

# BYLAW C-8267-2022

**A Bylaw of Rocky View County, in the Province of Alberta, to provide for and make provision for the control, management, operation and maintenance of the Cemeteries owned and operated by Rocky View County.**

**WHEREAS** the *Municipal Government Act* authorizes municipalities to regulate services provided by or on behalf of the municipality;

**AND WHEREAS** the *Cemeteries Act* requires a municipality which owns and operates cemeteries within its boundaries to operate and maintain in accordance with the *Cemeteries Act* and any regulations passed thereunder;

**AND WHEREAS** the *Cemeteries Act* requires every operator of a cemetery to make bylaws respecting the organization, operation, and management of the cemetery and the rights, privileges, and responsibilities of the cemetery operator;

**NOW THEREFORE** the Council of Rocky View County enact as follows:

## Title

- 1 This bylaw may be cited as the *Cemetery Management Bylaw*.

## Definitions

- 2 Words in this bylaw have the same meaning as set out in the *Municipal Government Act* and *Cemeteries Act* except for the definitions provided in Schedule 'A' of this bylaw.

## Purpose and Application

- 3 The following described real properties are set aside, held, laid out, developed, improved, used, and maintained as Rocky View County cemeteries and dedicated for that use, and shall continue to be used, operated, and maintained for that purpose and shall not be used for any other purpose:
  - (1) Garden of Peace Cemetery: legally described as Block 1, Plan 1772 J.K. and located in NW-20-24-28-W4M;
  - (2) Dalemead Cemetery: legally described as Parcel G, Plan 449 FN and located in NE-14-22-27-W4M;
  - (3) Bottrel Cemetery: legally described as Parcel A, Plan 2544 JK and located in SE-21-28-04-W5M; and
  - (4) Historical Langdon Cemetery: legally described as Plan 0914101, Block 1, Lot 1 and located in SW-26-23-27-W4M.



- 4 Rocky View County cemeteries are acquired, established, and laid out for the purpose of making approved cemetery services and goods available to all persons, irrespective of race, faith, orientation, or any other form of categorization, and are established more specifically to provide:
  - (1) suitable space for the interment of human remains and cremated remains or for the scattering of cremated remains; and
  - (2) such additional cemetery services and goods as may be approved from time to time by the County at any cemetery owned by the County.
- 5 Council, as trustees of Rocky View County cemeteries, shall ensure:
  - (1) the care and maintenance of County cemeteries is performed in accordance with all applicable law;
  - (2) County cemeteries are maintained to an aesthetic appearance consistent with general community standards;
  - (3) the roads, entrances, pathways, grounds, and landscaping of County cemeteries are maintained in a safe, operational, and good state of repair; and
  - (4) no public health nuisance or safety hazard arises from the operation of a County cemetery.
- 6 Rocky View County is responsible for:
  - (1) the management, control and charge of County cemeteries and the services and goods provided therein;
  - (2) the direction of all County workers, outside contractors or agents employed from time to time by the County to perform work within the limits of a County cemetery;
  - (3) refusing the admission of and, without prior notice, removing or ordering the removal of any unauthorized product, adornment, material, tree, shrub, plant, or floral tribute brought into or placed at a lot or in a County cemetery in contravention of this bylaw; and
  - (4) refusing admission or expelling from a County cemetery any person or corporation if such action is warranted.
- 7 The development, administration, operation, and maintenance of every Rocky View County cemetery and the provision of services and supplies therein and the application and administration of this bylaw and the establishment of fees and charges for every County cemetery are conducted in accordance with all applicable enactments of Alberta or Canada and all regulations made thereto, as amended, revised, consolidated, or repealed and replaced from time to time.
- 8 Rocky View County shall have the authority to establish, amend, repeal and replace, administer and enforce any bylaw established for County cemeteries.
- 9 Rocky View County shall have full and complete control and management over the land, buildings, plantings, roads, utilities, books, and records of County cemeteries.

- 10 Rocky View County shall have the right to manage, maintain, or alter the interment areas, memorials, roads and pathways, buildings, utility infrastructure, change or remove plantings, grade, alter in shape or size, or otherwise change all or any part of a County cemetery as it deems necessary or appropriate, and subject only to compliance with any applicable requirement of cemetery legislation.
- 11 Rocky View County shall have the authority, at its cost and in a timely manner, to correct any error that may be made by it in making an interment, disinterment, or in the description of a lot or the transfer or conveyance of a right of interment and grant in lieu thereof, a right of interment or a lot of equal value so far as is reasonably possible. In the instance an error may involve the interment or disinterment of human remains, the County shall correct the error in compliance with and under such terms as may be set out in the *Cemeteries Act*.
- 12 Subject to the authority and oversight of Council, Rocky View County in an emergent or extraordinary circumstance shall have the authority to waive the application or enforcement of this bylaw where such action shall not contravene or violate any article or clause of the *Cemeteries Act* or give an unfair privilege or advantage to one cemetery user over any other cemetery user.
- 13 Rocky View County shall provide an annual report to Council to update them on cemetery business, statistics, and any other relevant or proposed future changes.

#### **Fees and Perpetual Care Fund**

- 14 Rocky View County shall from time-to-time and on a regular basis establish fees to be charged at County cemeteries.
- 15 The fees established for Rocky View County cemeteries under section 14 of this bylaw are set out in the County's *Master Rates Bylaw* and the cemetery fees are made available to the public upon request.
- 16 With the purchase of a lot, a memorial, or a memorial installation, Rocky View County shall charge and collect a percentage or set amount of the purchase price to be deposited into the Perpetual Care Fund.
- 17 The amount to be charged, collected, and transferred to the Perpetual Care Fund are itemized on all purchase contracts.
- 18 The contribution rate to be charged, collected, and transferred to the Perpetual Care Fund shall be:
  - (1) for the purchase of a lot in a County cemetery, not less than 25% of the purchase price of the lot;
  - (2) for the purchase of any memorial, not less than 25% of the total purchase price of the memorial, whichever is greater;
  - (3) for a memorial installation, not less than \$50.00 for a single memorial and not less than \$100.00 for a side-by-side memorial.
- 19 All funds collected for the Perpetual Care Fund are remitted and managed by Rocky View County and are invested in accordance with the *Municipal Government Act*. The interest earned on the

Perpetual Care Fund are used exclusively to fund the long-term care and maintenance of the County cemeteries.

- 20 Any funds received by the County in the form of gifts, bequests, or donations for the purpose of endowing any grave lot or any part of a Rocky View County cemetery are invested into the Perpetual Care Fund.

### **Interment Rights**

- 21 Rocky View County shall establish, for every cemetery, a lot survey, lot sizes, interment rights specifications, and rules of lot use that set out the number and form of interments permitted in a specific lot.
- 22 Rocky View County, subject to payment of an established fee, may grant an interment right for a vacant lot in a cemetery on an at-need or a reserve basis.
- 23 Possession of an interment right:
- (1) confers to a rights holder, a right to use, in compliance with this bylaw, a lot for the interment of human remains or cremated remains of a person or persons named on an interment rights certificate;
  - (2) does not confer to a rights holder, any title to, ownership of, or interest in the land of a cemetery or of a lot therein or any other special privilege over any land in a cemetery;
  - (3) does not require Rocky View County to perform an interment of human remains or cremated remains into a lot until the rights holder complies in all other respects with this bylaw and any rules and regulations made thereto as they relate to the interment of human remains or cremated remains, or the purchase and placement of a memorial and, without limitation, the payment of all applicable fees.
- 24 An applicant may, on an at-need or on a reserve basis and upon payment in full for a fee set out in the *Master Rates Bylaw*, purchase an interment right for not more than four human remains or cremated remains lots.
- 25 Rocky View County shall issue to an applicant paying in full the fee set out in the *Master Rates Bylaw* for an interment right, a copy of their purchase contract, and an interment rights certificate, in a form prescribed by the County, which sets out the rights of lot use attributed to the purchaser identified on the certificate.
- 26 An interment rights holder shall have the authority to designate who, other than themselves, may be authorized to use or to control the exercise of an interment right registered in their name.
- 27 An interment rights holder, at the time of purchase, shall reserve the right to use a lot they have purchased for themselves or assign the right of any secondary rights in a lot to another person to which the interment right refers where an assignee so named shall be a family member of the rights holder.
- 28 An interment rights holder may designate only one lot in a cemetery for their own use.

