

VILLAGE OF KITSCOTY

CEMETERY BYLAW 2025-14

A BYLAW OF THE VILLAGE OF KITSCOTY, IN THE PROVINCE OF ALBERTA TO PROVIDE REGULATIONS FOR THE USE, CARE AND MAINTENANCE OF THE KITSCOTY CEMETERY (TO BE KNOWN AS THE CEMETERY BYLAW)

1. DEFINITIONS

- a. “Base” Shall mean the bottom part or lower portion of a monument.
- b. “Block” A division of land in a cemetery which is subdivided into plots
- c. “CAO” Shall mean the Chief Administrative Officer of the Village of Kitscoty.
- d. “Cemetery” Shall mean land owned by the Village of Kitscoty set apart for or used as a place for the interment of the dead or in which human bodies have been buried, located part of the SE ¼ 27-50-3-W4.
- e. “Council” Shall mean the Council of the Village of Kitscoty.
- f. “Grave” Shall mean an occupation of a Plot for the burial of human bodies or cremated remains.
- g. “Interment/Burial” Shall mean the ceremonial service of the burial of human bodies or cremated remains, the lowering of the human body or cremated remains into the Grave and the time required for the bereaved to leave the grave site until closing of the grave can commence.
- h. “Licensee” Shall mean a person or persons who purchase a lot or plot in the cemetery.
- i. “Marker” Shall mean a memorial that is installed with the top (upper surface) flush or level with the ground.
- j. “Monument” Shall mean a memorial or tombstone which shall extend above the surface of the ground.
- k. “Plots” Shall mean a parcel of land for the purposes of a burial in the Cemetery measuring 1.5 meters (five feet) by 3 metres (ten feet)
- l. “Resident” Shall mean a person who resides within the Village of Kitscoty or who resides within the Kitscoty School attendance area as defined by Buffalo Trails

Public School Division or a person, who, in their lifetime, has been a resident of said areas for a period of two consecutive years, providing proof of such residency.

- m. "Section" A division of land in a cemetery which is subdivided into Plots
- n. "Perpetual Care" Shall mean the basic maintenance of all lots and shall include leveling of the ground and seeding and cutting of grass as required. It shall not include the maintenance repair or replacement of monuments or markers.
- o. "Village" Shall mean the Village of Kitscoty

2. GENERAL RULES

- a. The cemetery will be open from 8:00 AM to 9:00 PM from May 1st to October 31, and from 8:00 AM to 5:00 pm from November 1st to April 30th
- b. Employees of the cemetery are not permitted to do any work for plot owners except upon order from the CAO.
- c. All persons, while in the cemetery, shall conduct themselves in a quiet and orderly manner.
- d. No person shall turn loose or allow to go at large, or feed; any cattle, swine, horses, dogs, or any other animal in the cemetery.
- e. Persons within the cemetery shall use only the paths and roadways and no one is permitted to walk upon a grave where someone is buried.
- f. Persons visiting the cemetery or attending a funeral are strictly prohibited from picking flowers, wildflowers, wild or cultivated, breaking or injuring any tree, shrub, or plant, or from writing upon, defacing, or otherwise damaging any monument or marker fence or other structure within the cemetery grounds.
- g. Motor cars and vehicles in the cemetery shall travel only on the roadways provided for the purpose and shall not travel at a rate of speed greater than 20 kilometers per hour.
- h. Children under the age of 15 years of age are not permitted within the cemetery or its buildings unless accompanied by an adult greater than 18 years of age.
- i. Receptacles for waste material are located at convenient places, hence, the throwing of rubbish on the driveways and paths or on any grounds or in the buildings is prohibited.
- j. After passing of this bylaw, any fences, borders, railing, curbing, coping, hedges, trellis or grave coverings of any kind erected previous to the passing of this bylaw may be removed by the Village if by reason of neglect or age, it becomes in a state of disrepair

and the Licensee neglects or refuses to repair or remove same within 30 days after a notice has been forwarded to him/her at the last known address.

- k. The cemetery hereby expressly reserves the right to adopt additional rules and regulations or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentences in these rules and regulations at any time without notice.
- l. Out of respect, all work of any description shall cease while a funeral or interment is being conducted nearby. All trucks and workmen shall withdraw to a reasonable distance from the location for the funeral service.

