



# AGENDA

## Bylaw Committee

October 4, 2022 - 3:00 PM

Town Administration Building - Council Chambers

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**AGENDA FOR BYLAW COMMITTEE MEETING TO BE HELD ON OCTOBER 4, 2022 AT 3:00 PM IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING, 4938 – 50 AVENUE, RIMBEY, ALBERTA.**

Page

### 1. CALL TO ORDER BYLAW COMMITTEE MEETING & RECORD OF ATTENDANCE

1.1 LAND ACKNOWLEDGMENT

### 2. AGENDA APPROVAL AND ADDITIONS

### 3. MINUTES

3.1 Minutes of the Bylaw Committee Meeting June 7, 2022. 2 - 5  
[RFD 3.1 Minutes](#)

### 4. NEW AND UNFINISHED BUSINESS

4.1 973/21 Urban Hen Bylaw 6 - 15  
[RFD 4.1 973/21 Urban Hen Bylaw](#)

4.2 945/18 Town of Rimbey Cemeteries Bylaw 16 - 23  
[RFD 4.2 945/18 Town of Rimbey Cemeteries Bylaw](#)

### 5. ADJOURNMENT

5.1 Adjournment

Bylaw Committee  
**REQUEST FOR DECISION**



**Meeting:** October 4, 2022  
**Submitted By:** Bonnie Rybak, Executive Assistant  
**Subject:** Minutes  
**Item For:**  Public Information -or-  Closed Session

**RECOMMENDATION:**

To accept the Minutes of June 7, 2022, Bylaw Committee Meeting, as presented.

**ATTACHMENTS:**

[RFD 3.1.1 Bylaw Committee Minutes June 07, 2022](#)

**PREPARED BY:** Bonnie Rybak, Executive Assistant

September 29, 2022  
**Date**

**ENDORSED BY:**

A handwritten signature in black ink, appearing to read "Gayle Rondeel".

Gayle Rondeel, Chairperson

September 29, 2022  
**Date**



# MINUTES

## Bylaw Committee Meeting

Tuesday, June 7, 2022 - 3:00 PM

Town Administration Building - Council Chambers

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**1. CALL TO ORDER BYLAW COMMITTEE MEETING & RECORD OF ATTENDANCE**

Chairperson Rondeel called the meeting to order at 3:00pm with the following in attendance:

- Chairperson Gayle Rondeel
- Deputy Chair Janet Carlson
- Committee Member Allan Tarleton
- Committee Member Jeff Johnstone
- Committee Member Camille McKay
- Lori Hillis, CPA. CA - Chief Administrative Officer
- Gail Cornell - Recording Secretary

Absent: Councilor Wayne Clark

Public: 0 members of the public

**2. AGENDA APPROVAL AND ADDITIONS**

2.1. Agenda Approval and Additions

Motion 2022BC030

Moved by Committee Member Tarleton to accept the agenda for the June 7, 2022, Bylaw Committee Meeting, as presented.

Chairperson Rondeel	In Favor
Deputy Chair Carlson	In Favor
Committee Member Tarleton	In Favor
Councillor Clark	Absent
Committee Member Johnstone	In Favor
Committee Member McKay	In Favor

CARRIED

**3. MINUTES**

3.1. Minutes

Motion 2022BC031

Moved by Committee Member Johnstone to accept the Minutes of the Bylaw Committee Meeting May 3, 2022, as presented.

Chairperson Rondeel	In Favor
Deputy Chair Carlson	In Favor
Committee Member Tarleton	In Favor
Councillor Clark	Absent
Committee Member Johnstone	In Favor
Committee Member McKay	In Favor

CARRIED

**4. NEW AND UNFINISHED BUSINESS**

4.1. Committee of the Whole

Motion 2022BC032

Moved by Committee Member Johnstone to accept the proposed bylaw 988/22 Committee of the Whole and bring forward to Council meeting on June 27, 2022.

Chairperson Rondeel	In Favor
Deputy Chair Carlson	In Favor
Committee Member Tarleton	In Favor
Councillor Clark	Absent
Committee Member Johnstone	In Favor
Committee Member McKay	In Favor

CARRIED

Motion 2022BC033

Moved by Committee Member Tarleton to schedule the next Bylaw Committee Meeting to be held on Tuesday, September 6, 2022 @ 3:00pm., in Council Chambers.

Chairperson Rondeel	In Favor
Deputy Chair Carlson	In Favor
Committee Member Tarleton	In Favor
Councillor Clark	Absent
Committee Member Johnstone	In Favor
Committee Member McKay	In Favor

CARRIED

**5. ADJOURNMENT**

5.1. Adjournment

Motion 2022BC034

Moved by Committee Member Tarleton to adjourn the meeting at 4:13 pm.

