

## **Bylaw No. 6453**

A bylaw of The City of Saskatoon to provide for the management and control of cemeteries within The City of Saskatoon.

**Codified to Bylaw No. 9547  
(December 17, 2018)  
Cemetery Bylaw Regulations  
(September 24, 2015)**

## Bylaw No. 6453

A bylaw of The City of Saskatoon to provide for the management and control of cemeteries within the City of Saskatoon.

The Council of The City of Saskatoon enacts as follows:

1. In this bylaw:
  - (a) "Cemetery" means Woodlawn Cemetery and/or Nutana (Pioneer) Cemetery unless otherwise specifically stated.
  - (b) "Cemetery Supervisor" means the person designated by the Manager to be in charge of the cemetery.
  - (c) "Cemeteries Act" means The Cemeteries Act, R.S.S. 1978, Chapter C-4 and amendments thereto.
  - (d) "City" means the City of Saskatoon.
  - (d.1) "Columbarium" means a structure or building designed for the purpose of storing the ashes of human remains that have been cremated.
  - (e) "Council" means the Council of The City of Saskatoon.
  - (f) "Grave" means an area of the cemetery which is of sufficient size to accommodate the burial of one human corpse.
  - (g) "Manager" means the General Manager of the Infrastructure Services Department for The City of Saskatoon and shall include any person authorized by him or her to carry out the duties prescribed in this bylaw.
  - (g.1) "Niche" means an individual unit in the Columbarium.
  - (h) "Nutana (Pioneer) Cemetery" means all of the lands described in Schedule "A" hereof.
  - (i) "Perpetual Care" means the basic maintenance of all graves and shall include levelling of the ground and the seeding, cutting and watering of grass, as required. It shall not include the maintenance, repair or replacement of monuments or markers.

- (j) "Person" includes a corporation or partnership.
  - (k) "Registrar" means the person designated from time to time by the Minister responsible for *The Cemeteries Act*, R.S.S. 1978, Chapter C-4, to be the registrar pursuant to said Act.
  - (l) "Woodlawn Cemetery" means all of the lands described in Schedule "B" hereof, together with such further and other lands as Council may designate and the registrar may approve; and shall include the Roman Catholic Section of said Woodlawn Cemetery.
2. The Manager may make regulations not inconsistent with this bylaw for the carrying out of this bylaw and for the efficient management and control of the cemetery. Such regulations shall be known as the Cemetery Regulations.
- 2A. The Nutana (Pioneer) Cemetery grounds and monuments shall be maintained in a condition which is as close as possible to their condition at the time of designation as Municipal Heritage Property in January, 1982 and, in accordance with the provisions of *The Heritage Property Act*, no change shall be made to the Nutana (Pioneer) Cemetery without the written approval of City Council.
3. No person shall bury any human corpse within the limits of the City except within Woodlawn Cemetery or within such other cemetery as may from time to time be approved pursuant to *The Cemeteries Act*. No burials shall be permitted in Nutana (Pioneer) Cemetery.
4. The Manager is hereby authorized and empowered to set aside and maintain portions of Woodlawn Cemetery for the burial of the military, the members of such religious or ethnic groups as may have requested same, children, and cremated remains. The size and location of any such area shall be as determined by the Manager.
5. All fees collected for perpetual care shall be held by the City in a separate fund called the "Perpetual Care Fund" and shall be invested in accordance with the provisions of *The Cemeteries Act*.
6. (a) Any person may purchase a grave in Woodlawn Cemetery, upon application to the Cemetery Supervisor and payment of the appropriate fees, which shall, in all cases, include a fee for perpetual care.
- (b) The purchaser of a grave shall have the right to use the grave for the burial of human remains in accordance with the provisions of this bylaw and such Cemetery Regulations as may from time to time be in effect; and shall acquire no other rights whatsoever.

- (c) The purchaser of a grave or his legal representative may transfer the grave to a member of his family, or return the grave to the City; both subject to compliance with such Cemetery Regulations as are then in effect.
  - (d) The purchaser of a grave or his legal representative may not sell the grave to any other person.
  - (e) The number and type of burials permitted in any one grave shall be as set out in the Cemetery Regulations then in effect.
  - (f) No person or organization may purchase more than Sixteen (16) graves without Council's approval first had and obtained.
  - (g) The Manager is hereby authorized and empowered to recover unused graves in accordance with the provisions of The Cemeteries Act.
- 6.1
- (a) A person may purchase a niche from the City by payment of the purchase price as set by City Council.
  - (b) The niche shall only be used for the storage (in an urn) of ashes of human remains. Only immediate family members may use the same niche.
  - (c) Inscriptions may be made only on the exterior granite of the niche.
  - (d) The purchase of the niche shall be subject to the conditions outlined on the ownership certificate issued by the City to the purchaser of the niche.
- 6.2
- The purchaser of a niche may not sell the niche but may return the niche to the City or may, upon application to the City, transfer the ownership only to the immediate members of his family.
7. The fees for grave purchases, interments, perpetual care and the charges for work done or services rendered at the Cemetery shall be set out in Schedule "C".
8. No burial shall be permitted in Woodlawn Cemetery unless the Cemetery Supervisor is in receipt of a burial permit therefor, issued pursuant to *The Vital Statistics Act*, R.S.S. 1978, Chapter V-7.
9. No disinterment shall be permitted in the cemetery except pursuant to the written order of the Minister of Health for Saskatchewan, or his designate.
10. (a) No burial or disinterment will be permitted unless proper notice as specified in the Cemetery Regulations has been given, and the appropriate fees and charges have been paid.

