



AGENDA

Tuesday, January 3, 2023 at 7:00 p.m.
Council Chambers at the Tom Hornecker
Recreation Centre, 2nd Floor, 2122 – 18 Street

REGULAR COUNCIL MEETING

1. CALL TO ORDER & ADOPTION OF AGENDA:

- 1.1 Call to Order
- 1.2 Adoption of Agenda (Res)

2. PRESENTATIONS:

3. REPORTS:

- 3.1 **CHIEF ADMINISTRATIVE OFFICER:**
- 3.1.1 Status Report – E

4. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

4.1 ADOPTION:

- 4.1.1 Regular Council Meeting December 12, 2022 - E

4.2 BUSINESS ARISING FROM THE MINUTES:

- 4.2.1 Cemetery Bylaw #1368/22 – Further Consideration – E

5. NEW & UNFINISHED BUSINESS:

- 5.1 Information Brief: Building Wraps - E
- 5.2 Information Brief: Utility Fees for Bare Lots – E
- 5.3 Scheduling of January **Committee of the Whole**: Monday January 30th at 7pm
- 5.4 Intermunicipal Collaboration Framework meeting (January 18th at 6pm): item referrals
- 5.5 Information Brief: Leak and Manganese Update - E

6. CORRESPONDENCE:

6.1 FOR ACTION:

6.2 FOR INFORMATION:

- 6.2.1 Received by Resolution #375- 22/12/12: Peace Officer November 2022 Report - E
Councillor Roger Miller November 2022 Report – E
- 6.2.2 Chinook Arch Library Board December Report - E

7. CLOSED CONFIDENTIAL SESSION:

8. ADJOURNMENT:



STATUS REPORT

Meeting: Jan 3 2023
Agenda Item: 3.1.1

Completed = C Under Review = UR In Progress = IP No Further Action = NFA

CAO = Chief Administrative Officer
DO = Development Officer

CS = Corporate Services
LS = Legislative Services

OP = Operations Manager
OTHER = Staff/Contractor/etc.

COMMITTEES: **GOV** = Governance **FIN** = Finance **SERV** = Services **REC** = Recreation & Culture
ECD = Economic & Community Development **COW** = Committee of the Whole

COUNCIL Items will move to “DEPARTMENT” or “COMMITTEE” after first reporting to Council.

Res #	Description	Actions	Status	Notes
Regular Meeting December 12, 2022				
380-22/12/12	Endorse SOG re: patient transfer for fire department	C		
381-22/12/12	Approve funding request for NQLF \$14,695	C		
382-22/12/12	Approve grant requests for local groups (Jr Achievement, Citizens on Patrol, Comm Center, NAPS, NQLF) Total combined: \$20,400	C		
383 - 22/12/12	FIN committee to explore Operational Budget options in 2024			FIN
384 - 22/12/12	Approve Capital Budget for 2023	C		
389- 22/12/12	Read 1, 2 3 rd reading rescind CFH bylaw	C		
390 - 22/12/12	Approve leave of absence for Councillor Todd to Jan 2023	C		
391- 22/12/12	Fwd support grant app for Fire Services training to ICF Emergency Services	CAO / Fire Chief	IP	
394 - 22/12/12	Defer off-site levy in lieu of legal advice	CAO	IP	

COUNCIL / COMMITTEE OF THE WHOLE

Res #	Description	Notes	Status	fw
95 – 22/03/09	Community Futures representation	MAL – no longer requires	IP	
112 – 22/03/09	Fire Dept capacities & Emergency Mgmt	Chief Dozeman appt		
Rec 1 – COW 22/11/28	Pursue a Community Designation under the Alberta Advantage Immigration Program			RMC Dec 12 2022
Rec 2 – Cow 22/11/28	Determines an option for the refurbishment of the Town’s gateway signs in 2023 and the relocation of next generation LED community information signage			RMC next year
Info: Cow 22/11/28	that priority be the installation of an elevator and that 2023 Budget deliberations		pending	Spring 2023
Info: Cow 22/11/28	Request from the Chamber for financial support of Economic Development Officer will be discussed within the 2023 Budget Process.		pending	Spring 2023
Info: Cow 22/11/28	Offsite Levy Bylaw (proposed): bring the issue forward for consideration in spring of 2023		pending	Spring 2023
Rec 3 – COW 22/11/28	update map to include the 22 Avenue portion, for a baseline municipal Dust Suppression Policy		IP	

COMMITTEES

Res #	Description	Issue	ST	Notes	fw

DEPARTMENTS

Res #	Description	Issue	ST	Notes	fw
52 – 21/03/01	CAO to apply for THRC elevator funding	Waiting suitable program opportunity and budget for specification development/estimate	IP	CAO	FIN
82 – 21/04/05	THRC new program & partnering w/FCSS investigation	See also Res#20-20/01/20	IP	OTHER Rec	REC
243-21/09/07	Approve application for heraldic emblem. Pending design finalization	1 st design mtg Dec 14/21 – sketch based on Nanton crest moving forward	IP	LS	GOV
97-22/03/09 231– 22/07/18	Refer Cemetery Bylaw #1094/00 update to Committee of the Whole	Re-written as regulations to be presented	IP	LS	
149-22/05/02	RFD re: STARS \$2/capita request	Review in Spring	IP	CS	
174-22/05/16 250-22/08/15	CAO to draft lease agreement for the Canadian Grain Elevator Discovery Center	Legal req'd for liability re: lease / CAO to include info	IP	Legal advice received	
251-22/08/15 252-22/08/15	CAO to consult with ORRSC for LUB amendment in relation to CGEDC lease and use & master plan inclusion	CAO	IP	LUB project in review	
237 -22/10/19	CAO RFP re: review of Fire Department needs and strategic 10-year plan	Pending budget approval	IP	CAO	
238-22/10/17	CAO to enlist contract services with ISL Engineering Ltd for renewing LUB 2023	Pending contract agreement	IP	CAO	



CAPITAL BUDGET 2022 Progress

Roadway Infrastructure	BUDGET
Road rehab & repairs - various locations <i>Completed – not all funding utilized, can save for 2023</i>	75,000
Sidewalk rehab & replacement - <i>various locations completed</i>	50,000
Water, Wastewater & Stormwater Infrastructure	BUDGET
WTP - equipment updates <i>Leak detection equipment received & water supply meter ordered</i>	35,000
WTP – internet fibre cable & fencing around backwash pond <i>Fencing complete, internet fibre still to be done – contractor availability issues</i>	35,000
WWTP - computer updates & Pumps <i>Pumps purchased and installed</i>	45,000
Valve & hydrant replacement <i>Partially complete – more to be done</i>	50,000
Hydrant & water main (17th Street) <i>Work scheduled for mid to late September</i>	50,000
Water main extension to HWY533 & looping <i>Blackie Site Works started on 13th June and work is now complete including pavement patch</i>	192,050
Parks & Trails	BUDGET
Columbarium <i>Cement pad in place, Columbarium on order, within budget</i>	30,000
Buildings	BUDGET
VIC - Washrooms & underground infrastructure <i>Under way & mostly complete – concrete & electrical to do</i>	80,000
THRC - South entrance updates <i>Mostly complete – some outstanding issues remain at VIC site.</i>	20,000

Vehicles & Equipment	BUDGET
Public works Equipment <i>Truck purchased for \$59,500, offset by surplus equipment sales</i>	50,000
Bylaw Enforcement vehicle <i>Purchased for \$15,000</i>	20,000
Parks Equipment <i>New mower purchased for \$23,649</i>	25,000
Fire equipment <i>Purchased Hydraulic Ram for \$10,291</i>	11,000

Capital Plan reporting will be updated for January 2016.
 Building of 2022 annual report is under way.



MINUTES

Monday, December 12, 2022 at 7:00 p.m.
Council Chambers at the Tom Hornecker
Recreation Centre, 2122 – 18 Street

REGULAR COUNCIL MEETING

COUNCIL PRESENT: Mayor Jennifer Handley and Councillors Victor Czop, John Dozeman, Roger Miller, Dave Mitchell and Ken Sorenson.
Absent: Councillor Kevin Todd.

OTHERS PRESENT:

Neil Smith	Chief Administrative Officer
Lisa Lockton	Legislative Services Manager
Nicole Roy	Legislative Services Clerk
Clayton Gillespie	Corporate Services Manager
Georgina Sharpe	Planning & Development Officer
Bill Woytiuk	Operations Manager

1. CALL TO ORDER & ADOPTION OF THE AGENDA:

The Regular Meeting was called to order by Mayor Handley at 7:00 p.m.

RESOLUTION # 374 – 22/12/12 - Mitchell

The Regular Council agenda for December 12, 2022, was accepted with the following:

Addition 3.4.2 Councillor Miller's November 2022 report.

Change 3.3.5 Peace Officer's report as "On Table" as was not included in posted agenda package.

Change 3.3.2 Add - Supplemental PowerPoint presentation by Chief Administrative Officer.

CARRIED

2. PRESENTATIONS: None scheduled.

3. REPORTS:

3.1 CHIEF ADMINISTRATIVE OFFICER:

- 3.1.1 Status Report – E
- 3.1.2 Monthly Report - E

3.2 FINANCIAL:

- 3.2.1 Accounts Payable Report November 2022 - E

3.3 DEPARTMENT:

- 3.3.1 Corporate Services Manager - E
- 3.3.2 Operations Manager – information included in CAO report, and;
PowerPoint presentation by CAO for the current water loss issue and noticeable high manganese level issue. Discussion with the Operations Manager clarified much of the issues presented
- 3.3.3 Planning & Development Officer - E

Bill Woytiuk left the meeting at 8:05 p.m.