Chairperson Rondeel	In Favor
Deputy Chair Carlson	In Favor
Committee Member Tarleton	In Favor
Councillor Clark	Absent
Committee Member Johnstone	In Favor
Committee Member McKay	In Favor

CARRIED

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Gayle Rondeel, Chairperson

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Lori Hillis, Chief Administrative Officer

Bylaw Committee  
**REQUEST FOR DECISION**



**Meeting:** October 4, 2022  
**Submitted By:** Bonnie Rybak, Executive Assistant  
**Subject:** 973/21 Urban Hen Bylaw  
**Item For:**  Public Information -or-  Closed Session

**BACKGROUND:**

At the Bylaw Committee Meeting held on January 5, 2021, the following motions were made:

Motion 2021BC003

Moved by Committee Member Connor Ibbotson to accept the Draft Urban Hen Bylaw as amended.

**In Favor**

Chairperson Gayle Rondeel  
Councillor Lana Curle  
Deputy Chairperson Janet Carlson  
Committee Member Connor Ibbotson

**Opposed**

CARRIED

Motion 2021BC004

Moved by Committee Member Connor Ibbotson to forward the Draft Urban Hen Bylaw as amended to Council for consideration.

**In Favor**

Chairperson Gayle Rondeel  
Councillor Lana Curle  
Deputy Chairperson Janet Carlson  
Committee Member Connor Ibboston

**Opposed**

CARRIED

First reading was given to 973/21 Urban Hen Bylaw, on January 12, 2021, at the Council meeting held on January 12, 2021.

Motion 004/21

Moved by Councillor Bill Coulthard to give first reading to the Urban Hen Bylaw as presented.

**In Favor**

Mayor Pankiw  
Councillor Coulthard  
Councillor Curle  
Councillor Payson  
Councillor Rondeel

**Opposed**

CARRIED

**RECOMMENDATION:**

Administration recommends the committee forward 973/21 Urban Hen Bylaw with proposed changes for Council's consideration of second reading.

**ATTACHMENTS:**

[RFD 4.1.2 973 21 Urban Hen Bylaw DRAFT](#)  
[RFD 4.1.2 Urban Hen Registration Application Fillable Form](#)

**PREPARED BY:** Bonnie Rybak, Executive Assistant

September 29, 2022  
**Date**

**ENDORSED BY:**



Gayle Rondeel, Chairperson

September 29, 2022  
**Date**

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR  
THE REGULATIONS FOR THE CONTROL URBAN HENS IN THE TOWN.

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**WHEREAS** A Council of a Municipality may, pursuant to the Municipal Government Act, Chapter M-26, R.S.A. 2000, pass bylaws for the purpose of regulating and controlling domestic animals and activities in relation to them and to provide for the imposition of a fine and or imprisonment due to contravention of said bylaw; and

**WHEREAS** The Council of the Town of Rimbey deems it necessary and expedient to pass a bylaw for the purpose of regulating and controlling urban hens within the corporate boundaries of the Town of Rimbey;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF RIMBEY, DULY ASSEMBLED, ENACTS AS FOLLOWS:

PART ONE - TITLE

1. This bylaw may be cited as the "Urban Hen Bylaw"

PART TWO - DEFINITIONS

2. In this bylaw, unless the context otherwise requires, the word, term, or expressions:
- a) "Abattoir" means a facility where animals are slaughtered for consumption as food for humans.
  - b) "Animal Control Officer" means a person or firm engaged by the Town to administer and/or enforce the provisions of the bylaw.
  - c) "Chicken Tractor" means a movable chicken coop lacking a floor.
  - d) "Coop" means a fully enclosed, weather-proof structure, and attached outdoor enclosure used for the keeping of Urban Hens.
  - e) "Chief Administrative Officer" means a person appointed as the Chief Administrative Officer of the Town of Rimbey or designate.
  - f) "Council" means the Council of the Town of Rimbey.
  - g) "Communicable Disease" means any disease or illness that may be transferred from an Animal to another Animal, or a human through direct or indirect contact.
  - h) "Hen" means a domesticated female chicken.
  - i) "Hen House" means an enclosed structure that houses Urban Hens at night and includes a secure place for Urban Hens to lay eggs and eat.
  - j) "Licensee" means a Person named on an Urban Hen License.
  - k) "Municipal Tag" means a document alleging an offence issued pursuant to the authority of a Bylaw of the Town.
  - l) "Officer" includes an Animal Control Officer, a Bylaw Enforcement Officer, a Peace Officer, a Special Constable, and a Member of the Royal Canadian Mounted Police.
  - m) "Outdoor Enclosure (urban hen run)" means a securely enclosed, roofed outdoor area attached to, and forming, part of a Coop having a bare earth or vegetated floor for Urban Hens to roam.
  - n) "Owner" includes any one or more Persons who:
    - i) Is named on an Urban Hen License; or
    - ii) A person who owns or claims any proprietary interest in an Urban Hen; or
    - iii) A person who has care, charge, custody, possession, or control of the Urban Hen, either temporarily or permanently; or



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR  
THE REGULATIONS FOR THE CONTROL URBAN HENS IN THE TOWN.

