

CITY OF GRANDE PRAIRIE

BYLAW C-1483

A Bylaw to provide and make provision for the improvement, maintenance, management, control and operation of Public Cemeteries.

WHEREAS section 7 of the *Municipal Government Act*, RSA 2000, chapter M-26, as amended, allows the City of Grande Prairie to pass bylaws providing for the health, safety and welfare of people and the protection of people and property and for services provided by or on behalf of the municipality; and

WHEREAS Council deems it desirable to provide for the control and regulation of cemeteries operated by and under the control of the City of Grande Prairie in accordance with the *Cemeteries Act*, RSA 2000, chapter C-3, as amended.

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

1. SHORT TITLE

1.1 This Bylaw shall be called the "Cemeteries" Bylaw.

2. APPLICATION

2.1 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 the Fees, Rates and Charges Bylaw C-1395.

3. DEFINITIONS

3.1 Definitions are as set out in Section 1 of the *Cemeteries Act*, RSA 2000, chapter C-3, except as outlined below.

3.2 In this Bylaw the following words and phrases mean:

"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.

"Act" means the *Cemeteries Act*, RSA 2000, chapter C-3, as amended.

"Applicant" means a person who applies for Interment Rights in the Cemetery.

"Block" means two or more Lots in the Cemetery shown on a City plan.

"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.

"Caretaker" means a City employee who performs caretaker duties in the Cemetery.

"Casket" means a box or chest used for storing human remains.

"City" means the Municipal Corporation of the City of Grande Prairie, having authority under the *Municipal Government Act*, RSA 2000 C. M-26 and other applicable legislation. Where context requires, City also means the area included within the municipal boundaries of the City.

"Cemetery" means the Grande Prairie Cemetery and any land the City used uses for the Interment of human remains.

"Columbarium" means a structure in the Cemetery for interring cremated human remains.

"Communal Grave" means an area in the Cemetery where the cremated remains of up to six persons are interred and are not separately identified.

"Cremation Lot" means a Lot designated for the Interment of cremated human remains.

"Declared Holiday" means a holiday declared by the City.

"Environment and Parks Department" means the department of the City responsible for the care and management of the Cemetery.

"Disinterment" means the removal of human remains or cremated human remains from a Lot, Niche, Columbarium or Above Ground Niche Monument.

"Fees" means fees paid in accordance with the Fees, Rates and Charges Bylaw C-1395, Schedule "A".

"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.

"Flat Monument" means a monument that does not project above the surface of the ground.

"Green Burial" means a method of interment that minimizes environmental impact by placing remains directly into the earth in a manner that facilitates natural decomposition.

"Indigent Person" means any unclaimed body or body of a destitute Person as set out in the Act.

"Infant" means an individual under one year of age.

"Infant Lot" means a Lot used for the interment of Infants in the Infant Section.

"Infant Lot - Standard" means a Lot used for the interment of Infants not in the Infant Section.

"Interment" means the burial or placement of human remains or cremated human remains in a Lot, Columbarium, Ossuary, Mausoleum or Above Ground Niche Monument.

"Interment Rights" means the Applicant granted by the City to allow the Interment of human remains or cremated human remains.

"Islamic Section" means land within the Cemetery for the Interment of human remains of the Islamic faith.

"Legal Representative" means the legal representative of the estate of a deceased person.

"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.

"Lot Improvement Area" means an area three feet from the head of the Lot in which a Monument and/or other commemorations are permitted.

"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.

"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.

"Niche" means an above ground compartment for the Interment of cremated human remains.

"Ossuary" means an area in the Cemetery designated for the inground Interment of cremated human remains.

"Standard Lot" means a Lot used for the Interment of an individual.

"Temporary Grave Marker" means a Lot marker supplied by the funeral home at time of burial or as approved by the City.

"Urn" means a container used for storing cremated human remains.

"Vault" means a structural enclosure constructed of fibreglass or concrete used for encasing a casket for the Interment of human remains.

"Vessel" means a Casket or an Urn.

"Veteran" means as determined by Veteran Affairs Canada.

"Working Day" means any day Monday through Friday, except a Statutory or Declared Holiday.

4. INTERPRETATION

- 4.1 Where the Bylaw refers to another Bylaw or any act, regulation or policy, it includes reference to any Bylaw, act, regulation or policy that may be amended or substituted in its place.
- 4.2 Any heading in this Bylaw is included for guidance purposes and convenience only and does not form part of this Bylaw.
- 4.3 Nothing in this Bylaw relieves a person from complying with any provisions of any federal or provincial law or regulation, other Bylaw or any requirement of any lawful permit, order or license.
- 4.4 Each provision of this Bylaw is independent of all other provisions. If any provision is declared invalid for any reason by a court of competent jurisdiction, then all other provisions of this Bylaw remain valid and enforceable.

5. DESCRIPTION OF LAND

- 5.1 The following lands are known as the "Grande Prairie Cemetery": Plan 2421496, Block 1, Lot 54, containing 13.734 hectares (33.94 acres) more or less.

6. 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 for interment;
 - 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.

7. PRE-NEED APPLICANT

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

8. INTERMENT RIGHTS AND RESPONSIBILITIES

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

- a) a completed Application for Interment Rights and Fees have been paid; and
- 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 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.

8.7 When a Lot is reserved, full payment of all applicable Fees are required. Fees for opening and closing of the grave will be paid at the time of burial.

