

CITY OF GRANDE PRAIRIE

OFFICE CONSOLIDATION

BYLAW C-1332

**A Bylaw of the City of Grande Prairie to
provide and make provision for the
improvement, maintenance, management,
control and operation of Public Cemeteries**

(As Amended by Bylaw C-1332A and Bylaw C-1332B)

**THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE
PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

SHORT TITLE

1. This Bylaw shall be called the “Grande Prairie Cemeteries Bylaw”.

APPLICATION

2. This Bylaw applies to any land defined in Section 3 as a “Cemetery” and is subject to City of Grande Prairie standards, guidelines and fees which are in accordance with [Bylaw C-1395, Schedule “A”](#).

(Bylaw C-1332A - July 1, 2019)

DEFINITIONS

3. In this Bylaw:
 - 3.1 “**Above Ground Niche Monument**” means a structure of granite, marble or similar material approved by the City and erected above ground at the top of a Lot. It is intended for the interment of cremated human remains.
 - 3.2 “**Act**” means the Cemeteries Act (Alberta). It may be amended.
 - 3.3 “**Applicant**” means a person who applies for Interment Rights in the Cemetery.
 - 3.4 “**Block**” means two (2) or more Lots in the Cemetery shown on a City plan.
 - 3.5 “**Burial Permit**” means a permit issued by a district registrar appointed under the Vital Statistics Act (Alberta) as amended or such other written authority as may be required under the laws of the Province of Alberta.
 - 3.6 “**Caretaker**” means a City employee who performs caretaker duties in the Cemetery.
 - 3.7 “**City**” means the Municipal Corporation of the City of Grande Prairie.
 - 3.8 “**Cemetery**” means the Grande Prairie Cemetery and any land the City used for the Interment of human remains.

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- 3.9 **“Columbarium”** means a structure in the Cemetery for the interring cremated human remains.
- 3.10 **“Committee”** means the City’s Infrastructure & Economic Development Committee.
(Bylaw C-1332B - November 30, 2020)
- 3.11 **“Communal Grave”** means an area in the Cemetery where the cremated remains of up to six (6) persons are interred and are not separately identified.
- 3.12 **“Cremation Lot”** means a Lot designated for the Interment of cremated human remains.
- 3.13 **“Declared Holiday”** means a holiday declared by the City.
- 3.14 **“Department”** means the Parks Operations department of the City.
(Bylaw C-1332B - November 30, 2020)
- 3.15 **“Disinterment”** means the removal of human remains or cremated human remains from a Lot, Niche, Columbarium or Above Ground Niche Monument.
- 3.16 **“Fees”** means fees paid for Monument installation in accordance with [Bylaw C-1395, Schedule “A”](#).
(Bylaw C-1332A - July 1, 2019)
- 3.17 **“Field Garden”** means an area in the Cemetery designated for interment of cremated human remains either inground, in an Above Ground Niche Monument or in a Columbarium.
(Bylaw C-1332B - November 30, 2020)
- 3.18 **“Flat monument”** means a monument that does not project above the surface of the ground.
(Bylaw C-1332B - November 30, 2020)
- 3.19 **“Indigent Person”** means any unclaimed body or body of a destitute Person as set out in the Act.
- 3.20 **“Infant”** means an individual under one (1) year of age.
- 3.21 **“Infant Lot”** means a Lot used for the interment of Infants in the Infant Section.
- 3.22 **“Infant Lot - Standard”** means a Lot used for the interment of Infants not in the Infant Section.
- 3.23 **“Interment”** means the burial or placement of human remains or cremated human remains in a Lot, Columbarium, Ossuary, Mausoleum or Above Ground Niche Monument.

