

CITY OF NORTH BATTLEFORD
SASKATCHEWAN

BYLAW NO. 1759

A BYLAW OF THE CITY OF NORTH BATTLEFORD RESPECTING CEMETERY OPERATIONS.

WHEREAS Section 54 of *The Cemeteries Act, 1999* authorizes bylaws for the operation of cemeteries; and

WHEREAS it is deemed necessary and expedient to provide general regulations for the operations and maintenance of all of the City's cemeteries,

NOW THEREFORE THE COUNCIL OF THE CITY OF NORTH BATTLEFORD IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. This bylaw may be cited as The Cemeteries Bylaw.

2. DEFINITIONS

Except where otherwise defined herein, the words used in this Bylaw are deemed to have the same meaning as those words as defined in *The Cemeteries Act 1999* and *The Cemeteries Regulations, 2001*.

"Cemetery" means land set apart for, or used by the City of North Battleford, as a place for the interment of the dead or in which human bodies have been buried and includes any land that is set apart and is used as a site for a columbarium.

"City" means the City of North Battleford.

"City Cemetery" refers to the cemetery located on the Southeast Quarter of Section 4, Township 44, Range 16, West of the Third Meridian, Saskatchewan.

"Columbarium" means a structure or building designed for the purpose of storing or interring cremated human remains in sealed compartments or niches.

"Council" means the Council of the City of North Battleford.

"Cremated Remains" or "Cremaains" means human bone fragments that remain after cremation.

"Director" means the person appointed by Council as Director of Infrastructure Services for the City or any person appointed to act in his/her place.

"Disinterment" means the removal of buried human remains or cremated human remains or the removal of an urn with cremated human remains in a columbarium.

"Human Remains" means a dead human body but does not include cremated human remains.

"Interment" means the burial of human remains or cremated human remains or the inurnment of cremated human remains in a columbarium.

"License" means a permit provided by the City to an individual indicating ownership of a lot for the purpose of a single burial or the burial of cremains as provided for herein.

"Lot" means a space of land in the cemeteries to be utilized solely for the interment of human remains or cremated human remains and includes a niche or compartment in a columbarium.

- i. "Full lot" refers to a lot of sufficient size to accommodate a full sized casket. At the City Cemetery a full lot measures 1.5m x 3m (5' x 10') and Woodlawn Cemetery 1.2m x 2.7 (4' x 9') in Sections Christus and Devotion, and 1.5m x 3m (5' x 10') in the remaining sections of Woodlawn Cemetery.
- ii. "Child lot" refers to a lot of sufficient size to accommodate a casket that does not exceed 1.2 meters or 4' in length. A child lot is one half of a full lot sectioned width wise.
- iii. "Infant lot" refers to a lot of sufficient size to accommodate a casket that does not exceed .61 meters or 2'.

"Memorial" means a marker, headstone, tombstone, monument, plaque or inscription constructed of bronze, granite or marble, that is used to identify a lot or memorialize a deceased person being in said lot.

"Niche" means a sealed compartment located in the columbarium used to hold cremated human remains in an urn.

- i. Single niche is designed to hold one urn, that contains a maximum of two cremains, with dimensions 27.94 cm x 27.94 cm x 30.48 cm (11^{7/8}"x11^{7/8}"x12")
- ii. Companion niche (or double niche) is designed to hold two urns with dimensions 27.94 cm x 27.94 cm x 45.72 cm (11^{7/8}"x11^{7/8}"x18")

"Niche Plate" means the engraved niche door of the columbarium with the person(s) name and relative information for the person(s) interred in the niche.

"Parks Foreman" means the person appointed by the Director to act in the capacity of Supervisor of the Cemeteries.

"Plot" means a parcel of land in the cemeteries, which is comprised of two or more lots and is to be utilized solely for the interment of human remains or cremated human remains.