- (b) All burials and disinterments shall be carried out in accordance with the Cemetery Regulations then in effect, and shall be subject to the supervision and direction of the Cemetery Supervisor.
  - (c) No burials or disinterments will be permitted on Sundays, holidays, and designated days off for civic staff, except on the advice or direction of the Medical Health Officer for the City.
11. The use of the morgue shall be subject to the Cemetery Regulations.
12. (a) No person shall place, erect, plant or remove from any grave, a monument, marker, planting, or object of any kind, except in accordance with the Cemetery Regulations.
- (b) The Cemetery Supervisor shall have the authority to remove any article or planting placed, erected, or planted on any grave when the same is not in accordance with the Cemetery Regulations or when the same is objectionable.
13. (a) The City shall not be liable for the loss of or damage to any monument, marker, or other object or planting located in the cemetery.
- (b) The City reserves the right to permanently move or remove any monument or marker from any grave.
- (c) The City reserves the right to temporarily move or remove any monument or marker for the purposes of performing necessary maintenance and/or for opening graves.
14. No advertising of any kind shall be permitted in the cemetery.
15. No children under the age of fourteen years will be permitted in the cemetery unless accompanied by an adult.
16. No person shall engage in or carry on any game, sport or other activity, or operate any motor vehicle, or bring an animal within a cemetery except in accordance with the Cemetery Regulations.
17. The hours of operation of the cemetery and of the Office of the Cemetery Supervisor shall be as established in the Cemetery Regulations from time to time.
18. Any notice required by this bylaw or the Cemetery Regulations to be given to any person shall be deemed sufficient if in writing and mailed postpaid to the last known address of such person as entered on the records of the Cemetery Supervisor.

19. A person who contravenes any provision of this bylaw is guilty of an offence and upon summary conviction is liable to a fine of not less than Twenty-five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars.
20. Sections 32 to 95, inclusive of Bylaw No. 3187, and amendments thereto, are hereby repealed.
21. This bylaw shall come into force and take effect on the day of the final passing thereof.

Read a first time this 26th day of March, A.D. 1984.

Read a second time this 26th day of March, A.D. 1984.

Read a third time and passed this 26th day of March, A.D. 1984.

"C. Wright"  
Mayor

"J. Kolynchuk"  
City Clerk

(SEAL)

**SCHEDULE "A"**

**Nutana (Pioneer) Cemetery**

The following land shall be known as "Nutana (Pioneer) Cemetery," namely:

All that portion of the South West Quarter (SW 1/4) of Section Twenty (20), in Township Thirty-six (36), in Range Five (5), West of the Third Meridian, in the Province of Saskatchewan, lying east of the South Saskatchewan River, containing Fourteen and One-half (14 1/2) acres more or less.

**SCHEDULE "B"**

**Woodlawn Cemetery**

The following land shall be known and described as "Woodlawn Cemetery," namely:

FIRSTLY: All that portion of the North East Quarter (NE 1/4) of Section Four (4), in Township Thirty-seven (37), in Range Five (5), West of the Third Meridian, in the Province of Saskatchewan, in the Dominion of Canada, lying West and South of Parcel B, being part of the said quarter section taken for Right-of-Way and WYE of the Canadian Northern Railway Company, according to a Plan of Record in the Land Titles Office for the Saskatoon Land Registration District as Plan No. D.A. 3102.

SECONDLY: All those portions of the South East Quarter (SE 1/4) of Section Four (4), in Township Thirty-seven (37), in Range Five (5), West of the Third Meridian, in the Province of Saskatchewan, in the Dominion of Canada, described as Parcels A, B, C, D, E, F, J and I according to a Plan of Record in the Land Titles Office for the Saskatoon Land Registration District as Plan No. C.R. 5705.



**SCHEDULE "C"****Woodlawn Cemetery Fee Schedule 2019****Interment Rights****Cemetery Plots**

(including care and maintenance fund charges)

**Casket**

Adult casket grave	
New areas .....	\$1,750.00
Established areas.....	2,275.00
Jewish area .....	2,275.00
Field of Honour grave .....	1,790.00
Child grave (up to a 4 foot casket) .....	540.00
Infant grave (up to 30 days) .....	170.00

**Cremation**

Cremation only grave	
New areas .....	1,130.00
Established areas.....	1,290.00
University of Saskatchewan - Department of Anatomy	
Cremation only grave .....	210.00

**Columbarium Niche (including care and maintenance fund charges)**

Columbarium #3 - middle unit bottom half .....	2,965.00
Columbarium #3 - middle unit top half .....	3,350.00
Columbarium #4 & Columbarium #5.....	2,965.00
Private estate Columbarium Plot .....	4,760.00
Private estate Columbarium Plot .....	2,275.00

**Cemetery Services**

Opening and closing a grave (including interring human remains or cremated human remains)

Adult casket.....	1,380.00
Adult casket with funeral home supplied dome.....	1,735.00
Child casket (up to a 4 foot casket) .....	530.00
Infant (up to 30 days).....	125.00
Cremated remains .....	595.00
Cremated remains with funeral home supplied vault .....	660.00
Two interment one opening including vault .....	900.00

Cremated remains - University of Saskatchewan	
- Department of Anatomy .....	575.00
Cremation interred with casket burial .....	260.00
Opening and closing a niche in a columbarium	
One interment in niche .....	260.00
Two interments in same niche .....	390.00
Handling and placement of casket or cremation urn .....	n/c

### **Memorialization Services**

Constructing or installing a concrete foundation for a memorial	
Base up to 42 inches .....	400.00
Base over 42 inches .....	760.00
Removing a concrete foundation for a memorial .....	215.00
Installing a flat marker	
Up to 24 inches .....	230.00
Over 24 inches .....	290.00
Infant area only .....	120.00
Removing a flat marker	
In-ground .....	145.00
In-concrete .....	305.00
Adding a concrete border around a flat marker in addition to cost to install flat marker .....	235.00
Installing Field of Honour marker (in strip) .....	360.00
Lowering device rental charge .....	98.00
Supplying ground cover (greens) .....	n/c
Columbarium inscription	
First inscription .....	510.00
Added inscription .....	395.00
Columbarium #3, 4, 5 Vase .....	125.00
Bronze marker refurbishing .....	210.00