- 29 The exercise of an interment right, every interment, and every other form of disposition of human remains or of cremated remains or installation of a memorial within the limits of a cemetery is subject to:
- (1) all provisions of this bylaw;
  - (2) payment in full of any applicable fee set out in the *Master Rates Bylaw*; and
  - (3) compliance with this bylaw and all applicable terms, conditions, design, lot plan, interment and memorial parameters, standards of operation, and maintenance established by the Rocky View County and this bylaw.
- 30 Subject to at-need lot demand, Rocky View County shall have the right to limit or suspend the reserve sale of interment rights in a cemetery at any time. The County shall never sell on a reserve basis more than 50% of the developed lots available at any given time in a cemetery.
- 31 Rocky View County may, in a special or emergent at-need circumstance, permit the sale of the interment rights for not more than ten lots of any type to an applicant and under such terms and conditions as the County deems appropriate.
- 32 Rocky View County may by agreement with a society, faith group, or other organization, reserve or sell interment rights for a contiguous block of lots in a section of a cemetery under such terms and conditions as the County deems appropriate and where such a section shall be used exclusively for the interment of deceased members of the society, faith group, or other organization.
- 33 Upon such an agreement being concluded under section 32 of this bylaw, no person shall be provided an interment right in that section unless an application for interment rights is accompanied by a certificate from the society, faith group, or organization stating that the person is entitled to interment in the reserved section. Rocky View County, under this provision, shall never sell or reserve more than 10% of the developed lots available at any given time in a cemetery.
- 34 Interment rights sold, reserved, or issued under sections 31, 32, and 33 of this bylaw, and all services rendered by Rocky View County under such agreements, are subject to payment of fees at the regular rates set out in the *Master Rates Bylaw*.

### **Transfer, Resale, and Reclamation of Interment Rights**

- 35 Interment rights for any unused lot shall only be surrendered back to Rocky View County.
- 36 The private sale or transfer of interment rights to a third party, to which Rocky View County is not a party, is prohibited. Where a private sale or transfer of an interment right is made without the County's knowledge, participation, or approval, then the County shall have no obligation to honor an interment right acquired under such a transaction and subsequently presented to the County for use or sale back to the County.
- 37 The sale of an interment right back to Rocky View County and any refund issued in relation to the surrender of an interment right are made in compliance with the *Cemeteries Act*.
- 38 The surrender of an interment right back to Rocky View County is permitted providing:
- (1) there are no interments in or memorials on the lot being surrendered;

- (2) the original interment rights holder or their authorized representative has made a written application to the County, in a form prescribed by the County, stating their desire to surrender the interment right;
  - (3) the original interment rights certificate is surrendered to the County;
  - (4) if the surrender occurs within 30 days of the original date of purchase, 100% of the fees paid for the right of interment shall be refunded; and
  - (5) if the surrender occurs 31 or more days after the original date of purchase, a right of interment may be refunded at a value of not more than 85% of the original fee collected at the time of purchase.
- 39 In the instance an unused interment right survives an original rights holder and evidence of assignment, transfer, inheritance, succession, or authority cannot be provided by the authorized representative or heir of an original rights holder, then Rocky View County shall have the authority to:
  - (1) determine, through a process prescribed by the County, the person or persons who may be entitled to exercise a surviving right of interment and under what conditions a surviving right of interment may be exercised; or
  - (2) if a clear and distinct right of succession cannot be ascertained, prohibit the use of any surviving interment rights in a lot.
- 40 Pursuant to the *Cemeteries Act*, an interment right for an unused lot may be reclaimed by Rocky View County if all the following have occurred:
  - (1) there are no interments in or memorials on a lot being reclaimed;
  - (2) not less than 40 years have elapsed from the original date of purchase of the interment right;
  - (3) the County has had no contact from or with the original purchaser, their authorized representative, heir, or successor for not less than 40 years;
  - (4) notice of the intent to reclaim the interment right has been sent to last known address of record for the interment rights holder;
  - (5) public notice of the lot reclamation has been published at least three times through local media; and
  - (6) the County can demonstrate all due diligence has been made to locate and contact the interment rights holder and the County has still had no response from the original rights holder, their personal representative, heirs, or successors.
- 41 Where an interment right for a lot in a cemetery has been declared and resold, and the interment right is subsequently required for use by the original rights holder, their heir, or successor, then Rocky View County shall provide an interment right of equal or greater value that has been chosen from the available lots of the cemetery by the original interment rights holder, their heir, or successor.

### **Interment, Disinterment, and Exhumation**

- 42 Only human remains or cremated human remains shall be interred in a Rocky View County cemetery.
- 43 Every interment of human remains or cremated human remains shall be conducted in a manner consistent with this bylaw, the dignity of adjacent lots, the cemetery, and general community standards.
- 44 Every interment into a lot shall conform to the cemetery design plan, lot plans, and interment rights established by Rocky View County for a lot.
- 45 The following specifications shall constitute the lot types and permitted interment densities for lots as they may be surveyed for interments in Rocky View County cemetery:
- (1) Human Remains Lot: limited to the double depth interment of the human remains of two persons and the secondary interment of not more than four cremated remains, or where no interment of human remains is made in the lot then the interment of not more than six cremated remains;
  - (2) Infant / Child Lot: limited to the single depth interment of the human remains of one infant or child and the secondary interment of not more than two cremated remains, or where no interment of human remains is made in the lot then the interment of not more than three cremated remains, subject to lot location at Rocky View County's discretion;
  - (3) Standard Cremated Remains Lot: limited to the interment of the cremated remains of two persons;
  - (4) Family Cremated Remains Lot: limited to the interment of the cremated remains of four persons;
  - (5) Field of Honour Human Remains Lot: limited to the interment of the human remains of two persons, of which at least one person to be interred is a veteran; and
  - (6) Field of Honour Cremated Remains Lot: limited to the interment of the cremated remains of two persons, of which at least one person to be interred is a veteran.
- 46 No interment, disinterment or exhumation at a cemetery shall be permitted until:
- (1) it is ascertained the deceased holds a valid interment right at a cemetery or a rights holder at a cemetery provides authorization for a deceased's human remains or cremated remains to be interred in a lot for which they hold an interment right;
  - (2) the authorized representative of a deceased completes, signs, and delivers to Rocky View County, in a form prescribed by the County, an interment authorization form;
  - (3) all outstanding fees relating to the interment right being used, the interment fee, and the fee for any other cemetery service provided by the County to facilitate the interment, has been paid in full to the County;
  - (4) proper notice, in a manner prescribed by the County, has been provided to the County;