“Resident” means any person whose principle residence lies within the corporate limits of the City of North Battleford at the time of death and former residents who are now in the charge of the Prairie North Health Region.

“Regular hours” means regular working hours for City of North Battleford Cemetery employees. Regular hours for the months of May, June, July and August are from 7:00 a.m. to 11:00 a.m. and 12:00 p.m. to 4:00 p.m. All other months working hours are from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 pm weekdays as specified in the attached regulations.

"Special Sections" refers to sections set aside for special populations (i.e. Veterans, Catholics, Protestants, Hebrews, Muslims, etc.) which Council may approve at its discretion.

"Woodlawn Cemetery" refers to the cemetery located on the Southeast Quarter of Section 26, Township 43, Range 15, West of the Third Meridian, Saskatchewan shown as Parcel A, Plan BY578, 20.14 acres.

3. LICENSES

- 1) The City may grant a license to any person for use of a lot or lots as provided for in this bylaw. The said license issued will be in accordance with the Cemetery Lot Purchase License, identified as Schedule “C”, attached hereto and forming part of this Bylaw.
- 2) The license fee and all charges for work done or services rendered at City and Woodlawn Cemeteries shall be in accordance with the Cemetery Fee Schedule, attached hereto and identified as Schedule "A" and forming a part of this bylaw
- 3) A license for the use of a lot issued hereunder may be transferred but shall be subject to payment of a transfer fee as set out in Schedule "A".
- 4) The licensee may transfer the lot back to the City and will be entitled to a refund of:
 1. 30% of the current resident fee for the lot as set out in Schedule "A"; or
 2. 50% of the original resident fee paid for the lot, whichever is greater unless the owner has documentation that indicates non-resident rates were paid originally.

Notwithstanding the foregoing provisions, licenses issued for lots in Woodlawn Cemetery prior to January 1, 1992, may be transferred back to the City for a refund of 100% of the original fee paid up to a maximum of \$130.00.

Any lot(s) can be transferred back to the City of North Battleford within six months of purchase date for a full refund; however, the transfer fee will apply.

- 5) Whenever a license is issued for a lot or lots, it shall be issued in agreement with and/or at the discretion of the Director. In the case of indigent persons, the issue of a license is exclusively at the discretion of the Director.

4. INTERMENTS AND DISINTERMENTS

- 1) No person shall bury any dead human body or cremated remains in any cemetery within the City's jurisdiction unless and until the person has complied with the provisions of:
 - a) *The Public Health Act, 1994* and regulations thereunder;
 - b) *The Vital Statistics Act, 2009* and regulations thereunder; and
 - c) this bylaw.
- 2) No full lot shall be dug less than two (2) metres (six feet) in depth from the surface of the ground surrounding the base of the lot. Outer shells of fiberglass, steel or concrete, including a base upon which the casket shall rest, must be utilized for all interments. This does not apply to the interment of cremated remains where only "adequate" coverage is required or to the interment of infants where depth is dependent on having a minimum of one (1) metre (three feet) covering the infant's casket. All burial depths shall comply with regulations set out in *The Cemeteries Regulations, 2001*.
- 3) Subject to Subsection (4) hereof, a maximum of one body and two cremated remains may be interred in any one full lot, providing interment of cremated remains takes place after or at the time of interment of the body. A maximum of three (3) cremated remains only is permitted in any one full lot (this does not apply to columbarium niches). Quarter lots and child lots are not considered to be full lots and therefore, additional interment(s) of cremated remains are not permitted.
- 4) In the section of the cemetery set aside for cremated remains, a maximum of two cremated remains per lot are permitted, one in the north side of the lot and one in the south side of the lot; however, the title to the lot includes north and south subsections. Subdivision is not permitted.
 - (4.1) In the Columbarium of the City Cemetery, a maximum of one (1) urn containing cremated remains may be placed in a single niche and a maximum of two (2) urns containing cremated remains may be placed in a double niche.
- 5) Due to high water table conditions in Catholic Sections 1 and 2 and Sections A and N, full casket burials are no longer possible; however, these sections can accommodate cremated remains per the guidelines set out in this bylaw.
- 6) Where available and upon agreement by the parents of an infant, the body of an infant less than a week old may be interred in a special lot to contain, when

complete, four (4) burials. No new infant lots will be created at the City's cemeteries."