Monument cleaning (power washing) .....	95.00
Installing permanent in-ground vase (in concrete) .....	310.00
Deepening grave - Adult casket .....	650.00
Installing outside supplied burial vaults .....	395.00
Disinterring human remains or cremated human remains	
Standard casket disinterment (with or without vault) .....	2,270.00
Standard child casket disinterment.....	1,090.00
Standard infant casket disinterment .....	550.00
Standard cremains disinterment (with or without vault) .....	575.00
Columbarium disinterment.....	280.00
Winter surcharge (November 1 – March 15)	
Cremation .....	125.00
Adult casket.....	235.00
Additional services (additional cost for grave preparation/closing outside regular cemetery hours)	
Saturday surcharge (9:00 a.m. - 3:00 p.m.)	
Casket service .....	615.00
Cremation service.....	335.00
Sunday or statutory holiday surcharge (9:00 a.m. - 3:00 p.m.)	
Casket service .....	855.00
Cremation service.....	475.00
Late funeral surcharge	
Weekdays (per ½ hour after 4:00 p.m.) .....	155.00
Weekends and statutory holidays (per ½ hour after 3:00 p.m.) .....	155.00
Short notice opening (November 1 - March 15)	
Casket .....	240.00
Cremation .....	140.00
Administration fee .....	120.00
Providing and establishing sod .....	165.00
Tent rental .....	110.00

**Cemetery Supplies**

## Interment vaults

Base and dome .....	615.00
Base only .....	105.00
Basic urn vault .....	105.00
Non-sealing concrete vault .....	1,250.00
Sealing concrete vault .....	1,450.00
Fibre dome .....	510.00
Oversized fibre dome .....	900.00

University of Saskatchewan monument & inscription ..... 1,310.00

## Memorials

Tree .....	765.00
Stand .....	250.00
Plaque .....	340.00

Memorial Bench (including plaque) ..... 2,640.00

**Care and Maintenance Fund Charges**

Second and third generation burials..... 270.00

Second and third cremation interments..... 210.00

## Memorials

Upright (<1.22 metres high) .....	150.00
Upright (>1.22 metres high) .....	300.00
Flat markers (>439 centimetres) .....	75.00
Flat marker on a strip .....	150.00

## The Cemetery Bylaw Regulations

### Short Title

1. These regulations may be cited as The Cemetery Bylaw Regulations.

### Purpose

2. The purpose of these Regulations is to provide for the efficient management, regulation and control of municipal cemeteries within The City of Saskatoon.

### Definitions

3. In these Regulations:
  - (a) “**authorized decision-maker**” means an authorized decision-maker within the meaning of *The Funeral and Cremation Services Act*, S.S. 1999, Chapter F-23.3;
  - (b) “**casket**” means a rigid container designed for the encasement of a body for interment, entombment or cremation and usually constructed of wood or metal, also referred to as a coffin;
  - (c) “**The Cemeteries Act**” means *The Cemeteries Act, 1999*, S.S. 1999, Chapter C-4.01;
  - (d) “**Cemetery**” means Woodlawn Cemetery or Nutana (Pioneer) Cemetery, unless otherwise specifically stated;
  - (e) “**Cemetery Bylaw**” means Bylaw No. 6453 being a bylaw of the City to provide for the management and control of cemeteries within the City;
  - (f) “**Cemetery Superintendent**” means the person designated by the General Manager to be in charge of the cemetery, or his designate;
  - (g) “**City**” means The City of Saskatoon;
  - (h) “**columbarium**” means a structure or building designed for the purpose of storing or interring cremated human remains in sealed compartments or niches and may be part of a building or a free-standing structure;

- (i) **“common grave”** or **“communal grave”** means a grave provided for the interment of the remains of several non-related people and containing more than two interments;
- (j) **“Council”** means the council of the City;
- (k) **“cremated human remains”** means human bone fragments that remain after cremation, also referred to as “cremated remains” or “cremains”;
- (l) **“cremation”** means the technical process of using heat to reduce human remains to bone fragments;
- (m) **“disinterment”** means the removal of human remains or cremated human remains from a grave, columbarium or mausoleum;
- (n) **“family columbarium”** means a structure containing one or more niches, each of which may accommodate up to two cremated human remains, in one family columbarium specifically designed and constructed for the use of the interment right holders;
- (o) **“fixture”** means any item that is attached to a Monument including vases, statues, pictures, lanterns, metal rods or similar item;
- (p) **“flat marker”** means a type of Monument set flush with the ground with a flat and level surface upon which an inscription may be made or a bronze plaque affixed;
- (q) **“grave”** means a plot in a cemetery specifically designated and of sufficient size to accommodate the in-ground interment of human remains or cremated human remains;
- (r) **“Holiday”** means any of the following days: New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Saskatchewan Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any day or part of a day proclaimed a public or civic holiday; and shall include any day which is designated in lieu of one of the aforementioned days;
- (s) **“human remains”** means a dead human body, but does not include cremated human remains;
- (t) **“interment”** means the placement of human remains or cremated human remains in a grave, columbarium or mausoleum;

- (u) **“interment rights”** means a license granted by the City to a person to allow the interment of human remains or cremated human remains in a designated grave, columbarium or mausoleum in accordance with these Regulations, the Bylaw and *The Cemeteries Act, 1999*;
- (v) **“Licensee”** means a person who has been granted the interment rights for one or more graves or niches within a cemetery owned by the City;
- (w) **“Manager”** or **“General Manager”** means the General Manager of the Community Services Department for the City and shall include any person authorized by the Manager to carry out the Manager’s duties;
- (x) **“Military Grave”** means a grave set aside in the section of the Cemetery reserved for the burial of military or police personnel;
- (y) **“Monument”** means a memorial structure with inscribed or attached lettering or artwork as a means of commemoration and made of granite, marble, bronze or other approved material;
- (z) **“niche”** means an individual compartment in a columbarium or family columbarium;
- (aa) **“Nutana (Pioneer) Cemetery”** means the cemetery located along the South Saskatchewan River and was the first cemetery for Saskatoon, it accepted burials from 1883 to 1948;
- (bb) **“Perpetual Care”** means the basic maintenance of all graves and includes levelling of the ground and the seeding, cutting and watering of grass as required but does not include the maintenance, repair or replacement of Monuments, markers or foundations;
- (cc) **“person”** includes a corporation or partnership;
- (dd) **“Regulations”** means these Cemetery Bylaw Regulations;
- (ee) **“upright monument”** means a Monument projecting above the ground that is set upon a concrete footing or foundation;
- (ff) **“urn”** means a container into which cremated remains are placed prior to interment, entombment or scattering;