- (5) for human remains, an Alberta burial permit has been submitted to the County;
  - (6) for cremated remains, a certificate of cremation has been submitted to the County; and
  - (7) where a death has occurred in a jurisdiction other than Alberta, a disposition document confirming legal registration of the death in the other jurisdiction, deemed acceptable to the County, has been surrendered to the County.
- 47 The County shall have the right to assign interment times and to control, limit, or restrict the type and number of interments that may occur in a cemetery on any given day.
- 48 Advance notice for an interment is required and the advance notice shall be delivered to the County:
- (1) from April 1 to September 30 (Summer) not less than 48 hours in advance of a proposed interment, where not less than 16 hours of the notice period are regular operating hours of the County;
  - (2) from October 1 to March 31 (Winter) not less than 72 hours in advance of a proposed interment, where not less than 24 hours of the notice period are regular operating hours of the County; and
  - (3) the failure to provide advance notice to the County may result in an interment being delayed or denied.
- 49 In the instance an interment is requested in a time period shorter than the notice period set out in section 48 of this bylaw, the interment, at the discretion of Rocky View County, may be accommodated subject to payment of an additional fee as set out in the *Master Rates Bylaw*.
- 50 All documents and fees, in accordance with the *Master Rates Bylaw*, related to an interment shall be delivered to Rocky View County prior to or on the day of an interment.
- 51 Upon provision of proper authorization and notice to the satisfaction of Rocky View County, interments at a County cemetery:
- (1) shall occur between 8:30 AM to 2:30 AM on Monday to Friday;
  - (2) subject to payment of an additional fee set out in the *Master Rates Bylaw*, may occur on a Saturday between 8:30 AM and 2:30 PM, or outside of the hours 8:30 AM to 2:30 PM on a weekday; and
  - (3) no interments shall be permitted on a Sunday, or a day of observance or holiday observed by the County.
- 52 Human remains for interment into a cemetery lot shall be enclosed in a casket or alternative container of a design, size, and material approved by Rocky View County and the authorized representative shall ensure the County is advised of the outside dimension (length x width x height) of the casket or alternative container at least 48 hours prior to the interment.
- 53 Cremated remains for interment into a cemetery lot shall be enclosed in an urn or container of a design, size, and material approved by Rocky View County.





- 54 Rocky View County shall have the authority to suspend or cancel an interment service and limit or prohibit public access to a part or all of a cemetery where weather, road, grounds conditions, or other extraordinary circumstance may warrant or pose a hazard to the public, County staff, or their agents.
- 55 Only Rocky View County, or a contractor authorized by the County, may excavate, prepare, open, or close an interment lot in a cemetery.
- 56 The interment of human remains may, on an optional basis, be made into a grave liner of a design established by and accepted for interment by Rocky View County. The use of an optional grave liner may, depending on grave liner size, limit, or eliminate the option to permit the secondary interment of cremated remains in the lot.
- 57 Where a grave liner that meets in every way the standard established by Rocky View County is proposed to be used then:
- (1) the County shall supervise the installations of the grave liner into the lot;
  - (2) installation of a grave liner shall be made at a day and time set by the County;
  - (3) purchase, delivery, and installation of a grave liner shall be at the expense of an authorized representative of a deceased, an interment rights holder, or their heir or successor; and
  - (4) installation of a grave liner may be subject to a fee set out in the County's Master Rates Bylaw and the fee shall be paid in full to the County prior to the delivery of a grave liner and installation into a lot.
- 58 Where the double-depth interment of human remains is anticipated, the first interment of human remains into the lot shall be made at the deepest depth, leaving sufficient depth in the lot for the interment of the second human remains and also ensuring sufficient depth of soil coverage for any future secondary interment of cremated remains into the lot.
- 59 The secondary interment of cremated remains into a human remains lot will be permitted, prior to the interment of human remains into the lot, providing the cremated remains are fully enclosed in a permanent or semi-permanent urn vault of a standard approved by Rocky View County.
- 60 Prior to any interment in a designated Field of Honour, proof, in a form acceptable to Rocky View County, shall be provided showing the deceased is eligible for interment as a veteran as defined in the *War Veterans Allowance Act* and no person other than a veteran or their spouse shall be permitted to be interred in a Field of Honour.
- 61 The scattering of cremated remains is permitted only in designated areas in a cemetery, and the scattering of cremated remains on the surface of an interment lot or anywhere else in the grounds of a cemetery is strictly prohibited.
- 62 Where an interment is directed under the *Public Health Act*, written instructions with respect to all procedures to be followed for the interment to protect the health and safety of all persons who may come into contact with the burial container bearing the human remains shall be provided to Rocky View County by a medical officer of health or their agent in advance of the interment. The County shall be obligated to accommodate an interment directed under the *Public Health Act* as and when so ordered.



- 63 Every disinterment or exhumation of human remains or cremated remains from a lot in a cemetery shall be made in compliance with the *Cemeteries Act*, arranged by and conducted under the supervision of a licensed funeral service provider, engaged by and at the expense of an applicant, and performed in a manner consistent with the dignity of adjacent lots, the cemetery, and general community standards.
- 64 The scattering of cremated remains, where permitted, shall render the cremated remains permanently non-recoverable from the time of scattering.
- 65 In the instance an applicant requests a discretionary disinterment of human remains or cremated remains from a lot under their control, the applicant shall first provide in writing to Rocky View County, at their expense and in a form prescribed by the County, a document setting out:
- (1) such proof as the County may request, up to and including sworn affidavits, to establish the identity and the legal right and authority of the applicant to make the request;
  - (2) such other information as the County may request as to the purpose and reason for the disinterment; and
  - (3) with the understanding the provision of such information shall not bind the County to permit a discretionary disinterment, the County shall have the right to require an applicant making a discretionary disinterment request to acquire, at their expense, a court order that compels the County to make the disinterment requested.
- 66 No disinterment or exhumation shall be allowed until:
- (1) the authorized representative of the deceased who has the right to authorize the disinterment of a deceased person's remains has acquired, completed, duly signed, and provided to Rocky View County a disinterment authorization in a form prescribed by the County; and
  - (2) all outstanding fees relating to a right of interment, the disinterment/exhumation from the lot, and any other service provided or product supplied by the County to facilitate the disinterment/exhumation have been paid in full to the County where the fees for disinterment/exhumation are set out in the *Master Rates Bylaw*.
- 67 Except where ordered by a court of competent jurisdiction or under the *Public Health Act* or *Cemeteries Act*, no person other than Rocky View County along with a duly contracted funeral service provider or funeral director shall be permitted to be present at a disinterment or exhumation of human remains or cremated remains from a lot in a cemetery.
- 68 A funeral service provider employed at the expense of an applicant for a disinterment or exhumation shall be responsible for the arrangement, performance, and supervision of:
- (1) the physical removal of the interred human remains from the lot and transfer of those remains into a container that fully encloses the remains;
  - (2) the removal and disposition of any remnants of a casket, container, or grave liner; and
  - (3) Rocky View County shall not be compelled to handle or participate in the removal of exposed human remains from any lot where a disinterment or exhumation is being performed.



- 69 Other than the recovery of the human remains or cremated remains readily apparent and present in a lot opened for a disinterment/exhumation, Rocky View County makes no representation or warranty as to what other material, personal effect, or other extraneous item may be recovered as part of a disinterment or exhumation process.
- 70 The application for and authorization of a disinterment/exhumation shall grant Rocky View County sole and discretionary authority to dispose of all extraneous materials that may incidentally be residue from a disinterment or exhumation in a safe, environmentally sensitive, and dignified manner
- 71 A disinterment or exhumation in a cemetery shall, without exception, be performed on a day and at a time of Rocky View County's choosing.
- 72 The re-interment of disinterred human remains or cremated remains into the same or another lot within a cemetery shall comply with this bylaw.
- 73 Rocky View County is not responsible for any emotional, psychological, or physical injury that may occur to a living person or injury to human remains, cremated remains, or damage to a casket, grave liner, urn, or other form of interment container sustained as part of an interment, disinterment, or exhumation except where such injury or damage can be shown to have been caused by the negligence of the County.