- 3.3.4 Fire Chief - E

3.3.5 Peace Officer – report distributed on table

3.4 COUNCIL:

3.4.2 COUNCILLOR VICTOR CZOP - E

3.4.3 COUNCILLOR ROGER MILLER – October and November (added) - E

RESOLUTION # 375 - 22/12/12 - Dozeman

Moved that all written reports, as recorded on the agenda for December 12, 2022, be received for information and filing. CARRIED

4. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

4.1 ADOPTION:

4.1.1 Regular Council Meeting November 21, 2022 – E

RESOLUTION # 376 - 22/12/12 - Czop

The Councillors all having read the minutes and there being no errors, omissions or corrections, the Minutes of the Regular Meeting of the Council of the Town of Nanton held November 21, 2022, were accepted as distributed. CARRIED

4.1.2 Committee of the Whole Meeting November 28, 2022 – E

RESOLUTION # 377 - 22/12/12 - Miller

The Councillors all having read the minutes and there being no errors, omissions or corrections, the Minutes of the Committee of the Whole of Council Meeting of the Town of Nanton held November 28, 2022, were accepted as distributed. CARRIED

4.1.3 Services Committee Meeting November 30, 2022 – E

RESOLUTION # 378 - 22/12/12 - Sorenson

The Councillors all having read the minutes and there being no errors, omissions or corrections, the Minutes of the Services Committee Meeting of the Town of Nanton held November 30, 2022, were accepted as distributed. CARRIED

4.1.4 Finance Committee Meeting December 7, 2022 - E

RESOLUTION # 379 - 22/12/12 - Dozeman

The Councillors all having read the minutes and there being no errors, omissions or corrections, the Minutes of the Finance Committee Meeting of the Town of Nanton held December 7, 2022, were accepted as distributed. CARRIED

5. NEW & UNFINISHED BUSINESS:

5.1 Information Brief – Patient Transport – E (8:15 – 8:25)

Councillor Dozeman relayed the information regarding medical patient transport as his role as the Nanton Fire Chief.

RESOLUTION # 380 - 22/12/12 - Miller

Moved that Council endorses the proposed creation of a new Standard Operating Guideline with respect to patient transfer by the Nanton Fire Department in the context of increased medical responses and ambulance absence, and that this information be conveyed to the Willow Creek Regional Intermunicipal Collaboration Framework Emergency Services Committee. CARRIED

5.2 Community Support Grants - E

RESOLUTION # 381 - 22/12/12 - Dozeman

Moved to approve the funding request by the Nanton Quality of Life Foundation (NQLF) for \$14,695 from the Town of Nanton 2023 Budget. CARRIED

RESOLUTION # 382 - 22/12/12 - Dozeman

Approved the following grant requests for inclusion in the 2023 Town of Nanton Operating Budget:

	2023 Request
Junior Achievement	\$600
Citizens on Patrol	\$300
Community Centre Society	\$14,000
Nanton Animal Protection Society	\$1,500
Nanton Quality of Life Foundation	\$4,000
Total	\$20,400

CARRIED

RESOLUTION # 383 - 22/12/12 - Miller

Move to direct the Finance Committee to explore options for Operations budget funding for community organizations for 2024. CARRIED

5.3 Capital Budget - E

RESOLUTION # 384 - 22/12/12 - Mitchell

Moved to approve the 2023 Capital Budget in the amount of \$3,591,000.00 as per the attached Schedule "A" to these minutes. CARRIED

5.4 Proposed Cemetery Bylaw – E

RESOLUTION # 385 - 22/12/12 - Sorenson

Moved to read Town of Nanton Cemetery Bylaw #1368/22, a bylaw to regulate and control the operation, care and maintenance of the Town owned Nanton Cemetery, located within the Municipal District of Willow Creek, for a first time. CARRIED

5.5 Bylaw Maintenance – Repeal Bylaw #906/89 re: Highwood Economic Development Corporation (replaced agreement with Resolution #333 – 22/11/07) – E

RESOLUTION # 386 - 22/12/12 - Dozeman

Moved to read Town of Nanton Bylaw #1369/22, a bylaw to rescind Bylaw 906/89, detailing participation in Community Futures Highwood Program, for a first time. CARRIED

RESOLUTION # 387 - 22/12/12 - Mitchell

Moved to read Town of Nanton Bylaw #1369/22 for a second time. CARRIED

RESOLUTION # 388 - 22/12/12 - Czop

Unanimous consent to read Town of Nanton Bylaw #1369/22 for a third time was granted by Council present. CARRIED

RESOLUTION # 389 - 22/12/12 - Miller

Moved to read Town of Nanton Bylaw #1369/22 for a third and final time. CARRIED

5.6 Leave of Absence request (Councillor Todd) - E

RESOLUTION # 390 - 22/12/12 - Sorenson

Approved a leave of absence, without remuneration, for Councillor Kevin Todd effective as of his request date of December 7, 2022 to January 31, 2023. CARRIED

6. CORRESPONDENCE:

6.1 FOR ACTION:

6.1.1 Alberta Municipal Affairs – Fire Services Training Program Grant - E

RESOLUTION # 391 - 22/12/12 – Miller

Moved that correspondence in support of the Alberta Municipal Affairs grant application opportunity for Fire Services Training Program be forwarded the Chair of the Willow Creek Intermunicipal Collaboration Framework Emergency Services Committee. CARRIED

6.2 FOR INFORMATION:

6.2.1 Councillor Miller's report - E

– Regular Meeting November 21, 2022 Agenda Item 3.4.3 added “on table”

6.2.2 Vauxhall letter to Premier re: Provincial Police Service - E

– Regular Meeting November 21, 2022 Agenda Item 5.3 – added for information

6.2.3 Municipal District of Willow Creek – Supporting modernization of Nanton's schools – E

6.2.4 Letter to Livingstone Range School District from Regular Meeting 22/11/21 – Item 7.2

7. CLOSED CONFIDENTIAL SESSION:

RESOLUTION # 392 - 22/12/12 - Mitchell

IT WAS MOVED to recess the Regular Meeting at 9:06 p.m. in order to hold “Closed Confidential Sessions” pursuant to Section 197(2) of the Municipal Government Act, RSA 2000, Chapter M-26 and the Freedom of Information and Protection of Privacy Act, as follows:

7.1 Off-Site Levy Bylaw - FOIP Section 23(1) Local public body confidences and 24 (1) Advice from Officials

7.2 Mosquito Creek Foundation Request – FOIP Section 21(1) Disclosure harmful to intergovernmental relations

7.3 Legal Opinion – FOIP Section 27 Privileged Information

7.4 Canadian Union of Public Employees Local 37 – FOIP Section 23(1) Local public body confidences and 24 (1) Advice from Officials

CARRIED

RESOLUTION # 393 - 22/12/12 - Sorenson

IT WAS MOVED to reconvene the Regular Meeting at 10:04 p.m. CARRIED

7.1 **RESOLUTION # 394 - 22/12/12 - Miller**

Moved to defer further discussion regarding a proposed off-site levy bylaw until the Chief Administrative Officer is able to obtain and return legal advice for Council's consideration.
CARRIED

8. **ADJOURNMENT:**

RESOLUTION # 395 - 22/12/12 - Dozeman

IT WAS MOVED to adjourn the Regular Meeting of Council at 10:05 p.m.
CARRIED

TOWN OF NANTON

CHIEF ELECTED OFFICIAL

CHIEF ADMINISTRATIVE OFFICER

NS:II

These minutes accepted and signed this 3rd day of January, 2023.



REQUEST FOR DECISION

Meeting: January 3, 2023

Agenda Item: 4.2.1

CEMETERY BYLAW 1368/22 – FURTHER CONSIDERATION

ADMINISTRATIVE RECOMMENDATION:

That Council proceed with second and third readings of Cemetery Bylaw #1368/22, as presented.

PURPOSE:

To update the current Cemetery bylaw to address priority issues:

- 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

as previously noted in information presented to Council at the Regular Meeting December 12, 2022.

BACKGROUND / IMPLICATIONS: Presented Regular Council Meeting December 12, 2022, 5.4.

RESOLUTION # 385 - 22/12/12 - Sorenson

Moved to read Town of Nanton Cemetery Bylaw #1368/22, a bylaw to regulate and control the operation, care and maintenance of the Town owned Nanton Cemetery, located within the Municipal District of Willow Creek, for a first time. CARRIED

Bylaw #1368/22, as read, was placed onto the website for public information. Feedback was received from one customer. This Bylaw, upon final passing, will permit some flexibility of design for personalization on the newest columbarium niche doors (Unit C4) within the bylaw's parameters.

CAO Comment

Having also reviewed the public feedback, the bylaw does not seem to require further amendments prior to second reading and adoption.

RECOMMENDED RESOLUTIONS:

#1 – Moved to read 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, for a second time.

#2 – Moved to read Town of Nanton Bylaw #1368/22 for a third and final time.