8.8 Prior to any Interment, an Application for Interment must be completed. The applicant is responsible for all Fees for Cemetery services.

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.

8.10 When a Lot is to be prepared, a minimum of two 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.

8.11 Interments may be permitted in Cemeteries on a Saturday, Sunday and Statutory or Declared Holidays, subject to staff availability and the payment of the applicable Fees.

8.12 The City may refuse to allow any Interment which does not comply with this Bylaw.

8.13 Notwithstanding section 15.1 of this Bylaw, Green Burials may be permitted within a standard lot and must be compliant with the Cemetery Council Policy 624 and any related procedures.

9. 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.

10. MULTIPLE INTERMENTS

- 10.1 Double Depth Interments
 - a) Double Depth Interments may be permitted in Lots to a depth of nine feet.
 - b) Two separate Caskets may be interred at the same time or at different times when one Casket is placed above the other.
 - c) The Lot will be purchased specifically for this purpose.
 - d) 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.
- 10.3 Cremated human remains of more than one person may be interred as follows:
 - a) up to six persons in a Standard Lot which is not in a Field of Honour;
 - b) up to two Infants in an Infant Lot; or
 - c) up to two persons in a Cremation Lot.

11. 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 Vessel. 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 Vessel as a result of Disinterment.
- 11.4 Disinterments from double depth or Green Burial 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.
- 11.6 When a Lot becomes vacant by Disinterment, the Interment Rights may be surrendered to the City in writing.
- 11.7 A disinterred lot surrendered to the City may be reused in the future at the discretion of the City.

12. 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 the Act and Bylaw C-1395, without interest;
 - 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 Fees apply to all transfers, returns or exchanges of Interment Rights.
- 12.3 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.

13. RECOVERY OF UNUSED LOTS

- 13.1 The City may recover unused Lots according to the Act.

14. PERPETUAL CARE

- 14.1 Once the Cemetery is closed, the City will provide Perpetual Care which includes maintenance of:
- a) roads;
 - b) buildings;
 - c) other infrastructure;
 - d) turf;
 - e) trees and gardens (planted by the City) and keeping Lots.
- 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 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.

15. VAULTS

- 15.1 All Interments of human remains must include an approved Vault, except cremated human remains in either a Standard or Infant Lot.
- 15.2 The City will install all Vaults. The Fees are in accordance with Bylaw C-1395.
- 15.3 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.

16. 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 for the Interment Rights for Indigent Persons.
- 16.2 Monuments on any Lot to inter the remains of an Indigent Person may be constructed when all Interment and Cemetery Fees have been paid to the City.

17. FIELD OF HONOUR

- 17.1 The City shall set aside Lots in the Cemetery as a Field of Honour according to the Act.
- 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 Interments will be permitted in each Lot in the Field of Honour of which one 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.

18. ISLAMIC SECTION

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

19. FIELD GARDEN COLUMBARIA

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

20. 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. Permits must be submitted two business days prior to installation to enable the Caretaker to locate and mark out the placement of the monument;
 - c) payment of Lot reserve application Fee; and
 - d) notification for Interment including Burial Permit.
- 20.2 Flat Monuments may be installed flush with the ground on Lots within the Cremation Sections in the Cemetery.
- 20.3 All Monuments located in the Cemetery are subject to the Cemetery Council Policy 624 and any related procedures, and Fees.

21. TEMPORARY GRAVE MARKER

- 21.1 Temporary Grave Markers may be removed after 12 months from date of interment.

22. 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, tree/shrub, hook, crook, or bench.
- 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.
- 22.3 Memorial benches or trees may be available for purchase through the City's Memorial Tree and Bench Program per Council Policy 608. The placement of the memorial benches or trees must be approved by the Caretaker.

23. LOT IMPROVEMENT AREA

- 23.1 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 upon receiving approval from the Environment & Parks Department.
- a) A Lot Improvement Area is to be no more than three feet from the head of the Lot, and must have a boarder of concrete or brick approved by the Environment & Parks Department;
 - 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.

24. 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 placed in a part of the Monument or its foundation designed for the placement of such items.

25. CONTRACTORS WORKING IN THE CEMETERY

- 25.1 The behaviour of all workers employed by contractors are subject to the standards of Environment & Parks Department employees.
- 25.2 Contractors shall lay planks on any Lots or paths over which heavy materials are to be moved, protecting them from damage.

26. GENERAL

- 26.1 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) Vessels;
 - c) vegetation; and
 - d) personal property or objects left in the Cemetery.
- 26.2 The Fees for all services are in accordance with Bylaw C-1395.
- 26.3 Ashes shall not be scattered within Cemetery lands

27. OFFENCES AND PENALTIES

- 27.1 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.

27.2 This person is guilty of an offence and is liable on conviction to a fine not less than \$250.00 dollars and not more than \$10,000.00 dollars.

27.3 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.

27.4 Nothing in this Bylaw shall be construed to curtail or abridge the right of the City to pursue any other rights or remedies.

28. REPEAL

28.1 Bylaw C-1332 Grande Prairie Cemeteries, and all amendments thereto, is hereby repealed in its entirety.

29. EFFECTIVE DATE

29.1 This Bylaw shall come into force and effect when it receives third reading and is duly signed.

READ a first time this 16th day of June, 2025.

READ a second time this 16th day of June, 2025.

READ a third time and finally passed this 16th day of June, 2025.

"J. Clayton" (signed)

Mayor

"A. Van Beekveld" (signed)

Acting City Clerk