- 7) During the period November 1 to April 30, notice shall be given to the Director's designate at least two (2) working days (16 regular hours) before the proposed time of interment. Any overtime incurred as a result of a late notification will be charged to the funeral service provider. During the period May 1 to October 31, such notice shall be given at least one (1) working day (8 regular hours) before the proposed time of interment. In no case shall an interment be permitted with less than 8 hrs. (one working day) notice. The provision of notice shall not apply in the case of interment of a person who dies from a communicable disease.
- 8) Unless the Medical Health Officer issues a certificate certifying that there is a danger of contamination, there shall be no interment on Sundays, Christmas Day, New Year's Day or Good Friday.
- 9) Regular hours for interments during the months of May, June, July and August shall be Monday to Friday, 8:30 a.m. to 3:00 p.m. For all other months, regular hours for interments shall be Monday to Friday, 8:30 a.m. to 4:00 p.m. Any interments which take place outside these hours must be approved by the Parks Foreman and shall have the appropriate overtime fee charged per Schedule "A".
- 10) Disinterment shall only be permitted upon the production of a permit issued by the Minister of Public Health pursuant to an application under *The Public Health Act, 1994* and upon payment of the appropriate fee as set out in Schedule "A". Any disinterment will be in full compliance with all provincial laws and regulations. The City crews will be responsible for digging to the top of the casket or maintenance vault only. Removal of the remains shall be the responsibility of the person authorized to remove the body.
- 11) From any lot, no disinterment shall be carried out between November 1 and April 30 unless required by the governing authority of the Province of Saskatchewan. The proposed time of disinterment shall, subject to the provisions of any order of the governing authority of the Province, be subject to the consent of the Director.
- 12) Disinterment from the Columbarium may be done throughout the year and will include removal of the inscribed niche plate. Fees for disinterment and replacement of a new niche plate are included in Schedule "A". A disinterment will be conducted in full compliance with all provincial laws and regulations.

5. BURIAL OF DESTITUTE PERSONS OR UNCLAIMED BODIES

At the request of the Minister of Social Services or Minister of Public Health, the City shall provide lot(s) in one of the cemeteries without charge for the license. The burial of destitute persons or unclaimed bodies shall take place in single lots as designated by the Director and there shall be no choice as to the location of the plot.

6. MEMORIALS

- 1) The City Cemetery staff, under the supervision of the Parks Foreman, shall be responsible for the installation and construction of bases for all memorials and any like structures or the replacement of the same in the City and Woodlawn Cemeteries, upon advance payment of the appropriate fee as set out in Schedule "A" of this bylaw. Bases for memorials will be constructed between May 15 and September 30 weather permitting.
- 2) All memorials in the City Cemetery will be set at the head of the lot. In Woodlawn Cemetery memorials will be set either at the head or foot of the lot in accordance with the Cemetery Plan.
- 3) In the "Old Section" (Section A through N and including Catholic Sections 1 and 2) of the City Cemetery, memorials may be of upright or flat design. Memorials will be installed at the head end of the lot. In the "New Section" of the City Cemetery and in Christus and Devotion Sections of the Woodlawn Cemetery, only flat memorials that do not project above the level of the grass surface may be used. These memorials will be installed at the head end of the lot unless the design of the Cemetery necessitates otherwise. In the Veterans Section of the Woodlawn Cemetery, standard upright Veterans memorials only are permitted on the lots of veterans along with flat memorials constructed of bronze marking the lot of the spouse.
- 4) Whenever the owner of a memorial neglects to make required repairs or alterations to the said memorial within 30 days after receiving written notice from the Director to do so, the Director shall have the power to remove or repair the memorial and charge the cost thereof to the owner.
- 5) On a regular lot, a maximum of three memorials, either as one upright and two flat memorials or three flat memorials, are allowed pursuant to Subsection 6(3) of this Bylaw. On lots in the Veterans Section, a spousal memorial will be allowed pursuant to Subsection 8(2) of this Bylaw where the size restrictions are stipulated per Schedule "B".
- 6) In the section of the City Cemetery set aside for the interment of cremated remains, only one memorial will be allowed. No vases are permitted unless the vase is contained within the perimeter of the concrete mounting beam. Flat and pillow-type memorials constructed of bronze, granite or marble are permitted.
- 7) All memorial specifications, including niche plate inscriptions, shall be in accordance with the regulations outlined in Schedule "B".

