

**MUNICIPALITY OF JASPER**  
**Bylaw # 082**

**BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION AND CONTROL OF THE JASPER CEMETERY.**

**WHEREAS** the Municipality of Jasper has, through the Agreement for the Establishment of Local Government in Jasper, June 13<sup>th</sup>, 2001, care and control of the Jasper Cemetery; and

**WHEREAS** a Municipality may, pursuant to the *Municipal Government Act* (Alberta) and *Cemetery Act* (Alberta) pass Bylaws for the regulation and use of cemeteries under its control;

**NOW THEREFORE** the Council of the Municipality of Jasper, in the Province of Alberta, duly assembled, enacts:

**1. CITATION**

1.1 This bylaw may be cited as the “Jasper Cemetery Bylaw 2006”.

1.2 Municipality of Jasper Bylaw #007, the “Jasper Cemetery Bylaw,” is hereby repealed.

**2. DEFINITIONS**

2.1 In this bylaw:

2.1.1 “*Cemetery*” shall mean the Jasper Cemetery in the Municipality of Jasper, Alberta, in part of Section 22, Township 45, Range 1 West of the 6<sup>th</sup> Meridian, including approximately 2800 square meters of parking lot and access road.

2.1.2 “*Cemetery Certificate*” and “*Certificate*” shall mean a certificate issued by the Municipality of Jasper on or after April 1<sup>st</sup>, 2002 in respect of the burial of the remains or ashes of a person in the Cemetery.

2.1.3 “*Columbarium*” shall mean a structure designed for storing the ashes of human bodies or remains that have been cremated.

2.1.4 “*Council*” shall mean the Council of the Municipality of Jasper.

2.1.5 “*Cremation Plot*” shall mean a Plot in which may be buried the ashes of up to six persons.

2.1.6 “*Funeral Party or Procession*” shall mean the gathering or assembly of people at the graveside at the time of interment.

2.1.7 “*Grave*” shall mean an excavation in a Cemetery Plot for the burial of human remains and ashes.

- 2.1.8 “*Grave Plot*” shall mean a Plot in which may be buried the remains of a person or in which may be buried the remains of a person and the ashes of up to three persons.
- 2.1.9 “*Her Majesty*” shall mean the Queen in Right of Canada.
- 2.1.10 “*Immediate Next of Kin*” shall include the parents, spouse, children or siblings of the deceased.
- 2.1.11 “*Indigent*” shall mean those persons who are residents of the Municipality at the time of burial and whose financial means are not sufficient to cover the fees for burial.
- 2.1.12 “*Infant*” shall mean a person not more than one year of age.
- 2.1.13 “*Marker*” shall mean a temporary structure erected by the Municipal Manager and denoting a Grave or Grave Plot in the Cemetery.
- 2.1.14 “*Memorial Tablet*” shall mean a structure of bronze, marble or granite or other material for memorial purposes placed on any Plot, level with the surrounding ground.
- 2.1.15 “*Memorial Service*” shall mean a scheduled service held on Cemetery lands by a group or society in memory of one or more persons whose remains are interred in the Cemetery.
- 2.1.16 “*Monument*” shall mean a structure of bronze, marble, or granite or other material which projects above the level of the surrounding ground.
- 2.1.17 “*Municipal Manager*” shall mean the chief appointed official of the Municipality of Jasper and includes any person authorized to act for or in the name of the Municipal Manager.
- 2.1.18 “*Municipality*” shall mean the Municipality of Jasper as described in the Agreement for the Establishment of Local Government in Jasper, June 13<sup>th</sup>, 2001.
- 2.1.19 “*Niche*” shall mean a section of a Columbarium designed for storing the ashes of human bodies or other human remains that have been cremated.
- 2.1.20 “*Owner*” shall mean the person who purchases a Cemetery Certificate for a Cemetery Plot from the Municipality, or the legal representative of such a person, or a person or a legal representative of a person who is a holder of a valid Parks Canada Certificate issued pursuant to the *National Parks Cemetery Regulations* on or before 31 March 2002.
- 2.1.21 “*Parks Canada Certificate*” shall mean a certificate issued by Parks Canada pursuant to the National Parks Cemetery Regulations on or before March 31<sup>st</sup>, 2002, in respect of the burial of the remains or ashes of a person in the Cemetery.
- 2.1.22 “*Perpetual Care*” shall mean the preservation and maintenance in perpetuity of a Grave or compartments in a Columbarium.
- 2.1.23 “*Plot*” shall mean a Plot measuring not less than 1.52 meters (5 feet) by 3.05 meters (10 feet) as shown on the Cemetery Plan of Record in the offices of the Municipality of Jasper and which may be either a Grave Plot or a Cremation Plot.

