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# OPERATING YOUR SMALL CEMETERY A Primer for Saskatchewan Cemeterians

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Distributed by

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Notes to Readers

The contents and opinions herein do not necessarily reflect the views or policies of Financial and Consumer Affairs Authority of Saskatchewan, nor does the mention of trade names or commercial products herein constitute endorsement or recommendation.

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Cover image - photo of Estevan Cemetery taken by Gloria Johnson, City of Estevan





## 1. INTRODUCTION

*“Show me the manner in which a nation cares for its dead and I will measure with mathematical exactness the tender mercies of its people, their respect for the laws of the land, and their loyalty to high ideals.”*

Sir William Gladstone, four time British Prime Minister

This primer is intended to provide an overview of the elements needed to successfully operate a small active cemetery in Saskatchewan (that is, those that continue to accept interments).

In this overview, it is not possible to cover all of the minute details of cemetery operation, nor does it provide a complete and comprehensive description of all of the standards and requirements of modern small cemetery operations. It does, however, provide an overview of the required operating elements, links to resources for further information, as well as a glossary of important terms that small cemetery operators or cemetarians should find useful.

It has been prepared by [Hilton Landmarks Inc.](#), cemetery consultants with over 20 years of experience in cemetery design and management across Canada and beyond. Hilton Landmarks is grateful for the support of [Financial and Consumer Affairs Authority](#) through the Registrar of Cemeteries, as well as the [Western Canada Cemetery Association](#) through its Immediate Past President Mr. Ralph Katzman.

### 1.1. Some Notes on the Use of This Document:

References to [The Cemeteries Act, 1999](#) and [The Cemeteries Regulations, 2001](#) are included in this document [in square brackets]. Links to online resources (denoted in [blue underlined text](#)) may be accessed by holding the Ctrl key and left clicking on the link with your mouse. There are a number of helpful online links throughout the document and at the end. There is also a [glossary](#) of important terms used in the text.

## 2. A BRIEF OVERVIEW of SASKATCHEWAN CEMETERIES

Cemeteries have existed as long as people have. However, the concept of those cemeteries has changed through the years and amongst different cultures and religions. The first cemeteries in Saskatchewan were burial grounds used by First Nations peoples. Over time, cemetery customs and styles have changed moving from those First Nations' burial grounds to small pioneer cemeteries to larger organized cemeteries. These larger cemeteries have also evolved into several types including the park-like Victorian garden-style cemetery and the flat marker memorial park style cemetery.

While approximately 3,500 Saskatchewan burial sites are known, it is estimated that there are several hundred other unknown and uncatalogued burial or interment places, including Aboriginal burial sites. By 2012, about 2,500 of the known cemeteries had been catalogued by the [Saskatchewan Genealogical Society \(SGS\)](#): 700 of those are registered or identified on a land title, about 500 are active (i.e. continue to accept burials), and ten are commercial for-profit entities.

Of the known cemeteries, ownership generally falls into one of six categories; municipally-owned, religious, not-for-profit board run, band-owned (First Nations), privately-owned and commercial. Provincially, municipalities own and operate many cemeteries as they are usually held responsible by their citizens for the maintenance of abandoned cemeteries within their boundaries. Religious and not-for-profit cemeteries make up much of the rest along with privately-owned and band-owned cemeteries.

All cemeteries governed by *The Cemeteries Act, 1999* are required to follow the Act and regulations. There are additional specific requirements for commercial cemeteries including the need to be licensed.



### 3. REGULATORY COMPLIANCE OBLIGATIONS

Most cemeteries in Saskatchewan are governed and regulated by [The Cemeteries Act, 1999](#) (hereinafter the Act) and its associated regulations, [The Cemeteries Regulations, 2001](#) (hereinafter the Regulations). The Act and Regulations cover all aspects of cemetery operations in the province. This Primer focuses on the duties and obligations required by the Act; thus unless otherwise identified, citations in [brackets] refer to *The Cemeteries Act, 1999* and *The Cemeteries Regulations, 2001*.

The Act requires any new cemeteries or those being altered, enlarged or relocated to be authorized. Cemeteries include land used for columbaria and mausolea. Owners of cemeteries are required to maintain cemeteries to an acceptable community standard. There are offences and penalties for violations of the legislation. [The Funeral and Cremation Services Act](#) incorporates provisions which were previously in *The Saskatchewan Embalmers Act* and *The Prepaid Funeral Services Act* and adds provisions governing funeral homes and crematoria.

Note to the reader: This primer presents only an overview of some of the relevant portions of the Act, the ceterian or cemetery owner should obtain, and read (print a copy of) the complete Act ([The Cemeteries Act, 1999](#)) and its Regulations ([The Cemeteries Regulations, 2001](#)) for their own reference.