- (gg) “**vault**” means a structural enclosure designed to cover a casket or urn and used to prevent sinking or slumping of graves and usually made of concrete, steel or fibreglass; and
- (hh) “**Woodlawn**” or “**Woodlawn Cemetery**” means the public cemetery located at 1502 2<sup>nd</sup> Avenue North, Saskatoon, consisting of 105 acres and that offers several burial choices.

## **PART I**

### **Interments and Disinterments**

#### **Office Hours**

- 4. The Cemetery office at Woodlawn Cemetery shall be open to the public during such days and times as specified by the City.

#### **Notice Required**

- 5. (1) Cemetery office shall be notified in advance, during regular office hours, of any interment as follows:
  - (a) a minimum of 24 hours in advance of any interment; and
  - (b) this notification excludes Saturdays, Sundays and Holidays.
- (2) interments with less than the required notice may be approved at the discretion of the Cemetery Superintendent; however, additional fees shall apply as identified in the approved schedule of fees and charges.

#### **Services Times**

- 6. All interments shall be done under the direct supervision of a Cemetery employee, and shall occur at the following times:
  - (a) 9:00 a.m. to 4:00 p.m. – Monday to Friday;
  - (b) 9:00 a.m. to 4:00 p.m. – Saturday (overtime fees apply);
  - (c) 9:00 a.m. to 1:00 p.m. – Sunday (overtime fees apply); or



- (d) interments outside of these hours may be approved at the discretion of the Cemetery Superintendent; however, additional fees shall apply as identified in the approved schedule of fees and charges.

### **Telephone Arrangements**

- 7. The City accepts no responsibility for any error or misunderstanding that may arise from interment or other arrangements made by telephone.

### **Permit Required**

- 8. No interments or disinterments shall be allowed in any grave until the Licensee, the Licensee's legal representative or authorized decision-maker is in possession of a burial permit or disinterment permit, and responsibility for the Cemetery charges have been confirmed. In the case of the disinterments of cremated remains, no disinterment permit is required, however, such requests shall still need to be confirmed with the Cemetery Superintendent.

### **Approved Vault Required**

- 9. No interment shall be allowed without the use of an approved burial vault in all sections of the Cemetery except for interments of infants and children, and approved vaults must conform to existing City specifications.

### **Disinterment**

- 10. In the case of any disinterment, the City shall only be responsible for ensuring that the soil is sufficiently excavated to permit safe access to the human remains or urn for removal by the attending funeral home staff.

### **Mandatory Perpetual Care Contribution**

- 11. (1) The cost of any interment shall include the appropriate contribution to the fund for perpetual care.
- (2) No subsequent interment shall be permitted in a grave where there has been no contribution made to the fund for perpetual care; however, subsequent interments in a grave, including of cremated remains, shall be permitted so long as for each interment there is the appropriate contribution made to the fund for perpetual care.

### **Use of an Adult Grave**

12. (1) Two casket interments shall be permitted in a single adult grave provided that the first casket is a deepened interment and at sufficient depth to ensure a minimum of one meter of soil covers the second casket.
- (2) Interments of cremated remains are also permitted in an adult grave. The total number of interments in a single adult grave cannot exceed four.

### **Use of a Cremation Grave**

13. A maximum of two interments of cremated remains shall be permitted in a cremation grave.

### **Use of a Child Grave**

14. (1) The use of a child grave shall be determined on the basis of the child being 12 years of age and younger and the casket measuring less than 120 cm (48 inches) in length.
- (2) Additional interments of cremated remains may be permitted in a child grave provided that:
  - (a) the grave was previously purchased and used for a child interment;
  - (b) the cremated remains to be interred with the child are those of a parent or sibling; and
  - (c) the total number of interments does not exceed three.

### **Use of an Infant Grave**

15. The use of an infant grave shall be determined on the basis of the infant being one month of age and younger and the casket measuring less than 60 cm (24 inches) in length. No additional interments shall be permitted in an infant grave, excepting interment of cremated remains.

### **Use of a Military Grave**

16. The only interments permitted in a Military Grave shall be those persons who at the time of their death were: serving members of the Canadian Armed Forces, veterans of the Canadian Armed Forces, allied veterans of the Second World War or Korean Conflict, serving or past members of the Royal Canadian

Mounted Police, or those members of the Saskatoon Police Service killed in the line of duty, and in all cases shall include the spouse of the person.

### **Discharge of Firearms**

17. Salutes involving the discharge of firearms shall be permitted only for military funerals and provided that the Cemetery Superintendent is notified in advance. Any use of live ammunition must be approved by the Chief of Police for the City.

### **Scattering of Cremated Remains**

18. The scattering of cremated remains shall be permitted only in areas defined by the Cemetery Superintendent, and subject to any administrative conditions that may be imposed.

### **Interment of Indigent Persons**

19.
  - (1) The City shall provide interment rights free of charge for an unclaimed body or for a deceased indigent person where the City is instructed to provide interment rights free of charge pursuant to the provisions of *The Cemeteries Act, 1999* and any regulations thereto addressing the interment of indigent persons.
  - (2) The interment of indigent persons shall occur in single plots, the location of which shall be within the sole discretion of the City.
  - (3) No one may install a Monument on a plot utilized for the interment of an indigent person until the Perpetual Care fee, set out in the Cemetery Bylaw, has been paid.
  - (4) No other interments shall be permitted in a plot provided pursuant to this section until the grave price, set out in the Cemetery Bylaw, has been paid.