7. MAINTENANCE AND CARE OF CEMETERIES

- 1) All lots in the cemeteries shall be entitled to basic maintenance and care that includes leveling of the ground and the seeding and cutting of grass as required. It shall not include the maintenance, repair or replacement of memorials.
- 2) No border, fence, railing, trellis, coping, hedge or other plant material or any other bounding or enclosing object shall be constructed, placed or planted in or around any lot other than for the purpose of operating the cemetery as authorized by the Director.
- 3) Natural or artificial flowers shall be permitted in holders, vases or other unbreakable receptacles provided they are permanently secured to the base of the memorial. Only one of the aforementioned holders may be erected on a single lot. Temporary markers can be left on a lot for a maximum of 6 months only (or at the discretion of the Director) and must be flush with the ground. Loose flowers (natural or artificial) placed on a lot at the time of burial will be removed after 14 days to allow for maintenance of the lot. Notwithstanding the foregoing, all natural flowers will be removed when they become unsightly.

All flowers must be picked up and removed from the cemeteries on or before October 1st of each year or they will be disposed of by Cemetery staff.

- 4) No tree or shrub shall be planted in the cemetery except with the permission of the Director.
- 5) No flowers or other memorial items shall be left on the niches or in front of the Columbarium or in the flower beds surrounding the Columbarium. Flowers will only be allowed in the flower vases provided by the City. Drawings are not allowed on the concrete or granite surface on the Columbarium or on the concrete walks surrounding the Columbarium.

8. VETERANS SECTION

- 1) The City shall set aside and maintain portions of the Cemeteries as a Veterans Section for the interment of service and ex-service personnel of Her Majesty's Armed Forces.

No reservations of lots will be allowed in the Veterans Section of the City Cemetery.

In the Veterans Section of Woodlawn Cemetery, a lot may be reserved for the spouse of a deceased veteran. In the case where the spouse of a veteran dies first, then the veteran can reserve the adjacent lot. Except for the foregoing, there are no reserves permitted in this section.

- 2) In the City Cemetery and when the remains of a veteran have been interred in the Veterans Section, the cremated remains of the veteran's spouse may be interred in that veteran's lot. A flat memorial constructed of bronze, granite or marble in memory of the veteran's spouse may be placed directly in front of the memorial. No vases are permitted in this section.

In Woodlawn Cemetery the remains of the spouse of a veteran may be interred adjacent to the veteran, or in the case of cremated remains, on or adjacent to the veteran's lot in accordance with Subsection 8 (1) of this bylaw. However, only flat memorials of bronze are permitted to memorialize the spouse, unless the spouse is a veteran. No vases are permitted in this section.

9. CHILD AND INFANT SECTION

The City shall set aside a portion of land in its cemeteries for the interment of young children and infants. As of March 2001, these lots when fully occupied will contain one burial in each of two subsections. Vases are permitted.