#### 3.1. *The Cemeteries Act, 1999 & The Cemeteries Regulations, 2001*

The **Act** covers:

- Approvals
- Licences
- Care and Maintenance Funds
- Prepaid Cemetery Contracts
- Prepaid Cemetery Contract Assurance Fund
- General Provisions
- Enforcement and Appeals
- Managing Administrator
- Administration of Act

While the **Regulations** cover:

- Plans and Approvals
- Prepaid Cemetery Contracts
- Documents and Records
- Interment
- General Provisions

The **Act** is administered by [Financial and Consumer Affairs Authority \(FCAA\)](#) and regulatory inquiries may be directed through their office at:

Registrar, The Cemeteries Act  
Financial and Consumer Affairs Authority  
Suite 500, 1919 Saskatchewan Dr.

Regina, SK S4P 4H2

Phone: (306) 787-5550

Fax: (306) 787-9779

Toll-free: 1-877-880-5550

E-mail: [consumerprotection@gov.sk.ca](mailto:consumerprotection@gov.sk.ca)

Website: <http://fcaa.gov.sk.ca/CPD-Cem>

The [complete text of the Act \(and Regulations\)](#) may be accessed at the Ministry of Justice website.





## 3.2. General Provisions of the Act

### 3.2.1. Definition of Cemetery [Section 2]

The **Act** defines a “cemetery” as meaning any land or place that is set apart or used as a place of interment and that is approved as a cemetery pursuant to this Act, and includes any buildings that are incidental or ancillary to that land or place.

### 3.2.2. Approval Required for Establishing, Operating or Altering a Cemetery [Section 3]

The Act requires any new cemetery, or any changes to the size of an existing cemetery, to be approved by the Registrar. Cemeteries include land used for columbaria and mausolea. [Guidelines for Establishing or Altering a Cemetery](#) may be accessed online.

### 3.2.3. Approval Required When Selling or Transferring a Cemetery [Section 48]

Unless the registrar consents in writing, a cemetery or land used for a columbarium or mausoleum shall not be transferred, sold, mortgaged, pledged, charged or encumbered by the owner or any person having an interest in that cemetery or land.

### 3.2.4. Updating Cemetery Information with The Saskatchewan Genealogy Society (SGS)

SGS is one of the most complete sources for Saskatchewan cemetery information. Owners are encouraged to keep their cemetery information updated with the **SGS**. For more information contact the SGS at [www.saskgenealogy.com](http://www.saskgenealogy.com).

### 3.2.5. Disposing of Human Remains [Sections 2 & 61; Regulation 37]

The Act strictly controls the disposition of human remains, which are defined as follows [Section 2]:

- “human remains” means a dead human body, but does not include cremated human remains
- “cremated human remains” means human bone fragments that remain after cremation;

The Act states [Section 61]:

- 1) No person shall dispose of human remains at any place in Saskatchewan other than:
  - a) in a cemetery; or
  - b) by cremation in accordance with *The Funeral and Cremation Services Act*; or
  - c) In accordance with the regulations.
- 2) No person shall inter or cremate human remains **unless** accompanied by a burial permit issued pursuant to *The Vital Statistics Act* [Section 90 of *The Funeral and Cremation Services Act*].

An exception to the rule above is provided in [Regulation 37]:

- 1) A burial permit is not required:
  - a) to re-inter human remains that have been disinterred; and
  - b) to inter foetal remains if, pursuant to *The Vital Statistics Act*, a burial permit is not issued.
- 2) An owner must require proof of permission to disinter human remains pursuant to *The Public Health Act, 1994* or *The Coroners Act, 1999* in order to reinter disinterred human remains.

[Section 94 of *The Funeral and Cremation Services Act*] controls the cremation of human remains:

- No person shall cremate human remains except in an authorized crematorium.



### 3.2.6. Interments [Sections 2 & 50; Regulations 25, 31-33 & 38]

The Act also controls the disposition of human remains, which are defined as follows [Section 2]:

- “interment” means:
  - (i) the burial of human remains or cremated human remains in a cemetery;
  - (ii) the entombment of human remains in a mausoleum; or
  - (iii) the inurnment of cremated human remains in a columbarium;

The scattering of cremated human remains (commonly and mistakenly called ‘ashes’) does not have to occur in an approved cemetery; however, if it occurs in a cemetery, records of the scattering are required to be kept. [Regulation 25(2)] states:

- An owner shall maintain a register of cremated human remains interred or scattered in the cemetery, if the owner has been paid for or has authorized interment or scattering. (see Regulation 25 for the details of what is required)

Municipally-owned and commercial cemeteries are required by the Act to provide interment rights for unclaimed bodies or indigent persons free of charge where instructed by an authorized person [Section 50].