### **Exemptions and Exceptions**

20. The Cemetery Superintendent may, at his discretion, and where special circumstances exist, make exceptions to these Regulations.

**PART II**  
**Purchase, Sale and Transfer of Interment Rights**

**Purchase of Interment Rights**

21. (1) A licence to use a grave or niche in the Cemetery may be purchased from the Cemetery office upon full payment of the proper fees (including the fee for Perpetual Care). The Licensee shall have the right to use the grave for the burial of human remains or cremated human remains in accordance with the provisions of the Bylaw and the Regulations, as may from time to time be in effect and shall acquire no other rights whatsoever.
- (2) No person may purchase more than eight graves or niches.

**Proof of Interment Rights**

22. The use of any grave or niche must be authorized in writing by the Licensee or that person's authorized decision-maker. The Cemetery Superintendent may request proof of purchase to identify the Licensee of the grave or niche or to prove the right to use the grave or niche.

**Refund of Interment Rights**

23. A license to use a grave or niche may be cancelled and a refund issued provided that:
- (a) the request is made in writing from the original Licensee or that person's authorized decision-maker;
  - (b) the grave or niche has not been used for interment; and
  - (c) any markers or Monuments on the grave or niche are removed.

**Amount of Refund**

24. (1) Refunds for the cancellation of a license shall be issued on the basis of 100% of the opening and closing fees paid and 85% of the grave or niche and Perpetual Care fee paid.

- (2) The rights to a refund, as described in the preceding subsection, are subject to the City being reimbursed for any and all costs in the event that a Monument has been placed on the grave or a niche has been inscribed, or any other similar costs incurred by the City to return the grave or niche to a state where it could be sold to another.

### **Sale of Interment Rights**

25. The license to use a grave or niche cannot be sold by a Licensee.

### **Transfer of Interment Rights**

26. The license to use a grave or niche may be transferred to an immediate family member, namely: a spouse, son or daughter, parent or grandparent, brother or sister, uncle or aunt, or niece or nephew, provided that:
  - (a) the Licensee or his authorized decision-maker advises the Cemetery office in writing of the name and address of the new Licensee; and
  - (b) the associated Cemetery administrative fee is paid in full.

### **Limits of Perpetual Care**

27. The fees for a license to use a grave or niche shall include payment of Perpetual Care; however, the City shall not be bound to expend on any grave in any year an amount greater than the annual interest earned on the amount paid for Perpetual Care.

### **Availability of Graves**

28. Licenses for graves or niches shall be allocated and sold to members of the general public on a "first-come, first-serve" basis, provided that the purchaser agrees to adhere to all relevant bylaws and these Regulations.

### **Request for Specific Graves**

29. The Cemetery Superintendent may consider requests for specific graves or graves in specific locations by persons provided that:

- (a) the request does not disrupt the Cemetery's maintenance and operating plans; and
- (b) in case of dispute, the Cemetery Superintendent's decision shall be final.

### **Designated Areas**

30. (1) Groups or organizations (including ethnic, religious or members of the Canadian Armed Forces) may request to have a number of graves allocated without advance payment in specific areas of the Cemetery, subject to the provisions of this section.
- (2) The location and size of the area shall be subject to the following criteria:
- (a) the graves are not currently needed by members of the general public;
  - (b) the number of graves shall be based on the expected need for the projected remaining years of available graves at the Cemetery;
  - (c) the request does not disrupt the maintenance and operating plan of the Cemetery;
  - (d) the area has not previously been reserved by another group; and
  - (e) in case of dispute, the Cemetery Superintendent's decision shall be final.
- (3) When the Cemetery is sold out of graves to the general public, and some of the allocated graves are unused, the graves shall be re-allocated for sale to the general public.
- (4) Designated cemetery areas may not be used to discriminate against any individual if that individual meets the eligibility requirements and complies with the interment practices for the area as approved by the Cemetery Superintendent.
- (5) Family columbarium shall only be permitted in areas designated for this by the Cemetery Superintendent at Woodlawn.

## **PART III Monument Regulations**

### **General**

31. In this section, the following definitions shall apply:
- (a) “base” means the lower portion of a two-piece Monument set on a foundation;
  - (b) “die” means the upper portion of a two-piece Monument and the part of the Monument that is placed on the base;
  - (c) “die without a base” means a Monument consisting of a single piece placed on a foundation;
  - (d) “foundation” means a pre-cast or poured-in-place pad, usually made of concrete, set at grade, upon which a Monument is placed;
  - (e) “length” means the dimension of the Monument as measured from the left edge to the right edge, facing the Monument;
  - (f) “width” means the dimension of the Monument as measured from the front edge to the back edge, facing the Monument; and
  - (g) “height” means the dimension of the Monument as measured from the top to the bottom.

### **Approval Required**

32. No marker or Monument shall be erected, altered or removed without approval from the Cemetery Superintendent.

### **Approval Process**

33. All applications for Monuments must be made on the prescribed forms available from the Cemetery office. Applications shall be submitted to the Cemetery Office during normal office hours only and the payment of the Monument fee is due at the time application is made or within time specified on an appropriate invoice. Upon approval, a copy shall be returned to the applicant. A copy of the Monument Application Form is attached to these Regulations as Schedule “A”.

### **Work Initiated Before Approval**

34. The City accepts no responsibility for any Monument work initiated prior to the approval of the application.

### **Authorization**

35. The Licensee or authorized decision-maker of a grave or graves shall be the authority with respect to the requested placement of a Monument on a grave or graves. Persons, other than the Licensee, who make application for the placement of a Monument, do so at their own risk. The City does not accept any responsibility for resolving disputes between surviving family members or friends resulting from the placement of a Monument.

### **Hours of Installation**

36. Only Monument work approved by an application submitted to the Cemetery Office shall be carried out, and only during the normal Cemetery Office hours of operation. Any work to be carried out other than during normal scheduled hours of operation requires approval of the Cemetery Superintendent.