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- 3.24 **“Interment Rights”** means the Applicant granted by the City to allow the Interment of human remains or cremated human remains.
- 3.25 **“Islamic Section”** means land within the Cemetery for the Interment of human remains of the Islamic faith.
(Bylaw C-1332B - November 30, 2020)
- 3.26 **“Legal Representative”** means the legal representative of the estate of a deceased person.
- 3.27 **“Lot”** means a Lot in the Cemetery shown on the City record which has been designated for Interment of human remains or cremated human remains.
- 3.28 **“Lot Improvement Area”** means an area three (3) feet from the head of the Lot in which a monument and/or other commemorations are permitted.
- 3.29 **“Mausoleum”** means a structure within the Cemetery for the Interment of human remains which is above ground level and constructed of granite, marble or other material approved by the City.
- 3.30 **“Monument”** means a memorial structure of granite, marble, bronze or other material approved by the City inscribed with such lettering and/or artwork approved by the City.
- 3.31 **“Monument (Temporary)”** means a Lot marker supplied by the funeral home at time of burial or as approved by the City.
(Bylaw C-1332B - November 30, 2020)
- 3.32 **“Niche”** means an above ground compartment for the Interment of cremated human remains.
- 3.33 **“Ossuary”** means an area in the Cemetery designated for the inground Interment of cremated human remains.
- 3.34 **“Standard Lot”** means a Lot used for the Interment of an individual.
(Bylaw C-1332B - November 30, 2020)
- 3.35 **“Urn”** means a container used for storing cremated human remains.
- 3.36 **“Vault”** means a structural enclosure constructed of fibreglass or concrete used for encasing a casket for the Interment of human remains.
(Bylaw C-1332B - November 30, 2020)
- 3.37 **“Veteran”** means as determined by Veteran Affairs Canada.
(Bylaw C-1332B - November 30, 2020)
- 3.38 **“Working Day”** means any day Monday through Friday, except a Statutory or Declared Holiday.

4. Any words not defined in this Bylaw will have the meaning assigned by the Act.

DESCRIPTION OF LAND

5.1 The following lands are known as the “Grande Prairie Cemetery”:

- a) that portion of Lot 7 in Flying Shot Lake Settlement containing 9.27 acres more or less; and
- b) Plan 112-3110, Block 1, Lot 1B, containing 22.96 acres more or less.

SUBDIVISION OF LOTS

6.1 The lands within the Cemetery may be subdivided into Blocks and Lots for Interment purposes by a Plan filed with the City.

6.2 The City may designate areas of the Cemetery for exclusive use by specific religious, cultural and/or ethnic groups for Interments.

6.3 Without limiting the generality of Section 6.2, the City may designate portions of the Cemetery for:

- a) A Field of Honour;
- b) Above Ground Niche Monuments and Mausoleums;
- c) Interment of the Indigent and other persons unable to pay fees, in accordance with [Bylaw C-1395, Schedule “A”](#) for interment;
(Bylaw C-1332A - July 1, 2019)
- d) The interment of cremated human remains;
- e) Ossuary;
- f) Burial of Infants;
- g) Communal Graves;
- h) Construction of Columbaria; or
- i) Any other purpose that may enhance the operation of the Cemetery.

PRE-NEED APPLICANT

7. An Applicant may apply for pre-need Interment Rights.

INTERMENT RIGHTS AND RESPONSIBILITIES

(Bylaw C-1332B - November 30, 2020)

8.1 Human remains or cremated human remains may be interred in the Cemetery if:

- a) a written request from the Applicant or Legal Representative has been registered with the City designating Interment of specified remains.

8.2 An Interment will be permitted in the Cemetery, when the following documents are complete:

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- a) a completed Application for Interment Rights and fees, in accordance with [Bylaw C-1395, Schedule "A"](#) have been paid; and
(Bylaw C-1332A - July 1, 2019)
- b) any other approvals, forms and receipts may be required by the City or the Province of Alberta for Interments.
- 8.3 Lots may be opened or closed for Interments only by the City.
- 8.4 Up to two (2) people may hold Interment Rights for any Lot as joint tenants.
- 8.5 Only human remains or cremated human remains may be interred in the Cemetery.
- 8.6 All burials are to be made within the confines of designated Lots. There must be a minimum of twelve (12) inches of earth between remains buried in adjoining Lots.
- 8.7 When a Lot is reserved, full payment of all applicable fees are required. Fees, in accordance with [Bylaw C-1395, Schedule "A"](#) for opening and closing of the grave will be paid at the time of burial.
(Bylaw C-1332A - July 1, 2019)
- 8.8 Prior to any Interment, an Application for Interment must be completed. The applicant is responsible for all costs, in accordance with [Bylaw C-1395, Schedule "A"](#) for the Cemetery services, identified in Schedule "A".
(Bylaw C-1332A - July 1, 2019)
- 8.9 The City will supply the lowering device and artificial turf for all burials. The cost of this service will be included in the opening and closing fees, in accordance with [Bylaw C-1395, Schedule "A"](#).
(Bylaw C-1332A - July 1, 2019 and Bylaw C-1332B - November 30, 2020)
- 8.10 When a Lot is to be prepared, a minimum of two (2) full working days' notice is required. Notice must be provided by 10:00 a.m. on Thursday for a Monday Interment or for a Tuesday Interment if the Monday is a holiday. Saturdays, Sundays and Statutory or Declared Holidays are not considered working days.
- 8.11 Interments may be permitted in Cemeteries on a Saturday, Sunday and Statutory or Declared Holidays, subject to the payment of the applicable fees, in accordance with [Bylaw C-1395, Schedule "A"](#).
(Bylaw C-1332A - July 1, 2019)
- 8.12 **Deleted by Bylaw C-1332B - November 30, 2020.**
- 8.13 The City may refuse to allow any Interment which does not comply with this Bylaw.
- 8.14 A Caretaker will be at the Cemetery from the time a procession enters until it leaves the Cemetery.
- 8.15 **Deleted by Bylaw C-1332B - November 30, 2020.**