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- iv) A person who harbors an Urban Hen, or allows an Urban Hen to remain, on his/her property
- o) "Owner's Property" means any premises which are owned or leased by the Owner.
- p) "Premises" means any dwelling, building, and any parcel or lot of real property or a portion thereof.
- q) "Rooster" means a domesticated male chicken.
- r) "Running at Large" means an Urban Hen being outside of the property.
- s) "Town" means the municipal corporation of the Town of Rimbey, or the area contained within the boundary thereof, as the context requires, means the area of land within the corporate boundaries.
- t) "Town Office" means the Chief Administrative Officer, or any other staff member authorized to carry out their duties.
- u) "Urban Hen" means a hen that is at least 16 weeks of age.
- v) "Urban Hen License" means a license issued by the Town of Rimbey pursuant to the Urban Hen Bylaw, which authorizes the License holder to keep Urban Hens on specific property within the Town of Rimbey.
- w) "Violation Ticket" has the same meaning as the Provincial Offences Procedure Act.
- x) "Urban Area" means land located within the Town of Rimbey legal boundaries.

PART THREE - PURPOSE

3. The purpose of this bylaw is to regulate and control the keeping of Urban Hens within the urban areas of the Town of Rimbey.

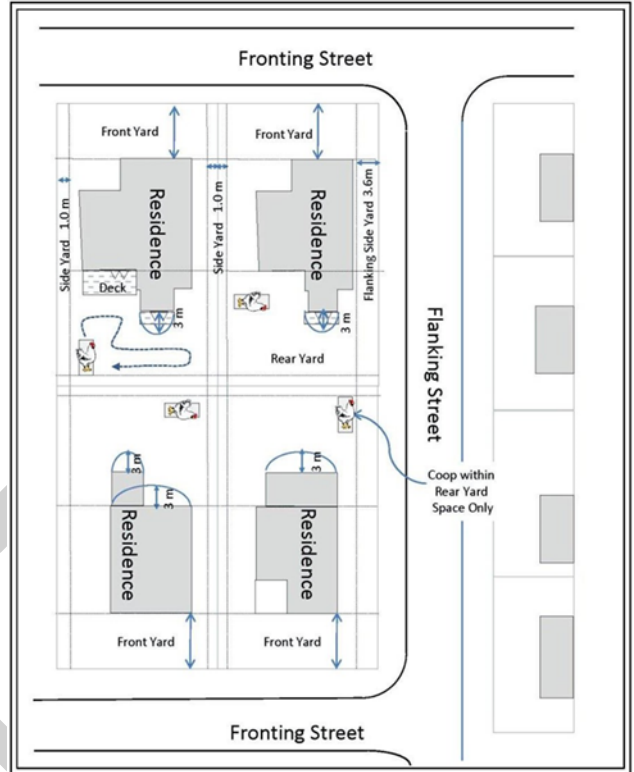
PART FOUR - REGULATIONS

- 4.1 A person may apply to keep no more than five (5) Urban Hens on a single property.
- 4.2 The owner must be 18 years of age or older.
- 4.3 Urban Hens kept on the property are for personal use only.
- 4.4 No person shall be permitted to:
- a) keep a rooster
  - b) keep a hen, other than an Urban Hen for which a valid Urban Hen License has been issued by the Town of Rimbey;
  - c) sell eggs, meat, manure, and other products associated with the keeping of Urban Hens;
  - d) slaughter Urban Hens on the property;
- 4.5 Any deceased Urban Hens shall be disposed of by delivering it to a farm, Abattoir, veterinarian, or other operation that is lawfully permitted to dispose of such.
- 4.6 A tenant must obtain written permission from the registered property Owner to keep Urban Hens on the owner's property. Any Owner of Urban Hens must reside on the property where the Urban Hens are kept.

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATIONS FOR THE CONTROL URBAN HENS IN THE TOWN.