- For purposes of section 50 of the Act, a unit administrator pursuant to *The Saskatchewan Assistance Regulations* is prescribed as a person who may authorize interment of unclaimed human remains or a deceased indigent person. [Regulation 31]

The **Regulations** specify that the top of the outer burial container must be buried at least 76 centimeters (30 inches) below ground level. This applies to human remains but does not include cremated human remains. [Section 32]

- 1) Unless the registrar determines that special circumstances exist, human remains are to

be interred so that the top of the outer burial container is at least 76 centimetres (30 inches) below the surface of the ground.

- 2) Where interment is made at less than the depth required pursuant to subsection (1), the owner shall make an entry in the register mentioned in section 25.

Interments near or under buildings are prohibited [regulation 33]:

- An owner shall not inter human remains, in a vault or otherwise, within three metres of the outer wall of any church or chapel or within two metres of any other building in the cemetery.

The interment of unidentified human remains is regulated [regulation 38]:

- In the case of unidentified human remains where a burial permit is not issued pursuant to *The Vital Statistics Act, 1995*, the human remains may be interred when permission to bury the human remains has been given pursuant to *The Coroners Act, 1999*.

### 3.2.7. Disinterments [Regulation 36; Regulation 30 of The Disease Control Regulations]

The Act also strictly controls the circumstances under which disinterment may occur [Regulation 36]:

- Disinterment of human remains shall occur only in accordance with *The Public Health Act, 1994* or *The Coroners Act, 1999* and regulations pursuant to those Acts.

**The Disease Control Regulations** made pursuant of *The Public Health Act* define the requirement for a disinterment permit [Regulation 30 of The Public Health Act]:

- 1) Subject to subsection (2) and *The Coroners Act, 1999*, no person shall disinter the body of a deceased person without obtaining a disinterment permit from the minister.



- 2) Subsection (1) does not apply:
- a) if the body in question is to be disinterred from one location and re-interred in another location in the same cemetery or mausoleum; or
  - b) to cremated human remains.

### 3.3. General Obligations of Cemetery Owners under the Act

The Act defines the obligations and regulatory requirements for cemetery owners. A selection of these requirements is included below. Some of these obligations are expanded upon later in this document. The reader is referred to the Act and Regulations for the complete list. The Act:

- Requires approval by the registrar for the sale, transfer, encumbering, establishment, alteration, or relocation of cemeteries, mausolea and columbaria [Section 48; Regulations 3-9]
- Requires owners to maintain cemeteries in a manner that ensures public safety [Section 53]
- Requires owners to maintain cemeteries in a manner that is compatible with community standards [Section 53]
- Requires an owner to allow reasonable public access to the cemetery for visitation [Section 53]
- Requires an owner to construct and maintain appropriate and necessary sewers and drains in and about the cemetery for the purpose of draining the cemetery and keeping it dry [Regulation 43]
- Requires recordkeeping [Section 45; Regulations 18, 19 & 23-28]
- Prohibits unfair practices by a seller of cemetery goods or services [Section 62]
- Allows the purchaser of a pre-need interment service to cancel within ten business days [Schedule attached to the Regulations]

- Requires the owner to allow for the installation of a memorial purchased from someone other than the cemetery owner and to be installed for the same installation price as if done by the cemetery owner [Section 57; Regulation 35]
- Prohibits any offensive matter from the cemetery to be brought to or flow into any river, spring, well, stream, canal, reservoir, aqueduct or pond [Regulation 44]
- Regulates the disposing of human remains including location of such disposal and the minimum depth of the interment [Section 61; Regulations 25, 31-33 & 38]
- Regulates the disinterment of human remains or cremated human remains [Section 61; Regulation 36]
- Regulates cemetery closure and abandonment [Section 55; Regulations 45 & 46]
- Prohibits disturbing or interfering with the transportation of human remains or an interment service [Section 62]
- Prohibits destruction, mutilation etc. of any building, structure, other enhancement, etc. without the owners' consent [Section 62]
- Prohibits certain sales practices, such as solicitations in nursing homes and hospitals, solicitations that appear to be harassment and false representations that goods or services are required by law when they are not and requires adoption of a do not call listing if sales are by telephone [Section 59, Regulation 30]
- Provides for the recovery of unused cemetery lots [Section 52]

### 3.4. Specific Obligations of Cemetery Owners under the Act

The Act defines slightly different obligations for the



owners of non-commercial cemeteries versus those of the owners of commercial cemeteries. A brief overview of the two sets of requirements follows.