10. CEMETERY PLANS

- 1) The plans of the cemeteries showing the subdivision of land made available to the City for cemetery purposes, together with all the subsequent plans approved by the Director, shall be open for inspection free of charge at the office of the Director during Department office hours prescribed by Council from time to time.
- 2) All interments shall be made and records kept in accordance with such plans and *The Cemeteries Act, 1999*.

11. GOOD CONDUCT

The provisions of Section 62 of *The Cemeteries Act, 1999* shall apply with respect to conduct of individuals in the cemeteries.

12. GENERAL

- 1) No employee of the City or contractor employed by the City shall accept any money or reward in connection with cemetery services other than the person appointed to receive the appropriate fees as set out in Schedule "A".
- 2) Subject to the provisions and requirements of *The Cemeteries Act, 1999* any matters concerning burials or cemeteries not otherwise dealt with in this bylaw shall be dealt with by the Director in the manner that he/she deems most

appropriate, in consideration of the long-term functional and aesthetic qualities of the City cemeteries and the scope of this bylaw.

13. INFRACTIONS OF THE BYLAW

Any person guilty of a violation of any provision of this bylaw shall be liable to the penalty set in the City's General Penalty Bylaw.

14. SCHEDULES

That Schedules "A", "B", and "C" be attached hereto and form part of this Bylaw. Council, by resolution, may make changes to any or all schedules and such amendments will be shown on a newly created schedule to be attached to this Bylaw.

15. REPEAL OF FORMER BYLAW

Bylaw No. 1662 is hereby repealed.

This Bylaw shall come into force and take effect on the 1st day of May, A.D. 2005.

INTRODUCED AND READ A FIRST TIME THIS 11th DAY OF APRIL A.D., 2005.
READ A SECOND TIME THIS 11th DAY OF APRIL A.D., 2005.
READ A THIRD TIME AND PASSED THIS 25th DAY OF APRIL A.D., 2005.

J. Sadlowski
MAYOR

Elaine J. Kostiuk
CITY CLERK

SCHEDULE "A"

CEMETERY FEE SCHEDULE - BYLAW NO. 1759

Fees are effective March 1, 2017

<u>PLOTS</u>	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
Full Lot	\$ 1,000	\$ 1,250
1/2 Lot	500	675
1/4 Lot	300	350
Veterans	No Charge	No Charge
Indigent	No Charge	No Charge
Cremation Lot	500	700

COLUMBARIUM (includes niche plate)**

Single Niche	1,800	2,000
Single Niche - bottom row	1,500	1,700
Double Niche	2,400	2,600
Double Niche - bottom row	2,300	2,500

** Niche plate engraving – is an additional cost – not included in columbarium purchase

INTERMENTS

Columbarium - first	No Charge	No Charge
- second	150	200
Casket - Adults & Veterans	800	850
- 1/2 lot (child)	500	550
- 1/4 lot (infant)	400	450
Cremated Remains		
- 1st on a regular lot	400	450
- 2nd or 3rd on a regular lot	600	650
- Cremation Ribbon	400	450

DISINTERMENTS

Casket - Adults and Veterans	1,250	1,350
- Child or Infant	625	675
Cremated Remains from:		
- Lot	350	400
- Cremation Ribbon	350	400
- Columbarium (includes niche plate replacement)	550	650

OTHER CHARGES

Overtime Charges

Calculated as follows:

Actual Costs:

Weekdays – Overtime charge-out rate x 2 workers x 30% Administration fee

Weekends – Double time charge-out rate x 2 workers x 30% Administration fee

Note: A minimum of 3 hours to be charged for weekends.