**PART FIVE - URBAN HEN COOP AND RUN REQUIRMENTS**

- 5.1 No person shall keep an Urban Hen or Urban Hens, on a parcel in a single-family residential zone, having an area less than 464.52 sq. metres (5,000 ft<sup>2</sup>).
- 5.2 Every building (coop) or enclosure used to accommodate Urban Hens must be:
  - 5.2.1 located in the rear yard of the lot behind the dwelling;
    - a) a minimum of 3.0 metres (9.8 ft) from the principle dwelling;
    - b) a minimum of 1.0 metre (3.3 ft) from any property line;
    - c) a maximum of 10 sq. metres (107.6 sq. ft) in size;
    - d) a maximum of 2.5 metres (8 ft) in height;
- 5.3 The Owner shall ensure Urban Hen coops, Urban Hen houses, and Urban Hen runs are properly maintained in a clean condition to prevent negative impacts. Including, but not limited to, attacking nuisance animals, the spread of food over the property, and obnoxious odors, or noise.
- 5.4 The Owner must ensure the coop and outdoor enclosure are secured from sunset to sunrise.
- 5.5 Hen Tractors may be used to move urban hens to new areas for foraging during daylight hours.



**PART 6 - RESPONSIBILITIES OF HEN OWNERS**

- 6.1 The Owner of an Urban Hen(s) shall:
  - a) ensure the rear yard is securely fenced;
  - b) ensure the coop is insulated and well ventilated;
  - c) ensure that the Urban Hen is not running-at-large;
  - d) ensure food is stored in such a way as to discourage predators;
  - e) ensure manure is stored in an enclosed container and disposed of, as per health regulations;
  - f) keep a food container and water container in the Coop;
  - g) remove leftover feed, trash, and manure within 48 hours;
  - h) store feed within a fully enclosed container;
  - i) not keep an Urban Hen in a cage, kennel, or any other form of shelter other than a Coop or approved Tractor;
  - j) not sell eggs, meat, manure, or other products derived from Urban Hens;
  - k) not slaughter an Urban Hen on the property;
  - l) dispose of an Urban Hen except by delivering it to a farm, Abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Urban Hens;
  - m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak;

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR  
THE REGULATIONS FOR THE CONTROL URBAN HENS IN THE TOWN.

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PART SEVEN - LICENSING

- 7.1 A person may not keep an Urban Hen unless that person first submits a completed Urban Hen Registration Application to the Town and receives validation of registration from the Town.
- 7.2 The Town may not validate an Urban Hen registration application form unless the following has been satisfied:
- a) The initial permit has been reviewed by the planning and development department to ensure compliance with the required regulations and guidelines, of which the applicant of the Urban Hen registration application form will be contacted within 21 days upon reception of the completed application;
  - b) the applicant is the owner of the property and resides on the property on which the Urban Hens will be kept, or the applicant resides on the lot and has written consent from the registered owner of the property to allow Urban Hens to be kept on the property;
  - c) the applicant has a valid Alberta Poultry Premises Identification (PID) number obtained from Alberta Agriculture and Forestry, and a copy is provided to the Town;
  - d) all other required information on the Town's Urban Hen License application form has been provided including payment.
- 7.3 A person may apply to keep up to five (5) Urban Hens by:
- a) Applying for an annual Urban Hen License from the Town Office during regular business hours: and
  - b) Paying an annual \$50.00 Urban Hen License fee, which is due and payable prior to January 31 of each subsequent year.
  - c) Urban Hen Licenses fees shall not be reduced or prorated regardless of the month of purchase.
  - d) Urban Hen License fees that have been paid shall not be refunded or rebated.
- 7.4 Upon payment of the Urban Hen License fee by the owner, the Town Office shall issue to the Owner a certificate of licensing.
- 7.5 A validated Urban Hen License is not transferable from one person to another or from one property to another.
- 7.6 A person to whom an Urban Hen License has been issued shall produce the license at the demand of the Officer, Chief Administrative Officer or Designate.
- 7.7 The maximum number of Urban Hen Licenses that may be issued in the Town shall be one (1) Urban Hen License per one hundred (100) persons, based on the population of the Town of Rimbey, as determined in the most recent census.

PART EIGHT - PENALTIES

- 8.1 A person who contravenes any provision of this bylaw is guilty of an offence.
- 8.2 No person shall wilfully obstruct, hinder, or interfere with an Animal Control Officer or any other person authorized to enforce and engage in the enforcement of the provisions of this Bylaw.
- 8.3 A person who is guilty of a first offense is liable to a fine of two hundred (\$200.00) dollars.
- 8.4 A person who is guilty of a second offense is liable to a fine of four hundred (\$400.00) dollars.



