

CITY OF HUMBOLDT

BYLAW NO. 03/2026

A BYLAW OF THE CITY OF HUMBOLDT, IN THE PROVINCE OF SASKATCHEWAN, FOR THE PURPOSE OF PROVIDING FOR THE CONTROL AND REGULATION OF THE OPERATION OF THE CEMETERIES WITHIN CITY LIMITS.

WHEREAS Section 8 of the The Cities Act, S.S. 2002, c. C-11.1 authorizes a municipality to pass bylaws respecting public assets, safety, welfare, and the management of municipal property;

AND WHEREAS *The Cemeteries Act, 1999* governs the establishment, operation, and regulation of cemeteries within Saskatchewan;

AND WHEREAS the City of Humboldt owns, operates and administers cemeteries within the municipal boundaries;

AND WHEREAS Council deems it desirable to regulate the use, maintenance, interment, practices, monument installation, and general conduct within cemeteries to ensure respectful and orderly operation;

IT IS HEREBY ENACTED AS FOLLOWS

1.0 NAME

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

2.0 PURPOSE AND INTENT

2.1 The purpose of this Bylaw is to:

- (a) regulate the operation and management of cemeteries owned or administered by the City;
- (b) establish rules governing interments, disinterments, monuments, and maintenance;
- (c) ensure cemeteries are maintained in a respectful, safe, and orderly condition;
- (d) establish fees and charges for cemetery services; and
- (e) provide for the preservation of cemetery lands and records.

3.0 DEFINITIONS

3.1 In this bylaw:

- (a) “**Block**” means a subdivision of land in the cemeteries containing two or more plots.
- (b) “**Cemetery**” means land within the City of Humboldt set apart for use as a place for the interment of the dead or in which human bodies have been buried, known as the Public Cemetery, St. Augustine Cemetery, the Humboldt Ukrainian Cemetery, and the St. Elizabeth Convent Cemetery.
- (c) “**City**” means the incorporated City of Humboldt;
- (d) “**Columbarium**” means a structure or building in a cemetery designated for the purpose of storing or interring cremated human remains in sealed compartments or niches.
- (e) “**Community and Leisure Services Director**” means the Director of the Community and Leisure Services Department for the City of Humboldt or any person acting under the Director’s instruction.

- (f) “**Grave Lot**” means a division of land in the Cemeteries for the purpose of a single burial.
- (g) “**Interment**” means:
- i. the burial of human remains, or cremated human remains in a cemetery;
 - ii. the entombment of human remains in a mausoleum;
 - iii. the inurnment of cremated remains in a columbarium.
- (h) “**Licensee**” means a person or persons who purchase a grave lot or lots in the cemetery.
- (i) “**Monument**” means a structure in the cemeteries erected or constructed on a lot or lots as a memorial to the dead.
- (j) “**Niche**” means each individual compartment in a columbarium to be used for the interment of up to two (2) urns of cremated human remains.
- (k) “**Perpetual Care**” means the levelling of the ground of each lot, seeding and cutting the grass as required and generally keeping the cemetery in good order and repair. Notwithstanding the foregoing, it shall not include maintenance, repair or replacement of markers, tombstones, monuments or other like structures except as specifically provide by this Bylaw.
- (l) “**Plot**” means a subdivision of land in the cemeteries of sufficient size for two or more graves.
- (m) “**Vault/Dome**” means a structural enclosure designed to cover a casket and made of concrete, steel or fibreglass and used to prevent the sinking of graves.
- (n) “**Director of Public Works**” means the Director of the Public Works Department for the City of Humboldt, or any person acting under the Director’s instructions.

4. ADMINISTRATION AND ENFORCEMENT

- 4.1. Council hereby delegates the Community and Leisure Services Director to have charge of the cemeteries and control of all maintenance performed and such other works that are carried out at the cemeteries.
- 4.2. It shall be the duty of the Community and Leisure Services Director to keep in good order all walking paths and driveways in the cemeteries and control of all maintenance performed and such other works that are carried out at the cemeteries.
- 4.3. It shall be the duty of the Community and Leisure Services Department or any other person acting under the Director’s instructions to determine the location where a monument or marker may be erected and shall mark the center of each grave location prior to he erection thereof.