#### **Memorials and Memorial Installation**

- 74 Every memorial and the installation thereof in a cemetery shall conform with this bylaw, including Schedule 'B' of this bylaw, as is current at the time a memorial is installed, not at the date a right of interment was purchased when an interment was made or when a memorial was purchased.
- 75 It is the responsibility of a rights holder, the personal representative of a deceased, or an organization or memorial supplier acting on behalf of a deceased to arrange for the supply and installation of a memorial on a cemetery lot. Rocky View County shall have no responsibility or obligation to place or install at the County's expense any form of temporary or permanent memorial at an interment lot or memorial site.
- 76 Every memorial and the installation thereof shall conform to the plan established for a cemetery and for the lot on which the memorial is proposed to be installed.
- 77 No memorial, inscription, engraving, or ornamentation or combination thereof that is inconsistent with the dignity of adjacent lots, the cemetery, or general community standards shall be placed on any cemetery lot.
- 78 No memorial shall be installed on a lot until:
- (1) an application for installation, in a form prescribed by Rocky View County, is received by the County;
  - (2) the application sets out the proposed location for the memorial, and the memorial design describing fully the memorial's proposed size, material, and inscription;
  - (3) the memorial site is determined, by the County, to be sufficiently established and in a condition suitable for the installation of a memorial;

- (4) it is determined that the memorial described on the application complies in every way with the specifications set out for memorial placement on the lot where installation is proposed;
- (5) all outstanding indebtedness as it relates to an interment right, interment, and memorial installation has been paid in full to the County; and
- (6) upon satisfying all of the above, a memorial permit may be issued by the County to allow installation of the memorial.

- 79 Where an applicant for a memorial permit is a memorial supplier or dealer, it is the responsibility of the applicant to confirm the correct location for a memorial proposed for installation and, for a companion memorial on a side-by-side lot, to further confirm the correct layout for the companion inscription on the memorial. Rocky View County shall bear no responsibility or financial liability for a memorial where it can be shown this due diligence was not performed by an applicant.
- 80 Rocky View County may refuse to issue a memorial permit to an applicant if the applicant has failed to comply with the requirements of this bylaw or any requirement established by the County governing memorials at a cemetery. In the instance a refusal occurs, the County shall inform the applicant what is not compliant about the memorial application and the steps that must be taken to resolve the deficiency.
- 81 Rocky View County may refuse a memorial delivered for installation at a lot, despite the prior issuance of a memorial permit, if the memorial does not match the specifications described in a memorial permit application or does not comply with the requirements of this bylaw, or the memorial, inscription, engraving, or ornamentation or combination thereof is, in the judgement of the County, inconsistent with the dignity of adjacent lots, the cemetery, or general community standards. In the instance a refusal occurs, the County shall inform the applicant what is not compliant about the memorial delivered for installation and the steps that must be taken to resolve the deficiency.
- 82 Every memorial shall be installed by Rocky View County or, if not performed by the County, installation shall be made under the supervision of the County and the cost of any memorial installation shall be borne by the applicant for a memorial permit.
- 83 The installation of memorials shall:
- (1) be made only during the regular operating hours of a Rocky View County cemetery;
  - (2) be made at a day and time of the County's choosing;
  - (3) not interfere with or impede the conduct of any interment or graveside ceremony; and
  - (4) where installation or delivery is to be made by a memorial dealer or outside contractor the County shall be provided at least 48 hours of notice of which at least 16 hours are regular operating days of the County.
- 84 Rocky View County shall be responsible to maintain the land on which a memorial is placed or installed but shall not be responsible for the maintenance of any memorial. The County shall not be liable for the theft of a memorial, or be obligated to repair any scratch, breakage, or damage to a memorial in a cemetery except where it can be shown the theft, scratch, breakage, or damage was caused by the negligence of the County.



- 85 A rights holder or their personal representative is required to keep in proper repair, at their expense and to the satisfaction of Rocky View County, all memorials on their lot. In the instance a memorial is placed or installed on a lot in a County cemetery and subsequently falls into a state of disrepair, the County shall document the condition of the memorial and shall have the authority, without prior notice, to have the memorial removed from the lot and from the County cemetery, in each case at the expense of a rights holder or their personal representative.
- 86 Where it is determined a memorial or its installation do not comply with this bylaw, then Rocky View County may request and require, at the expense of a rights holder or their personal representative, that the non-compliant memorial be moved, reinstalled, or permanently removed from a cemetery.
- 87 Except for a cemetery lot memorialized or embellished, as approved by Rocky View County prior to the date of adoption of this bylaw, the surface of every in-ground lot in a cemetery shall be soil and turf grass.
- 88 For a cemetery lot memorialized or embellished prior to the date of adoption of this Bylaw, Rocky View County may:
- (1) permit pre-existing memorials and embellishments to remain on a lot providing they are well maintained, do not pose a safety hazard, and are kept in good repair by and at the expense of the rights holder, their personal representative, or their heir or successor; and
  - (2) permit or order, at the expense of a rights holders, their personal representative, or their heir or successor, that a pre-existing, deteriorated, or damaged memorial or embellishment be replaced on a lot providing the replacement memorial or embellishment is identical to the memorial or embellishments being replaced to the original items being replaced in terms of size, type, and form.
- 89 Upon adoption of this bylaw, Rocky View County shall have the authority to, without prior notice, remove and restore the surface of a lot with soil and turf grass, and dispose of any curbing, grave cover, coping, fence, railing, hedge, planting, or any other form of delineation that is in an advanced state of disrepair, has created an unsafe ground condition, become a hazard to persons using, visiting, or working in the cemetery, or that has otherwise deteriorated to a state that is inconsistent with the dignity of adjacent lots and the general aesthetic of the cemetery.

### **General Provisions and Regulations**

- 90 The days and hours of operation of Rocky View County cemeteries and the cemetery office shall, for the following purposes, be:
- (1) Cemetery Visiting: cemeteries are open every day of the year for visiting between 8:00 AM and sunset. No person, without written permission of the County, shall be permitted in a County cemetery between one hour after sunset and 8:00 AM the following morning;
  - (2) Interment Services: upon satisfying terms and conditions of this bylaw, interment services may occur on any day of the year at a time approved by the County and arranged with a licensed funeral service provider; and
  - (3) Cemetery Arrangements: cemetery arrangements may be made Monday through Friday from 8:00 AM to 4:00 PM at the cemetery office located at the Garden of Peace Cemetery and the payment of cemetery fees shall be made at a location specified on a cemetery contract.

- 91 Floral tributes may be placed at Rocky View County cemetery in accordance with the following:
- (1) on the day of an interment and for a period of seven days following an interment, fresh cut flowers, wreaths, and artificial and seasonal floral tributes are permitted. After seven days, flowers placed on the day of interment may, without prior notice, be removed and disposed of by the County;
  - (2) from May 15 to September 30, only fresh cut flowers are permitted to be placed on a lot;
  - (3) from October 1 to May 14, fresh cut flowers along with wreaths and artificial and seasonal floral tributes are permitted to be placed on a lot;
  - (4) all forms of floral tributes are placed with the understanding that, without prior notice, floral tributes may be removed and disposed of if they have withered, become unsightly, detract from the general aesthetic of adjacent lots, or pose a safety risk to cemetery visitors or workers conducting cemetery maintenance;
  - (5) depending on the lot type, not more than two flower vases of a design approved by the County, and placed at a location established by the County, may be permitted for the placement of flowers at a lot;
  - (6) in the case of a columbarium niche, flowers may be placed in a vase of a design approved by the County and placed at a location established by the County; and
  - (7) except for the day of an inurnment, the placement of any form of floral tribute shall not be permitted at the base of any columbarium.
- 92 Placing any form of decoration, adornment, personal memento, or other extraneous object, unless in compliance with this bylaw, is not permitted on any lot or columbarium in a Rocky View County cemetery. Unauthorized items placed on any lot, columbarium, or in any County cemetery may, without prior notice, be removed or ordered to be removed by the County. This includes, but is not limited to, photographs, pictures, frames, solar lights, boxes, shells, toys, wire screens, decorative rocks, trellises, benches, or any other form of memorabilia.
- 93 Subject to the approval of Rocky View County, small personal items or mementos may be permitted to be placed within a columbarium niche where such items will easily fit within the niche when closed and must be non-decomposing and shall not be a hazard to, harm, or damage the niche columbarium structure.
- 94 Normally, no open flame, candle, or burning of any substance or other material may take place inside Rocky View County cemetery. Limited exceptions to this rule may be permitted subject to:
- (1) prior authorization of burning granted by the County;
  - (2) burning being limited to County approved burn barrels, burn area, or other location;
  - (3) burning is conducted in compliance with any instructions established by the County; and
  - (4) all burning is subject to the County's fire ban status at the time burning is proposed or planned.