- 2.1.24 “*Unidentified*” shall mean those persons who are residents of the Municipality of Jasper at time of burial but whose identity is not known or readily discoverable.
- 2.1.25 “*Vehicle*” shall mean a device in, on or by which a person or thing may be transported or drawn on a Roadway either by motor or muscular power and includes a horse or a horse-drawn conveyance.
- 2.1.26 “*Winter Cross*” shall mean a temporary Marker placed in the Cemetery by the Municipal Manager for a period not to exceed one (1) year.
- 2.1.27 Words importing the masculine gender only include the feminine gender whenever the context so requires and vice versa.
- 2.1.28 Words importing the singular shall include the plural or vice versa whenever the context so requires.

### **3. DUTIES, RIGHTS AND POWERS OF THE MUNICIPAL MANAGER**

- 3.1 All powers granted to the Municipal Manager by this Bylaw shall be subject always to the supervision and control of Council.
- 3.2 The Municipal Manager shall have charge of the Cemetery, shall determine the appropriate care and maintenance of the Cemetery, and shall exercise control over all those employed therein.
- 3.3 The Municipal Manager may divide the Cemetery into areas and may reserve an area for the burial of:
  - 3.3.1 infants;
  - 3.3.2 ashes; and
  - 3.3.3 remains of persons who at any time served with or were attached to the naval, army or air forces of Her Majesty or a power allied or associated with Her Majesty.
- 3.4 The Municipal Manager shall be responsible to discharge the Municipality’s duty for Perpetual Care of any Plot in which are buried the ashes or remains of a person.
- 3.5 The Municipal Manager may construct, erect or place or cause to be constructed, erected or placed, or allow to be constructed, erected or placed in the Cemetery:
  - 3.5.1 a Columbarium for the placement of cremated human remains;
  - 3.5.2 benches, seating, walkways and laneways; and
  - 3.5.3 such other structures, developments and improvements as he deems necessary for the proper operation of the Cemetery.
- 3.6 The Municipal Manager may erect or cause to be erected in the Cemetery a memorial wall upon which may be placed plaques commemorating persons whose deaths occurred in Jasper National Park but who are not eligible for burial in the Cemetery, and may establish requirements for size and text of such plaques and may charge the fee specified in Schedule “A” for the placement of such plaques.

#### **4. CEMETERY RECORDS**

- 4.1 The Municipal Manager shall keep proper records and plans of the Cemetery, and each Plot in the Cemetery shall be shown numbered on such plans.
- 4.2 The Municipal Manager shall maintain a register for the Cemetery in which shall be entered:
  - 4.2.1 in respect of each Grave in the Cemetery for which a certificate has been issued, the name and address of the person to whom the certificate was issued, the date of issue of the Certificate and the amount paid therefore, the number of the certificate and such other particulars as the Municipal Manager considers necessary; and
  - 4.2.2 in respect of each person whose remains or ashes are buried in a Grave in the Cemetery:
    - 4.2.2.1 his name, address prior to death, nationality, religion, age and sex;
    - 4.2.2.2 the name and address of the next of kin of the person or the nearest relative of the person;
    - 4.2.2.3 the date and cause of death;
    - 4.2.2.4 the name of the attending physician; and
    - 4.2.2.5 such other particulars as the Municipal Manager considers necessary.
- 4.3 Such records shall be available for inspection at any time during which the offices of the Municipality of Jasper are open to the public by:
  - 4.3.1 the Director of Cemeteries designated pursuant to the *Cemeteries Act* (Alberta) or a person designated in writing by the Director of Cemeteries;
  - 4.3.2 any police officer carrying out law enforcement duties;
  - 4.3.3 any relative of a deceased person whose burial or interment is listed in the records; and
  - 4.3.4 in respect of plans and locations of Plots and interments, members of the public.
- 4.4 The Municipality shall keep proper records of account showing all monies received from the sale of Cemetery Certificates and for all services rendered in the Cemetery, and showing all expenditures made in connection with the Cemetery.