INTERMENT OF CREMATED HUMAN REMAINS

- 9.1 An application for Interment is required.
- 9.2 Cremated human remains may only be interred in a:
- a) Lot;
 - b) Cremation Lot;
 - c) Niche; or
 - d) Ossuary.
- 9.3 Cremation Lots shall be four (4) feet by four (4) feet except in the Field Garden, where they shall be four (4) feet by three (3) feet.
(Bylaw C-1332B - November 30, 2020)

MULTIPLE INTERMENTS

- 10.1 Double depth Interments may be permitted in Lots to a depth of nine (9) feet. Two (2) separate caskets may be interred at the same time or at different times when one (1) casket is placed above the other. The Lot will be purchased specifically for this purpose. All double depth Interments must have a separate Vault for each Interment.
- 10.2 A double depth interment is not permitted next to an existing standard interment.
(Bylaw C-1332B - November 30, 2020)
- 10.3 Cremated human remains of more than one (1) person may be interred as follows:
- a) up to six (6) persons in a Standard Lot which is not in a Field of Honour;
 - b) up to two (2) infants in an Infant Lot; or
 - c) up to two (2) persons in a Cremation Lot.
- (Bylaw C-1332B - November 30, 2020)**

DISINTERMENTS

- 11.1 The City reserves the right to refuse Disinterments.
- 11.2 The City will be responsible for opening a Lot for Disinterment only to the top of the casket. A funeral director will be responsible for the removal of human remains.
- 11.3 The City shall not be held liable for any damages to the casket as a result of Disinterment.
- 11.4 Disinterments from double depth Lots will only be allowed subject to a court order.
- 11.5 Disinterments are subject to the provisions of the Act. Fees are in accordance with [Bylaw C-1395, Schedule "A"](#).
- 11.6 When a Lot becomes vacant by Disinterment, the Interment Rights may be surrendered to the City.
(Bylaw C-1332B - November 30, 2020)

TRANSFER, RETURN AND EXCHANGE OF INTERMENT RIGHTS

- 12.1 With a written request from the Applicant or the Legal Representative, the City may:
- a) register the transfer of Interment Rights to another person or Legal Representative of a deceased person. This transfer cannot be for remuneration;
 - b) accept the return of unused Interment Rights less the administrative fee, in accordance with [Bylaw C-1395, Schedule "A"](#), without interest;
(Bylaw C-1332A - July 1, 2019)
 - c) accept an exchange of the Interment Rights for a Lot;
 - d) cancel the existing Interment Rights; or
 - e) register new Interment Rights for another Lot.
- 12.2 Deleted by Bylaw C-1332B - November 30, 2020.
- 12.3 Fees, in accordance with [Bylaw C-1395, Schedule "A"](#) apply to all transfers, returns or exchanges of Interment Rights.
(Bylaw C-1332A - July 1, 2019)
- 12.4 The City reserves the right to refuse any Interment where the transfer, exchange or return of the Interment Rights does not comply with the requirements.
(Bylaw C-1332B - November 30, 2020)

RECOVERY OF UNUSED LOTS

13. The City may recover unused Lots according to the Act.

PERPETUAL CARE

- 14.1 The City provides Perpetual Care for Cemeteries which includes maintenance of:
(Bylaw C-1332B - November 30, 2020)
- a) roads;
 - b) buildings;
 - c) other infrastructure;
 - d) turf;
 - e) trees and gardens (planted by the City), and keeping Lots (once the Cemetery is closed).
- 14.2 Perpetual Care does not include:
- a) the care, maintenance, repair and replacement of any Monument or any other memorial structure;
 - b) any personal property constructed or placed in the Cemetery;
 - c) the maintenance of any flower beds or vegetation planted by any person; and
 - d) the repair or replacement of any damage caused by vandalism, regardless of whether any such construction, placing or planting has been approved by the City.