- 95 Rocky View County is not liable for the deterioration, damage, or loss of flowers, decorations, adornments, or any other article attached to or placed on a lot, columbarium, or memorial site. Flowers or articles that become unsightly, broken, or deteriorated may be ordered to be removed by the County or, without prior notice, be removed by and at the discretion of the County.
- 96 Except as may specifically be provided for elsewhere in this bylaw, no lot, columbarium, or other part of Rocky View County cemetery may be decorated or adorned in any manner by any person other than the County, or an authorized agent of the County, without the express written consent of the County and where the exercise of such consent shall be within the limited discretion and authority of the Chief Administrative Officer.
- 97 No tree, shrub, plant, bulb, flower, or other decorative plant feature may be planted, pruned, cut down, removed, or otherwise altered on a lot or anywhere else within the limits of Rocky View County cemetery without the express written consent of the County and where any such work shall be performed only by the County or an authorized agent of the County.
- 98 Cemetery roadways are for the exclusive use of interment processions, cemetery patrons, or other persons as may be approved by Rocky View County and no vehicle shall exceed 20 kilometers per hour in speed and every operator of a vehicle shall, at all times, obey the directions and orders of the County.
- 99 No person shall drive or park a vehicle over any lawn, garden, or flower bed except as authorized by Rocky View County.
- 100 No person shall enter or drive a vehicle in the Dalemead, Bottrel, or Historic Langdon Cemeteries except as authorized by Rocky View County.
- 101 Every person, including those in funeral processions, upon entering and while within a Rocky View County cemetery, shall follow every instruction of the County.
- 102 In a Rocky View County cemetery, no person shall:
- (1) scatter, dispose of, or inter any cremated remains or bury any human remains except in compliance with this bylaw;
  - (2) define or delineate any lot or group of lots by a grave cover, grave cap, fence, railing, curb, hedge, or by any other means that contravenes this bylaw;
  - (3) willfully or negligently destroy, mutilate, deface, damage, vandalize, injure, or remove anything from a County cemetery, including and without limitation, any memorial, plant, flower, tree, rock, or other item located within the limits of a County cemetery;
  - (4) carry out any activity other than attendance at an interment or memorial service or the visitation of a lot for the purpose of paying respect to the dead;
  - (5) drive a vehicle anywhere other than on a designated roadway for vehicles and in compliance with posted speed regulations or other directives;
  - (6) operate a snowmobile or any other form of recreational vehicle or all-terrain vehicle;

- (7) conduct themselves in a manner that disturbs the peace, quiet, and good order of the cemetery generally or an interment or memorial service being conducted therein;
  - (8) discharge any firearm other than at a military funeral for which a firearm salute has been authorized by the County and is conducted under the direct command of an officer in charge and only during an interment or memorial service being conducted therein;
  - (9) bring into or dump any rubbish, debris, or other offensive item or matter or make an unauthorized removal of any cemetery refuse, waste, or rubbish;
  - (10) allow a person under the age of 16 years within the limits of a cemetery that is not accompanied by a parent, guardian, or an adult supervisor;
  - (11) play any manner of sports, sports game, or sport activity within the limits of a County cemetery; or
  - (12) otherwise violate any provision of this bylaw.
- 103 No person shall allow or permit a dog to be on cemetery property unless the dog, at all times, is:
- (1) under the control of an adult by means of a leash of a length not greater than 1.5 meters; and
  - (2) the dog is not allowed or permitted to urinate or defecate on any grave lot, memorial, or on cemetery property generally and, if it does, the person in control of the dog shall ensure that the excreta are completely removed and disposed of in a sanitary manner.
- 104 Other than for the exception provided for dogs in section 103 of this bylaw, no person shall bring any other type of pet or animal, other than a certified personal assistance animal, into a cemetery.
- 105 No gratuity, discount, commission, entertainment, non-consumable, favor, donation, special recognition, or extraordinary consideration shall be paid to or accepted by an employee or agent of Rocky View County for any service rendered or good provided in connection with a County cemetery.
- 106 All work within Rocky View County cemeteries shall be performed by the County, employees of the County, or authorized agents of the County. A person or corporation other than those authorized agents of the County who perform work in a County cemetery, including a person or corporation that performs work on behalf of a rights holder or personal representative of a deceased or their heirs or successors, shall supply to the County, prior to commencement of any work within the limits of a County cemetery and in a form prescribed by the County, proof of workers compensation insurance, public liability insurance, and motor vehicle insurance in a form and amount acceptable to the County.
- 107 A contract worker working in a Rocky View County cemetery shall immediately cease work in the vicinity of any interment or memorial service until the conclusion of the service and those persons attending the service have left the area where the service was being conducted.
- 108 No work may be performed at Rocky View County cemetery except during the regular business hours of the County or a County cemetery except where work outside of said days or hours has been authorized in writing by the County.



- 109 Rocky View County shall, at all times, have the right of passage in any manner it sees fit over every lot and all the land of every County cemetery so as to ensure that cemetery operations and maintenance can be performed in a safe, efficient, and timely manner.
- 110 Notwithstanding section 102(d) of this bylaw, Rocky View County shall have the authority to conduct or permit to be conducted public or private events within a County cemetery that are, in the opinion of the County, deemed appropriate for and in keeping with the dignity and purpose of a cemetery.
- 111 In the instance a person or corporation through their immediate behavior, or a pattern of behavior tracked over time, does not behave with proper decorum within Rocky View County cemetery or who disturbs the peace, quiet, and good order of a County cemetery, the County may then take any such steps it deems appropriate to expel the person or corporation from a County cemetery and bar them from entering a County cemetery in the future.
- 112 In the instance a person or corporation through their immediate behavior, or a pattern of behavior tracked over time, contravenes any provision of this bylaw, then the person or corporation may be subject to application of a penalty as set out in sections 113 through 117 of this bylaw.

### **General Penalty Provisions**

- 113 In accordance with the *Municipal Government Act*, any person who violates any provision of this bylaw is guilty of an offence and is liable, upon summary conviction, to a maximum fine of \$10,000.00 or, in default of payment of the fine, to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.
- 114 The minimum and specified penalties are as follows:
- (1) the specified penalty for any violation of this bylaw is \$500.00 and the minimum penalty for any such violation is \$250.00;
  - (2) notwithstanding section 114(1) of this bylaw, if a person violates the same provision of this bylaw twice within a one-year period, the minimum and specified penalties for the second such violation shall be double the amounts set out in section 114(1) of this bylaw; and
  - (3) notwithstanding section 114(1) of this bylaw, if a person violates the same provision of this bylaw three times or more within a one-year period, the minimum and specified penalties for the third and subsequent violation(s) shall be triple the amounts set out in section 114(1) of this bylaw.
- 115 Where an Enforcement Officer has reasonable and probable grounds to believe that a person has violated any provision of this bylaw, the Enforcement Officer may commence court proceedings against such person by:
- (1) issuing the person a violation ticket pursuant to the provisions of the *Provincial Offences Procedure Act*; or
  - (2) swearing out an information and complaint against the person.
- 116 Where an Enforcement Officer issues a person a violation ticket in accordance with section 115(1) of this bylaw, the Enforcement Officer may either:



- (1) allow the person to pay the specified penalty established in this bylaw for the offence by including such specified penalty in the violation ticket; or
  - (2) require a court appearance of the person where the Enforcement Officer believes that such an appearance is in the public interest, pursuant to the provisions of Part 2 of the *Provincial Offences Procedure Act*.
- 117 No provision of this bylaw, nor any action taken pursuant to any provision of this bylaw, shall in any way restrict, limit, prevent, or preclude Rocky View County from pursuing any other remedy in relation to an offence, as may be provided by the *Municipal Government Act* or any other law of Alberta.