### 3.4.1. Owners of Non-Commercial Cemeteries

**Bylaws** [Section 54]: All non-commercial owners may adopt reasonable bylaws for the operation of the cemetery. Once adopted, the cemetery is governed by those rules. Such bylaws do not have to be filed with the Registrar of Cemeteries, but must be available to the Registrar or the public on request.

**Trust Funds – Care and Maintenance** [Sections 23 & 24; Regulations 41 & 42]: The Act requires an owner of a non-commercial cemetery (not including municipal cemeteries) developed after the Act came into force and composed of more than 12 plots [Regulation 41] to establish trust funds for ongoing care and maintenance of the cemetery. Only the income from the fund can be applied to maintenance expenses, the principal must remain untouched. Where there is a care and maintenance fund, it is to be funded by a minimum \$10,000 deposit from the owner. Funding is also derived from a percentage or fee of interment goods and services [Regulation 42]. Cemeteries that are not required to establish a trust fund may elect to have a trust fund, in such cases, the required trust fund requirements apply to that trust fund [Section 24].

**Price Lists** [Section 56; Regulation 28]: The Act requires all non-commercial cemeteries (with an average of 25 or more interments per year) to make itemized price lists of their goods and services available to the public.

**Abandoned or Neglected Cemeteries** [Section 55; Regulation 45]: The Act allows municipalities to assume responsibility for abandoned cemeteries and, in the case of neglected cemeteries, to require the owner to maintain it. If an owner fails to maintain the cemetery, the Act provides that the municipality may undertake maintenance and recover the cost from the owner. **FCAA** has an information bulletin regarding Municipal Expropriation of a Neglected or Abandoned Cemetery.

**Closure of a Cemetery** [Regulation 46]: An owner who wishes to close a cemetery shall apply to the registrar and cite reasons and plans for the closure. Storing of cemetery records, future maintenance and a strategy for continued public access will be items that will need to be discussed. The registrar, if satisfied that it is in the public interest, may approve closure of a cemetery, subject to any terms that are imposed. Where a cemetery is closed, no further interments may take place except with the approval of the registrar.

### 3.4.2. Owners of Commercial Cemeteries

A commercial cemetery means a cemetery operated by an individual, corporation or partnership for the purpose of making a profit for the owner [Section 2]. The Act requires licensing of commercial cemeteries; trusting of consumer funds, and provides prepaid contract cancellation rights for buyers.

**Licence Required** [Sections 3-17 & 21; Regulation 47]: Commercial cemetery operators must apply for and be granted a licence to operate as a commercial cemetery. The Registrar of Cemeteries will require a business plan to be submitted that demonstrates the long term environmental, fiscal and operational sustainability of the cemetery. The current annual licensing fee is \$250 per cemetery. Once licensed, notification of any merger, change of ownership, name, address or operation discontinuance is required [Sections 18-19; Regulation 47].

**Bylaws** [Sections 22 & 54]: A commercial cemetery owner must file a copy of every bylaw with the Registrar of Cemeteries, which only takes effect 30 days after filing. The Registrar may revoke a bylaw if the bylaw is not in the public interest. The bylaws shall include a schedule of tariffs for goods and services offered to the public [Section 22].

**Pre-need Sales Contracts** [Sections 31-38; Regulations 10-14]: These sections require that a copy of the form of the pre-need contract must comply with *The Cemeteries Act, 1999* and Regulations, be filed with the Registrar, contain certain information, including a



statement of cancellation rights and must be provided to the buyer at certain specific times. There are rules surrounding the trusting of the funds.

**Buyer’s Right to Cancel a Prepaid Cemetery Contract** [Section 32; Regulation 11]: see also the wording of the right to cancel language in the Schedule attached to the Regulations. There is a minimum ten business day right to cancel a prepaid contract. The seller may provide a longer cancellation period.

**Price Lists** [Sections 22 & 56]: The Act requires all commercial cemeteries to make itemized price lists of their goods and services available to the public. The price list must be filed with the Registrar of Cemeteries.

**Trust Funds – Pre-paid Cemetery Services Sales** [Sections 39-45; Regulations 12-22]:

- Every owner who sells prepaid cemetery contracts shall maintain a prepaid cemetery contract assurance fund. All monies paid into the fund forms a trust.
- Every owner who is required to maintain an assurance fund shall pay into the assurance fund an amount prescribed in the regulations from the money received from each prepaid cemetery contract [Regulations 12 & 16].
- Where an owner fails to pay the required moneys into an assurance fund or fails to deposit those moneys with a trust company, the owner is liable to make up any deficiency together with interest at a rate set out in the regulations for the period that the moneys were not paid, deposited or invested.
- The trust funds can be accessed when the prepaid cemetery contract has been:
  - (i) fully performed by the owner; or
  - (ii) cancelled in accordance with this Act.
- On application by an owner, the registrar may authorize the withdrawal of an amount from the assurance fund where the registrar is satisfied that

the amount remaining in the assurance fund after the payment is equal to or greater than an amount determined in accordance with the regulations.