- 14.3 The following will be placed in a reserve fund for use by the City for the Perpetual Care of the Cemetery:
- a) the amount paid for Perpetual Care, is in accordance with [Bylaw C-1395, Schedule "A"](#);
(Bylaw C-1332A - July 1, 2019)
 - b) the amount received for the upkeep of Lots;
 - c) the amount donated or bequeathed for Perpetual Care; and
 - d) interest earned will be used for Perpetual Care.

VAULTS

- 15.1 All Interments of human remains must include an approved Vault, except cremated human remains which in either a Standard or Infant Lot.
(Bylaw C-1332B - November 30, 2020)
- 15.2 The City will install all Vaults. The fees are in accordance with [Bylaw C-1395, Schedule "A"](#).
(Bylaw C-1332A - July 1, 2019)
- 15.3 The Vault in an Infant Lot will be a maximum of twenty (20) inches wide and forty-eight (48) inches long and may be constructed of materials other than fibreglass or concrete.
(Bylaw C-1332B - November 30, 2020)
- 15.4 The Vault in a Standard Lot will be a maximum of thirty-five-and-a-half (35.5) inches wide and ninety (90) inches long.
(Bylaw C-1332B - November 30, 2020)
- 15.5 If there are structural issues with a grave, the City reserves the right to inter without a Vault and reimburse the cost of the Vault base to the funeral home at wholesale cost.
(Bylaw C-1332B - November 30, 2020)

INTERMENTS OF INDIGENT PERSONS

- 16.1 Interments of Indigent Persons require approval of the Province of Alberta. Fees are in accordance with [Bylaw C-1395, Schedule "A"](#) for the Interment Rights for Indigent Persons.
(Bylaw C-1332A - July 1, 2019)
- 16.2 Monuments on any Lot to inter the remains of an Indigent Person may be constructed when all Interment and Cemetery fees, in accordance with [Bylaw C-1395, Schedule "A"](#) have been paid to the City.
(Bylaw C-1332A - July 1, 2019)

FIELD OF HONOUR

- 17.1 The City shall set aside Lots in the Cemetery as a Field of Honour according to the Act.
(Bylaw C-1332B - November 30, 2020)

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- 17.2 Proof that a deceased person is eligible for Interment in the Field of Honour is required by the City. A Certificate from Veterans Affairs Canada or National Defence and the Canadian Forces shall be evidence of eligibility.
 - 17.3 Two (2) Interments will be permitted in each Lot in the Field of Honour of which one (1) Interment is of the Veteran.
 - 17.4 A firearm may be discharged in the Cemetery with the consent of the City, provided that only blank ammunition is used and the discharge is for the purpose of a Veteran.
 - 17.5 Only Department of Veteran Affairs monuments, in memoriam of the Veteran, are allowed in the Field of Honour.
 - 17.6 Only a flat Monument, flush with the ground, placed at the head of the Lot in front of the Veteran Monument, will be allowed for the additional Interment.

ISLAMIC SECTION

- 18. Only human remains of those of Islamic faith shall be interred in the Islamic Section of the Cemetery.

FIELD GARDEN COLUMBARIA

- 19. No item shall be affixed to Niche doors of the Field Garden Columbaria.

MONUMENTS

- 20.1 Monuments may be placed on a Lot in the Cemetery subject to:
 - a) prior written approval of the City;
 - b) payment of the appropriate permit fee, in accordance with [Bylaw C-1395, Schedule "A"](#);
 - c) payment of Lot reserve application fee, in accordance with [Bylaw C-1395, Schedule "A"](#); and

(Bylaw C-1332A - July 1, 2019)

 - d) notification for Interment including Burial Permit.
- 20.2 Monuments may only be placed as follows, in a:
 - a) Standard Lot of four (4) feet x twelve (12) feet. Placement will only take place at the head of the Lot;
 - b) Infant Lot of three (3) feet x five (5) feet. Placement will only take place at the head of Lot.
- 20.3 All Monuments must be of granite, marble, limestone or bronze unless otherwise approved by the City.