### Repeal and Effective Date

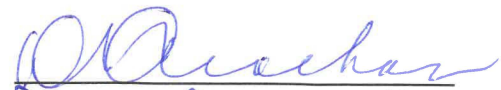
- 118 Bylaw C-6947-2010, being the *Cemetery Bylaw*, is hereby repealed upon this bylaw passing and coming into full force and effect.
- 119 Bylaw C-8267-2022, being the *Cemetery Management Bylaw*, is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

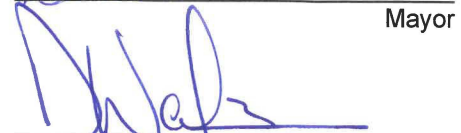
READ A FIRST TIME IN COUNCIL this 26 day of July, 2022

READ A SECOND TIME IN COUNCIL this 26 day of July, 2022

UNANIMOUS PERMISSION IN COUNCIL this 26 day of July, 2022

READ A THIRD TIME IN COUNCIL this 26 day of July, 2022

  
Mayor

  
Chief Administrative Officer

July 26, 2022  
Date Bylaw Signed

**Bylaw C-8267-2022****Schedule 'A' – Definitions**

- 1     **"Adult"** means a person over the age of 18 years of age.
- 2     **"Applicant"** means a person who makes application to the County for a right of interment, an interment or a memorial permit and may also mean an interment rights holder, the legal authorized representative of a deceased or the heir or successor of a deceased, or a funeral service provider, funeral director, memorial supplier or memorial dealer acting as an agent of an interment rights holder, the personal representative of a deceased or the heir or successor of a deceased.
- 3     **"At-need"** means at the time of death or after a death has occurred.
- 4     **"Authorized person"** or **"personal representative"** means the person who, pursuant to the *Cemeteries Act*, is the authorized representative of a deceased and has the authority to control the disposition of human remains or cremated remains of a deceased person.
- 5     **"Burial"** means the in-ground interment of human remains or cremated remains.
- 6     **"Burial permit"** means a legal document issued under the *Vital Statistics Act* acknowledging the registration of a death.
- 7     **"Casket"** or **"container"** means a container used to enclose human remains for interment but does not include a grave liner, burial vault, or an urn.
- 8     **"Cemetery"** means land owned by the County that is set apart to be used, now or at a future date, as a place of interment of human remains or cremated remains and includes any incidental or ancillary buildings on the land.
- 9     **"Cemeteries Act"** means the *Cemeteries Act*, R.S.A 2000, c C-2, as amended or replaced from time to time, as well as the *General Regulation*, Alberta Regulation 249/1998, as amended or replaced from time to time.
- 10    **"Cemetery services"** means the supply of any service or goods rendered at a Rocky View County cemetery in respect of any interment right, lot, gravestone, memorial marker, or monument or other form of memorial.
- 11    **"Child"** means a person between the age of 2 years and 17 years of age.
- 12    **"Columbarium"** means a structure or building or an area in a structure or building that contains niches for the interment of cremated remains.
- 13    **"Council"** means the duly elected Council of Rocky View County and includes the Mayor, Deputy Mayor, and all councillors.
- 14    **"County"** means Rocky View County.
- 15    **"Court"** means a court of competent jurisdiction in the Province of Alberta.

- 16    **“Cremated remains”** means the human bone fragments remaining after cremation and includes residue of other materials cremated with the human remains.
- 17    **“Deceased”** means a person who has died.
- 18    **“Disinterment”** means the removal of human remains or cremated remains from a lot in which the remains are interred for the purpose of an alternative disposition or relocation.
- 19    **“Enforcement Officer”** means a member of the Royal Canadian Mounted Police (R.C.M.P.), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the *Peace Officer Act*, or a Bylaw Enforcement Officer employed by Rocky View County in accordance with the *Municipal Government Act*.
- 20    **“Exhumation”** means the exposure of interred human remains for the purposes of viewing or examination and where such viewing or examination may occur in the lot where the remains are interred, or the remains are removed from the lot where they are interred and the exhumed remains are re-interred into the same lot after the viewing or examination has been completed.
- 21    **“Family member”** means and is limited to a spouse, a child (natural, adopted, or step), a parent or stepparent, a sibling (natural, adopted, or step), a grandparent or step grandparent, or a grandchild (natural, adopted, or step).
- 22    **“Fees”** means the fees prescribed for cemetery goods and services which are established by Rocky View County and set out in the *Master Rates Bylaw*.
- 23    **“Funeral director”** means a person licensed to:
- (1)    arrange, conduct, or direct bereavement rites and ceremonies;
  - (2)    care for or prepare human remains prior to disposition; and
  - (3)    transfer human remains or direct or supervise the transfer of human remains.
- 24    **“Funeral service provider”** means a person who carries on a business licensed to provide funeral services, bereavement rites, and ceremonies.
- 25    **“Grave liner”** means a receptacle with a lid, constructed of a durable material, which may or may not have a bottom, into which a casket holding human remains or an urn holding cremated remains is placed to provide reinforcement of a lot as part of an interment.
- 26    **“Holiday”** means any day or part of a day as may be proclaimed from time to time as a day of observance or a holiday to be observed by Rocky View County.
- 27    **“Human remains”** means a dead human body in any stage of decomposition, or the body of a stillborn infant in any stage of decomposition, but does not include cremated remains.
- 28    **“Infant”** means a person less than two years of age and includes a stillborn infant.
- 29    **“Interment”** means disposition by burial of human remains or cremated remains or by the inurnment of cremated remains.



- 30 **“Interment authorization”** means a document, set out in a form prescribed by Rocky View County, to be completed and signed at-need by the person having the legal authority to authorize the interment of human remains or cremated remains of a deceased person.
- 31 **“Interment right”** means a right of use granted in perpetuity and acquired through purchase, inheritance, or permitted transfer:
- (1) for the interment of human remains or cremated remains in a lot at a Rocky View County cemetery;
  - (2) for the installation of a memorial on a lot at a County cemetery; and
  - (3) issued in accordance and compliance with cemetery legislation and this bylaw.
- 32 **“Interment rights certificate”** means a document, set out in a form prescribed by Rocky View County, which describes a right of interment and the terms and conditions that govern the right of interment for a lot in a County cemetery.
- 33 **“Interment process”** means the excavation or opening and preparation of a lot for an interment and the closing of a lot after the interment of human remains or cremated remains has been made in a lot.
- 34 **“Lot”** means a designated space in a Rocky View County cemetery to be used or intended to be used for:
- (1) the interment of human remains or cremated remains under a right of interment;
  - (2) the installation of a memorial to memorialize a deceased person; and
  - (3) includes but is not limited to a grave, niche, or lot.
- 35 **“Master Rates Bylaw”** means Rocky View County’s current *Master Rates Bylaw*, as amended or replaced from time to time.
- 36 **“Medical Health Officer”** means a person appointed from time to time under the *Public Health Act* to act as Medical Officer of Health in Alberta.
- 37 **“Memorial”** means a product used or intended to be used to identify a lot or to memorialize a deceased person, including but not limited to:
- (1) a flat marker, upright monument, plaque or other form of marker on a lot;
  - (2) an inscription on a niche; or
  - (3) other memorial products approved for installation at a Rocky View County cemetery.
- 38 **“Memorial dealer”** means a person or corporation that offers for sale or installs memorials for the public.
- 39 **“Memorialization”** means the selection, purchase, and installation of a memorial in remembrance of a deceased person at a lot or a memorial space in a Rocky View County cemetery.