- An owner shall maintain the records prescribed in the regulations respecting each prepaid cemetery contract pursuant to which moneys have been paid into an assurance fund.

**Trust Funds – Care and Maintenance** [Sections 23 & 24; Regulations 41 & 42]: The Act requires an owner of a commercial cemetery to establish trust funds for ongoing care and maintenance of the cemetery and use only the income from the fund [Section 23].

### 3.5. Responsibilities of Volunteers Maintaining Neglected Cemeteries

Cemeteries are quasi-public spaces and must be maintained to reasonable community standards. It is important to remember that many of the visitors to the cemetery may have restricted mobility. Consideration for these visitors must be given when maintaining the cemetery.

There are two groups who have particular responsibilities with respect to the operation and maintenance of cemeteries, specifically; cemetery owners (and their employees) and volunteers who maintain abandoned cemeteries. The obligations of cemetery owners have been described earlier in this document. Some of the obligations of volunteers are listed below.

### 3.6. Cemetery Access

#### 3.6.1 Access for Visitation

A cemetery owner is obligated under the Act to provide “reasonable access to the public for visitation.” Operating cemeteries are usually open to the public during daylight hours although they may restrict the hours in their bylaws.





Reasonable access also means that visitors should use common sense and courtesy when visiting cemeteries on private property. That reasonable access does not necessarily extend to volunteer caretakers; this is one reason volunteers need to get permission before doing any work in a cemetery. When visiting cemeteries on private property do not disturb crops or livestock and ensure gates are closed behind you.

### 3.6.2 Access for Maintenance of Cemeteries on Private Property

If you wish to volunteer to maintain an older, abandoned or neglected cemetery:

- First, confirm ownership of the cemetery
- Second, secure the approval of the owner (in writing) prior to commencing any maintenance work
- Third, familiarize yourself with the recommended operating techniques discussed later in this document

If the cemetery is on private property, a right of way for volunteers may be required to access the cemetery. It is important to secure such right of way from the owner(s) of the property that must be crossed. Where ownership is uncertain one source of information is the Land Titles directory. Land title information in Saskatchewan is maintained by [Information Services Corporation](#) (ISC), the provincial Crown corporation responsible for registries. They offer a free [online map search](#) service to allow you to quickly:

- Confirm ownership of land parcels
- Obtain current legal land descriptions
- Gain access to view registered plans of survey to view official parcel dimensions

The [Saskatchewan Genealogical Society](#) maintains a comprehensive list of Saskatchewan cemeteries and is a good place to start when researching cemetery owners.

Municipal offices are also good places to start when researching the owners/operators of cemeteries.

Once you have identified the owner of the cemetery you will need their permission to access the cemetery to perform any maintenance activities. You should secure this permission in writing from the owner (before commencing any activity at the cemetery) while providing them with:

- Your contact information
- A description of the nature of the activities you plan to undertake

Please be courteous when crossing other's property once you have approval:

- Use the same courtesy and common sense as when visiting a cemetery, including:
  - o Do not disturb crops or livestock
  - o Close all gates behind you

## 4. RECORDKEEPING & REGULATORY STANDARDS

It has been said that 'cemeteries are forever.' Unlike other community infrastructure, a cemetery cannot be easily repurposed. It is therefore imperative that everything that happens in the cemetery be documented as the consequences may last for generations and longer. Some of these consequences include legal liabilities such as accidental disinterment of mislocated previous interments when digging new ones and conflicts between interment right holders over lot locations that are not clearly specified. The Act defines the minimum recording requirements for cemetery operators [Regulations 23-30]. As a cemetery operator you may wish to keep more precise and complete records.

Many cemeteries now use computerized cemetery recordkeeping systems which organize and manage all of the required data. These are available for cemeteries



of all sizes. Some of these packages are modestly priced for smaller cemeteries. A [selected list of cemetery computer record systems](#) is included in this document. No endorsements or representation of suitability or utility are made and the reader is encouraged to do their own research.

## 4.1. Required Documents & Records Under the Act [Regulations 23-30]

The Act defines minimum recording requirements for cemetery operators. These include:

### 4.1.1. Contracts [Regulation 23]

Within 60 days of interment rights being paid in full, an owner shall deliver to the buyer of the interment rights a certificate, agreement or other document showing:

- the name of the buyer;
- the location and the area or dimensions of the lot in which interment rights have been purchased
- the date of the purchase;
- the purchase price and the terms of payment; and
- the amount to be deposited to the care and maintenance fund, if applicable.