Town of Rimbey

Bylaw 973/21

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATIONS FOR THE CONTROL URBAN HENS IN THE TOWN.

8.5 Where a person has been found to have contravened the Bylaw two (2) or more times within one twelve (12) month period, the Town reserves the right to revoke the Urban Hen License.

PART NINE - SEVERABILITY CLAUSE

9.1 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

PART TEN - COMMENCEMENT

10.1 This Bylaw shall ~~come into full force and effect June 1, 2021~~ take effect on the date of the third and final reading.

10.2 Bylaws 094/42 is hereby repealed.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR RICK PANKIW

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER  
LORI HILLIS

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR RICK PANKIW



**Town of Rimbey**

Bylaw 973/21

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR  
THE REGULATIONS FOR THE CONTROL URBAN HENS IN THE TOWN.

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\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER  
LORI HILLIS

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR RICK PANKIW

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER  
LORI HILLIS

DRAFT



# Urban Hen Registration Application

**Applicant/Owner Information:** (Please note: Applicant must be 18 years of age or older to apply)

Name: \_\_\_\_\_ Civic Address: \_\_\_\_\_

Owner: \_\_\_\_\_ Renter\*: \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
(\* signed letter of permission from Landowner required)

Phone #: \_\_\_\_\_ Alternate #: \_\_\_\_\_ Email: \_\_\_\_\_

If applicant is a Renter, please fill out the following information:

Registered Property Owner: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Alternate #: \_\_\_\_\_ Email: \_\_\_\_\_

### Urban Hen Information:

Number of Urban Hens on Premise (max 5 Urban Hens):

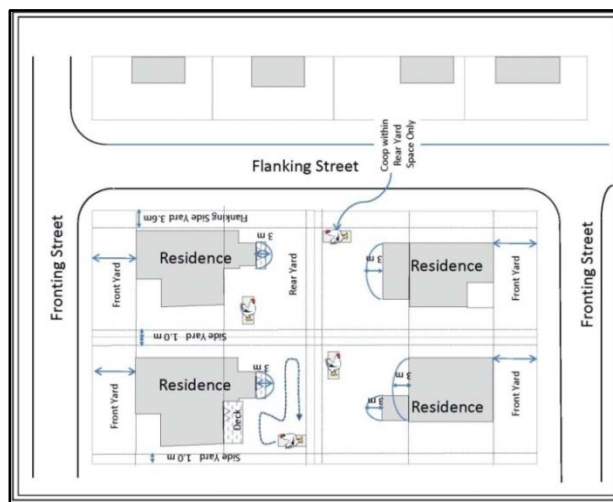
Coop Sq. Area: \_\_\_\_\_ (10m<sup>2</sup>) Coop Height: \_\_\_\_\_ (2.5m)

### Yard Information:

Rear Yard Securely Fenced: \_\_\_\_\_ Lot Size Meets Requirements: \_\_\_\_\_ (minimum 464.52 m<sup>2</sup>)

Using the information provided above the example below, please provide a sketch of the coop in relation to the property in the box provided below.

Refer to Part 5 of the "Urban Hen Bylaw" for approved coop and run requirements.



Please note that the personal information requested in this form is protected under the Freedom of Information and Protection of Privacy Act (FOIP). Collection of the personal information is authorized under FOIP, Section 33c, and is to be used in conjunction with the Town of Rimbey Urban Hen Application. If you have any questions regarding FOIP, please phone 403-843-2113 and ask for the FOIP coordinator.



Please provide in the lines below, a short description of intended coop and run with the described intended location within your rear yard, as required by the "Urban Hen Bylaw".

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Signature of Applicant/Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Approval:

Animal Control: \_\_\_\_\_

Date: \_\_\_\_\_

Town of Rimbey: \_\_\_\_\_

Date: \_\_\_\_\_

Fee: \$50 Receipt #: \_\_\_\_\_

Bylaw Committee  
**REQUEST FOR DECISION**



**Meeting:** October 4, 2022  
**Submitted By:** Bonnie Rybak, Executive Assistant  
**Subject:** 945/18 Town of Rimbey Cemeteries Bylaw  
**Item For:**  Public Information -or-  Closed Session

**BACKGROUND:**

Administration has attached a draft of Bylaw 945/18 with proposed changes for the committee to review.

**ATTACHMENTS:**

[RFD 4.2.1 945 18 Town of Rimbey Cemeteries Bylaw - DRAFT](#)

**PREPARED BY:** Bonnie Rybak, Executive Assistant

September 29, 2022  
**Date**

**ENDORSED BY:**

A handwritten signature in black ink, appearing to read "Gayle Rondeel".