#### **5. LANDSCAPING AND OTHER WORK**

- 5.1 Unless authorized by the Municipal Manager, no person shall plant trees, shrubs, flowers or other plants in the Cemetery or introduce or remove, destroy, prune or otherwise interfere with trees, shrubs, flowers or other plants, or sod or earth in the Cemetery.
- 5.2 The Municipal Manager shall, on a schedule he determines and posts at the Cemetery and for the purpose of Cemetery maintenance, remove from any location in the Cemetery any flowers or plants, any stand, holder, vase or other receptacle for flowers or plants, or any flower pots, jars, bottles, iron or wire work or any ornament or any construction of any kind to provide for maintenance of the Cemetery and without liability to the Municipality for damage or destruction

- of such items, and the municipal manager shall replace such items when such maintenance work is completed.
- 5.3 The Municipal Manager shall each year on or after October 31<sup>st</sup> remove items from plots and tablets and place such items into storage for 30 (thirty) days, after which he shall dispose of them at his discretion. Items left on Monuments or Winter Crosses shall not be disturbed.
  - 5.4 The Municipal Manager may remove from the Cemetery and may prohibit any person placing in the Cemetery any stand, holder, vase or other receptacle for flowers or plants, or any flower pots, jars, bottles, iron or wire work or any ornaments or construction of any kind which he deems to be unsightly, distasteful or otherwise unsuitable for the Cemetery. The Municipal Manager shall hold for thirty (30) days articles removed from the Cemetery pursuant to these provisions, during which time the Owner may reclaim such articles, and after which the Municipal Manager may dispose of them at his discretion.
  - 5.5 Subject always to the provisions of the Agreement for the Establishment of Local Government in Jasper, 13 June 2001, if, in the opinion of the Municipal Manager, any trees, shrubs, or plants on any Plot become detrimental to adjacent Plots, walks or driveways, or prejudicial to the general appearance of the grounds, the Municipal Manager shall have the right to remove any such trees, shrubs, plants or any parts thereof.
  - 5.6 The Municipal Manager may remove from any Plot weeds or grass and he may also remove any floral pieces which, in his opinion, have become wilted or otherwise unsightly.
  - 5.7 All persons employed in landscaping or other work in the Cemetery, whether employed by the Municipality or not, require the permission of the Municipal Manager and shall be subject to his direction and control.
  - 5.8 The Municipal Manager shall have the right to remove from the Cemetery any person who disturbs the quiet or good order of the Cemetery whether by noisy or improper conduct or otherwise.
  - 5.9 Any group or society desiring to hold a Memorial Service shall provide the Municipal Manager not less than forty-eight (48) hours notice of their intention to do so.
  - 5.10 No person shall, in the Cemetery, plant any trees, shrubs, hedges, flowers, grass or other vegetation:
    - 5.10.1 without written consent of the Municipal Manager unless that person is an employee of the Municipality of Jasper under the direction and control of the Municipal Manager;
    - 5.10.2 on a Sunday or other holiday;
    - 5.10.3 between the hours of eight o'clock in the evening and eight o'clock in the morning;
    - 5.10.4 at any time during which a burial or a Memorial Service is taking place, and
    - 5.10.5 which is not native to Jasper National Park of Canada except for the purpose of maintaining existing hedges or for the purpose of managing turf areas.
  - 5.11 The surface of Grave Plots shall be kept level with the surrounding ground.

5.12 No person shall construct, erect or place or cause to be constructed, erected or placed, or allow to be constructed, erected or placed in the Cemetery any structure, furnishings, fencing, curbing, wooden or wire trellis, or other thing or structure without permission in writing from the Municipal Manager.