Minimum Charge:

- Casket - Adults & Veterans	400	450
- Cremated remains	400	450

*** If Actual Costs exceed the minimum charge, the Actual Costs will be charged. ***

Transfer Fee - per lot (Section 3 of Bylaw)	75	75
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MEMORIALS – INSTALLATION - FLAT MARKERS

Maximum - 14" X 44"	400	400
Maximum - 14" X 30"	350	350
Maximum - 12" X 24"	300	300
Maximum - 8" X 16"	250	250
Small Marker - Maximum - 8" X 8"	200	200
Scroll - Maximum - 3" X 12"	125	125
Vase Base	125	125
Extra Marker/Plaque	30	30

MEMORIALS – INSTALLATION - UPRIGHT MARKERS

Up to 24"	300	300
25" - 36"	340	340
37" - 48"	375	375
49" - 60"	425	425
61" - 72"	475	475
Over 72"	525	525
Veteran Memorials	285	285

REMOVAL OF MEMORIAL BASE

Removal of concrete base (minimum charge)	200	200
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VAULT HANDLING

Fiberglass including base	160	160
Steel or Concrete including base	200	200

SCHEDULE "B"

REGULATIONS PERTAINING TO THE CITY OF NORTH BATTLEFORD CEMETERIES

1. HOURS OF OPERATION

Regular hours of operation shall be 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday excepting holidays. Cemetery gates may be closed to vehicles during non-supervised times.

2. PROCESSIONS

Funeral processions are under the control and supervision of the Parks Foreman or designate while they are within the property limits of the Cemeteries only. City employees will not direct or control traffic on roadways or highways.

3. ORDER

The Parks Foreman or anyone under his charge shall have the power to remove any person from the grounds that is disturbing the quiet or good order of the cemeteries by being excessively noisy, using improper language or in any way violating the provisions of this bylaw.

4. MEMORIAL REGULATIONS

In addition to regulations outlined in the bylaw, the following regulations shall apply to different sections of the cemeteries:

1) Memorial Construction

Only memorials constructed of bronze, granite or marble are permitted. Any like materials may be approved but at the discretion of the Director.

2) City Cemetery Sections 1-16 and Christus and Devotion Sections of Woodlawn Cemetery

Any memorial within the previously described areas must be placed on a foundation that is constructed within the limits of the lots. The upper surface shall not project above the level of the ground. At the City Cemetery a 7.5 cm (3") concrete border will be provided. At Woodlawn Cemetery a 5 cm (2") concrete border will be provided.

Any such memorial shall conform to the following sizes:

Single Lot:	Maximum size 35 cm x 76 cm (14" x 30")
Double Lot:	Maximum size 35 cm x 112 cm (14" x 44")
Half Lot:	Maximum size 30 cm x 60 cm (12" x 24")
Quarter Lot	Maximum size 20 cm x 40 cm (8" x 16")
Scroll	Maximum size 8 cm x 30 cm (3" x 12")
Small Marker	Maximum size 20 cm x 20 cm (8" x 8")

3) Cremated Remains – Cremation Ribbon

Memorials constructed only of bronze, granite or marble are permitted.

One memorial only permitted per lot - maximum size 30 cm x 60 cm (12" x 24") and not to exceed a total height of 30 cm (12"). Vases are permitted pursuant to Subsection 6 (6) of this Bylaw.

4) Columbarium – Niche Plate Inscription Specifications

Single Niche:

Font:	Modified Roman
Family Name:	3.81 cm (1.5") high
First Name and Initial:	2.54 cm (1.0") high
Date:	2.54 cm (1.0") high

Double Niche:

Font:	Modified Roman
Family Name:	3.81 cm (1.5") high
First Names and Initials:	1.93 cm (.75") high
Date:	1.93 cm (.75") high

A 1.83 cm (.75") blank border must be left around all four sides of the granite door panel.

5) City Cemetery - Blocks A to N and R.C. Section - Blocks 1 and 2

Upright or flat memorials constructed of bronze, granite or marble are permitted. Any such memorial within the above described areas must be placed within the limits of the lots and must be approved by the Director. Height of upright memorials shall not exceed 91 cm (36") from the level of the ground.