Gayle Rondeel, Chairperson

September 29, 2022  
**Date**





**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATIONS OF THE RIMBEY CEMETERIES**

WHEREAS The Town of Rimbeey is the owner and operator of both West Haven Cemetery and Mount Auburn Cemetery;

NOW THEREFORE The Municipal Council of the Town of Rimbeey, duly assembled, hereby enacts as follows:

**SECTION 1 - Title**

1. This Bylaw may be cited as the Town of Rimbeey Cemeteries Bylaw.

**SECTION 2 – Definitions**

In this bylaw, unless the context otherwise requires:

- a) "Artificial Ornaments" means any cut flowers, silk flowers or wreaths.
- b) "Burial" means the interment of human remains or cremated human remains in a grave.
- c) "Caretaker" means the Town employee(s) ~~actually~~ working at the cemetery under the instruction and supervision of the Chief Administrative Officer or Director of Public Works.
- d) "Cement Liner" means a concrete burial receptacle placed in the lot into which the casket is lowered. The liner is designed to support the weight of the earth and standard cemetery maintenance equipment to prevent the grave from collapsing.
- e) "Cemetery" means land that is set apart or used as a place for the burial of dead human remains or cremated human remains.
- f) "Council" mean the Council of the Town of Rimbeey.
- g) "Flowering Ornamental" means any perennial, annual and biannual flowering plant.
- h) "Grave" means a lot or niche used as a place of burial.
- i) "Lot" means a lot as shown on a plan of subdivision on record in the Town Office.
- j) "Monument" means any structure in a cemetery erected or constructed on a grave or lot for memorial purposes.
- k) "Niche" means a compartment as shown on a Columbarium Map on record in the Town Office for the storage of cremated remains.
- l) "Town" means the Town of Rimbeey.
- m) "Woody Ornamental" means any trees shrubs, creepers and climbers.

**SECTION 3 – Duties, Rights and Powers**

- 1) Council of the Town of Rimbeey shall have charge of the cemeteries.
- 2) Council will provide direction, by way of resolution, for all items other than regular maintenance of the cemeteries.



**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATIONS OF THE RIMBEY CEMETERIES**

- 3) The Town shall maintain the cemeteries, ensuring the grass is mowed on a regular basis, grass is trimmed around all headstones, trees trimmed, and gates and fences are in good repair.
- 4) The Town will have lots available for the burial of human remains at all times.
- 5) The Town shall have the authority to order that the graves in any particular section of the cemetery shall be laid in any direction the Town may consider suitable.
- 6) The Town shall have the authority to have removed any weeds or grass, funeral designs, or floral pieces which may become wilted or any other article or thing which is in their opinion unsightly.
- 7) If, in the opinion of the Town, any woody ornamentals situated on or about the cemeteries shall become by means of their roots or branches or in any other way detrimental to adjacent lots, walks or driveways, prejudicial to the general appearance to the grounds or dangerous or inconvenient to the public, the Town shall have the right to remove such woody ornamentals or any parts thereof.
- 8) The Town shall have the right to remove fences, borders, railings, walls, hedges, copings and other enclosures now in existence as they may deem advisable after sufficient notice of their intention to do so has been published in a newspaper circulated in the Town if the relatives are unknown.
- 9)
  - (a) No person shall disturb the quiet or good order of the cemetery by improper noise, improper conduct or otherwise.
  - (b) A member of the Royal Canadian Mounted Police, Community Peace Officer, Chief Administrative Officer or Director of Public Works may evict therefrom, or deny entrance, to any person who contravenes paragraph (a) hereof.
- 10) Whenever the owner of a lot neglects to make the required repairs or alterations to a lot within 30 days after receiving written notice from the Town to do so, the Town shall have the power to repair such lot and charge the cost thereof to the owner which may be recovered as a debt from the owner to the Town.

**SECTION 4 – Lots & Niches**

- 1) The plans of subdivision of the lands made available for a burial purposes and the Columbarium Map now on record in the Rimbeey Town Office, together with all subsequent plans of subdivision of such lands approved by the Town, shall be the plans of the cemetery herein referred to and all interments shall be made and records kept by the Rimbeey Town Office in accordance with such plans. Copies of all such plans shall be made available for inspection free of charge at the Rimbeey Town Office during normal office hours.
- 2) The Town Office shall administer all sales of lots and niches and interments in the cemetery.
- 3) The Town Office shall make all sales and receive all monies therefrom for all interments made in the cemeteries.
- 4) (a) Lots and Niches in the cemetery shall be sold by the Town upon the purchaser paying the amounts set forth in schedule “A” of



**A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATIONS OF THE RIMBEY CEMETERIES**

the Fees for Services Bylaw 905/15.