Where a memorial that was purchased from someone other than the owner is to be installed in a lot, the owner shall set out in writing for the person having the memorial installed the cost of installation and the amount that must be paid into the care and maintenance fund with respect to that memorial.

### 4.1.2. Register of Interment Rights [Regulation 24]

An owner shall keep a register, the information of which is to be available to any person on request. The register shall contain:

- the name and address of every buyer of interment

rights in the cemetery; and

- a record of every transfer of interment rights in a lot in the cemetery.

### 4.1.3. Register of Interments [Regulation 25]

An owner shall maintain a register (separate from the Register of Interment Rights described above), the information of which is to be available during reasonable business hours to any person on request. The register shall include for each deceased person whose human remains (either casketed or cremated human remains) are disposed<sup>1</sup> in the cemetery:

- the person's name;
- the location of interment or scattering;
- the date of interment or scattering;
- the date of death and the gender of the deceased person; and
- the date of birth, if known;
- the particulars of every disinterment or removal of any human remains or cremated human remains disposed in the cemetery;
- In the case of casketed human remains, if the soil coverage over the outer burial container is less than 30 inches, the depth of that coverage together with a brief statement setting out the reasons.

### 4.1.4. Written Notice of Transfer [Regulation 26]

When the buyer (or the buyer's legal representative of interment rights, sells the interment rights pursuant to Section 51 of the Act, the buyer (or the buyer's representative) shall give the owner a written notice

<sup>1</sup> Dispositions include interments of human remains and cremated human remains, placement of cremated human remains in columbarium niches, entombments of casketed human remains in a mausoleum and scatterings of cremated human remains in the cemetery.



containing:

- a description of the lot;
- the date of the transfer; and
- the name and address of the person to whom the interment rights have been transferred.

On receipt of this notice and subject to Section 34 of the regulations, the owner shall immediately enter in the Register of Interment Rights:

- the date of the transfer; and
- the name and address of the person to whom the interment rights have been transferred.

#### 4.1.5. New Owner [Regulation 27]

When an owner ceases to operate a cemetery, the owner shall:

- provide to the new owner the records required to be kept pursuant to the Act and the Regulations; or
- where the cemetery is closed, provide for the transfer of the records in a manner directed by the Registrar.

#### 4.1.6. Cemetery Price List [Section 56; Regulations 28, 29]

Excepting non-commercial cemeteries that average less than 25 interments per year, all cemetery owners must maintain a price list. A copy of this price list must be made available to any person on request. Before a potential buyer selects cemetery supplies or services, they must be offered (without charge) a copy of the price list and any relevant books, brochures or other publications described below:

The price list must clearly state:

- the effective date of the price list; and
- the name, address and phone number of the cemetery.

Prices on the price list shall be stated as a fixed charge, an hourly rate, a rate per kilometre or rate per other unit of compensation. The price list must include itemized prices for each of the following that the owner offers for sale to the public:

- interment rights;
- opening and closing a grave;
- opening and closing and sealing a tomb, crypt, compartment or vault in a mausoleum or a niche or compartment in a columbarium;
- interring human remains or cremated human remains;
- disinterring human remains or cremated human remains;
- providing temporary storage in a receiving vault or crypt;
- constructing a foundation for a memorial;
- setting corner posts;
- providing a tent or canopy, carrying or lowering devices and ground cover for an interment service;
- preparing flower beds and planting flowers and shrubs;
- providing elevating devices;
- installing burial vaults or grave liners.

The owner must make available for inspection by prospective buyers **books, brochures or other publications** showing the cemetery supplies the owner generally offers for sale, including interment vaults, memorials, liners, urns and other merchandise and the prices of the merchandise. These books, brochures or other publications must contain the model number and a brief description and the price of each interment vault, memorial and liner that the owner generally offers for sale, including the manufacturer's name, if available.





#### 4.1.7. Telephone Requests [Regulation 29]

On receiving a telephone inquiry respecting the supply of interment rights, services or cemetery supplies, the owner shall give accurate information respecting the nature and price of the rights, services and supplies offered and advise of the availability of the price lists if there are more than 25 interments per year.