Financial (GL# / Amount) : N/A

Communications/PR: Posting of Bylaw

Attachments: Bylaw 1368/22 as first read

Applicable Legislation: AB Cemeteries Act, MGA

Prepared By: Lisa Lockton, Legislative Services Manager

Date: December 20, 2022

APPROVED BY: Neil Smith, Chief Administrative Officer:

Nanton Strategic Plan Alignment: as per previous RFD 22/12/12





BYLAW

Bylaw Number: 1368 / 22

A BYLAW OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA TO REGULATE AND CONTROL THE OPERATION, CARE, USE AND MAINTENANCE OF THE TOWN OF NANTON CEMETERY

1.0 LEGISLATIVE AUTHORITY:

WHEREAS the *Alberta Cemeteries Act*, RSA 2000, (Act) applies to every Cemetery, or Columbarium in Alberta whenever established". Section 10(1) of the Act states, "the owner may make rules for burials within the Cemetery"; and

WHEREAS the Municipality of the Town of Nanton owns the Nanton Cemetery on lands located outside of its municipal boundaries, legally described as a portion of the NW ¼, Section 11, Township 16, Range 28, West of the 4th Meridian, 161051 Range Road 282, within the Municipal District of Willow Creek No. 26 (MD Willow Creek), and

WHEREAS the MD Willow Creek has passed Bylaw No. 1939, which agrees that the Town of Nanton's Cemetery Bylaw, and any amendments made hereinafter, shall have effect within the boundaries of the MD Willow Creek, as provided under Section 12 (a) of the Municipal Government Act, RSA 2000 and amendments thereto,

NOW THEREFORE, the Council of the Municipality of the Town of Nanton in the Province of Alberta duly assembled enacts the following Bylaw, to be cited as "**The Nanton Cemetery Bylaw**".

2.0 DEFINITIONS:

- 2.1 **Act** refers to the Province of Alberta Cemeteries Act, RSA 2000, the General Regulations and any amendments thereto.
- 2.2 **Block** means a section within the Cemetery, comprised of a number of individual **Lot(s)** for Interment Rights, and may be organized into "**Plot(s)**" of four or more **Lots**, predominately within the older area of **Blocks** "A" to "H" and the Urn **Blocks** "1" to "4".
- 2.3 **Casket** means the container of permanence and durability constructed for the interment of human remains.
- 2.4 **Cemetery Clerk(s)** is/are the Town of Nanton administrative staff member(s) that attend to the administrative duties associated with the sales, returns, transfers of Rights to Interment co-ordinate Monument placement and records for same.
- 2.5 **Chief Administrative Officer, (CAO)** means the person appointed to the position under section 205 of the Alberta Municipal Government Act, RSA 2000 and any amendments thereto.
- 2.6 **Columbarium** shall mean an above ground structure containing compartments for Inurnment of human cremains
- 2.7 **Contract** means the agreement between the Town and the Purchaser and/or representative of the Interment Rights, Right to Memorialize on a Town Memorial in the Cemetery, or for services requested by the Purchaser and/or representative to be completed within the Cemetery.

- 2.8 Contractor** means a Person that carries out work for the Town of Nanton or the Purchaser for Rights of Interment or Memorialization under a written agreement as an independent business-contractor relationship for services.
- 2.9 Council** is the Council of the Town of Nanton in the Province of Alberta, comprised of one Chief Elected Official (Mayor) and six Councillors.
- 2.10 Cremation Plot** means a Plot designated for cremated human remains.
- 2.11 Double Depth Plot** means a Plot designated for two (2) single Casket burials, one above the other.
- 2.12 Foundation** means a permanent support providing a base for a Monument.
- 2.13 Funeral Home** means all individuals, firms, partnerships and corporations that provide funeral services for the deceased and their families in the regular course of business.
- 2.14 Grave** means an Interment Space that has been opened or used as a place of burial, or an opening dug within a burial space for the Interment of human remains or cremated human remains.
- 2.15 Interment** means the disposition or burial of human remains or cremated human remains.
- 2.16 Interment Rights** means the right to require or direct Interment and associated Memorialization indefinitely in a Burial Lot or Niche as registered in the Cemetery.
- 2.17 Interment Right Holder** is the person, heir or Legal Representative, who purchases or owns an Interment Right, giving them the right of Interment or to name another person for Interment. It means that you own the Right, but not the land into which you, or someone you designate can be interred.
- 2.18 Interment Space** means a lot, plot, niche or other space for the disposition of human remains or cremated human remains in a Cemetery, whether it is a Burial Lot or Columbarium compartment.
- 2.19 Inurnment** means the Interment of cremated human remains, whether in a grave or Columbarium.
- 2.20 Legal Representative** means a person or persons directed in a deceased persons' will or by the courts to carry out the requests of the deceased person.
- 2.21 Liner** means a protective enclosure or cover placed in the ground to enclose or cover a Casket or urn in a Grave, designed and built to support the weight of the earth and standard Cemetery maintenance equipment and to prevent the Grave from collapsing, constructed to industry standards for compression strength, typically made of durable materials such as concrete, fiberglass or metal.
- 2.22 Memorial Wall** means a Town owned structure for the purpose of memorialization.
- 2.23 Memorialization Rights** means the purchase of plaques from the Town of Nanton to be placed upon the Memorial Wall or other Town-owned structures.
- 2.24 Monument** means a structure placed within the Cemetery utilized for Memorialization but does not include integrated Columbarium niche doors which are included with the purchase of Interment Rights for a Columbarium, or the plates purchased for the Memorial Wall;
- 2.25 Niche** is the single compartment of a Columbarium for cremated human remains.

ND Jan

- 2.26 Permit** shall mean a prescribed form by the Town for application to carry out any work at the Cemetery.
- 2.27 Purchaser** is the person, heir or Legal Representative, who purchases or owns an Interment or Memorialization Right, giving them the right of Interment or Memorialization or to name another person for Interment or Memorialization.
- 2.28 Single Depth Plot** means a Plot designated for a single Casket burial, and may be utilized for Inurnment after the initial Casket burial or for Inurnment Rights only.
- 2.29 Town** is the municipality of the Town of Nanton in the Province of Alberta.
- 2.30 Urn** is the vessel containing the ashes of human cremated remains.

3.0 INTERMENT RIGHTS CONTRACT:

3.1 Purchase:

- (a) A Contract for the Interment Rights or the Memorialization Rights on Town-owned monuments or memorial wall will be provided to the Purchaser by the Town of Nanton in accordance with the Act and this Bylaw.
- i. A Contract for Interment Rights shall include the right to install a single monument in accordance with the provisions of this Bylaw. The Purchaser will be responsible for compliance with the Bylaw governing the installation of Monuments as outlined in Section 5 of this Bylaw.
- ii. A Contract for Interment Rights in a Columbarium Unit shall include the standard engraving on the niche door, as per the provisions stated in Section 5.6.
- iii. The Contract for Memorialization Rights for the Memorial Wall shall include the provision of the plaque and the engraving for same by the Town of Nanton. The plaques shall be installed by Town of Nanton staff.
- (b) All persons who purchase Interment Rights in the Cemetery will be responsible for the cost thereof and for all charges incurred now and in the future, as set forth in the Town of Nanton Fees and Rates Bylaw.
- (d) The Purchaser of the Interment Rights shall either reserve the right to use the Interment Space for him/herself or authorize the use of such lot or niche for the Interment of another person by submitting to the Town the name of the person to be interred and into which Lot or Niche. Such authorization must be in writing and signed by the Purchaser of the Interment Rights or as per the Act. An Interment Rights Purchaser may only designate one Interment Space for their own use.
- (e) It will be the condition of the Contract that the Purchaser expressly waives any claim arising by reason of any error or misdescriptions of any Interment Space. The Town will attempt, in so far as reasonably possible, to avoid such errors, but its liability will only extend to refund in case of error, of any money paid to the Town for the Interment Rights for an Interment Space or Columbarium Niche, or Memorialization Rights on the Memorial Wall. In such cases the Town will undertake to make available equivalent quality of lots or niches, or space on the Memorial Wall, in lieu of these originally allocated.
- (f) Interment Rights or the Right to Memorialize does not vest in the holder any title or interest in the land, Columbarium, Memorial Wall or Interment Space but instead provides for the right to inter the person named on the Interment Rights or Memorialization Rights within the Cemetery. No person shall intentionally purchase any Rights for the purpose of reselling. The Town reserves the right to



limit the number of Rights purchased by an individual.

- (g) The issuance of the Interment Rights does not entitle the holder to require the Town to inter the Human Remains or Cremated Human Remains of the designated person in the Interment Space unless the holder complies in all respects with the provisions of the Cemetery Bylaw, including the payment of all Fees.
- (h) The Contract for the Interment Rights or Memorialization Rights shall include maintenance of the Interment or memorialization space. Maintenance shall be dependent upon budget and staff resources allocated.

3.2 Cancellation, Selling or Transfer:

- (a) The Purchaser of Interment Rights may cancel their Contract at any time for any reason.
 - i. The Purchaser may cancel without charge or penalty at any time during the period from the day the Contract is entered into until thirty (30) days after receipt of a copy of the Contract.
 - ii. After the thirty (30) days and upon receipt of an application and upon proof of purchase, the Town may **refund** the Interment Rights in the Town of Nanton Cemetery at eighty-five percent (85%) of the current selling price of the Interment Right.
- (b) Refunds will only be granted upon inspection of the Interment space to ensure that any installations or preparations for Cemetery supplies or Cemetery services that may have already been supplied, performed, delivered or installed are not present. It shall be the responsibility of the Purchaser to remove any supplies and restore the Interment space to its original state at date of purchase.
- (c) Once the ordering process for the Contract of a Memorial Wall plaque has been initiated by the Town, no refunds will be permitted for the purchase of a plaque. Only before installation of the plaque, may the Purchaser choose to take custody of the plaque rather than have it installed on the Memorial Wall. Proof of purchase of the plaque from the Town is required before the CAO will consider installation of that same plaque at a later date.
- (d) Where G.S.T. was applicable to the original purchase price, it will be refunded based on the applicable portion of the purchase price at the time of purchase.
- (e) A transfer of Interment Rights must be approved and registered by the Town of Nanton. Payment of a transfer fee in accordance with the provisions set out in the Fees and Rates Bylaw, and inspection of the Interment space is required before the Cemetery Clerk shall issue a new Contract. The inspection is conducted to ensure that, in the event there is a Monument on, or encroaching onto, the Interment space at time of return, the current Interment Rights holder will be responsible to have said Monument moved prior to approval of the transfer. The Rights holder or Legal Representative must supply this request in writing and the original Interment Rights or Right to Memorialize on the Memorial Wall must be surrendered to the Town. Fees associated with a transfer is payable at the time of transfer.
- (f) If the owner of the Interment Rights dies, the Town requires, before the new Interment Rights holder can obtain registration of their interest to it, proof of inheritance as their right to such interest.
- (g) The Purchaser and/or personal representative of the Interment Rights **MAY NOT** sell their Interment Rights on the open market.