## **6. PLOTS**

6.1 No person, other than the Municipal Manager, shall assign, exchange, transfer or subdivide any Plot or Grave.

6.2 Where a Parks Canada Certificate has been issued in respect of a Plot, the Municipality will honour Parks Canada's obligations with respect to that certificate, including renewal, as described in the *National Parks Cemetery Regulations* SOR/83-677 dated April 30, 2001.

6.3 The Municipality shall sell or renew Cemetery Certificates for Plots and shall receive all monies for such sales or renewals.

6.4 Cemetery Certificates are valid for ten (10) years from date of issue and may be renewed once by the applicant at no additional charge for an additional period of ten (10) years. Subsequent renewals shall be subject to a fee calculated as the Certificate fee specified in Schedule "A" herein less the sum of prior fees paid for issuance of that Certificate.

6.5 Parks Canada Certificates are valid for ten (10) years from date of issue and may be renewed once by the applicant at no additional charge for an additional period of ten (10) years but upon renewal will be issued as Cemetery Certificates. Subsequent renewals shall be subject to a fee calculated as the Certificate fee specified in Schedule "A" herein less the sum of prior fees paid for issuance of that Certificate.

6.6 A Cemetery Certificate may be issued in respect of a living person only when the Immediate Next of Kin of such person is or are already interred in the Cemetery, and only in respect of plots adjoining those of such Immediate Next of Kin.

6.7 The Municipal Manager may issue or renew an Cemetery Certificate upon:

6.7.1 receipt of a complete application in the form he has specified from a person or the legal representative of a person seeking interment in the Cemetery;

6.7.2 receipt of the fee specified in Schedule "A";

6.7.3 confirmation that the person in respect of which the Cemetery Certificate is sought is a person eligible for burial in the Cemetery, pursuant to Section 6.7 herein; and

6.7.4 confirmation of availability of Plots in the Cemetery.

6.8 Where the Municipal Manager receives an application for a Cemetery Certificate that complies with the requirements of Section 6.6 herein the Municipal Manager shall, if there are available Graves in the Cemetery, select such a Grave and issue a Cemetery Certificate to the applicant in respect of that Grave when the applicant is applying for the certificate in respect of the burial or remains of a person who:

6.8.1 at the time of his death was a resident of the Municipality of Jasper; or

- 6.8.2 at some time was a resident of Jasper National Park; or
  - 6.8.3 is the Immediate Next of Kin of a person whose remains are buried in the Cemetery or who will be, upon their death, eligible to be buried in the Cemetery.
- 6.9 Where a Parks Canada Certificate or a Cemetery Certificate has been issued, the certificate becomes void on the day following the expiration of the initial period of ten years or the renewal period, as the case may be, and the interest in that Plot of any person named in the certificate is thereby terminated without compensation:
- 6.9.1 in the case of a Certificate that has not been renewed, no burial takes place in the Plot before the expiration of a period of ten (10) years from the date of issue of the certificate, or
  - 6.9.2 in the case of a Certificate that has been renewed in accordance with Section 6.5 herein, no burial takes place in the Plot and a new application is not received before the expiration of the renewal period.
- 6.10 No plot may be used for any purpose other than the burial of human ashes or remains in accordance with the stipulations of the *Cemeteries Act* (Alberta).
- 6.11 Every Cemetery Certificate will be issued in the name of the applicant and shall be valid only for the interment of the ashes or remains of the person specified on the Certificate.
- 7. MONUMENTS AND MEMORIAL TABLETS**
- 7.1 All persons employed in the construction of foundations, the placement of Memorial Tablets or the erection of Monuments, whether employed by the Municipality or not, shall be subject to the direction and control of the Municipal Manager.
- 7.2 Where the Municipal Manager receives a request from an Owner for authorization to construct a foundation, place a Memorial Tablet or erect a Monument on that Owner's Plot the Municipal Manager shall authorize that construction, placement or erection provided that:
- 7.2.1 plans and specifications are submitted to him and he determines those plans and specifications to contain a sufficient description of the proposed construction or placement;
  - 7.2.2 a plan of the Grave is provided showing the location of the proposed construction or placement;
  - 7.2.3 provisions for lifting and maintenance of the foundation, Monument or Memorial Tablet are satisfactory to the Municipal Manager; and
  - 7.2.4 not less than one (1) year has passed since interment of full burial remains in the plot.
- 7.3 Where the Municipal Manager receives a request from an Owner for authorization to construct a single Monument in respect of two adjoining Graves in only one of which are buried the human remains of a person the Municipal Manager shall, in addition to the requirements of Section 7.2 above, require the Owner to declare in writing that the Monument shall be removed and replaced