- 40 **“Municipal Government Act”** means the *Municipal Government Act*, R.S.A. 2000, c M-26, as amended or replaced from time to time.
- 41 **“Niche”** means one kind of a lot, a space, usually within a columbarium, used or intended to be used for the interment of cremated remains.
- 42 **“Peace Officer Act”** means the *Peace Officer Act*, R.S.A 2000, c P-3.5, as amended or replaced from time to time.
- 43 **“Perpetual care”** means the long-term care and maintenance of a Rocky View County cemetery in perpetuity and in a proper manner.
- 44 **“Provincial Offences Procedure Act”** means the *Provincial Offences Procedure Act*, R.S.A 2000, c P-34, as amended or replaced from time to time.
- 45 **“Public Health Act”** means the *Public Health Act*, R.S.A 2000, c P-37, as amended or replaced from time to time.
- 46 **“Purchase contract”** means a contract in a form prescribed by Rocky View County that sets out details relating to:
- (1) the purchase of a right of interment for a lot in a County cemetery; or
  - (2) the purchase of a permit for the right to install a memorial in a County cemetery.
- 47 **“Rights holder”** means a person who:
- (1) has purchased a right of interment to be held in their name for a lot in a Rocky View County cemetery;
  - (2) has a right of interment for a lot registered in their name for a lot in a County cemetery but is not the original purchaser;
  - (3) is the authorized representative of a deceased person who has a right of interment held in a deceased person’s name for a lot in a County cemetery;
  - (4) has, in compliance with this bylaw, had a right of interment transferred to their name for a lot in a County cemetery; or
  - (5) is a legal heir or successor of a deceased interment rights holder and by demonstration of a right of legal succession to the satisfaction of the County may be entitled to inherit control of a deceased person’s right of interment for a lot in a County cemetery.
- 48 **“Rocky View County”** means Rocky View County, together or separately as the context requires, including but not limited to, Council, a department of the County, a person or persons employed by the County, cemetery staff, or an agent authorized by the County to perform work related to the development, management, operation, provision of service, care, and maintenance of a County cemetery
- 49 **“Scatter”** means the irreversible and permanent dispersal of cremated remains in a defined area or feature within a Rocky View County cemetery.



- 50    **“Urn”** means a container used for the containment of cremated remains.
- 51    **“Veteran”** means a person who is fully qualified (Military Occupation Class, MOC) and currently serving or who has honourably served, for a one-year minimum, in the Armed Forces of Canada, the Commonwealth or its wartime allies or who served in the Merchant Navy during wartime.
- 52    **“Violation ticket”** means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*.
- 53    **“Vital Statistics Act”** means the *Vital Statistics Act*, R.S.A. 2000 c V-4.1, as amended or replaced from time to time.
- 54    **“War Veterans Allowance Act”** means the *War Veterans Allowance Act*, R.S.C. 1985, c W-3, as amended or replaced from time to time.
- 55    **“Without prior notice”** means that for maintenance and operational actions deemed necessary by Rocky View County there is no obligation of the County to make or provide, in any form or manner, advance notice of said action occurring, to an interment rights holder, the personal representative of a deceased or their heir or successor.
- 56    **“Working day”** means every day of a year that is not a Sunday or a day of observance or a holiday as defined in this bylaw or as may be observed by Rocky View County.

**Bylaw C-8267-2022****Schedule 'B' – Memorial Rules and Regulations****General Rules and Regulations**

- 1 Every memorial, the installation of every memorial, and the placement of a memorial on a lot in a cemetery shall conform to the plan established for the lot and the section of the cemetery in which the memorial is to be installed.
- 2 Every memorial shall be constructed of granite, bronze mounted on a granite base, or of another permanent and durable material approved by Rocky View County.
- 3 The memorial type, design, and size including the maximum width, depth, and thickness of a memorial and the form and style of a memorial inscription is conditional on the type of lot or lots on which it is being installed.
- 4 Every memorial shall conform to the specifications set out in Schedule 'B' of this bylaw and any further requirement that may be established by Rocky View County for a lot at a cemetery at the time the memorial is placed or installed and not at the time the memorial is purchased or at the time of death.
- 5 The design, layout, dimensions, location of interments, and location and placement of memorials for every lot type in Rocky View County cemetery shall be those set out in the design plan of a cemetery and this bylaw.
- 6 The installation of memorials and memorial foundations is restricted to occur between May 1 and October 31. Due to winter ground conditions no installations are permitted between November 1 and April 30.
- 7 Every bronze marker shall:
  - (1) have the letters, numerals, and ornamentation chased and buffed that shall not protrude more than 0.95 cm (3/8 in.) above the surface of the marker, and each casting shall be true and free from defects and roughness;
  - (2) be cast with sufficient integral bosses on the underside, tapped or drilled to receive anchor lugs or bolts which shall be non-corroding of a minimum diameter of 0.95 cm (3/8 in.), and, if metal, electrolytically similar to the marker; and
  - (3) be securely attached to a granite base by four or more of the fasteners to a base. All base tops and bottoms shall be smooth finished.
- 8 Every monument tablet shall be pinned to its base using a dowel of not less than 1.3 cm (0.5 in.) diameter and a length of not less than 15 cm (6 in.) extending equally into the tablet and base or may be attached to its base in another manner approved by Rocky View County.
- 9 An upright monument with a design feature that is an integral part of the memorial may be permitted so long as the monument, including the design feature, conform to the specifications set out in this bylaw.





- 10 Photographic appliqués or emblems may, subject to Rocky View County approval, be attached to a memorial on the condition a photographic appliqué or emblem is attached to the memorial in a manner approved by the County.
- 11 No form of decorative rock, gravel, or other form of material may be placed at or around a memorial in a cemetery. Only materials approved or used by Rocky View County for the installation and maintenance of memorials is permitted at or around memorials or lots.
- 12 Except for a flower vase, of a design approved by Rocky View County, no form of candleholder, lantern, or other form of fixture may be attached in any manner to a memorial or placed adjacent to where a memorial is installed in the cemetery.
- 13 At the time of an interment the County may permit a temporary, non-permanent memorial marker, of a design and size approved by the County, to be placed on a lot at a location set by the County, where the temporary memorial marker shall be limited to placement on the lot for a period not to exceed six months from the date of interment. The County shall have the authority to remove and dispose of, without prior notice, a temporary, non-permanent memorial marker remaining on a lot where more than six months have expired from the date of interment.

#### **Foundations and Bases**

- 14 Memorial dimensions set out in Schedule 'B' of this bylaw may have a variance of not more than plus or minus 1.3 cm (0.5 in.).
- 15 Every flat granite marker shall be installed at an applicant's expense and shall consist of:
  - (1) sufficient excavation of the memorial installation site; and
  - (2) placement and compaction of sufficient subsurface consolidated aggregate materials to ensure a stable and level, vertical, and horizontal installation of the flat marker flush with the surface level of the lot.
- 16 Every flat bronze marker shall be installed on a granite base that:
  - (1) is not less than 10 cm (4 in.) and not more than 12.5 cm (5 in.) thick;
  - (2) has a smooth finished top;
  - (3) has an exposed, smooth granite surface 5 cm (2 in.) wide showing around each edge of the bronze marker;
  - (4) has rock-pitch sides that are true and perpendicular with the top surface of the attached marker;
  - (5) has holes drilled through, to accommodate the attachment of the bronze marker with corrosion resistant, threaded bosses and washers, to be supplied by the memorial supplier; and
  - (6) has, where required, a 11.4 cm (4.5 in.) diameter hole drilled through to accommodate a Rocky View County approved invertible flower vase.