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- i. performed within the Cemetery by Town of Nanton staff, or in conjunction with an approved Funeral Home;
 - ii. be conducted in a predefined Plot approved by the Cemetery Clerk.
- (d) Requests for Interment services, whether a Casket burial, Inurnment or Columbarium niche Inurnment, requires three (3) working days advance notification. Due to winter climate conditions, or particularly wet weather, the Town reserves the right to postpone any scheduled Interment to the first available day after a weather event.
- (e) Interments may take place Monday through Friday (excluding holidays) between the hours of 8:30 a.m. and 3:30 p.m. The Chief Administrative Officer may authorize the Cemetery Clerk to approve Interments outside of these hours and such Interments will be subject to approval from cemetery staff and applicable overtime fees.
- i. Interment service leaving the Cemetery after 3:30 p.m. may be assessed a surcharge as per Fees and Charges of the Cemetery Bylaw.

4.2.1 The Chief Administrative Officer may:

- a. Permit the recognition of Remembrance Day ceremonies by a recognized veterans or similar service group outside of the Monday to Friday, 8:30 a.m. to 3:30 p.m. hours;
- b. schedule the Interment in a shorter time frame subject to full compliance with all other applicable provisions of the Cemetery Bylaw;
- c. reserve the right to limit the number of Interments within a working day, and may assess Fees accordingly;
- d. under extreme or adverse weather conditions or under exceptional circumstances, more time is required to prepare Interment sites, the Cemetery Clerk shall notify the parties involved of the extra time required, and this extra time will remain in effect until further notice;
- e. schedule the Interment of persons who have died having any infectious disease as defined in the *Health Act*, as amended, and be interred as per the instructions of a designated Medical Health Officer.

4.2.2 Interment of a body burial in grave:

- a. All body Burials must be enclosed in a Casket.
- b. The depth of the grave must be sufficient to provide for not less than three feet of earth between the upper surface of the Casket or Liner and the level of the ground surrounding the grave; and
- c. The Casket and Liner must be less than the length and width of the lot.
- d. A Liner is required for any in-ground Casket Interment, excepting Burial Lots in Blocks A, B, C and D. Any other exceptions require approval by the Cemetery Clerk. The Cemetery Clerk reserves the right to determine the supplier and specifications of the Permanent Outer Liner. All Permanent Outer Liners or vaults shall be installed by the supplier, with the installation and any subsequent repairs to any damages at the Interment Rights holder or Representative's expense.

4.2.3 Interment of cremated remains:

- a. All cremated human remains inurned in a Columbarium Niche or placed in ground must be enclosed in a container of permanence and durability. A permanent Outer Liner is optional for in-ground burials of cremated Remains.
- b. The container must be less than the length and width of the lot.
- c. Any Interment Rights purchased for a Casket burial may:
 - i. have ashes inurned after the Casket burial; or
 - ii. not be used for any Casket burial at any time after the Inurnment of cremated remains.
- d. A body burial grave that is four feet by twelve feet may hold not more than six (6) containers of cremated remains.
- e. A body burial grave that is less than four feet by twelve feet may hold not more than four (4) containers of cremated remains.
- f. The positioning of cremated remains within the grave is subject to approval by the Cemetery Clerk.

4.2.4 Multiple Interments

- a. No more than one body (traditional Casket) shall be buried in a single Grave except a parent and an infant child when both are buried in the same Casket at the same time.
- b. Double Depth Plots shall be constructed to a depth which will accommodate two bodies in separate Caskets in such a manner that one Casket is placed immediately above the other. All Double Depth Graves shall be limited to a single Interment Rights Contract.
- c. Up to two cremated remains may be interred in a single urn lot provided that both remains are co-mingled in a single container for Interment at the same time.
- d. Inurnment of more than one set of cremated remains will not be permitted in a single Columbarium Niche.

4.3 Disinterment and Exhumation:

- (a) Human Remains shall not be disinterred or exhumed until:
 - i. all the requirements of the *Cemetery Act* are met;
 - ii. a Contract for Interment Rights reflecting the disinterment and/or exhumation of the human remains is received by the Town of Nanton from the person who has the Rights of Interment or Control of Disposition of the Human Remains, and
 - iii. the payment of prescribed Fee is received by the Town of Nanton.
- (b) The Town shall exercise all due care and attention when conducting a Disinterment but is not responsible for any damage to the Casket, urn or any other container sustained prior or during the Disinterment.
- (c) The Town's responsibility with respect to Disinterment is limited to:

- i. the excavation of sufficient quantities of soil to permit access to the Human or Cremated Human Remains;
 - ii. the closure of the Plot once Disinterment is completed; and
 - iii. the documentation and record keeping.
- (d) The Funeral Service Provider employed at the expense of the Interment Rights holder, or the Legal Representative is required for the handling of any Human Remains in the existing Plot or any transfer of the Human Remains to the new Plot or location.
- (e) No Disinterment shall be made of the first Interment from any Double Depth Grave in which a second Interment has been made, unless the second Interment is disinterred at the same time, at a Fee set forth in the Fees and Rates Bylaw.

5.0 MEMORIALS / MONUMENTS

5.1 All Memorials/Monuments shall:

- (a) Be placed, installed, moved, removed, altered (including adding inscriptions, resurfacing Monuments, re- highlighting Monuments) or modified by persons authorized by the Chief Administrative Officer.
- (b) Monuments, including foundations, must be confined within the boundaries of the respective Plots.
- (c) Be placed in a manner as to maintain whenever possible, a proper alignment consistent with Monuments on adjacent Plots.
- (d) Shall conform to the approved plan of the Cemetery.

5.2 All measurements are described as follows to ensure the consistent application of the specifications;

- (a) **Length** shall mean the measurement of the Monument as it would face the Plot measured from left to right.
- (b) **Width** shall mean the measurement of the Monument as it would face the Plot measured from the head of the Plot towards the foot of the Plot.
- (c) **Height** shall mean the measurement of the Monument from the concrete foundation to the highest portion of the top of the Monument. This measurement shall include all bases placed to elevate the Monument.

** Maximum length will be determined by the number of Plots the Monument is intended to service. At no time may the Monument exceed the combined total width of the Plot.

**Maximum length will be determined by the number of Plots the Monument is intended to service. At no time may the Monument exceed the combined total width of the Plot.

5.3 Requirements for all Memorials/Monuments work:

- (a) An Interment Rights Holder or an authorized representative is required to make an application for a Monument Permit to the Cemetery Clerk. The application shall contain the plan of the Monument, base, or Foundation and the full particulars regarding the material, method of construction, installation, design and inscription to the Cemetery Clerk for approval. The Purchaser or their representative assumes responsibility to maintain the Monument or gives the Town the right to remove the same, before any such construction or installation is undertaken. A completed Monument Permit is required at the office prior to installation or changes.
- (b) Monuments must be constructed of bronze, granite or marble.
- (c) Memorialization must be in good taste and not considered offensive.
- (d) The Town is not responsible for any errors on Monuments or memorialization.
- (e) Monument installations require notice of at least two (2) business days or other specified time to allow Cemetery staff to mark out Monument placement locations.
- (f) Memorial work shall occur during regular business hours. All workers shall report to the Cemetery Clerk prior to arrival at the Cemetery to do the work.
- (g) All earth, debris, litter, and rubbish arising or resulting from work done on any Plot by or on behalf of, the Purchaser of the Right to Interment space must be back filled, carefully cleaned up and removed from the Cemetery by the said Purchaser of his/her contractor or workers. Restoration of the immediate work area and access points used by Monument workers is the responsibility of the Permit holder for the Monument. Restoration must be completed to the satisfaction of the Cemetery Clerk.
- (h) All Monument work is subject to review, inspection and approval of the Cemetery Clerk;
- (i) Any Permits and Fees applicable must paid in full.

Clarification and interpretation of the specifications are at the discretion of the CAO if contradictory opinions arise.

5.4 Flat Monuments:

- (a) A flat Monument shall mean a Monument of approved granite, marble or bronze inscribed with such lettering as may be desired by the Purchaser of the Interment Rights and approved by the Cemetery Clerk.
- (b) The face of the Flat Monument shall be aligned with the level of the ground in which it is set. A Flat Monument must be set in/on a suitable concrete, granite or marble foundation protruding a minimum of three (3) inches on all sides of the Monument.

5.5 Pillow Monuments:

- (a) A Pillow Monument shall mean a flat, sloped section of granite or marble set so that the highest portion of the top of the Pillow shall not be more than sixteen (16) inches measured vertically from the concrete Foundation and inscribed with such lettering as may be desired by the Purchaser of the Interment Rights and approved by the Cemetery Clerk.
- (b) The pillow may or may not be set on a granite or marble base. If a granite or marble base is used, it shall project not less than three (3) inches on all sides of the pillow and be of a thickness not greater than eight (8) inches, and not less than three (3) inches.



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- (c) All Pillow Monuments with or without marble or granite bases shall be set on a concrete Foundation that projects a minimum of three (3) inches on all sides of the Pillow. The Foundation will be set to ground level.