(b) Winter months / rates will apply annually at the discretion of the Public Works Director.

~~(b)~~(c) The funds received by the Town for perpetual care will be invested by the Town and the interest therefrom shall be used to offset the maintenance of the Town of Rimbeey's cemeteries.

- 5) Posts to mark the limits of the lots shall be permitted, provided that they are placed within the limits of the lots and are level with and not projecting above the ground.

**SECTION 5 - Burials**

- 1) No burial shall be permitted in the cemetery unless a proper Burial/ Disposition Permit is produced by the party applying for the burial. If the burial is for cremated remains, a Certificate of Cremation may be requested. No interment shall be permitted until the Town is provided with the following particulars:

- Name of deceased.
- Name of Funeral Home or person responsible for the burial.
- Date and time of burial.
- Name and address of person to be billed for cemetery lot or niche and perpetual care fees.

- 2) The owner of a lot or niche, or the person instructing the Town to open a grave shall give complete and precise instructions regarding the location of the grave, and the Town shall not be responsible for any errors resulting from the lack of proper instructions.

- 3) The use of a cement liner is mandatory.

- 4) (a) Graves shall be dug and interments made only by persons under the supervision and direction of the Town. The Town may restrict any grave openings during the winter months, having consideration for weather and ground conditions. The deceased person/persons shall be placed in the burial vault located in Mount Auburn Cemetery, at no charge, for such a period of time as is considered necessary by the Cemetery Board.Town.

(b) No person or persons not under the control or supervision, in person or verbally, of the Town shall open any grave for the purpose of interring or disinterring a body. A proper permit must be provided by the party applying for interment or disinterment.

- 5) No grave for burial of a deceased person shall be less than 1 meter in depth from the surface of the ground ~~surrounding the grave~~, from the top of the outermost receptacle.

- 6) No grave for the burial of a stillborn child shall be less than fifty (50) centimeters in depth from the surface of the ground ~~surrounding the grave~~, from the top of the outermost receptacle.

- 7) No grave for the burial of cremated remains shall be less than fifty (50) centimeters in depth from the top of the receptacle to the surface of the ground ~~surrounding the grave~~.

- 8) In no case shall the cremated remains of more than four persons be interred in a full size lot and in no case shall the cremated remains of more than two persons be interred in a cremation lot or



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niche.

- 9) The body of an adult person shall not be interred in the same grave in which a body has previously been interred unless the first body has been buried at a depth of at least 250 centimeters from the surface of the ground to the bottom of the grave. ~~The first interment must use a cement liner.~~ In no case shall ~~be the~~ bodies of more than two adult persons be interred in the same grave.
- 10) When more than one body is interred in the same grave, the last interment shall be at a depth of at least one (1) meter from the surface of the ground to the top of the outermost receptacle.
- 11) No second interment shall be permitted in any lot in the cemetery on which there are unpaid charges due and payable to the Town.
- 12) All work in the immediate vicinity of a grave shall be discontinued during the burial service.
- 13) All burials within the limits of the cemetery shall be under the supervision and control of the Town, as outlined by this Bylaw.
- 14) Notwithstanding the foregoing, cremated human remains may be scattered on the surface of common ground at no charge. In order that concise records may be kept, applicants for this service must first contact the Town Office and supply the Town with a copy of the Burial Disposition Permit and a Certificate of Cremation, if requested, along with the information required in Section 4-5(1) of this bylaw.
- 15) For the purpose of the preceding clause, "Common Ground" shall mean that portion of the cemeteries described in the cemetery plan.

**SECTION 6 – Monument**

- 1) All persons employed in the construction and erection of monuments or doing other work in the cemeteries whether employed by the Town or not shall be subject to the direction and control, directly or verbally, of the Town.
- 2) No monument shall be erected in the cemeteries until the design, description, and materials have been approved by the Town, a permit for the erection of such monument has been issued and the prescribed fee for such permit as provided for in Schedule "A" of the Fees for Services Bylaw has been paid. Monuments which are placed without a permit will be removed.
- 3) All monuments placed on Columbarium Niches shall be a standard 10x7 bronze wreath with bud vases.
- ~~4) Except in Mount Auburn Cemetery, all monuments shall be placed on the foundation provided by the Town and shall be confined within the boundaries of the respective lots, and all monuments shall not exceed 40.5 centimeters above the foundation, or not be within 5 centimeters of the edge of the foundation, provided by the Town.~~
- 4)
- 5) No monument shall be erected on Saturdays, Sundays, or holidays



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unless permission in writing has been granted by the Chief Administrative Officer.