- 17 Every upright monument shall be installed onto a Rocky View County installed concrete foundation ribbon or, depending on lot location, installed on a granite foundation installed at an applicant's expense where required that shall consist of:
- (1) sufficient excavation of the foundation installation site;
  - (2) placement and compaction of sufficient subsurface consolidated aggregate materials;
  - (3) for a monument under 91 cm (36 in.) in height, a granite thickness of not less than 10 cm (4 in.);
  - (4) for a monument over 91 cm (36 in.) in height, a granite thickness of not less than 15 cm (6 in.);
  - (5) for every monument, the top finished surface of a granite foundation shall be not less than 10 cm (4 in.) wider and longer than the base of the memorial to be installed on the lot; and
  - (6) the granite foundation when installed shall have its finished surface flush to the ground level of the lot so as to ensure a stable and level, vertical and horizontal installation of the monument base and tablet above the surface level of the lot.

### **Memorial Specifications**

(as per the following pages of this bylaw)



Flat Granite Marker

18 Every flat granite memorial shall conform to the following specifications:

FLAT GRANITE MARKER			
<b>SINGLE LOT</b> Full Size Lot	Minimum Length 50 cm (20 in.)	Minimum Width 30.5 cm (12 in.)	Minimum Thickness 10 cm (4 in.)  Maximum Thickness 12.5 cm (5 in.)
	Maximum Length 101 cm (40 in.)	Maximum Width 45 cm (18 in.)	
<b>SIDE-BY-SIDE LOT</b> Full Size Lot	Minimum Length 91.5 cm (36 in.)	Minimum Width 40.5 cm (16 in.)	
	Maximum Length 152.5 cm (60 in.)	Maximum Width 56 cm (22 in.)	
<b>INFANT or CREMATION LOT</b> 1.2 m X 1.2 m (4 ft X 4 ft)	Minimum Length 35.5 cm (14 in.)	Minimum Width 30.5 cm (12 in.)	
	Maximum Length 71 cm (28 in.)	Maximum Width 40.5 cm (16 in.)	
<b>CREMATION LOT</b> 1.2 m L x 0.6 m W (4 ft L X 2 ft W)	Minimum Length 35.5 cm (14 in.)	Minimum Width 30.5 cm (12 in.)	
	Maximum Length 71 cm (28 in.)	Maximum Width 40.5 cm (16 in.)	
<b>CREMATION LOT</b> 0.6 m L X 1.2 m W (2 ft L X 4 ft W)	Minimum Length 30.5 cm (12 in.)	Minimum Width 35.5 cm (14 in.)	
	Maximum Length 40.5 cm (16 in.)	Maximum Width 71 cm (28 in.)	



Flat Bronze Marker

19 Every flat bronze memorial on a granite base shall conform to the following specifications:

FLAT BRONZE MARKER			
<b>SINGLE LOT</b> Full Size Lot	Minimum Length 41 cm (16 in.)	Minimum Width 25.5 cm (10 in)	Minimum Base Thickness 10 cm (4 in.)  Maximum Base Thickness 12.5 cm (5 in.)
	Maximum Length 91.5 cm (36 in.)	Maximum Width 35 cm (14 in.)	
<b>SIDE-BY-SIDE LOT</b> Full Size Lot	Minimum Length 81 cm (32 in.)	Minimum Width 30 cm (12 in)	
	Maximum Length 142 cm (56 in.)	Maximum Width 45.5 cm (18 in.)	
<b>INFANT or CREMATION LOT</b> 1.2 m X 1.2 m (4 ft X 4 ft)	Minimum Length 25 cm (10 in.)	Minimum Width 20 cm (8 in)	
	Maximum Length 61 cm (24 in.)	Maximum Width 30 cm (12 in.)	
<b>CREMATION LOT</b> 1.2 m L x 0.6 m W (4 ft L X 2 ft W)	Minimum Length 25 cm (10 in.)	Minimum Width 20 cm (8 in)	
	Maximum Length 61 cm (24 in.)	Maximum Width 30 cm (12 in.)	
<b>CREMATION LOT</b> 0.6 m L X 1.2 m W (2 ft L X 4 ft W)	Minimum Length 20 cm (8 in.)	Minimum Width 25 cm (10 in.)	
	Maximum Length 30 cm (12 in.)	Maximum Width 61 cm (24 in.)	

### Upright Monument

20 Every upright monument with a granite base shall conform to the following specifications:

LOT TYPE	GRANITE TABLET BASE FOUNDATION		
<b>SINGLE LOT</b> Full Size Lot	Tablet Min. Length 63.5 cm (20 in.)	Tablet Min. Width 10 cm (4 in.)	Tablet Min. Height 46 cm (18 in.)
	Base Min. Length 66 cm (26 in.)	Base Min. Width 25.5 cm (10 in.)	Base Height 15.25 cm (6 in.)
	Foundation Min. Length 81.25 cm (32 in.)	Foundation Min. Width 40.5 cm (16 in.)	Foundation Min. Height 10 cm (4 in.)
	Tablet Max. Length 117 cm (46 in.)	Tablet Max. Width 35.5 cm (14 in.)	Maximum Height 183 cm (72 in.)
	Base Max. Length 122 cm (48 in.)	Base Max. Width 40.5 cm (16 in.)	Base Height 25.5 cm (10 in.)
	Foundation Max. Length 122 cm (48 in.)	Foundation Max. Width 56 cm (22 in.)	Foundation Max. Height 10 cm (4 in.)
<b>SIDE-BY-SIDE LOT</b> Full Size Lot	Tablet Min. Length 50 cm (20 in.)	Tablet Min. Width 10 cm (4 in.)	Tablet Min. Height 46 cm (18 in.)
	Base Min. Length 66 cm (26 in.)	Base Min. Width 25.5 cm (10 in.)	Base Height 15.25 cm (6 in.)
	Foundation Min. Length 81.25 cm (32 in.)	Foundation Min. Width 40.5 cm (16 in.)	Foundation Min. Height 10 cm (4 in.)
	Tablet Max. Length 234 cm (92 in.)	Tablet Max. Width 35.5 cm (14 in.)	Maximum Height 183 cm (72 in.)
	Base Max. Length 244 cm (96 in.)	Base Max. Width 40.5 cm (16 in.)	Base Height 25.5 cm (10 in.)
	Foundation Max. Length 234 cm (92 in.)	Foundation Max. Width 56 cm (22 in.)	Foundation Max. Height 10 cm (4 in.)



<b>INFANT or CREMATION LOT</b> 1.2 m X 1.2 m (4 ft X 4 ft)	Tablet Min. Length 63.5 cm (20 in.)	Tablet Min. Width 10 cm (4 in.)	Tablet Min. Height 46 cm (18 in.)
	Base Min. Length 66 cm (26 in.)	Base Min. Width 25.5 cm (10 in)	Base Min. Height 15.25 cm (6 in.)
	Foundation Min. Length 81.25 cm (32 in.)	Foundation Min. Width 40.5 cm (16 in.)	Foundation Min. Height 10 cm (4 in.)
	Tablet Max. Length 117 cm (46 in.)	Tablet Max. Width 35.5 cm (14 in.)	Tablet Max. Height 183 cm (72 in.)
	Base Max. Length 122 cm (48 in.)	Base Max. Width 40.5 cm (16 in.)	Base Max. Height 25.5 cm (10 in.)
	Foundation Max. Length 122 cm (48 in.)	Foundation Max. Width 55.75 cm (22 in.)	Foundation Max. Height 15.25 cm (6 in.)