at the Owner's risk and expense to provide for the interment of the remains of the second person on the adjoining plot.

- 7.4 A foundation, Memorial Tablet or Monument authorized to be constructed, placed or erected pursuant to Section 7.2 shall be confined within the limits of the Grave in respect of which it is constructed, placed or erected and shall, where possible, be aligned with other Memorial Tablets or Monuments on adjoining Graves.
- 7.5 A Memorial Tablet or Monument shall be placed or erected on a concrete foundation not less than 10 centimeters (3.9 inches) thick and not less than 10 centimeters (3.9 inches) wider or 10 centimeters (3.9 inches) longer than the base of the Memorial Tablet or Monument it supports.
- 7.6 The foundation of a Memorial Tablet shall be so placed that the top of the tablet is level with the surrounding ground.
- 7.7 The construction of concrete foundations, for the placement of Memorial Tablets or the erection of Monuments, whether pre-cast or poured on site, shall be the sole responsibility of the Owner.
- 7.8 The area of a Memorial Tablet shall not exceed:
  - 7.8.1 in respect of a Grave in which human remains are buried, .2 square meters (2.2 square feet); or
  - 7.8.2 in respect of a Grave in which ashes are buried, .1 square meters (1.1 square feet); and
  - 7.8.3 where a single Memorial Tablet will be erected in respect of two adjoining Graves in each of which are buried the human remains of a person and where those persons are Next of Kin, .4 square meters (4.3 square feet).
- 7.9 A Monument shall not exceed 1 meter (3.3 feet) in height above the level of the surrounding ground and shall be of such other dimensions and design as not to be, in the opinion of the Municipal Manager, offensive to the majority of the people visiting the Cemetery.
- 7.10 In respect of any Monument:
  - 7.10.1 the face area shall not exceed 20% of the area of the Plot on which it is to be erected;
  - 7.10.2 the length of the base shall not exceed 75% of the width of the Plot on which it is to be erected; and
  - 7.10.3 the base area shall not exceed 9% of the area of the Plot on which it is to be erected.
- 7.11 The thickness of any Monument:
  - 7.11.1 with a face area of .56 square meters (6 square feet) or less, shall not be less than 10 centimeters (3.9 inches);
  - 7.11.2 with a face area greater than .56 square meters (6 square feet) and not exceeding 1.1 square meters (11.8 square feet), shall be not less than 15 centimeters (5.9 inches); and
  - 7.11.3 with a face area of 1.1 square meters (11.8 square feet) or greater, shall be not less than 20 centimeters (7.9 inches) .