5.6 Upright Monuments:

- (a) An Upright Monument shall mean a section of granite or marble set so that the highest portion of the top of the Monument shall not be more than thirty-six (36) inches, measured vertically from the concrete Foundation, and inscribed with such lettering as may be desired by the Purchaser of the Interment Rights and approved by the Cemetery Clerk.
- (b) The Upright Monument may or may not be set on a granite or marble base. If a granite or marble base is used, it shall project not less than three (3) inches on all sides of the Monument and be of a thickness not greater than eight (8) inches, and not less than three (3) inches.
- (c) All Upright Monuments with or without marble or granite bases shall be set on a concrete Foundation and project a minimum of three (3) inches on all sides of the Monument. The Foundation will be set to ground level.
- (d) Only one Upright headstone Monument may be placed upon a Full Casket Plot.
- (e) The Interment Right Holder or the Legal Representative is required to keep in proper repair, at their expense and to the satisfaction of the Town, all Memorials upon their Plot. Should any Memorial erected in the Cemetery fall into a state of disrepair, the Cemetery Clerk may have the Memorial removed from the Cemetery at the expense of the Purchaser or their successors.
- (f) The Cemetery Clerk may reject Memorials despite the prior issuance of a Monument Permit, when the Memorial does not comply with the Cemetery Bylaw and its Block specifications or is not keeping with the standards of the Cemetery, or contains epitaphs deemed inappropriate by the Cemetery Clerk at the expense of the of the Monument Permit holder.
- (g) All Monuments shall be installed facing onto the Plot regardless of previous installations. Only the surname and a Monument design are permitted on the back of an Upright Monument facing an adjacent Lot. Interment Rights Purchasers must be aware that, in some instances, the view of surnames or designs placed on the back of the Monument could be blocked by the installation of a Monument on an adjacent Lot.

5.7 Engraving for Columbaria Niche Doors:

- (a) Columbarium Unit C1 – same font and general format as already present for existing engravings.
- (b) Columbarium Units C2 and C3– same font and general format as already present for existing engravings:
 - i. The door of each unit will be used for engraving.
 - ii. Engraving is the only method to be used for Memorialization (no coloring or blackening of letters will be allowed).
 - iii. Any damage to a Columbarium as a result of the work performed by the engraver or his employee shall be repaired at the expense of the engraver within 30 days and to the satisfaction of the Cemetery Clerk.



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- iv. Niches sold back to the Town once engraving has been initiated will be charged the current cost of a door replacement.
- v. The engraving font must be "Monument MOD.Roman/SR Rev.a" (information provided by the Town's engraving contractor) or a Font that closely matches it.
- vi. One quarter inch (1/4") of space must be left on all sides of the door's edges.
- vii. These units may only be engraved as follows:

First line	Last Name – approximately 1.3"
Second line	Given Name – approximately 0.85"
Third line	Only year of birth and year of death – approximately 0.7"

(Niche door for Double Inurnment will include engraving of second line and third line for second Inurnment and may include an additional single line if the last name of the second Inurnment differs from the first Inurnment)

- viii. Uniformity of the format will be maintained for Columbarium Units C2 and C3.

(c) Columbarium – Unit C4 (installed in 2023)

In addition to all criteria for Columbaria Units C2 and C3, the following exceptions may be permitted:

- i. Memorialization may include a language other than English but a translation must be provided on the Contract for Inurnment Rights.
- ii. In addition to the engraving on the doors for units C2 and C3, engraving for the day/month for year of birth and year of death within the third line will also be permitted.
- iii. An epitaph may be included in the engraving onto a unit door for a single Inurnment only and must fit within the parameters of the standards for font size engraving at approximately 0.6", for unit C4 and the additional engraving costs for an epitaph will be the responsibility of the Interment Rights holder or representative.
- iv. A suitably sized vase may be ordered from the Town's contractor for engraving services for permanent installation on the Columbarium door at the time of engraving, but the cost for the vase or portrait holder, as well as the installation, will be the responsibility of the Interment Rights holder or representative.
- v. Further personalization may be permitted as space permits with the approval of the Cemetery Clerk.

5.8 Memorial Wall:

- (a) The Rights to Memorialize on the Memorial Wall must be purchased from the Town prior to the placement of a bronze ribbon or granite plaque. A record of the deceased will be kept if the Purchasers provide such information. The Memorial Wall is for the purpose of memorialization of an individual whether or not they are interred in a Cemetery.
- (b) Only one name may be placed as the first line of engraving for each space of the Rights to Memorialize on the Memorial Wall with the number of characters for the first line to be limited to allow for engraving. Only the year of birth and year of death, without days or months, will be permitted for the second line.



AGM

5.9 Adornments on Monuments and Graves:

- (a) No person shall place or deposit any glass stand, holder, vase, receptacle, jar, bottle or pot made of glass or other breakable material on any Interment site.
- (b) Permanent vases must be constructed of non-breakable material and are to be affixed and make up part of the Monument.
- (c) Vases must be of a finish that will not wear, chip or deteriorate under normal Cemetery conditions.
- (d) Vases must be so placed that there is a concrete or granite Foundation at least three (3) inches wide between any part of the vase and the edge of the turf.
- (e) Vases may be placed on a flat Monument such that they can be recessed flush with the surface of the Monument when not in use.
- (f) Any vases which are deteriorated or damaged may be removed at the Town's discretion.
- (g) Temporary solar lights are discouraged in the Cemetery. Temporary solar lights may only be placed in a permanent vase affixed and make up part of the monument. Temporary solar lights shall not be placed on the turf at any time. Broken or non-functioning solar lights shall be removed at the discretion of the Cemetery Clerk.
- (h) The Town will not accept responsibility for lost or damaged adornments under any circumstances.

5.10 Plant Materials:

- (a) If any trees, shrubs or plants growing or situated on any Plot shall in the opinion of the Cemetery Clerk become in any way detrimental to adjacent Plots, walks or driveways, or prejudicial to the general appearance of the Cemetery or dangerous or inconvenient to the public, the Cemetery Clerk shall have the right to enter upon the said Plot and remove said trees, shrubs or plants or such parts thereof as he may consider detrimental, dangerous, inconvenient or objectionable.
- (b) The Town will not accept responsibility for lost or damaged floral arrangements under any circumstances.
- (c) No person shall place artificial flowers or potted plants on any Plot in a Cemetery during the period May 1 to September 30 inclusive in any year unless the artificial flowers or potted plant are totally contained in a vase that is part of a permanent Monument, and no part of the floral arrangement or potted plant is in contact with the turf. Arrangements or potted plants that are not contained in a permanent vase attached to a Monument shall be removed.
- (d) During the period of May 1st to September 30th of each year, only fresh flowers in an unbreakable spike container, installed at or below grade, will be permitted on any turf area of landscaped Graves adjacent to the Monument. The flowers will be removed by the Cemetery Staff during mowing operations or cemetery maintenance, at which time they will be disposed of.
- (e) Flowers, funeral designs or floral pieces will be permitted on the Interment site the day of the Interment for a period of seven (7) calendar days. The Town shall have the authority to remove any funeral designs or floral pieces, which may become wilted, or any other article or thing after the expiration of 7 days from date of service.
- (f) Flowers, funeral designs or floral pieces may be placed only at the base of the Columbarium unless placed in a fixed vase on the Columbarium Monument. Placements on the top of the Columbarium or wedged in the Niche plaque is prohibited.

- (g) The Town of Nanton will permit the adornment of Veterans or Service Personnel for a period of time prior to and after Remembrance Day, by any recognized Legion Society, or other groups, as approved by the Cemetery Clerk.

5.11 GENERAL:

- (a) Should any Monument present a risk to public safety due to deterioration to the point of becoming unstable, the Town shall do whatever it deems necessary by way of repairing, resetting, or laying down the memorial or any other remedy so as to remove the risk. The Town shall not be responsible for any costs to reverse the mitigation of risk.
- (b) The Town reserves the right to remove at its sole discretion any Monument or inscription which is not in keeping with the dignity and decorum of the Cemetery.
- (c) Where the original Purchaser of Interment Rights is deceased and a family member or any other person makes application for the placement of a Monument, the Town does not accept any responsibility for decisions regarding the Monument.
- (d) The Purchaser and/or their designate of the Interment Rights space is liable and responsible for damages resulting from theft, vandalism or damage howsoever caused to the Monuments erected upon an Interment space, unless such damage is shown to be caused by the negligence of the Town or Town employees.
- (e) No Monument, plaque, fence, coping (permanent structure covering the surface of a Grave), enclosure or structure will, except as provided, be removed or altered by any person from any Lot in the Cemetery without the permission of the Town in writing.
- (f) The Town accepts no responsibility for the maintenance of Monuments due to normal wear or deterioration. Minor scraping of the base portion of Monuments due to the turf mowing operation is considered normal wear.
- (g) The Town shall not be held liable for or be obligated to repair any breakage or damage to any memorial in the Cemetery, except as the result of the negligence of the Town.
- (h) All contractors, service providers and Monument companies must report to the Town Administration Office Cemetery office prior to the commencement of any work and are subject to the direction and control of the Cemetery Clerk while in the Cemetery. All work shall be done during regular Cemetery operating hours.
- (i) The Town is not responsible for damage to any Casket, urn, Permanent Outer Liner or any other container, except where such damage is caused by the gross negligence of the Town.
- (j) The Town accepts no responsibility for any error or misunderstanding that may arise from verbal rather than written arrangements for Interment.
- (k) No Plot or Grave shall be raised above the level of the surrounding ground.
- (l) All persons traveling in a Cemetery must keep to the paths and walkways and shall not walk upon or across any Plot except for maintenance operations.