### 4.2. Care & Maintenance Funds [Sections 23-29; Regulations 42]

A **Care and Maintenance Fund (CMF)** is a trust fund established to finance the perpetual care and maintenance of the cemetery through the generation of interest income. Under the Act, municipal and non-commercial cemeteries that predate the coming into force of the Act or have fewer than 12 lots are exempt from having to establish such a fund. However, should such a fund be established then it is required to follow the Act and Regulations. The general rules are as follows (please refer to the Act for the complete regulations):

- The minimum required balance of the fund is \$10,000 per hectare
- A portion of the sale price of every lot, crypt and niche must be deposited to the **CMF**
  - o 15 per cent of the sale price of any interment rights must be deposited
  - o The installation of monuments requires a variable contribution based upon size:
    - \$75 for the installation of a flat marker of more than 439cm<sup>2</sup> (68 in.<sup>2</sup>)
    - \$150 for the installation of an upright monument of up to 1.22m (4') height
    - \$300 for the installation of an upright monument of more than 1.22m (4') height
- The principal amount of money in the **CMF** may not be removed without the Registrar of Cemeteries' permission

- Only the interest may be withdrawn
- Any interest withdrawn from the **CMF** must be used for the care and maintenance of the cemetery

In the case of a mausoleum or columbarium not situated on the grounds of another cemetery, the minimum amount in a care and maintenance fund is to be:

- ten per cent of the total cost of the structure; or
- any lesser amount that the registrar may approve having regard to the size and construction of the mausoleum or columbarium.

A new care and maintenance fund is not required where a new columbarium or mausoleum is to be located within an existing cemetery that has an existing care and maintenance fund as long as the Registrar is satisfied that the existing care and maintenance fund is sufficient to provide for the care and maintenance of the cemetery and the new columbarium or mausoleum.

### 4.3. Prepaid Cemetery Contracts [Sections 30-45; Regulations 10-22]

Parts VI and VII of the Act and Part III of the Regulations refers to the sale of prepaid cemetery contracts. These generally refer to prepaid services such as openings/closings but may also include vaults, urns or monuments that are not delivered to the customer at the time of purchase. The regulations require rigorous recording and financial trusting requirements due to the potential for indeterminate future liabilities that the cemetery incurs in the sale of these types of contracts. The details of these requirements are beyond the scope of this document and the reader is referred to the Act and Regulations. Due to this unknown and potentially large future liability and the stringent regulatory requirements the sale of prepaid cemetery contracts is not recommended for small cemeteries.



## 4.4. Recommended Documentation Standards

### 4.4.1. Cemetery Bylaws

Your cemetery bylaws are the best way to reduce the potential for conflict and liability in the operation of your cemetery. Ensure that your cemetery bylaws are current, complete, consistent and comply with the Act. Cemetery bylaws should cover those aspects of your cemetery operation not already specified in the Act. In general these aspects include:

- Definitions of terms not defined in the Act
- General terms and conditions, including
  - o Hours of operation
  - o General and specific conduct of employees, contractors and visitors
- Specific prohibitions and allowances
- Sale and transfer of cemetery interment rights, services and supplies
- Conditions of interment/disinterment (or inurnment/scattering) of casketed or cremated human remains, including the number of interments/inurnments allowed in each lot/niche, i.e.:
  - o The number of caskets allowed in a single lot (i.e. will you allow double depth interments?)
  - o The number of cremated remains allowed in a casket lot (with or without a casket)
  - o The number of cremated remains allowed in a cremation lot or niche
- Conditions of monumentation, including restrictions on size, materials and objectionable content
- Care and maintenance, including plantings
- Rules for monument dealers

- Terms and conditions for columbaria niches/mausolea (if applicable), i.e.:
  - o The number of cremated remains allowed in a columbarium niche or mausoleum crypt
  - o Restrictions on the size, materials and content of memorialization

In the case of inactive cemeteries (i.e. not performing any interments – maintenance only) many of the operational bylaws listed above would not be necessary. Definitions, general and specific terms and maintenance standards should still be covered.

### 4.4.2. Other Recommended Documentation Standards

- Ensure that your price list and other contracts are current, complete, consistent and comply with the Act
- Keep your documents up to date, recording sales and operations in the appropriate registers as they occur
- Maintain an accurate plan (map) of your cemetery including:
  - o The location of each lot, crypt and niche with a unique identification number and delineation of its boundaries with its neighbours
  - o The status (sold/unsold, occupied/unoccupied) of each lot including the location and type of each interment
  - o The location of all roads, utilities, buildings and other amenities in the cemetery

### 4.4.3. Recommended Documentation Storage Standards

Records are perhaps the most important aspect of cemetery operation as it is the quality of the records that determines the manner in which the cemetery may continue to operate in the future. Physical records must be safeguarded carefully.



A fireproof vault is recommended for the storage of paper records. These forms and their associated data, described above in the section [Required Documents and Records under the Act](#), may be stored in hard copy or even a simple electronic spreadsheet but most cemeteries now use a computerized recordkeeping system. If you adopt a computerized recordkeeping system, a regular (at least weekly) backup of the entire database to be stored in a secure offsite location is recommended.

## 5. OPERATIONAL STANDARDS & TECHNIQUES

### 5.1. Safety

Safety is of paramount concern, both for those working in and those visiting cemeteries. The Act [Section 53] requires that cemetery owners maintain cemeteries in a manner that ensures public safety and is compatible with community standards, as well as allowing reasonable public access for visitation.