5. GENERAL REGULATIONS

- 5.1 The City may grant a license to any person for the exclusive use of any lot or plot. The said license shall be subject to all provisions of this Bylaw and any amendments or regulations passed from time to time by the Council of the City.
- 5.2 The license fee and all other charges for work done or service rendered shall be in accordance with the Cemetery Fee Schedule, attached and identified as Schedule “B” and forming a part of this Bylaw.
- 5.3 Lots or niches may be transferred by the licensee to any individual willing to assume ownership of license. A licensee must complete, to the satisfaction of the City, the prescribed transfer paperwork and remit an administration fee equal to 10% of the current price of a comparable lot or niche. Licensees may also surrender their unused

- plot or niche to the City for a refund of 50% of the current purchase price of a comparable lot or niche.
- 5.4 No grave shall be used for any other purpose than for the burial of the human dead.
 - 5.5 No person shall bury any dead body in the cemeteries until such person shall have complied with the provisions of *The Public Health Act, The Vital Statistics Act and The Cemeteries Act, 1999* of the Province of Saskatchewan and with any regulations issued thereunder and as amended from time to time.
 - 5.6 All persons, while in the cemeteries, shall conduct themselves in a quiet and orderly manner.
 - 5.7 Persons within the cemeteries shall use only the avenues, roadways, walkways and alleys.
 - 5.8 Persons visiting the cemeteries or attending funerals are strictly prohibited from picking flowers, wild, or cultivated, breaking, or injuring any tree, shrub or plants, or from writing upon, defacing, or injuring any memorial, fence or other structure within the cemetery grounds.
 - 5.9 Motor cars and vehicles in the cemeteries shall travel only on the roadways provided for that purpose and shall not travel at a greater rate of speed than fifteen (15) kilometers per hour, except those vehicles used for the performance of maintenance.
 - 5.10 Animals are permitted within the cemetery provided they are under the control of a responsible person and restrained by a leash at all times. Owners must immediately remove and properly dispose of any animal waste. Animals shall not disturb visitors, ceremonies, wildlife, landscaping, graves, monuments, or cemetery operations. The City may temporarily restrict or prohibit animals during interments, ceremonies, or where necessary for safety or operational reasons. Service animals accompanying a person with a disability are permitted in accordance with applicable legislation.
 - 5.11 Owners of grave lots or plots shall be entitled to have them kept in proper order by the city upon paying the amount required pursuant to **Schedule “B”** attached hereto.
 - 5.11.1 Perpetual care will apply to all grave lots or plots sold but does not include headstone or marker maintenance.
 - 5.12 The City reserves the right to temporarily suspend or modify any regulations where literal interpretation may appear to create undue or unnecessary hardship.
 - 5.13 The City reserves the right to limit the number of services in any given morning or afternoon, so that the number of interments does not impact the City’s commitment to fulfill the obligations of any interment.
 - 5.14 Forty-eight (48) hours’ notice, two business days, exclusive of Saturdays, Sundays, Public and Statutory Holidays must be given to City Hall before an interment or disinterment takes place. No application or notice shall be received on Saturday, Sunday or on a Public or Statutory Holiday, except on production of a medical certificate that an early interment is desirable.

6. INTERMENTS

- 6.1 No interment of two or more bodies shall be made in one grave lot, except in the case of mother and child or two infants buried in one casket.
- 6.2 For all casket interments, the use of concrete, steel, fiberglass or other burial vaults, liners, domes, rough boxes or similar outer burial containers is generally prohibited. The City may authorize the use of such items in limited circumstances where required for religious, cultural, structural, maintenance or other cemetery-related considerations.

- 6.3 No interment of more than four cremated bodies shall be made in one grave lot or no more than four cremated bodies with one human being in one grave lot with the human body being the first burial in the grave plot. In all cases, the interments of cremated bodies shall be made in the centre of the grave lot with the first cremation to be placed 0.61 meter (2 feet) from the space required for a marker or monument. The remaining cremations shall be spaced 0.61 meters (2 feet) apart as per the attached **Schedule “A”**.

Notwithstanding the above, additional cremated remains may be permitted at the discretion of the City where companion urns or reduced-size urns are used and sufficient space exists within the grave lot.

- 6.4 No grave shall be less than 1.83 meters (6 feet) in depth from the surface of the ground.
- 6.5 No person other than a qualified funeral director shall have charge of the interment of any human body.
- 6.6 Whenever a block, plot or grave lot is held jointly by two or more parties, authority for interment in such block, plot or grave lot or any part thereof, will be accepted by the City of Humboldt from any one of the said parties or their executors or agents.
- 6.7 No interments shall be permitted in the cemeteries unless a proper burial permit is produced by the individual applying for the burial.

