertained to what denomination or religious body he/she belonged, then his/her interment shall be completed upon an order signed by the Mayor only.

BY-LAW NO. 3510/84

*EB*  
29. By-Laws 161, 3225/78, 3497/84 and 3505/84 are hereby rescinded.

THIS BY-LAW COMES INTO FULL FORCE AND EFFECT UPON THE THIRD AND FINAL READING.

READ A FIRST, SECOND AND BY UNANIMOUS CONSENT OF ALL COUNCIL PRESENT, A THIRD AND FINAL TIME THIS 15 DAY OF October, 1984 A.D.

*Laurel C. Dougherty*  
MAYOR

*John B. Bish*  
SECRETARY / TREASURER