3. PLOT/GRAVE OWNERS

- a. The Village of Kitscoty shall make all sales of plots in the cemetery and receive all monies resulting from the sale of lots, and for all interments made in the cemetery.
- b. The Village of Kitscoty shall keep a correct account of all moneys received there from and of all expenditures made in connection with the cemetery, with the name and description of each lot in the cemetery, with the name and description of the Licensee thereof and of every transfer and all other books necessary to keep a complete record of all business transactions by him/her in connection with the cemetery.
- c. The Council may grant a license to any person for the exclusive use by them, their heir, their executors, or Administrator of any grave, said Licensee to be subject to all provisions of this Bylaw and any amendments thereto, or any regulations passed from time to time by the Council.
- d. The fee for the said license and all charges for work done at the cemetery shall be in accordance with the rates set out in the “Rates & Fees Bylaw” or as the schedule may be amended from time to time.
- e. Cemetery plots shall not be sold or transferred by the Licensee, but if not required by the Licensee, shall be transferred back to the Village of Kitscoty. In case of transfer to the Village, the Village will refund to the Licensee, all moneys paid by them less a transfer fee of \$25.00.
- f. No plot shall be used for any other purpose than for burial of a human body.
- g. The Village of Kitscoty shall take reasonable precautions to protect Licensees and the property rights of Licensees within the cemetery from loss or damage; but the Council or its employees distinctly disclaim all responsibility for loss or damage from a cause beyond its reasonable control, and especially from damages caused by the elements, an act of God, common enemies, thieves, vandals, strikes, malicious mischief makers, explosions, unavoidable accidents, invasions, riots, or order of any military or civil authority, whether the damage be direct or collateral other than as herein provided.

- h. It is the duty of the Licensee to notify the Village of any changes in his or hers Post Office address.

4. INTERMENTS AND DISINTERMENTS

- a. No interment shall be made in the cemetery until the provisions of the Public Health Act and Vital Statistics Act of the Province of Alberta have been complied with, and with any regulations issued there under and shall have complied with the provisions of the Bylaw.
- b. Before an interment is made in any grave, an application in writing shall be made to the Village of Kitscoty and all fees for services as set forth in “Rates & Fees Bylaw” shall be paid by the applicant.
- c. Payment of any and all indebtedness due to the cemetery must be made before any interment is made.
- d. No interment of two or more bodies shall be made in one grave except in the case of adult and child or two infants buried in one casket or when bodies are cremated, interment of husband and wife and one child will be permitted in one family plot (husband, wife and children) in two graves. The interment of one body and up to two cremations shall be allowed in one grave, provided the casket is interned first.
- e. Cremated remains may be interred in a lot after receiving authorization from the Village and upon payment of the fees set out in “Rates and Fees Bylaw”.
- f. It shall be the duty of the Village to stake a plot before digging.
- g. No grave shall be less than 2 meters in depth from the surface of the ground in the case of an adult, and in the case of a child, a depth sufficient to give a covering of at least one meter over the casket.
- h. No person other than a funeral director shall have charge of the interment of any human body.
- i. Notice that an interment is to take place shall be given to the Village at least **72** hours before the interment is to take place during the period from November 1st to April 30th, and at least **48** hours before an interment is to take place during the period from May 1st to October 31st. This shall not apply in the case of a person who dies of a communicable disease.
- j. No person shall dissenter or remove a body from any grave without first producing a written order from the Licensee of such grave and a permit for such disinterment or removal, from the Provincial Health Officer.
- k. By order of the Village Council, the CAO shall furnish graves in the cemetery without charge for the dead of indigent poor of any denomination.
- l. Interment shall be made only between the hours of 7:00 am and 5:00 pm on the days other than Sundays or Statutory Holidays (except in exceptional circumstances). In case of extreme necessity or danger of contagion or infection, a physician’s certificate or by the Medical Health Officer will be required where interment is necessary on a Sunday or Statutory Holiday.
- m. No interment shall be permitted in the cemetery unless a proper burial certificate is produced by the party applying for the burial.

5. CORRECTION OF ERRORS

- a. The Village or any Official thereof shall not be responsible for any mistakes resulting from the lack of precise or proper instructions regarding the grave space on a plot where an interment is to be or has been made.