- 7.12 The base of a Monument shall not exceed 25% of the height of the Monument.
- 7.13 Where a single Monument will be erected in respect of two adjoining Graves;
- 7.13.1 the face area shall not exceed 20% of the combined area of the Plots on which it is to be erected;
- 7.13.2 the length of the base shall not exceed 75% of the combined width of the Plots on which it is to be erected; and
- 7.13.3 the base area shall not exceed 9% of the combined area of the Plots on which it is to be erected.
- 7.14 All foundations for Monuments and Memorial Tablets shall be confined within the boundaries of the respective Plots, and all Monuments and Memorial Tablets shall be placed in such a manner as to maintain, wherever possible, a proper alignment.
- 7.15 No corner stones or other markings to indicate the boundaries of a Plot or Grave shall be erected.
- 7.16 No plot may be covered by a slab of cement or similar material.
- 7.17 All Monuments and Memorial Tablets placed upon a Plot or Grave shall be of granite, marble, stone or bronze.
- 7.18 Not more than one Memorial Tablet or Monument shall be placed or erected on any one Plot except for:
- 7.18.1 Cremation Plots where one Memorial Tablet will be permitted for each Grave; or
- 7.18.2 Grave Plots in which may be buried the remains of one person and the ashes of up to three persons, in which case one Monument may be erected in respect of the remains and one Memorial Tablet may be placed in respect of each of the ashes.
- 7.19 No person shall place an inscription on any Memorial Tablet or Monument, or construct or place a foundation, Memorial Tablet or Monument upon which an inscription has been placed, without the written approval of the Municipal Manager. The Municipal Manager shall not provide his written approval of an inscription if, in his opinion, the inscription would be offensive to persons visiting the Cemetery.
- 7.20 Where an Owner constructs or places a foundation, Memorial Tablet or Monument in the Cemetery that does not comply with the provisions of this Bylaw, the Municipal Manager may order the Owner by notice in writing mailed to him at his last known address to remove the foundation, Memorial Tablet or Monument and in default of the Owner so doing, the Municipality, its officers, agents, or servants may remove the same to the satisfaction of the Municipal Manager and charge the same to the Owner and collect the same in the same manner as municipal fees and taxes.
- 7.21 Where the Municipal Manager finds any Monument or Memorial Tablet in a state of disrepair, unsightly, objectionable or interfering with routine Cemetery maintenance, he shall notify the Owner and require that repairs be undertaken within thirty (30) days. If the Owner of the Monument or Memorial Tablet fails to make the required repairs or alterations to the Monument

or Memorial Tablet within thirty (30) days of issuance of the notice from the Municipal Manager, the Municipal Manager may remove such Monument or Memorial Tablet from the Cemetery or repair or replace such Monument or Memorial Tablet and charge the cost thereof to the Owner and collect the same in the same manner as municipal fees and taxes.

## **8. EXCAVATION**

8.1 No person shall excavate in the Cemetery without the written consent of the Municipal Manager and except under the direction and control of the Municipal Manager.

## **9. VEHICLES**

9.1 No Vehicle shall travel through the Cemetery at a greater rate of speed than 15 kilometers per hour.

9.2 The owner of any Vehicle shall be responsible for any damage done by such vehicle in the Cemetery.

9.3 The Municipal Manager may, from time to time, prohibit the entry and operation of Vehicles in any part of the Cemetery.

9.4 No person shall operate a Vehicle in the Cemetery except on roadways provided by the Municipal Manager unless such operation is authorized by the Municipal Manager.

## **10. GENERAL PROVISIONS**

10.1 No person shall allow a domestic animal to enter or remain in the Cemetery.

10.2 No person shall destroy, damage, deface or write upon any Marker, Memorial Tablet, Monument, construction or other object in the Cemetery.

10.3 No person or group of persons shall enter or use any portion of the Cemetery for the purposes of recreation, entertainment, or social gathering without the prior written authorization of the Municipal Manager.

10.4 Every Plot Owner placing any Memorial Tablet, Monument, construction or other object in the Cemetery does so at his own risk and the Municipality shall not be responsible for damage, destruction or defacement of such items.

10.5 No fires are permitted within any portion of the Cemetery.

## **11. BURIALS**

11.1 No burial shall be permitted in the Cemetery unless a valid burial permit or cremation certificate issued by the Province of Alberta is submitted to the Municipal Manager by the party applying for the burial not less than forty-eight (48) hours before the time of the interment except as otherwise allowed by the Municipal Manager.

11.2 No interment shall be permitted unless the information required by the Municipal Manager has been fully provided, including all of that information required under the provisions of the *Cemeteries Act* (Alberta) as amended.