7. AUTHORITY TO ENTER INTO AGREEMENT

- 7.1. The disinterment of human remains, other than of cremated remains, shall be permitted by order of the Chief Coroner or upon issuance of a disinterment permit from the Minister of Health or his/her designate issued pursuant to an application under The *Public Health Act, 1994* and payment of the required fees as set out in Schedule “B”.
- 7.2. A person making an application shall ensure that a funeral home representative is present during the disinterment for the handling and transportation of the human remains. All handling of liners, casket or remains are the responsibility of the funeral home representative.
- 7.3. The disinterment of cremated human remains shall be permitted only upon written request from the Licensee of the lot in question or his heirs, executors or assigns.
- 7.4. Whenever the remains are disinterred, the grave space or spaces so vacated shall be reverted to the City.

8. CARE OF GRAVES

- 8.1 The City of Humboldt shall assume the general care of the entire cemeteries. The Licensee of a grave lot shall observe all rules and regulations passed from time to time by City Council for keeping the grave lots in order.
- 8.2 No borders, fences, railings, trellises, copings, hedges, grave covers, concrete or stone corners or iron posts shall be constructed or planted in or around any grave lot or plots.

9. MONUMENT AND MARKERS

- 9.1 All monument providers must complete an agreement with the City of Humboldt prior to selling or installing headstones or markers in City of Humboldt Cemeteries.
- 9.2 All monuments and markers shall be constructed of granite, marble, bronze or U.V. stabilized polyethylene. Other materials requested for monuments are subject to prior approval of the Community and Leisure Services Director.
- 9.3 No more than one upright monument unit may be placed on one grave lot.

- 9.4 City of Humboldt Cemeteries have restricted areas whereby no monument can be larger than 18” in height. These areas will be designated by the Director of Community and Leisure Services.
- 9.5 All upright monuments must be set at the head of a grave lot and shall be in a line designated by the Director of Community and Leisure Services.
- 9.6 No granite or marble monument or marker shall be erected except on a concrete foundation of a thickness of ten (10) to fifteen (15) centimetres (4 -6 inches). The foundation shall be reinforced with steel bars or steel mesh and shall be level with the ground surrounding the grave lot. The said foundation shall be of a dimension at least fifteen (15) centimetres (6 inches) wider and fifteen (15) centimetres (6 inches) longer than the base of the monument.
- 9.7 Monuments and markers made of U.V. stabilized polyethylene shall include an U. V. stabilized polyethylene base of a dimension at least fifteen (15) centimetres (6 inches) wider and fifteen (15) centimetres (6 inches) longer than the monument or marker and placed level with the ground surrounding the grave lot.
- 9.8 In the sections of the cemeteries where the City has provided a concrete border; granite, marble or U.V. stabilized polyethylene monuments or markers may be erected without a foundation.
- 9.9 No monument or marker shall be erected in the cemeteries until the design and description thereof has been approved by the Director of Community and Leisure Services and a written permit issued for the erection of such monument or marker in **Form “1”**, as attached hereto and forming a part of this Bylaw.
- 9.10 Grave covers of any type or description and of any material shall not be permitted.
- 9.11 Any monument company, its employees, contracted employees thereof and/or authorized individuals carrying out any monument work in the cemeteries will advise the Community and Leisure Services Department and shall be responsible for the restoration or repair of any damages to the Cemetery grounds or fixtures resulting from their actions. The City of Humboldt will not be held responsible for any monument damages or repairs required due to improper installation of the above noted monument.

10. CREMATION PLAQUES

- 10.1. All cremation plaques shall be of brass, granite, marble or U.V. stabilized polyethylene.
- 10.2. No cremation plaque shall be larger than 40.64 centimetres (16 inches) X 50.8 centimetres (20 inches).
- 10.3. No plaque shall be erected except on a concrete foundation of a thickness of ten (10) to fifteen (15) centimetres (4-6 inches). The foundation shall be reinforced with steel bars or steel mesh and shall be level with the ground surrounding the grave lot. The said foundation shall be of a dimension of at least five (5) centimetres (2 inches) wider and five (5) centimetres (2 inches) longer than the base of the plaque.
- 10.4. In the sections of the cemeteries where the City has provided a concrete border; brass, granite, marble or U.V. stabilized polyethylene plaques may be erected without a foundation.
- 10.5. Bronze plaques for the columbarium and memorial areas are arranged and ordered strictly by the Director of Community and Leisure Services or any person acting under his instructions.