- 20.4 The foundation, whether it be upright or flat, must be placed flush to the ground.
(Bylaw C-1332B - November 30, 2020)
- 20.5 Monuments will not be more than forty-two (42) inches in height.
(Bylaw C-1332B - November 30, 2020)
- 20.6 Any monument exceeding two (2) feet in height from ground level must be pinned to the monument base in a manner acceptable to Parks Operations.
- 20.7 All monuments located in the Cemetery are subject to any procedures, and fees, in accordance with [Bylaw C-1395, Schedule "A"](#).
(Bylaw C-1332A - July 1, 2019)
- 20.8 Flat monuments will be installed flush with the ground on Lots within the Cremation Sections in the Cemetery.

TEMPORARY GRAVE MARKER

- 21. Temporary grave markers may be removed after twelve (12) months from date of interment.

PLACEMENT AND REMOVAL OF STRUCTURES AND OTHER OBJECTS

- 22.1 The following structures cannot be placed on a Lot or elsewhere in the Cemetery:
 - a) a full or partial grave cover or curbing; and
 - b) a fence, railing, arbour or bench.**(Bylaw C-1332B - November 30, 2020)**
- 22.2 All earth, debris, litter and rubbish arising or resulting from work performed on any Lot must be cleaned up and removed from the Cemetery at the expense of the person performing the work, to the satisfaction of the City.

LOT IMPROVEMENT AREA

- 23. A Lot Improvement Area may be developed at the head of the Lot in front of the Monument (except where monuments are placed on continuous concrete strips) in which memorial items are kept.
 - a) Lot Improvement Area to be no more than three (3) feet from the head of the Lot;
 - b) Memorial items on a gravesite may only be placed in a Lot Improvement Area;
 - c) Only non-breakable items are allowed in the Lot Improvement Area;
 - d) The Caretaker will remove weathered and out of season items off gravesites;
 - e) The Caretaker is not responsible for replacement or repair of any items left on the gravesite; and
 - f) A second flat monument may be placed within the Lot Improvement Area directly in front of an existing monument. The second monument must abut the existing monument and be installed flush with the ground.**(Bylaw C-1332B - November 30, 2020)**

CONCRETE STRIPS

- 24.1 Lot Improvement Areas are not allowed where monuments are placed on continuous concrete strips in the Cemetery.
- 24.2 Memorial items may only be put in a part of the monument or its foundation designed for the placement of such items.

GENERAL

- 25.1 The City is not liable for any personal injury to any persons, including death or any loss or damage whatsoever to the following:
- a) monuments;
 - b) vegetation; and
 - c) personal property or objects left in the Cemetery.
- (Bylaw C-1332B - November 30, 2020)**
- 25.2 The fees for all services are in accordance with [Bylaw C-1395, Schedule "A"](#).
- (Bylaw C-1332A - July 1, 2019)**

OFFENCES AND PENALTIES

- 26.1 Penalties may apply to any person who:
- a) wilfully destroys, mutilates, defaces, damages or removes any property in the Cemetery, including but not limited to any structure or object which has been constructed or placed anywhere within the Cemetery;
 - b) wilfully disturbs persons assembled for the purpose of the Interment of a deceased person in the Cemetery;
 - c) disturbs the quiet and good order of the Cemetery by noise or any other improper conduct; or
 - d) contravenes a provision of this Bylaw.
- 26.2 This person is guilty of an offence and is liable on conviction to a fine not less than Two Hundred and Fifty (\$250.00) dollars and not more than Ten Thousand (\$10,000) dollars.
- 26.3 In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day during which the contravention continues. A person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.
- 26.4 Nothing in this Bylaw shall be construed to curtail or abridge the right of the City to pursue any other rights or remedies.

REPEALING OF EXISTING BYLAWS

27. Bylaw C-1266 is hereby repealed.

EFFECTIVE DATE

28. This Bylaw shall take effect on the date it is passed.

READ a first time this 27 day of June, 2016.

READ a second time this 27 day of June, 2016.

“B. Given” (signed)

Mayor

“K. Anderson” (signed)

Corporate Services Director

READ a third time and finally passed this 11 day of July, 2016.

“B. Given” (signed)

Mayor

“K. Anderson” (signed)

Corporate Services Director

BYLAW C-1332

SCHEDULE "A"

**Deleted by
(Bylaw C-1332A - July 1, 2019)**