6.0 MAINTENANCE

- 6.1 Perpetual care supplied by the Town means the preservation, improvement, embellishment and maintenance, in perpetuity and in a proper manner, of Plots/Graves, Niches, Memorial Wall or



other space in a Cemetery or Town owned Memorialization structures, and other such work that may be authorized by the Cemetery Clerk. Perpetual Care to be supplied by the Town shall not include the care, maintenance, upkeep, repair of, or replacement of, any Monument, plaque, or similar object which has been placed, or may in the future be placed in the Cemetery regardless of whether such placing has the Town approval or not.

- 6.2 The Town of Nanton does not collect Perpetual Care funds with the purchase of Interment Rights or Right to Memorialize. The Town will conduct general maintenance throughout the Cemetery and conduct routine maintenance and upkeep to the Burial Lots to mitigate uneven ground. Any Town-owned Memorialization structures or Columbarium within the Cemetery will be the responsibility of the Town; however, monuments, plaques, markers, or other structures or similar objects which have been placed or may in the future be placed in the Cemetery are not the Town's responsibility, whether such placing has the Town approval or not. The care, upkeep and maintenance of Monuments will be the responsibility of the Interment Rights Purchaser, their heirs or legal representatives.
- 6.3 Upon the payment by any person for Interment Rights space, or the Rights to Memorialize on the Memorial Wall, the Town will, as far as is reasonably practicable, do all that is necessary to keep the said Interment space and Town owned structures in a neat and tidy condition.

6.4 Dilapidated Graves:

- (a) The Cemetery Clerk shall first endeavor to contact next-of-kin or Legal Representative of the deceased and shall post the notice of their intention in a conspicuous place in the Cemetery for a period of thirty (30) days. At the expiration of that time and provided that the objectionable condition is not corrected by any other person, the Cemetery Clerk shall have the right to remove fences, coping and other encumbrances and structure, including Monuments which by reason of neglect or age have in his opinion become objectionable or unsafe.
- (b) Any notice required may be given by serving the Purchaser personally with any such notice or by mailing such notice by registered mail in an envelope addressed to the Purchaser at the last known place of residence, and any such notice sent by registered mail shall be deemed to have been received by the Purchaser on the date following its mailing as aforesaid. The form and procedures in respect to giving notice under this Section shall be in accordance with the Chief Administrative Officer's recommendations, or other relevant federal, provincial or municipal acts, bylaws or policies.

7.0 ENFORCEMENT

7.1 Fine Schedules (Schedule A)

A person who is guilty of an offence is liable for a fine in an amount that is established in Schedule "A", or in accordance with any applicable Act.

7.2 Restricted Access

The CAO may prohibit access to the Cemetery for the following reasons:

- (a) Where the Town or agent of the Town is conducting maintenance, repair work, construction, demolition, improvements or similar work.
- (b) Where the health and safety of users may be compromised.




7.3 Offences and Penalties

- (a) A Person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine in an amount not less than that established in this section and not exceeding \$10,000.
- (b) Without restricting the generality of Section 7.3 (a), the fine amounts established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered are as set out in Schedule "A".
- (c) A Peace Officer may, if it is within public interest, issue a Part 2 Summons pursuant to the *Provincial Offense Procedure Act of Alberta*.
- (d) Where a contravention of this Bylaw is of a continuing nature, further violation tickets may be issued by a Peace Officer, provided that no more than one ticket shall be issued for each day that the contravention continues.
- (e) This section shall not prevent any Peace Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provision of the Provincial Offences Procedures Act.
- (f) The levying and payment of any fine in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs for which that Person is liable under the provisions of this Bylaw or any other bylaw of the Town of Nanton.
- (g) Where there is a specified penalty listed for an offence in Schedule "A" of this Bylaw, the amount is the specified penalty for the offence.
- (h) Notwithstanding the specified or minimum penalties set out in Schedule "A" of this Bylaw:
 - i. if a Person is charged twice for the same provision of this Bylaw within a twenty-four-month period, the minimum penalty for the second offence of the same provision of this Bylaw shall be the amount of the specified penalty for a second offence; and
 - ii. if a Person is charged three or more times for the same provision of this Bylaw within a twenty-four-month period, the minimum penalty for the third and subsequent offences shall be double the amount of the specified penalty for such second offence.


8.0 EFFECTIVE DATES AND READINGS:

- 8.1 Town of Nanton Bylaw #1094/00, #1196/08 and #1350/21 are hereby repealed.
- 8.2 This Cemetery Bylaw #1368/22 shall become effective upon the date of final passing of same.
- 8.3 Bylaw #1368/22 is read for a first time this 12th day of December, 2022.

TOWN OF NANTON



CHIEF ELECTED OFFICIAL



CHIEF ADMINISTRATIVE OFFICER

15 of 17



8.4 Bylaw #1368/22 is read for a second time this _____ day of _____, 2023.

TOWN OF NANTON

CHIEF ELECTED OFFICIAL

CHIEF ADMINISTRATIVE OFFICER

8.5 Bylaw #1368/22 is read for a third time this _____ day of _____, 2023.

TOWN OF NANTON

CHIEF ELECTED OFFICIAL

CHIEF ADMINISTRATIVE OFFICER



CEMETERY BYLAW # 1368/33

SCHEDULE "A" PENALTIES

FIRST OFFENSE (all sections)	\$100.00
SECOND and all subsequent offences	\$250.00



WJ

Building Wraps

PURPOSE:

Following on from a discussion at Committee of the Whole, staff has inquired with respect to the approximate costs and logistics involved with respect to using viny wrap to install public art or other images on the western façade of the Tom Hornecker Recreation Centre. Council can determine, based on this information, if it wishes to fund such an initiative and subsequently choose images for it.

BACKGROUND / IMPLICATIONS:



Based on feedback received from a prospective vendor for such a product, the following can be surmised:

- Vinyl wrap can adhere to metal siding as pictured without difficulty
- Removal and replacement is generally straightforward with the correct specifications
- Life of wraps like this are generally 5-7 years
- Based on an approximate 3000 SF to print, laminate and install, cost would likely be around \$26,000.
- Given the highway location, potential corporate sponsorship could be explored instead of pure at-cost imagery.
- Administration would likely recommend additional lighting for illumination if such an initiative were approved.
- Administration would be keen to first try the concept within the swimming pool complex given the opportunity to spruce up a fairly utilitarian space.

Examples of such projects:



Recreation staff feedback is that they feel the 5-7 year lifespan estimate to be optimistic given the winds in that particular location and that the likely costs associated are perhaps too high in that context. They do see the value in something like a sports collage type of design, however.

Planning and Development feedback is that caution should be exercised to ensure the Town is not seen doing something (corporate or public) that other property owners might seek to replicate but cannot. It could be precedent setting and, if the doors were being opened to public murals more broadly, protections might arguably need to be put in place in the Land Use Bylaw with respect to buildings that might be considered 'heritage'. There are no legislative barriers at present when it comes to doing this, however.

CONCLUSION:

For a more 'budget friendly' initiative, one or two smaller "panels" could be done initially, allowing time to assess the durability and visual appeal of such an initiative. Rotating through four images over time might limit the higher level of cost every few years. However, it is up to Council if this is something that should be pursued at all. Something on a smaller scale could be tried out at the swimming pool first. This could be referred to Committee of the Whole for further discussion in future.

NANTON STRATEGIC PLAN ALIGNMENT			
<input type="checkbox"/>	OPERATIONS	<input type="checkbox"/>	EMERGENCY SERVICES
<input type="checkbox"/>	PLANNING & DEVELOPMENT	<input checked="" type="checkbox"/>	COMMUNITY & ECONOMIC DEVELOPMENT
<input type="checkbox"/>	GOVERNANCE & CORPORATE SERVICES	<input checked="" type="checkbox"/>	NOT APPLICABLE
PRIORITY OR ACTION:			

Prepared By: Neil Smith

Date: 2022-12-20

APPROVED BY:


NANTON
EST 1903
 CHIEF ADMINISTRATIVE OFFICER

Date:





Information Brief

Meeting: January 3rd 2023
Agenda Item: 5.2

Question of utility fees for bare, but serviceable lots

PURPOSE:

In some municipal jurisdictions, an “unconnected vacant lot” utility fee (sewer and/or water) is charged against property owners whose properties are undeveloped or bare, but capable of a standard service connection from adjacent mains. Administration is asking that Council consider and discuss such a move in the context of utility infrastructure renewal costs and a potentially easier approach to incentivizing infill lot development in both commercial and residential areas. The Town does not currently charge such a fee.

BACKGROUND / IMPLICATIONS:

An “unconnected vacant lot” utility fee (sewer or water) is only charged against property owners whose properties are undeveloped/bare, but capable of a standard service connection from adjacent mains. Some municipalities call it an “infrastructure renewal fee”, linking it directly to the buried infrastructure assets, on the principle that there’s a curb-stop there (or the potential for one) and a section of main that the municipality must maintain and renew. Some jurisdictions do charge \$20-30 per month to their rate payers with such properties (ranging in the region of \$250-450 per annum).

In communities with very limited capabilities in terms of expanding water and /or sewer main to other parts of town currently un-serviced, the view is sometimes taken that bare lands within serviced areas should be put under significant pressure to develop as the land is ‘premium’ and infill of existing areas is in the public interest.

Potential definitions:

“**unconnected vacant lot**” means a separately assessed parcel of land with no buildings or structures erected thereon fronting on but not connected to an assumed part of the water system or the sewage system, or both, and which has “development potential”.

“**infrastructure renewal fee**” means a utility fee charged to an unconnected vacant lot for basic cost recovery on adjacent water or sewer system maintenance and renewal.