6) Veterans Section

- a) Standard upright memorials approved by Veterans Affairs are permitted. No vases are permitted.
- b) In the City Cemetery, where the cremated remains of a spouse are interred in a lot, a flat memorial will be allowed to be set at the base of the upright memorial. Maximum size shall be 35 cm x 76 cm (14" x 30").
- c) In the Veterans Section of Woodlawn Cemetery, and where the remains of a veteran's spouse are interred adjacent, a flat memorial constructed of bronze and measuring up to 35 cm x 76 cm (14" x 30") is permitted.
- d) When the cremated remains of a spouse are interred in the lot of a deceased veteran at Woodlawn Cemetery, bronze scrolls measuring up to 8 cm x 30 cm (3" x 12") are permitted to be mounted on the Veteran's beam.



**SCHEDULE "C"
CEMETERY LOT PURCHASE LICENSE
BYLAW NO. 1759**

City of North Battleford
1291 101st Street
P.O. Box 460
North Battleford, Saskatchewan
S9A 2Y6
PH: (306) 445-1700
FAX: (306) 445-0411

THIS LICENSE is made _____ between the City of North Battleford (hereinafter
dd mm yyyy

known as the "**City**") and the Licensee(s) (hereinafter known as the "**Licensee(s)**") as follows:

LICENSEE(S) INFORMATION

Surname	First Name	Initials	Surname	First Name	Initials
Address			Address		
City	Province	Postal Code	City	Province	Postal Code
Phone Number		Sex	Phone Number		Sex
Email Address			Email Address		
Date of Birth			Date of Birth		
Place of Birth			Place of Birth		

1. The Licensee(s) agrees to purchase from the City and the City agrees to sell to the Licensee(s) in accordance with the terms and conditions hereof a license for use of _____ (indicate number) lot(s) at the following location(s):

Cemetery Name (Drop Down Box) City of North Battleford Municipal Cemetery
 Woodlawn Memorial Gardens Cemetery

Location (Drop Down Box) Devotion Christus Veterans
 New Section Old Section Cremation Ribbon
 Columbarium Single Columbarium Double

TERMS AND CONDITIONS

Bylaw No. 1759 Incorporated by Reference

1. Bylaw No. 1759, being a bylaw of the City of North Battleford respecting cemetery operations (the “**Bylaw**”) shall form a part of this License and be binding on the Licensee(s), as such Bylaw shall be amended from time to time, as if set out in full herein. To the extent any terms and conditions of this License, including all Schedules hereto, conflict with any terms and conditions or Schedules of the Bylaw, the terms and conditions of the Bylaw shall prevail, except to the extent a term of this License specifically states that it supersedes or amends the terms and conditions of the Bylaw
2. Unless otherwise specifically indicated, any reference to a statute in this License refers to that statute and to the regulations made under that statute, as the same may, from time to time, be amended, re-enacted or replaced.

Licensee(s) Right to Transfer Lot License

1. A license for the use of a lot may be transferred in accordance with this section. To transfer a license, you must give notice of transferring in writing to the City. All transfers of a license for the use of a lot issued hereunder shall be subject to payment of a transfer fee, even transfers back to the City.
2. You may transfer a license back to the City of North Battleford and receive a full refund if you transfer the license within six months of the date on the license. If you transfer the license to the City of North Battleford after the expiry of the six month period, you will be entitled to the following refund:
 - (a) 30% of the current resident fee for the lot; or
 - (b) 50% of the original resident fee paid for the lot,whichever is greater unless the owner has documentation that indicates non-resident rates were paid originally.
3. Notwithstanding the foregoing provisions, licenses issued for lots in Woodlawn Cemetery prior to January 1, 1992, may be transferred back to the City for a refund of 100% of the original fee paid up to a maximum of \$130.00.