### **Notification and Responsibility**

37. Any Monument company employees, contracted employees or authorized individuals carrying out any Monument work in the Cemetery, shall advise the Cemetery Office upon arrival at the Cemetery and shall be responsible for the restoration or repair of any damages to the Cemetery grounds or fixtures resulting from their actions.

### **Installation**

38. The timing of flat marker or foundation installations shall be scheduled by the Cemetery Superintendent. A cut-off date for these installations shall be established each fall and installations not completed prior to the cut-off date shall be honoured the following spring. Regardless, the installation of flat markers and foundations for upright Monuments shall not take place until the gravesite is suitably landscaped.



## **Delivery**

39. No Monuments shall be delivered to the Cemetery until:
- (a) the applicant has received a copy of the Monument Application Form with approval signified;
  - (b) the Cemetery Office has been informed, 24 hours prior to delivery, of each Monument or flat marker that is to be delivered;
  - (c) in the case of Monuments to be installed on a foundation, the Cemetery Office has confirmed that the foundation is complete; and
  - (d) in the case of flat markers, the Cemetery Office has confirmed that the gravesite has been landscaped.

## **Installation Responsibility**

40. The City reserves the right to install all foundations for upright Monuments. The Monument company is responsible for the installation of all Monuments on concrete foundations.

## **Cemetery Layout**

41. The City reserves the right to change the design of the Cemetery affecting the placement of existing and new Monuments.

## **Removal of Monuments**

42. The City may remove and dispose of any upright Monument, memorial structure or fixture placed in the Cemetery if such should fall into disrepair or become unsightly. The City shall forward written notification prior to undertaking this action to the last known address of the Licensee of the grave or next-of-kin.

## **Surnames**

43. The surname inscribed on a Monument must match the surname corresponding to the burial as recorded in the Cemetery Office. Where there is a request for an inscription with a different surname than recorded in the records, the recorded name must either be legally changed or appear elsewhere on the inscription. In this circumstance, the legal name may appear in smaller lettering or be placed in parenthesis.

### **Non-Interment Memorialisation**

44. Where a Monument is to be erected or altered as a memorial to a person not interred in the Cemetery, the inscription must clearly indicate that no burial has taken place.

### **Inscription Layout**

45. Where a Monument is marking more than one grave, it is the responsibility of the person making the application to ensure the Monument's inscription corresponds with the correct sides or location of the burials.

### **Vandalism**

46. Monuments are placed in the Cemetery at the risk of the Licensee of the grave or of the applicant. The City accepts no responsibility for theft or damage resulting from vandalism.

### **Perpetual Care**

47. The City's maintenance of Monuments shall be limited to keeping the ground in such condition that the Monuments remain level and straight.

### **Maintenance of Monuments**

48. The City accepts no responsibility for degrading of the Monuments or markers due to normal wear or deterioration. Minor chipping of the base portion of the Monuments as a result of the turf mowing operation is considered normal wear.

### **Matching Existing Monuments**

49. Applications for Monuments that do not comply with these Regulations but would match an existing or previously installed Monument shall not be approved.

### **Communal Graves**

50. (1) No type of marker or memorial is permitted on a communal grave that contains more than two interments.

- (2) In a communal grave containing either one or two interments, provided no additional interments are permitted, each interment is permitted one flat marker upon payment of the appropriate fees.

### **Exemptions and Exceptions**

51. The Cemetery Superintendent may, at his discretion, and where special circumstances exist, make exceptions to the Regulations with respect to Monuments.

### **Monuments**

52. (1) **Approved Materials**

Granite and limestone are approved materials for Monuments or parts thereof. Marble is approved only for use as the die of a Monument or for parts thereof such as vases and statues. Marble shall not be approved as a base.

- (2) **Other Materials**

No Monument or part thereof containing wood or glass shall be approved. Other materials requested for Monuments are subject to prior approval by the City and must be materials recognized as long-lasting and requiring no ongoing maintenance. The onus for testing and proving acceptability for a material shall be on the person making the application.

- (3) **Only One Monument**

In Monument areas, only one Monument shall be permitted on any grave or portion thereof and it is to be placed at the head of the grave as designated by the City.

- (4) **Base Dimensions**

All bases (or dies without bases) are subject to the following:

- (a) the minimum length of a base shall be 40.5 cm (16 inches);
- (b) the maximum length of a base shall be 15 cm (6 inches) less than the width of the grave or graves to be marked but cannot exceed 229 cm (90 inches) in length;

- (c) the width of a base shall be a minimum of 20.5 cm (8 inches) and a maximum of 45.5 cm (18 inches);
- (d) the base of a Monument in excess of 106.5 cm (42 inches) in length shall have a minimum width of 30.5 cm (12 inches);
- (e) the height of a base shall be a minimum of 10 cm (4 inches) and a maximum of 46 cm (18 inches).

(5) **Base Finish**

The sides of the base (excluding the top and bottom) must have a rock-pitch finish. Any base with a minimum height of 15 cm (6 inches) shall be permitted a sawn or polished margin. The margin must be made so that a minimum of 10 cm (4 inches) on the bottom of each side is left as a rock-pitch finish.

(6) **Responsibility For Dimensions**

The person making application for a Monument shall be responsible for determining the width of the grave or graves to be marked and ensuring that the maximum length dimensions are observed.

(7) **Die Dimensions**

All dies are subject to the following:

- (a) the overall length and width dimensions of the die (including any fixtures) shall not exceed the length and width dimensions of the base;
- (b) the height of a die shall be a minimum of 10 cm (4 inches) and the maximum height shall not exceed the die's minimum length by more than one-third;
- (c) a die with a minimum width of 10 cm (4 inches) shall be restricted to a maximum height of 46 cm (18 inches);
- (d) a die with a minimum width of 15 cm (6 inches) shall be restricted to a maximum height of 91 cm (36 inches); and
- (e) a die with a minimum width of 20 cm (8 inches) shall be restricted to a maximum height of 137 cm (54 inches).