6. CARE FOR GRAVES AND LOTS

- a. To obtain the best landscape effect, it is essential that the Council shall assume general care of the cemetery. The Licensee of plots & graves shall observe all rules and regulations passed from time to time by the Council for keeping the plots & graves in order.
- b. All grave surfaces are to be under the supervision of the Village of Kitscoty.
- c. No person shall be permitted to do any work on any grave except with the consent of the Village.
- d. The CAO shall, from time to time, report to Council and Licensee on the condition of any monument or marker which is in disrepair and it shall be the duty of the owner of such monument or marker to repair the same, without delay to the satisfaction of the CAO.
- e. Whenever any owner of a monument or marker or cover neglect to make repairs or alterations, after being given due notice by the CAO, the CAO shall allow a period of 30 days to elapse after which time, they shall have the power to remove such monument or marker from the cemetery, or to repair such monument or marker and charge the cost thereof to the Licensee.
- f. No person shall remove the sod from a grave or lot, or from any portion of a grave or lot in the cemetery without first obtaining written consent from the Village.
- g. Fences, Borders, Railing, Curbing, Hedges, Trellises, Posts, or Grave Covering of any kind in or around a lot or plot in existence to the passing of this Bylaw will be removed free of charge by the Village of Kitscoty upon request by the Licensee.
- h. Any Fence, Border, Railing, Wall, Curbing, Hedge, Posts, Trellis, or Grave Coverings of any kind erected previous to the passing of this Bylaw may be removed by the Village, if by reason of neglect or age, it becomes in a state of disrepair and the Licensee neglects or refused to repair same within 30 days after notice has been forwarded to him at his last known address.
- i. The Village shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the cemetery as, in the judgement of the Village, they become unsightly, dangerous, detrimental or diseased.
- j. No person shall give money or other reward to any employee of the Village working in connection with the cemetery, for cemetery services or attention.

7. ENFORCEMENT OF RULES

- a. The CAO is hereby empowered to enforce all rules and regulations and to exclude from the cemetery, any person violating same. The Village shall have charge of the grounds and buildings including the conduct of funerals, traffic, employees, and grave owners at all times.

8. PLANTS AND SHRUBS

- a. The Village of Kitscoty will undertake to maintain as may be practical, the planting of trees and shrubs to preserve and maintain landscape features but will not undertake to maintain individual planting or urns of plants.

9. MONUMENTS, MARKERS, OR CORNERS

- a. No living monument consisting of trees, shrubs, or flowers may be planted on any grave.
- b. All Monuments and Markers shall be manufactured of Granite, Marble, Bronze, Field Stone or Composition Granite or Marble which is acceptable to the Council. Markers made of cement, wood, tin, or iron will not be permitted. However, temporary Markers may be placed by the Village.
- c. No Monument or Marker will be erected, altered or removed, inscription added, resurfaced, or repaired until all pertinent information required is supplied, all charges in connection therewith are established as set out in "Rates and Fees Bylaw" are paid and the required permit is approved by the Village.
- d. A Marker may be installed provided it has a concrete base and it is set so that the top is level (flush) with the ground surface.
- e. All Monuments must be set at the head of the lot or head centre of a double lot and shall be in line designated by the Village.
- f. For the protection of grave owners, any person erecting, cleaning, repairing or removing monuments or markers shall furnish the Village of Kitscoty with all the necessary information required by him and shall obtain a permit after paying the fees set out in Schedule "A", "B" attached and "Rates and Fees Bylaw", and forming part of this Bylaw.
- g. The length of the base of a monument shall not exceed 75% of the width of the lot or plot. In the case of a single lot 1.12 Meters, in the case of a family plot (double grave), 2.25 Meters, as set out in Schedule "A".
- h. The width of monument base shall not exceed 60 centimetres, see Schedule "A".
- i. No grave covers shall be constructed, only headstones or markers shall be erected as set out in this Bylaw.
- j. All workmen employed on any work in the cemetery shall comply with all orders from the CAO.
- k. Out of respect, all work of any description shall cease while a funeral or interment is being conducted nearby. All trucks and workmen shall withdraw to a reasonable distance from the location of the funeral services.
- l. Each monument shall be set on a concrete foundation constructed under the direction of the Village, and all specifications for the foundation shall be furnished by the said CAO for approval by him/her. See Schedule "A".
- m. The upper surface of each foundation shall be constructed to the surface level and in each case, the foundation shall project 16 centimeters on all sides of the base of the monument, to be erected thereon. See Schedule "A"
- n. All foundations must be at least eight (8) centimeters from the rear line of the Lot or Plot.
- o. The Maximum height of monuments erected after passing of this bylaw shall not exceed 1 Meter.

- p. The base of all monuments shall be firmly secured to the foundation. The foundation must be adequate to carry the weight of the monument. All foundations for monuments shall be confined within the boundaries of the respective plots.
- q. In the erection of the monument, the CAO shall in all cases, designate the place where the material to be used for the erection of such monument is to be stored during the course of the erection or excavating and all workmen moving any heavy material over any path, plot or grave shall move same on a plank or otherwise protect such path or grave from injury or damage.
- r. Heavy loads will not be allowed to enter the cemetery when the roads are in an unfit condition.
- s. No monument or marker shall be erected on a Sunday or Statutory Holiday and no work shall be permitted with the erection, repairing or cleaning of a monument or marker before sunrise or after sunset.
- t. The Village may refuse the placement of any Monument or Marker which may otherwise conform to the regulations of this Bylaw but is not in keeping with the general appearance of the Cemetery.