11. MONUMENTS IN DISREPAIR

- 11.1. Should any tombstone, monument, plaque or other structure placed or arranged in the cemeteries be in a state of disrepair, the City may have the said tombstone, monument, plaque or other structure removed from the cemeteries.
- 11.2. Whenever any owner of a tombstone, monument or plaque or other structure neglects to make required repairs or alterations after being given due notice by the Director of Community and Leisure Services to do so, the Director shall allow a period of three (3) months to elapse after the giving of the said notice and shall then have power to remove such tombstone, monument, plaque or other structure from the cemeteries or repair it or replace with a suitable marker as determined by the Director.
- 11.3. All notices required to be given to Licensees of grave lots or owners of monuments or other parties by this Bylaw may be delivered in writing by the Community and Leisure Services Director or in writing, mailed postage paid to the last known address of such Licensee or Owner or other part. Proof of such notice having been mailed, properly addressed with prepaid, or delivered shall be sufficient proof that such notice has been given.
- 11.4. In the event that any provision of this Bylaw is found to be null or void or contrary to law by any court of competent jurisdiction, then such provision shall be severed from this Bylaw and the remainder of this Bylaw shall continue to be of full force and effect.

12. TREES, SHRUBS, FLOWERS AND OTHER ITEMS

- 12.1. No person shall plant any trees, shrubs or any vegetation or do work of any kind in the cemeteries without the permission of the Director of Community and Leisure Services.
- 12.2. If any tree or shrub situated on any grave lot or plot or part thereof shall, in the opinion of the Director of Community and Leisure Services, become by means of its roots or branches in any way detrimental to any adjacent grave lot, plot, path or driveway or to the general appearance of the cemeteries or dangerous or inconvenient to the public, the Director of Community and Leisure Services shall have the power to remove such tree or shrub or part thereof.
- 12.3. The Director of Community and Leisure Services shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind from the cemeteries as soon as they become unsightly, dangerous, detrimental or diseased.
- 12.4. All items placed in the cemetery by the public shall be at their own risk. The City will not accept responsibility for damaged or missing items.
- 12.5. The placing of flowers, wreaths, solar lights and other items shall be allowed only in receptacles which are affixed to the monument excepting that flowers, wreaths, solar lights and other items are permitted to be placed on the grave the day of the burial and left for a period of seven calendar days after which the flowers, wreaths, solar lights and other items will be removed and disposed of.
- 12.6. Any other items placed on a grave, flowerbed; or concrete foundation are considered temporary and will be removed and disposed of.

13. CHILDREN'S SECTIONS

Sections of the cemeteries may be subdivided into smaller graves for interment of children up to six (6) years of age.

14. ROYAL CANADIAN LEGION

The Humboldt Branch of the Royal Canadian Legion shall be permitted to manage, supervise, and maintain the Legion Cemetery located within the Public Cemetery.

In the event the Legion Cemetery is not maintained to the standards of the Public Cemetery, The City shall have the authority to instruct the Legion to carry out such works as they deem

necessary. Should the Legion neglect to carry out the required works, the City shall have the authority to do so and levy a charge for the works carried out.

15. INTERMENT OF INDIGENT PERSONS

Where interment rights are provided by the City for an indigent or unclaimed person pursuant to applicable legislation, such interment shall be limited to that individual only.

Any additional interment within the same grave lot requested by family members or other parties shall be subject to:

- a) availability of space;
- b) approval by the City; and
- c) payment of all applicable fees in accordance with the Cemetery Fee Schedule.

16. MAPS, PLANS AND RECORDS

All grave lots and plots shall be described according to a Plan of Record in the City Hall. Suitable books of record shall be kept in the City Hall to record the description of each lot in the cemeteries, together with the name and address of the owner thereof, and such other records shall be kept to ensure a complete record of all business transacted in connection with the cemeteries. The records of the cemeteries shall be open to inspection during regular office hours. The City shall have maps prepared of cemeteries indicating thereon the owners of each grave lot in the cemeteries, such maps to show the grave lots that are occupied and the grave lots that are reserved.

17. INDEMNITY

The City or any official thereof shall not be held responsible for any mistakes resulting from lack of precise or proper instructions regarding the grave space where an interment is to be or has been made. Any additional costs incurred by the City to correct such errors will be charged out based on actual costs incurred by the City.

The City shall indemnify and save harmless each of its employees and servants, from all liability, claims and causes of action including all costs in relation thereto, arising from all acts or omissions of each such person in the performance of his or her duties or services hereunder, provided the same have been carried out in good faith.