Interments and Disinterments

1. Regular hours of interment during the months May, June, July and August, shall be Monday to Friday 8:30 a.m. to 3:00 p.m.. All other months, regular hours of interment shall be from Monday to Friday 8:30 a.m. to 4:00 p.m.. Any interments which take place outside these hours must be approved by the Parks Foreman and are subject to the appropriate overtime fee charged per Schedule “A”.
2. During the period November 1 to April 30, notice shall be given to the Department of Infrastructure Services at the City of North Battleford at least two (2) working days (16 regular hours) before the proposed time of interment. Any overtime incurred as a result of a late notification will be charged to the funeral service provider. During the period May 1 to October 31, such notice shall be given at least one (1) working day (8 regular hours)

before the proposed time of interment. At no time will an interment be permitted with less than 8 hours (one working day) notice. The provision of notice shall not apply in the case of interment of a person who dies from a communicable disease.

3. Disinterment shall only be permitted upon the production of a permit issued by the Minister of Public Health pursuant to an application under *The Public Health Act, 1994* and upon payment of the appropriate fee as set out in Schedule "A". Any disinterment will be in full compliance with all provincial laws and regulations. The City crews will be responsible for digging to the top of the casket or maintenance vault only. Removal of the remains shall be the responsibility of the person authorized to remove the body.

No disinterment from a lot shall be carried out between November 1 and April 30 unless required by the governing authority of the Province of Saskatchewan. The proposed time of disinterment shall, subject to the provisions of any order of the governing authority of the Province, be subject to the consent of the Department of Infrastructure Services at the City of North Battleford.

Disinterment from the Columbarium may be done throughout the year and will include removal of the inscribed niche plate. Fees for disinterment and replacement of a new niche plate are set out in Schedule "A". All disinterments will be conducted in full compliance with all provincial laws and regulations.

No Interment or Disinterment shall occur on Sundays or National or Provincial Holidays.

Memorials

1. The City Cemetery staff, under the supervision of the Parks Foreman, shall be responsible for the installation and construction of bases for all memorials and any like structures or the replacement of the same in the City and Woodlawn Cemeteries, upon advance payment of the appropriate fee as set out in Schedule "A". Bases for memorials will be constructed between May 15 and September 30 weather permitting.
2. On a regular lot, a maximum of three memorials, one upright and two flat memorials or three flat memorials, are allowed. On lots in the Veterans Section a spousal memorial will be allowed pursuant to Subsection 8 (2) of this bylaw. See Schedule "B" for size restrictions.
3. Whenever the owner of a memorial neglects to make required repairs or alterations to the said memorial within 30 days after receiving written notice from the Department of Infrastructure Services to do so, the City shall have the power to remove or repair the memorial and charge the cost thereof to the owner.
4. Marker engraving will not be done by City staff.

All memorial specifications shall be in accordance with the regulations identified in the Bylaw.

Maintenance and Care

1. All lots in the cemeteries shall be entitled to basic maintenance and care that includes leveling of the ground and the seeding and cutting of grass as required. It shall not include the maintenance, repair or replacement of memorials.
2. No flowers or other memorial items shall be left on the niches or in front of the Columbarium or in the flower beds surrounding the Columbarium. Flowers will only be allowed in the flower vases provided by the City. Drawings are not allowed on the concrete or granite surface on the Columbarium or on the concrete walks surrounding the Columbarium.
3. No border, fence, railing, trellis, coping, hedge or other plant material or any other bounding or enclosing object shall be constructed, placed or planted in or around any lot other than for the purpose of operating the cemetery as authorized by the Director.
4. Natural or artificial flowers shall be permitted in holders, vases or other unbreakable receptacles provided they are permanently secured to the base of the memorial. Only one of the aforementioned holders may be erected on a single lot. Temporary markers can be left on a lot for a maximum of 6 months only (or at the discretion of the Director) and must be flush with the ground. Loose flowers (natural or artificial) placed on a lot at the time of burial will be removed after 14 days to allow for maintenance of the lot. Notwithstanding the foregoing, all natural flowers will be removed when they become unsightly.

All flowers must be picked up and removed from the cemeteries on or before October 1st of each year or they will be disposed of by Cemetery staff.