10. REPEAL AND EFFECTIVE DATE

This Bylaw repeals Cemetery Bylaw 05-2013.

Read a first time on the 17th day of November, 2025.

Read a second time on the 17th day of November, 2025.

Read a third time and final time on the 17th day of November, 2025.

This Bylaw comes into effect after third reading and signatures.



SCHEDULE "A"

CEMETERY BYLAW 2025-14

MONUMENT PERMIT

Permit No: _____

Date: _____

Name of Monument Company: _____

Phone #: _____

Fax #: _____

Name of Purchaser: _____

Name of Deceased: _____

Address of Purchaser: _____

Phone No. of Purchaser: _____

Location of Grave: Section _____ Plot # _____ Grave # _____

Type of Monument:

Material Used:

Flat

Granite

Bronze

Pillow

Marble

Fieldstone

Upright

Composite Granite or Marble

Other Please Specify _____

Other Please Specify _____

Size of Monument:

Length: _____

Width: _____

Height: _____

* The length of the base shall not exceed 75% of the width of the lot. A concrete foundation is required. The upper surface of the foundation shall be constructed to surface level and shall project 16 centimeters on all sides of the base of the monument being erected. A marker may be installed on a concrete base, flush with the ground. See figures 1-4

* Description of the monument (give names, color, dates, etc.)

SCHEDULE “A”- Continued

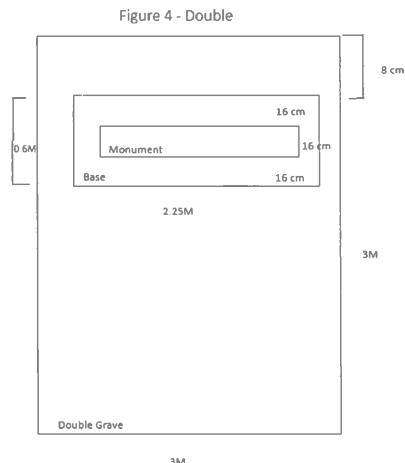
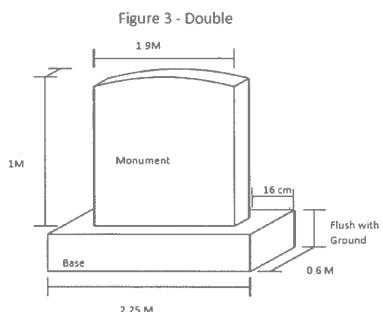
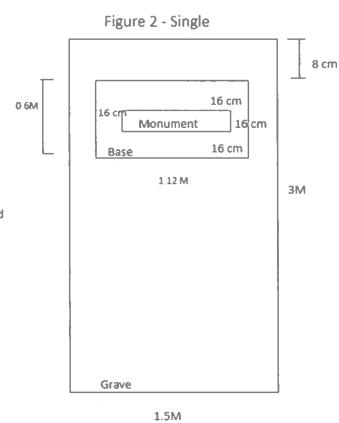
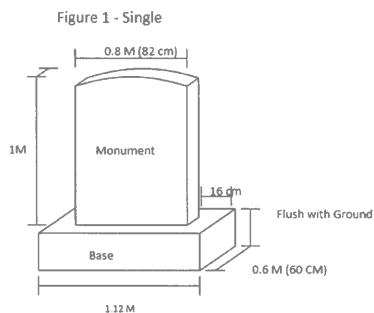
*Provide a sketch of the proposed Monument: (see below for example)

Front View

Side View

Application completed by: _____

Signature of Applicant: _____



SCHEDULE “A”- Continued

FOR OFFICE USE ONLY

Monument approved for placement by: _____

Title: _____

Signature of Approver: _____

Date of Approval: _____

Payment Fee: _____ Method of Payment: Cash Cheque

Additional Comments: _____

SCHEDULE "B"

CEMETARY BYLAW 2025-14

PERMIT TO CLEAN, REPAIR, OR REMOVE A MONUMENT OR MARKER

Name of person doing the work: _____

Telephone #: _____

Name of Purchaser: _____

Deceased Name: _____

Address of Purchaser: _____ Phone No. _____

Location: Section _____ Plot _____ Grave _____

Purpose of permit: _____

Application completed by: _____

Signature of applicant: _____

FOR OFFICE USE ONLY

Permit approved by _____

Fee Received _____ Receipt No. _____

Date of Approval _____

Comments _____