18. PENALTY

Any person guilty of an infraction of this Bylaw or any part thereof, shall be liable on summary conviction to the penalties prescribed by the General Penalty Bylaw of the City of Humboldt.

19. REPEAL

19.1. Bylaw No. 06/2023 is hereby repealed upon the coming into force of this Bylaw.

Mayor – Rob Muench

City Clerk – Lori Yaworski

INTRODUCED AND READ A FIRST TIME THIS _____ DAY OF _____, 2026
READ A SECOND TIME THIS _____ DAY OF _____ 2026.
READ A THIRD AND FINAL TIME THIS _____ DAY OF _____ 2026.

Form "1"
MONUMENT MARKER AND PLAQUE APPLICATION FORM
Pursuant to Section VIII of Bylaw No. 08/218, City of Humboldt

I/We _____, hereby apply for permission to construct a:

- Marker
- Monument
- Cremation Plaque
- Other _____

within the:

- St. Augustine Cemetery
- St. Elizabeth Convent Cemetery
- Public Cemetery

- I/We hereby agree to the following conditions and have enclosed a detailed design and description of our proposed construction request.**

- I/We hereby agree to complete our request within three (3) months of approval of our application.**

Conditions

1. All monuments and markers shall be of granite, marble, or U. V. stabilized polyethylene. All cremation plaques shall be of brass, granite, marble or U. V. polyethylene.
2. All monuments and markers must be set at the head of the grave lot and shall be in a line designated by the Community and Leisure Services Director.
3. No granite or marble monument or marker shall be erected except on a concrete foundation of a minimum thickness of 10-15 centimetres (4-6 inches). The foundation shall be reinforced with steel bars or steel mesh and shall be level with the ground surrounding the grave lot. The said foundation shall be of a dimension at least 15 centimetres (6 inches) wider and 15 centimetres (6 inches) longer than the base of the monument.
4. Monuments and markers made of U.V. stabilized polyethylene shall include an U. V. stabilized polyethylene base of a dimension at least 15 centimetres (6 inches) wider and 15 centimetres (6 inches) longer than the monument or marker and placed level with the ground surrounding the grave lot.
5. Monuments can not exceed the width of the plot on which they are installed.
6. In certain designated restricted areas, monuments can not be larger than 18 inches in height.
7. No plaque shall be erected except on a concrete foundation of a thickness of 10-15 centimetres (4-6 inches). The foundation shall be reinforced with steel bars on steel mesh and shall be level with the ground surrounding the grave lot. The said foundation shall be of a dimension at least 5 centimetres (2 inches) wider and 5 centimetres (2 inches) longer than the base of the plaque.
8. In the sections of the cemeteries where the City has provided a concrete border, plaques, monuments and markers may be erected without a concrete foundation.
9. Grave covers of any type or description and of any material shall not be permitted.
10. No monument, marker or plaque shall be erected within the cemeteries until the design and description thereof has been approved by the Leisure Services Director and written permission issued for the erection of such monument, marker or plaque.

Date of Application

Applicant's Signature

For Department Use Only:

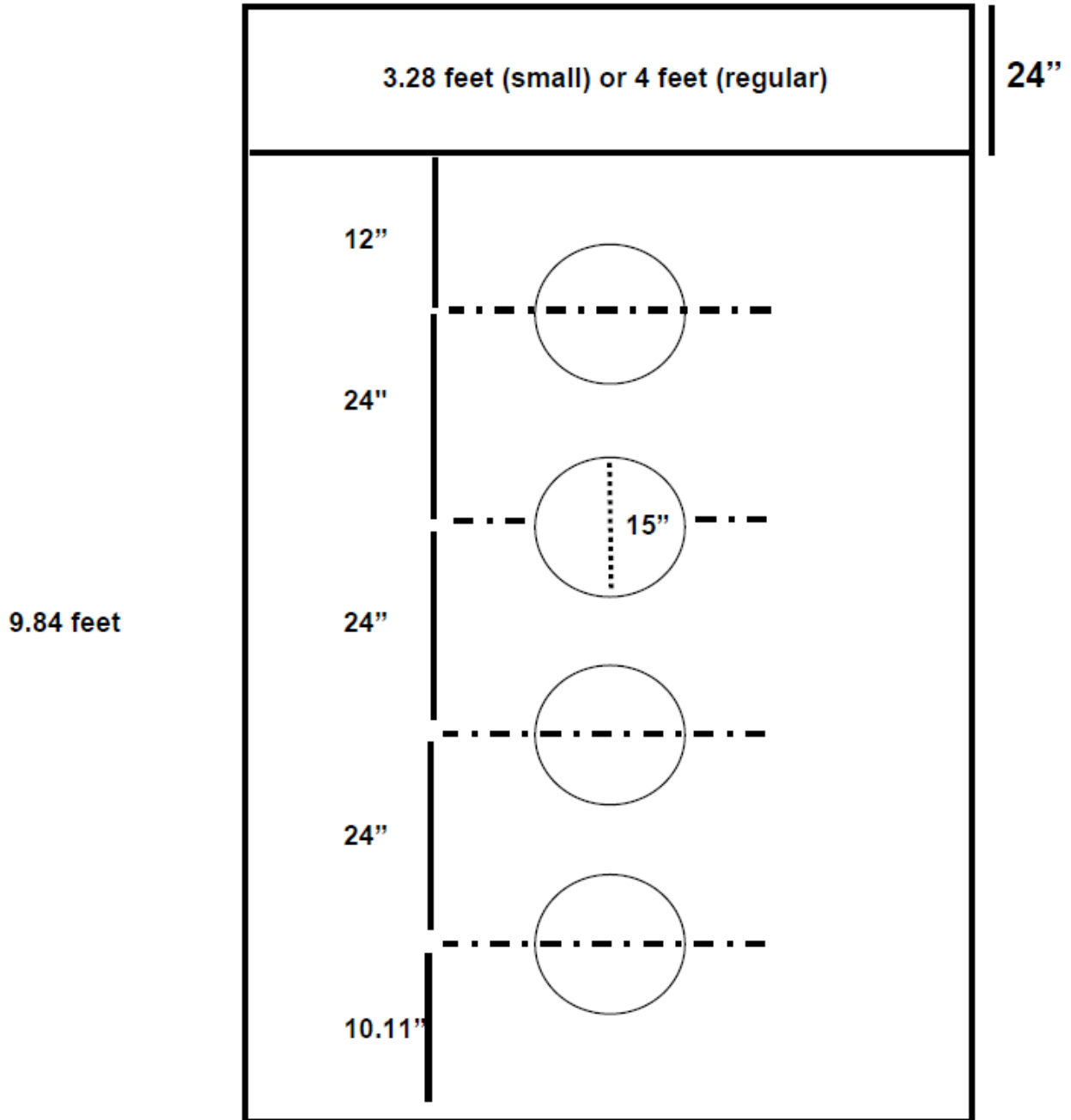
Date of Approval

Approved by Director of Community & Leisure Services

Construction Completion Date: _____

SCHEDULE "A"
CEMETERY PLOT DIMENSIONS
Pursuant to Section VIII of Bylaw No. 03/2026, City of Humboldt

TOP



(not to scale)

Cemetery Plot Size:

(Small)
3.28' X 9.84'
(1.0 m X 3.0 m)

(Regular)
4' x 9.84
(1.2 m x 3.0m)

SCHEDULE "B"
CEMETERY FEE SCHEDULE

Pursuant to Section VIII of Bylaw No. 03/2026, City of Humboldt

Lot Purchase	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Cemetery Lot with Foundation	\$1,450	\$1,450	\$1,450	\$1,450
Cemetery Lot with Foundation & 18" headstone height restriction	\$960	\$960	\$960	\$960
Infant Plots for Stillborn	\$240	\$240	\$240	\$240

Grave Opening & Closing	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Regular Lot	\$1,065	\$1085	\$1115	\$1130
Cremation Lot	\$665	\$680	\$695	\$710

Columbarium Fees	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Bottom Two Rows	\$2,420	\$2,420	\$2,420	\$2,420
All Remaining Rows	\$2,760	\$2,760	\$2,760	\$2,760

*Note: All columbarium niches may have up to two (2) urns interred. First interment and a bronze plaque are included with the price of niche. A second interment is subject to a \$150.00 opening and closing fee. Bronze plaques are arranged and ordered strictly by the City of Humboldt.

Other	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Memorial Plaques	\$440	\$440	\$440	\$440

*NOTE: There are designated areas for placing memorial plaques on the columbarium units. Memorial plaques are arranged and ordered strictly by the City of Humboldt

Disinterment: Removal of Remains/Cremated Remains are billed at cost plus 10% Administration Fee. Cost estimates are provided upon request.

**GST to be added to the above rates.