



# REQUEST FOR DECISION

Meeting: December 12, 2022

Agenda Item:

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## Cemetery Bylaw

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### **RECOMMENDATION:**

That Council approve the proposed Town of Nanton Bylaw #1368/22, a bylaw to regulate and control the operation, care, use and maintenance of the Town of Nanton Cemetery, in agreement with the Municipal District of Willow Creek's bylaw which agrees to this bylaw being in effect within the boundaries of the MD.

### **PURPOSE:**

The purpose of this bylaw is to address outstanding items such as:

- Enforcement of a bylaw outside of the Town's boundaries
- Columbarium engraving consistency
- Weekend funerals for staff time
- Monument placement permits
- Interment Rights for urns in standard size graves sites
- Moving the cemetery fees to the Town of Nanton Fees & Rates Bylaw #1366/22

### **BACKGROUND / IMPLICATIONS:**

Administration had requested that Council consider a review of the outdated Cemetery bylaw #1094/00 (amended by 1196/08 – contract & fees, and 1350/21 - fees) with a Request for Decision that was brought forward at the March 9, 2022 Regular Meeting. An additional columbarium had already been budgeted and expected to be constructed by fall 2022; however, supplier issues have the project stalled until spring 2023.

Administration and Council have received requests for design options in engraving of niche doors on the columbarium. As the two matching hexagonal columbarium units had a requirement for uniformity already in place, it is proposed that the newest unit can allow some flexibility in the engraving; however, due to the confined size of the doors (approximately 12" X 12") and the need for some conformity for the adjacent purchasers of the niches, there must be attention to the overall aesthetics of the columbarium.

Noting that many communities include cemeteries within their Parks bylaw, this was the initial direction proposed; to have Cemetery regulations as a schedule to the Parks bylaw. This tactic was changed when, in the research for this new bylaw, it was realized that our Cemetery bylaw was written for lands that the Town of Nanton owns but are not located within Nanton's boundaries. The Cemetery is located within the MD of Willow Creek.

The Municipal Government Act, section 12, states that "A bylaw of a municipality applies only inside its boundaries unless (a) one municipality agrees with another municipality that a bylaw passed by one municipality has effect inside of each municipality and the council of each municipality passes a bylaw approving the agreement". Once this information was conveyed to the MD, their CAO presented a draft bylaw to this effect.

### **DECISION OPTIONS:**

- #1 – Approve proposed Cemetery Bylaw #1368/22 as presented for first reading
- #2 – Recommend amendments prior to and approve first reading of the Bylaw

**ALTERNATIVES:** Not recommended for referral to committee

**Financial (GL# / Amount) :** Not applicable

**Communications/PR:** Information posting on website upon first reading for public information

The MD has requested a copy of the fully executed bylaw for the passing of its bylaw agreeing to the effect of Bylaw #1368/22.

**Attachments:** Proposed Town of Bylaw # 1368/22 and draft MDWC Bylaw for the Nanton Cemetery

**Applicable Legislation:** Alberta Cemeteries Act & Regulations  
MGA (Section 12 referencing bylaw outside of boundaries)

**Prepared By:** Lisa Lockton, Legislative Services Manager **Date:** December 7, 2022

  
**NANTON**  
EST 1903  
CHIEF ADMINISTRATIVE OFFICER

**APPROVED BY:** Neil Smith, Chief Administrative Officer:

NANTON STRATEGIC PLAN ALIGNMENT			
<input type="checkbox"/>	OPERATIONS	<input type="checkbox"/>	EMERGENCY SERVICES
<input type="checkbox"/>	PLANNING & DEVELOPMENT	<input type="checkbox"/>	COMMUNITY & ECONOMIC
<input type="checkbox"/>	GOVERNANCE & CORPORATE SERVICES	<input checked="" type="checkbox"/>	NOT APPLICABLE
<b>PRIORITY OR ACTION:</b> Although not a Strategic priority, this bylaw refresh aligns with the Plan's Guiding Principles of ensuring "Quality Services".			
<b>CAPITAL PRIORITIES:</b> The 2022 budget for the new columbarium predicated in part the refresh of the Cemetery bylaw			