- 11.3 All Funeral Parties and Processions shall be subject to the control of the Municipal Manager while they are in the Cemetery.
- 11.4 The Municipality or any employee thereof shall not be responsible for any mistake resulting from lack of precise or proper instructions regarding the Grave space in a Plot where an interment is to be made or for any damage resulting to any person thereby.
- 11.5 Graves shall be dug and interments made only by persons under the direction of the Municipal Manager, and no person or persons not under the direction of the Municipal Manager shall open any grave or vault.
- 11.6 No person shall bury or cause to be buried:
- 11.6.1 the remains of a child one week old or less in a Grave that is less than 1 meter (3.3 feet) below the surface of the ground surrounding the Grave;
  - 11.6.2 the ashes of a person in a Grave that is less than 1 meter (3.3 feet) below the surface of the ground surrounding the Grave; or
  - 11.6.3 any other human remains in a Grave that is less than 2 meters (6.6 feet) below the surface of the ground surrounding the Grave.
- 11.7 No person shall bury in one Grave more than one person's remains or ashes, except where:
- 11.7.1 in a Grave Plot, the remains of a mother and her child one week old or less are buried at the same time;
  - 11.7.2 in a Grave Plot, the remains of one person and the ashes of not more than three persons are buried; or
  - 11.7.3 in a Cremation Plot, the ashes of not more than six persons are buried.
- 11.8 Funeral Directors shall have all applications for interments in the Cemetery signed by the Owner of the Plot or Grave in which such interment is to be made or by legal representatives of such Owner.
- 11.9 No second interment shall be permitted in any Plot on which there are unpaid charges due and payable to the Municipality.
- 11.10 The Municipal Manager shall have the sole right and authority to erect tents, adjust lowering devices and trim Graves at all burials in the Cemetery and the person requesting such work done shall supply all the necessary safe and proper material to perform such work.
- 11.11 No person shall disinter human remains or ashes from the Cemetery without the written authorization of the Municipal Manager and no such authorization shall be provided without:
- 11.11.1 written application from the Owner of such Grave; and
  - 11.11.2 a permit for such disinterment from the Provincial Director of Vital Statistics (Alberta);  
or

11.11.3 a directive from a court or law enforcement agency having appropriate authority and jurisdiction.

11.12 The body of any person which was infected at the time of death with any specified communicable disease, as defined in the regulations to the *Public Health Act* (Alberta), shall not be taken into any church, chapel or public vault within the Municipality but shall be transferred directly from the place of death to the place of burial and no person except the officiating Clergyman, Funeral Director and those whose attendance is absolutely necessary shall attend the funeral or burial of any such body unless the said body has been placed in an airtight sealed metal coffin liner in accordance with the regulations to the *Public Health Act* (Alberta).

**12. BURIAL OF INDIGENT**

12.1 By order of Council, the Municipal Manager shall make available Graves in the Cemetery, without charge, for the deceased of the Indigent.

**13. PENALTY**

13.1 Any person who violates any provision of this Bylaw is guilty of an offence and is liable to a fine of not less than \$500 and not more than \$2500.

**14. COMING INTO EFFECT**

14.1 This Bylaw shall come into force and effect on the final date of passing thereof.

14.2 If any provision herein is adjudged to be repugnant to any federal regulation or legislation, this Bylaw shall continue in full force and effect but any such repugnant provision shall be of no force or effect until such time as the repugnancy is removed by repeal or amendment of the federal legislation or regulation.

**GIVEN FIRST READING THIS 2<sup>nd</sup> DAY OF MAY A.D., 2006**

**GIVEN SECOND READING THIS 16<sup>th</sup> DAY OF MAY A.D., 2006**

**GIVEN THIRD AND FINAL READING THIS 13<sup>th</sup> DAY OF JUNE A.D., 2006**

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Mayor

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Municipal Manager

**BYLAW #082 Jasper Cemetery Bylaw**

**SCHEDULE A – FEES**

Cemetery Certificate	Full-body remains	\$300.00
	Infant Remains	No charge
	Cremation	\$100.00
Interment Fees (Grave opening and closing)	Full-body remains	\$700.00
	Infant Remains	No charge
	Cremation Burial	\$100.00
Monument Application Fee		\$100.00
Disinterment		actual cost for equipment and personnel
Columbarium Interment		To be determined
Commemorative Plaque		To be determined