(8) **Total Monument Height**

A Monument with a maximum base length less than or equal to 107 cm (42 inches) shall be restricted to a maximum total height of 107 cm (42 inches). A Monument with a maximum base length in excess of 107 cm (42 inches) shall be restricted to a maximum total height of 152 cm (60 inches). Total Monument height is measured from the top of the foundation to the highest point on the Monument (including any fixtures).

(9) **Monument Assembly**

Any upright Monument erected must have the base and die joined, front and back, by use of a non-permanent setting compound. Monuments cannot be permanently attached or pinned to the concrete foundation.

(10) **Monuments Shaped Into Crosses**

Monuments shaped into a cross which have any portion of the die length less than 35 cm (14 inches) or a thickness of less than 15 cm (6 inches) are not permitted.

(11) **Pictures and Photographs**

Pictures are to be countersunk to a depth that leaves approximately 3 mm (1/8 inches) extending from the face or front of a Monument, securely fastened and completely sealed with Monument setting compound. The use of frames, frames and covers or Jadco fasteners and similar installation systems are not permitted.

(12) **Vases and Statues**

All vases and statues must be permanently affixed and positioned so that no part extends beyond the length or width of the base nor extends above the total Monument height. Marble or granite vases shall be restricted to a minimum thickness of 2.5 cm (1 inch) at any point.

(13) **Other Fixtures**

All other fixtures or attachments to any marker or Monument must be specifically approved by the Cemetery Superintendent.

**(14) Central Feature Monuments**

Monuments designed to be a central feature for a recognized section of the Cemetery may be exempt from the size restrictions for marking individual graves. All such Monuments shall require prior approval of the City to determine the aesthetic suitability, overall stability and resistance to vandalism. The City reserves the right to set a minimum standard for the foundation of such a Monument. The parties making application for the Monument shall pay any design or consulting fees necessary to ensure a maintenance-free permanent foundation.

**Flat Markers****53. (1) Approved Materials**

Only bronze, anchored to a base of granite or concrete, and granite are approved materials for use as flat markers. Marble shall not be approved as material for flat markers.

**(2) Foot Markers**

When the head of the grave, as designated by the City, is marked by either a flat marker or an upright Monument, no more than one additional flat marker is permitted on the grave and is to be located at the foot of the grave, as designated by the City. All flat markers to be installed at the foot of the grave shall be restricted to granite markers only. Bronze plaques or granite markers with invertible bases shall not be approved as foot markers.

**(3) Bronze Plaques**

Bronze plaques (attached to a base of granite or concrete) shall only be approved for installations at the end of the grave designated the head by the City. The base used for anchoring a bronze plaque must be a minimum of 10 cm (4 inches) longer and wider than the plaque and a maximum of 20 cm (8 inches) longer and wider than the plaque and must meet the minimum and maximum dimensions for flat markers.

**(4) Dimensions**

All flat markers are subject to the following:

- (a) the length of a flat marker shall be a minimum of 30 cm (12 inches) and cannot exceed the width of the grave or graves to be marked;

- (b) the width of a flat marker shall be a minimum of 30 cm (12 inches) and cannot exceed 60 cm (24 inches);
- (c) the thickness of a flat marker that is to be installed flush with ground level, including any base material anchoring bronze plaques, must be uniform and between 7.5 cm (3 inches) and 15 cm (5 inches).

(5) **Vases**

Only invertible vases that can be turned down and placed completely inside the marker shall be permitted on flat markers at the head of the grave. No vases shall be permitted on foot markers.

(6) **Pictures, Statutes and Fixtures**

No pictures, statues or fixtures (other than approved bronze plaques) shall be permitted on any flat marker.

(7) **Flat Markers on Foundations**

All flat markers to be placed on a foundation are considered a base without a die and are subject to these Regulations.

(8) **Assembly**

All concrete work and the anchoring of bronze plaques to bases shall be the responsibility of the person making the application prior to the delivery of the flat marker to the Cemetery.

**Military Sections**

54. (1) **Restrictions**

Areas designated for the burial of members and veterans of the Canadian Armed Forces and spouses, shall be restricted in Monument material, colour and size as determined by the City.

(2) **Non-Conforming Markers**

The City reserves the right to remove or replace any Monument or marker in the military sections not conforming to the predetermined material, colour and size.

(3) **Material and Colour**

The material and colour for all Monuments and markers in the military sections shall be stanstead grey granite with a steeled finish, similar grey granite may be used only with the approval of the Cemetery Superintendent.

(4) **Dimensions – Upright Military Monuments**

Upright military Monuments are only permitted in the upright military section and one only at the head of the grave. The upright military Monument shall measure 81 cm (32 inches) long by 7.5 cm (3 inches) wide and a sufficient height to allow 81 cm (32 inches) to be above ground and a minimum of 15 cm (6 inches) in the ground for anchoring the cement base. The top must be slightly rounded (not necessarily serpentine).

(5) **Dimensions – Flat Military Markers**

In the military sections, the flat military marker shall measure 51 cm (20 inches) long by 30 cm (12 inches) wide and have a thickness of a minimum of 7.5 cm (3 inches) to a maximum of 10 cm (4 inches).

(6) **No Vases or Other Attachments**

No vases or attachments of any kind shall be approved as an addition to, or as part of, any Monument in the military sections.

(7) **Foot Markers**

In the military sections, when the head of the grave, as designated by the City, is marked by either a flat military marker or an upright military Monument, no more than one additional flat military marker is permitted on the grave and is to be located at the foot of the grave, as designated by the City. This marker shall be defined as a foot marker and follow the exact color, material, size and other specifications regarding flat military markers as defined in these Regulations.

(8) **Inscription**

An individual assuming the financial responsibility for marking a grave in the military sections shall have the right to vary the inscription from the standardized format of War Graves Commission headstones, National Defence headstones, Privy Council Order headstones and Veterans Affairs Canada headstones. The inscription shall require approval of the City, and be appropriate and acceptable for display in the military section.