- 6) Except in the Mount Auburn Cemetery, all persons erecting monuments shall ensure to the satisfaction of the Town that such monuments are firmly secured to the foundation.
- 7) All persons erecting monuments shall ensure that the surrounding areas are left in the same conditions found.
- 8) No work shall be done upon any monument, nor shall any monument be removed from any grave or lot without the permission of the Town.
- 9) Concrete or stone slab covers over graves are prohibited.
- 10) The Town shall not be liable for damages resulting from theft, vandalism or damage whatsoever caused to monuments erected upon a lot.
- 11) The Town reserves the right to remove any monument at the owner's cost, with written notice.
- 12) Whenever the owner of a lot neglects to make the required repairs or alterations to a monument within 30 days after receiving written notice from the Town to do so, the Town shall have the power to repair such monuments and charge the cost thereof to the owner which may be recovered as a debt from the owner to the Town.
- 13) Notwithstanding subsections 1-10, no upright marker shall be permitted in the West Haven Cemetery.

**SECTION 7 - Visitors**

- 1) No person shall enter or remain in the cemeteries between the hours of 10:00 p.m. of any day and 6:00 a.m. of the following day.

**SECTION 8 – Vehicles in the Cemeteries**

- 1) No person shall drive any vehicle through any cemetery at a greater rate of speed than 15 km/h.
- 2) The Town may prohibit the driving of vehicles in any part of the cemeteries.
- 3) The Town may prohibit the driving of any vehicle in the cemeteries when the roads are in an unfit condition.
- 4) Unless authorized by the Town, no bicycle, motorcycle, or horse shall be allowed in the cemeteries except when it is part of a funeral procession.
- 5) The owner of any moving vehicle shall be responsible for any damage done by such vehicle within the boundaries of the cemeteries.

**SECTION 9 – General Provisions**

- 1) Unless permission has been obtained from the Town, no person



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shall remove, destroy, prune or otherwise interfere with any woody or flowering ornaments in the cemeteries. Any woody ornamentals planted within the boundaries of the cemeteries must be done so under the authorization and/or supervision of the Town.

- 2) Fences, railings, walls, copings, hedges, in or around the lots are prohibited.
- 3) Artificial ornaments are allowed in a continuous basis unless they become unsightly as noted in Section ~~3(6)2(5)~~.
- 4) No person shall destroy, damage, deface or write upon any monument, tablet or other structure or object in the cemeteries.
- 5) No person shall deposit any paper, sticks, or refuse of any kind on any portion of the lands within the boundaries of the cemeteries except in receptacles provided for that purpose.
- 6) No person shall remove the sod in graves or from any portion of any lot in the cemeteries without first obtaining the written consent of the Chief Administrative Officer.
- 7) All grading, seeding of grass, and sodding work shall be done under the direction of the Town.
- 8) No person, other than an employee of the Town, or the owner of a lot or his agent shall be permitted to care for any lot in any cemetery.
- 9) Benches of a style approved by the Town may be permitted in the cemeteries under such conditions as Town may order.
- 10) The tops of lots or graves shall be kept level with the surrounding ground.
- 11) No animal shall be allowed in any cemetery unless such animal is on a leash and accompanied by an adult person.
- 12) The Town shall operate the cemeteries in accordance with the Cemeteries Act of Alberta, and other provincial and federal legislation and regulations.
- 13) Flowers are restricted to the bud vases on all niches.

**SECTION 10 – Penalty**

- 1) Any person who commits a breach of any of the provisions of this bylaw shall on conviction for such breach be liable to a penalty not exceeding five hundred (\$500.00) dollars, or not less than twenty five (\$25.00) dollars, exclusive of costs, or in the case of non-payment if the fine and cost imposed to imprisonment for any period not exceeding sixty (60) days.

**SECTION 11 – Repeal**

- 1) Bylaw ~~930/17-945/18~~ is hereby repealed.

This Bylaw shall come into effect on the date of final passage thereof.



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READ a First Time in Council this \_\_\_\_\_ day of \_\_\_\_\_  
202218.

READ a Second Time in Council this \_\_\_\_\_ day of \_\_\_\_\_  
202218.

**UNANIMOUSLY AGREED** to present this Bylaw for Third and Final Reading.

READ a Third Time and Finally Passed this \_\_\_\_\_ day of \_\_\_\_\_,  
202218.

\_\_\_\_\_  
Mayor Rick Pankiw

\_\_\_\_\_  
Chief Administrative Officer Lori Hillis

DRAFT