Such a fee structure would likely do the following:

- Further build or more fairly distribute water and sewer asset maintenance and renewal costs throughout Town;
- Reduce the need or perceived need, in smaller cases, for more complex improvement area type initiatives and processes to renew or replace infrastructure;

- Allow other charging mechanisms that may be seen as inhibiting development to be removed or reduced to facilitate more private development and subdivision on bare land (e.g. 27th Avenue development levies under bylaw 1160/04).

The financial impact of such a move would not likely be seismic but could arguably establish an important principle going forward around vacant and developable lots. Based on an initial scan with our assessor, there are 51 possible properties but not all of them may qualify. More likely is that there are about 35 properties that would be impacted with certainty. A \$50 bi-monthly fee (\$300 per annum) would generate an estimated \$10,000 in utilities revenue annually, plus or minus about \$3,000.

Commercial or industrial property owners who own multiple adjoining parcels, but essentially operate a single business from them can choose to legally consolidate their properties to avoid unnecessary multiple payments of such a fee.

Examples from elsewhere:

Town of Stavelly (AB): for water only, the Town of Stavelly has a \$20 monthly rate for inactive or vacant residential, vacant commercial accounts (\$240 per annum).

Village of Kaslo (BC): Sewer (vacant commercial lot with sewer available \$602 per annum; vacant commercial lot with water available \$61 per annum). Comes to \$55.25 per month.

Regional District of Okanagan Similkameen (Willowbrook Water System, BC): Vacant Lot fee of \$738 per annum. Comes to \$61.50 per month.

CONCLUSION:

This is not applied everywhere as a fee but is used by some jurisdictions for a variety of reasons. It does require a philosophical position that serviced/serviceable/developable lots should contribute to water and wastewater utilities on the basis that their value is partly driven by the existence of buried infrastructure that requires maintenance and repair (and their non-development may be negatively impacting development and revenue growth elsewhere in the community). What is not in doubt is that Nanton's water distribution and sewer collection infrastructure needs substantial and ongoing repair, maintenance and renewal. Whether or not someone ties in or subdivides, the infrastructure is there, accessible, and already depreciating. A lot or parcel that is not presently developable due to the absence of water and sewer mains would not be charged such fees. Administration is providing this information to have Council consider its potential or utility for the challenges the Town has around water and wastewater collection renewal annually. In that context, no specific recommendation is being provided.

NANTON STRATEGIC PLAN ALIGNMENT			
<input checked="" type="checkbox"/>	OPERATIONS	<input type="checkbox"/>	EMERGENCY SERVICES
<input type="checkbox"/>	PLANNING & DEVELOPMENT	<input checked="" type="checkbox"/>	COMMUNITY & ECONOMIC DEVELOPMENT
<input checked="" type="checkbox"/>	GOVERNANCE & CORPORATE SERVICES	<input type="checkbox"/>	NOT APPLICABLE
PRIORITY OR ACTION: Although not a Strategic priority, this topic is worthy of discussion in the context of current and long term capital priorities in utilities.			

Prepared By: Neil Smith

Date: 2022-12-21

APPROVED BY:



Date:



Information Brief

Meeting: January 3rd 2023
Agenda Item: 5.5

Water: Leaks and Manganese Updates

PURPOSE:

An update for Council.

BACKGROUND / IMPLICATIONS:

Water Leaks

Staff are looking forward to getting started on valve replacement in 2023. Our usual contracted service provider has said that if we schedule them in before they get busy (ie early spring) then the cost to do the valve replacement work will be cheaper than during their peak season. Scheduling will get under way soon.

Based on what we've found on 20th street with the double water service lines, management can now make more sense of the old 1940s maps of the Town utility infrastructure. The maps show additional lots along 20th street that appear to have redundant water service lines feeding them, and based on the condition of the ones we exposed this year we believe it's worth investigating all of the remaining ones (3 more is estimated). The old maps have also been very accurate so far which also adds confidence in exploratory work (ie test pitting, exploration with hydrovac, etc.) to locate old unused water lines that may still be charged. Locating the source of cross connections for final resolution could be more challenging over time.

The old maps also show several water service lines that used to feed buildings that are no longer there (ex: water tower on rail line, train station, old fertilizer plant). This is something the manager would like to investigate further as well. This work could be done with a hydrovac and excavator, as most of the areas of concern are free of buildings, sidewalks and asphalt so the work would be minimally invasive to the surrounding area.

CAO Comment: This situation goes a long way to explaining some of the year on year acceleration of water loss that has challenged our operators – but not everything. Eighty-year-old lines that should have been fully deactivated in the 1980s are still pressurized. As they age further, they fail further and are often located underneath more modern buried services. As leaks of this nature are harder to locate, educated guesswork using older maps is essentially the primary approach to locating problems that do not manifest in basements or on the surface. This will be sometimes be a frustrating, unpredictable process – but will prove progressively worthwhile.

Manganese

It appears that we are through the worst of the seasonal manganese spike in the Town's potable water. Knowing what we know now, we have to take action to prevent this type of

occurrence in the future. Long-term solutions that have been discussed with AEPA have primarily been permanganate injection and/or changing the filter media bed in the WTP. We are hoping to lump this work in with the aeration/PAC system to be installed this summer so perhaps some of the cost of the upgrades can be included in the grant money provided for that project.

CAO Comment: *The AEPA drinking water specialists and officers have been working with us closely in recent weeks. It is much appreciated. This manganese spike has been the first such occurrence in southern Alberta since new federal guidelines came in a few years ago. As such, this has been a significant experience for all concerned. Some treatment processes will likely be changed for the long term in 2023. Once we finalize some approaches to treatment, distribution and infrastructure, we will be able to offer a solid public open house this year as well.*

NANTON STRATEGIC PLAN ALIGNMENT			
<input checked="" type="checkbox"/>	OPERATIONS	<input type="checkbox"/>	EMERGENCY SERVICES
<input type="checkbox"/>	PLANNING & DEVELOPMENT	<input checked="" type="checkbox"/>	COMMUNITY & ECONOMIC DEVELOPMENT
<input type="checkbox"/>	GOVERNANCE & CORPORATE SERVICES	<input type="checkbox"/>	NOT APPLICABLE
PRIORITY OR ACTION: Water Quality			

Prepared By: Neil Smith / Bill Woytiuk

Date: 2022-12-20

APPROVED BY:

Date: December 29th 2022





MONTHLY DEPARTMENT REPORT

Meeting: December 12, 2022
Agenda Item: 3.3.5

Peace Officer Adam Reiter #18591

Report Period: November 2022

ACTIVITIES:

- November 1 – E-ticketing transition completed
- November 10 – Kozy Korner Legion Lunch
- November 17 – Citizens on Patrol Meeting attended
- November 23 – Budget meeting

TRAINING/EDUCATIONAL SESSIONS ATTENDED:

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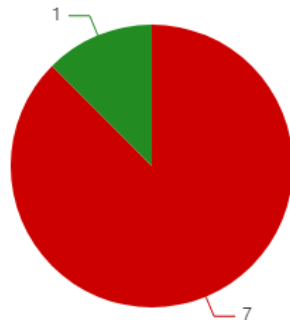
UPCOMING EVENTS / ADDITIONAL INFORMATION:

- December 1 – AB Daley Child ID Clinic with NQLF
- December 7 – 10 – Officer Safety / Control Tactics course

Monthly Occurrences snapshot:

Statistics from:2022-11-01 to 2022-11-30

Count of Reports Completed Total:8 | 100.0%



List of Categories

■ MUNICIPAL	7 87.5%
■ PROVINCIAL	1 12.5%

With November bringing more snow than October more time was spent speaking with residents regarding snow removal. Many home visits were conducted, with files only being created if no

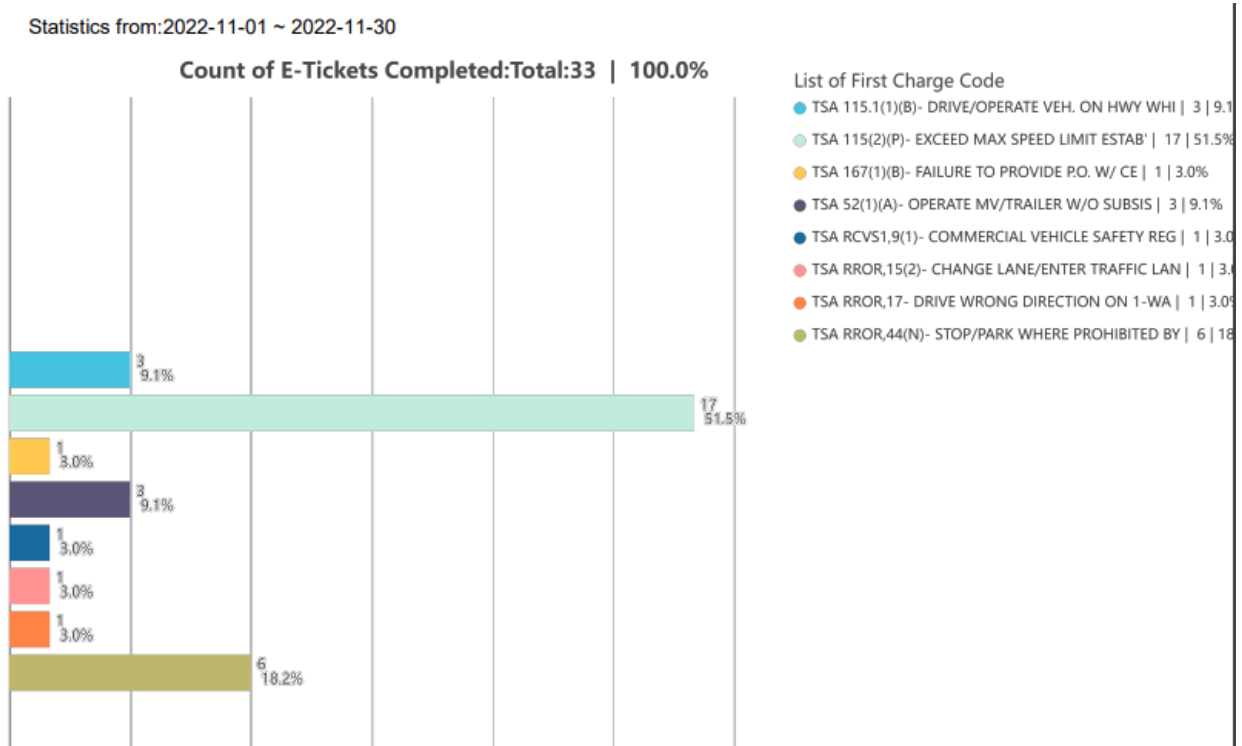
response was received after a door knock and a phone call. Compliance was extremely good and no properties needed to be spoken to more than once in November. The 8 files shown above break down into 4 Animal Control files, and 4 "Traffic Bylaw" files, with the traffic files being snow removal issues.