### **Family Columbariums**

55. (1) Each family columbarium must be placed on an appropriate concrete foundation, which shall be installed by the Cemetery at the expense of the person making the application for a family columbarium.
- (2) Family columbariums shall be made of either granite or marble, or an alternate material approved by the Cemetery Superintendent and shall contain a maximum of six niches.
- (3) Family columbariums shall conform to the following specifications:
- (a) the maximum height shall be 152 cm (60 inches);
  - (b) the maximum width shall be 61 cm (24 inches); and
  - (c) the maximum length shall be 152 cm (60 inches), on a single grave.
- (4) Each niche on a family columbarium shall be sealed with an inner lower plate in addition to the granite memorial marker.
- (5) The general terms for Monuments, set forth in section 52 of the Regulations, shall apply to every family columbarium.

## **PART IV Flowers and Memorialisation**

### **Responsibility**

56. All items placed in the Cemetery by the public shall be at their own risk. The City accepts no responsibility for any damaged or missing items.

### **Permanent Items**

57. Only approved Monuments, markers or approved parts thereof are considered permanent items and are permitted to remain in the Cemetery year-round.

### **Perennials, Trees and Shrubs**

58. The City reserves the right to plant and remove any perennial flowers, shrubs and trees and to landscape or carry out any improvements to the grounds.

### **At the time of Interment**

59. All types of flowers and other items are permitted on the grave the day of the burial and shall be left for a period of seven calendar days following interment. Any time after this period, the items shall be removed and disposed of by the City.

### **Annual Flowers and Flower Beds**

60. The following guidelines apply in respect of annual flowers and flower beds:
- (a) flowers in containers that are not part of the approved Monument shall be removed and disposed of, however, Cemetery staff shall not remove flowers placed in vases that are part of an approved Monument;
  - (b) flower beds, composed of annuals, may be planted at the grave (except in military and flat marker sections) subject to the following guidelines:
    - (i) the City assumes no responsibility for the appearance, maintenance, and fall cleanup of annual flower beds, further, if flower beds are neglected they shall be removed;
    - (ii) the outer edge of the flower bed cannot exceed the width of the concrete foundation or flat marker and cannot extend more than 46 cm (18 inches) out at the center;
    - (iii) the flower bed shall be crescent shaped and located immediately in front of the marker or foundation at the head of the grave only;
    - (iv) only annual flowers that do not re-grow and achieve a maximum height of adjacent monument can be planted in approved flower beds; and
    - (v) any artificial flowers, potted plants, perennials, lawn-edging, non-natural/such items, which includes but are not limited to the following: solar lights, chimes, rocks, stepping stones or other decorative items shall be removed and disposed of by the City;
  - (c) all other items placed on a grave, flower bed, Monument or concrete foundation are considered temporary and are removed and disposed of weekly by the City;

- (d) all vases in the flat marker sections must be inverted from November 1 to March 31, and the City assumes no responsibility for missing or damaged vases or flowers; and
- (e) all items placed at graves shall be removed only as needed to accommodate interments or if deemed hazardous, excessive, or inappropriate by the City.

### **Decorative Elements**

61. (1) To preserve the proper appearance of the Cemetery, the City may remove any memorial or memorialisation when it is objectionable, or its removal is otherwise considered necessary by the City. For clarity, non-natural items, include but are not limited to the following: solar lights, chimes, rocks, stepping stones, flags, poles, or other decorative elements that are not permanent would be objectionable.
- (2) The City shall not be responsible for any loss occasioned by any person as a result of the removal of the memorial or memorialisation nor disposal of the memorial or memorialisation.
- (3) Artificial or natural flowers may only be attached to the columbarium or a family columbarium in approved vases, one per niche, available for purchase from the Cemetery office. Arrangements shall not encroach upon other niches. No other ornamentation or memorial item is to be attached to or hung from the columbarium or family columbarium or vase. The City reserves the right to remove such items and dispose of them without notice and without liability.

### **Bench or Tree**

62. (1) Any person may, upon review and payment of the appropriate fee, commemorate the life of a person(s) on a memorial tree or bench.
- (2) The memorialisation is subject to the approval of the City, which shall limit such memorialisations to people who are either interned in Woodlawn Cemetery, or who have lived in Saskatoon at some point in their lives.

### **Cemetery Grounds Keeping Responsibilities**

63. (1) The rules and regulations governing the Cemetery provide for an orderly, well-groomed, quiet sanctuary. To achieve and maintain that status requires a joint effort between the cemetery staff and cemetery patrons. Those persons owning rights to burial and those having deceased loved ones interred within the cemetery need to be aware of the policies that regulate activities so that no misunderstandings or problems occur.
- (2) All work in the Cemetery, including but not limited to, interments, disinterments, plantings, landscaping, grading, record keeping, placement of grave markers, grounds keeping, watering, construction and all maintenance, improvement and beautifying of the grounds shall be done by the City, private work by citizens or companies other than memorialisations, as described in sections 59 and 60 of these Regulations, is prohibited unless the permission of the Cemetery Superintendent is sought and obtained, in advance, and the work is performed under the supervision of the Cemetery Superintendent.
- (3) However, under no circumstances shall the Cemetery Superintendent grant permission to another to complete any upkeep of the Cemetery which is provided by the City, including but not limited to mowing grass at reasonable intervals, laying sod and reseeding, filling sunken graves, sprinkler irrigation or other turf maintenance, trimming trees and shrubs, removing wilted flowers and decorations, edging around headstones and other clean up, as needed.

### **PART V Miscellaneous**

#### **Most Restrictive Provisions Prevail**

64. Where there is a conflict between the provisions of the Bylaw and the provisions of these Regulations or any other legislation, the most restrictive provision shall prevail.

**Repeal**

65. The previous regulations are hereby repealed.

Signed by The City of Saskatoon this 24<sup>th</sup> day of September, 2015.

**The City of Saskatoon**

\_\_\_\_\_  
"Murray Totland"

City Manager

"SEAL"

\_\_\_\_\_  
"Joanne Sproule"

City Clerk