Monthly ticket stats:

As of November 1, E-Ticketing is now fully functional. With this addition tickets will be directly added to provincial system (JOIN) and have additional review checks before being submitted. This will eliminate the possibility of a ticket being quashed for a form and manner issue (incorrect date, offender name misspelled etc.).

In November there was a notable reduction in traffic violations from October, likely due to the inclement weather causing less than ideal road conditions.

On November 23, a driver from British Columbia was stopped on Highway 533 West near 26th Avenue. The driver was travelling 115km/h in the posted 60 km/h zone. He was issued a summons (mandatory court appearance) for speeding. As with all 51+ km/h over the speed limit the driver may face a fine of up to \$2000, 6 months imprisonment and a licence suspension. The gross total of all fines issued in November is \$4522. With 17 tickets being issued, and 17 warnings. Some of the warnings issued were done alongside a violation ticket being issued for another offence. A breakdown of combined stats is below (1 handwritten bylaw charge is not listed):





MONTHLY COUNCIL REPORT

Meeting: December 12, 2022

Agenda Item: 3.4.3

Councillor Roger Miller:

Deputy Mayor November 1, 2022 to February 28, 2023 and November 1, 2024 to February 28, 2025

Report Period: November 2022

MPC Member: Yes

APPOINTED EXTERNAL COMMITTEE MEETING HIGHLIGHTS:

1. Nanton Health Centre Management Committee

Date: n/a

Key Items: Awaiting response from MPE Engineering on completion of Grant Application

2. Combined Assessment Review Board

Date: n/a

Key Items:

3. Other Events (including Alternate Representative Oldman River Regional Services Commission)

Date: November 2 – meeting with CGEDC board members and G Sharpe re property lease

Key Items: November 3 – attend CGEDC AGM

November 4 – attend Legacy of the Land Banquet in Claresholm

November 14 – attend MPC meeting

November 28 – attend COW meeting

Council Standing Committees:

(Key items detailed in minutes)

Services

November 30 – attend Services Committee meeting

Recreation and Culture

Liaison / Point of Contact: Nanton Grain Elevator Discovery Centre / Nanton Lions / Leos Club

UPCOMING EVENTS / ADDITIONAL INFORMATION:

BOARD REPORT



CHINOOK
ARCH REGIONAL
LIBRARY SYSTEM

Chinook Arch Library Board Meeting - December 1, 2022

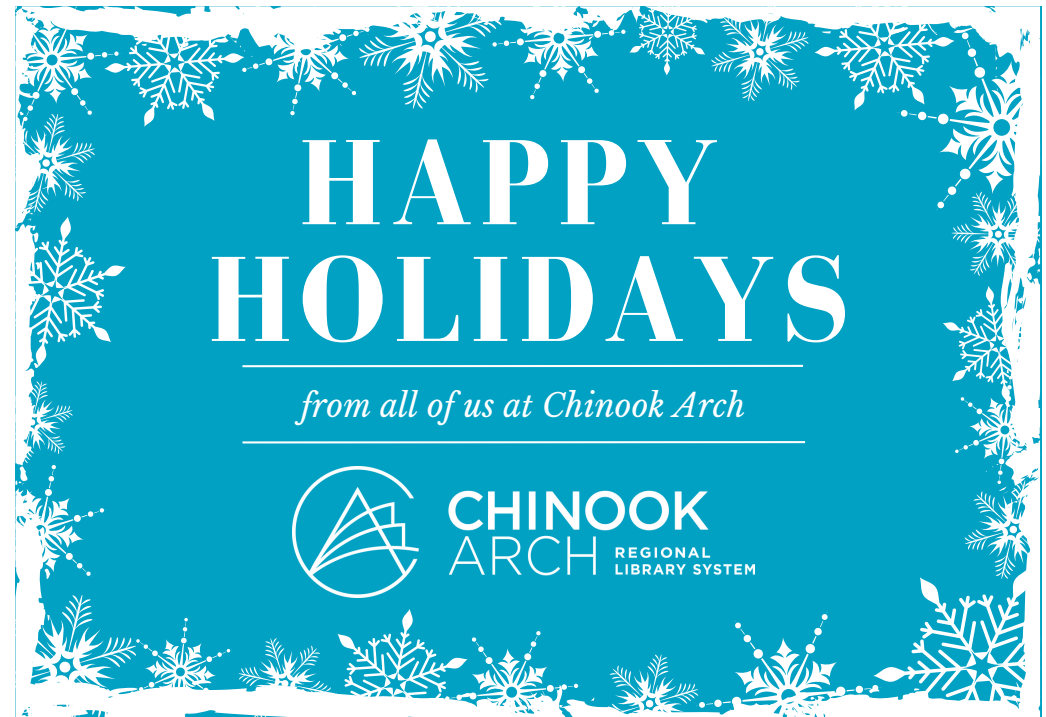
Chinook Arch Approves New 2023 Budget Based on 0% Levy Increase

At its December 1 meeting, the Chinook Arch Library Board reviewed and approved a revised 2023 budget based on a 0% increase to the Municipal Levy. The proposed 2023 -2026 Municipal Levy Schedule, which included incremental increases in each of the four years, was declined by the City of Lethbridge council. This means that the proposed levy schedule will not come into effect, and the 2023 per capita levy will remain at \$7.76. Management staff were able to find funds to cover the \$40,000 revenue shortfall in 2023. By 2026, the annual revenue shortfall is expected to exceed \$100,000. The Board will be working with management and member library boards to develop strategies for addressing the deficits forecast over the next few years.

Policy Review

The Board reviewed and approved the following policies. Chinook Arch policies, plans, and audited financial statement can all be found under the About Us tab on the Chinook Arch website at www.chinookarch.ca.

- Expenses
- Executive Officers



Board Members Present

Barnwell
Barons
Cardston
Cardston County
Coaldale
Coalhurst
Coutts
Crowsnest Pass
Fort Macleod
Hill Spring
Lethbridge (City)
Lethbridge (County)
Lomond
Magrath
Milk River
Nanton
Nobleford
Pincher Creek
Raymond
Taber MD
Vauxhall
Vulcan County
Warner (Village)
Warner County
ID of Waterton
Willow Creek M.D.
LPL Resource Centre
Ministerial Appointment

Jane Johnson
Ron Gorzitza
Marsha Jensen
LeGrande Bevans
Jordan Sailer
Lyndsay Montana
Stephen A. Pain
Doreen Glavin
Jim Monteith
Suzanne French
Robin Harper
Tory Campbell
Marie Logan
Darryl Christensen
Anne Michaelis
Amanda Bustard
Melissa Jensen
Mark Barber
Kelly Jensen
Tamara Miyanaga
Marilyn Forchuk
Doug Logan
Derek Baron
Morgan Rockenbach
Lesley Little
Maryanne Sandberg
Wendy Kalkan
Vic Mensch (Chair)

Regrets

Carmangay
Champion
Milo
Picture Butte
Pincher Creek M.D.
Stirling
Taber

Sarah Mitchell
Terry Penney
Christopher Northcott
Teresa Feist
Dave Cox
Gary Bikman
Monica McLean

Absent

Arrowwood
Claresholm
Glenwood
Stavely
Vulcan

Wendy Williams
Tony Hamlyn
Linda Allred
Denise Allerdings
Liz Hammond

2023 Executive Committee Elections

Congratulations to the Trustees Elected to the Chinook Arch Library Board Executive Committee for 2023! Here are the Executive Committee members for the coming year:

- Vic Mensch (Ministerial Appointment) - Board Chair
- Marie Logan (Village of Lomond) - Vice-Chair
- Jim Monteith (Town of Fort Macleod) - Treasurer
- Mark Barber (Town of Pincher Creek) - Director-at-Large
- Darryl Christensen (Town of Magrath) - Director-at-Large
- Doreen Glavin (Municipality of Crowsnest Pass) - Director-at-Large
- Doug Logan (Vulcan County) - Director-at-Large
- Lyndsay Montana (Town of Coalhurst) - Director-at-Large
- Tamara Miyanaga (Municipal District of Taber) - Director-at-Large
- LPL Resource Centre Ex Officio Appointee - To Be Determined

Thank you to the following departing members for your service to the Chinook Arch Board and its members:

Dennis Barnes (Town of Cardston); Trevor Wagenvoort (Village of Champion); Lise Mayne (Town of Nanton); Brydon Saunders (Town of Stavely); Shelley Deleeuw (Town of Vauxhall); Don Toovey (Village of Warner); Linda Weasel Head (Kainai Board of Education); Wendy Kalkan (LPL Resource Centre).

Contact Us

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