There are many potential risks in a cemetery including:

- Unstable monuments
- Uneven ground
- Improperly shored excavations
- Heavy equipment and machinery
- Dangerous vegetation
  - o Noxious plants (poison ivy, etc.)
  - o Unstable trees/branches
- Dilapidated buildings
- Unmaintained roads
- Unmarked locations of underground utilities (gas, water, electrical, etc.)

As a caretaker, always maintain an awareness of your

surroundings when working in a cemetery. Remember that many of the people who visit cemeteries have restricted mobility. They may be more susceptible to falls and less able to navigate obstructed landscapes. All landscape and amenity features in the cemetery should be evaluated on the basis of accessibility.

### 5.2. General Operational Standards

- At the beginning of each day perform a 'circle check' or visual evaluation of the cemetery looking for safety issues and evidence of damage or vandalism. Report any vandalism to the police immediately.
- Before using any equipment perform a 'circle check' to evaluate its fitness and readiness for use, including a check of fuel and oil levels, tires and other safety and operational issues.
- Cemeteries are places of respect. Maintain a respectful attitude and environment in your cemetery. This does not preclude allowing the use of the cemetery for non-traditional activities; only that they be carried out in a respectful fashion.
- Under the Act [Section 53] each cemetery (including all lots, structures and memorials) must be maintained at a level that *"ensures the safety of the public"* and is *"compatible with community standards"*
  - o Although the Act does not define "community standards," members of your community will likely make it known to you if they feel that your cemetery is not being maintained to appropriate standards.
- Consider cultural and religious preferences and requirements when evaluating your services:
  - o For instance: Muslim and Jewish burial practices require burial by sundown the next day which may require the option for weekend and holiday burials.
- Remember that those who visit cemeteries are usually grieving and should be treated respectfully.



- The Act requires that the cemetery registers of interment rights and interments as well as the price list be available for viewing by the public during business hours.
- At the end of the day, ensure that the paperwork from the day is completed.

### 5.2.1. Casket Lot Openings

The Act has no requirements for the size (length and width) of ground lots for caskets or cremated remains. Industry standards for casket lots usually range from 0.9m to 1.2m (3' to 4') wide by 2.4m to 3.0m (8' to 10') long. Older cemeteries may have existing lots that are smaller. Ensure that you know the extents and location of a lot before you begin excavating.

#### Dos:

- Confirm work order and verify lot location (double check!)
- Ensure a minimum crew size of two people (1 on backhoe and 1 guiding)
- Always wear your hard hat and safety footwear (gloves also recommended)
- Lay plywood where vehicles will be driving to limit turf damage by equipment
- If larger monuments must be moved for access, use the backhoe and a memorial sling
- Stabilize backhoe with outriggers and ensure it is square with grave
- Familiarize yourself with the [Occupational Health and Safety \(OHS\) regulations and guidelines regarding trenching](#). **Clause 32(1)** of the Regulations specifies that the top of the outer burial container must be at least 76 centimetres (2½ feet) below the surface of the ground
- Use shoring if the sides of the excavation are unstable
- Place plywood or planks around the opening if the

ground is unstable

- Level the lowering device over the opening
- Cleanup the area, cover the grave (until the service) and lay the artificial turf ('greens') around the grave

#### Don'ts:

- Never open a grave by yourself – always work with a spotter to avoid damage to surrounding monuments and ensure safety requirements are maintained
- OHS regulations prohibit the entry into any excavation over 1.2m (4') deep unless it has been properly stabilized per the [OHS trenching regulations](#).
- Never leave an unattended grave open (cover until just prior to the service) to avoid accidental falls into the excavation

### 5.2.2. Casket Lot Closings

#### Dos:

- Wait until the family has left the cemetery to allow them time and space to complete their committal service before you commence the closing
- Lay plywood where vehicles will be driving to limit turf damage by equipment
- Move floral arrangements to the side to prevent damage and replace when done
- Finish lowering the casket and remove the lifting straps with the casket hook (often the funeral director will assist with this task)
- Remove chairs, artificial turf and any other items from the area
- If there is a vault, place the lid using the backhoe and safety chains
- Fill the grave uniformly to the edges using the backhoe



- Compact the soil, cover with topsoil and replace sod
- Ensure that the area is clean, clear and secure
- After a grave has been closed, monitor it from time to time for subsidence requiring fill and resodding. This is particularly important when vaults are not used

#### **Don'ts:**

- Never close a grave by yourself – always work with a spotter to avoid damage to surrounding monuments and ensure safety requirements are maintained
- Never enter the excavation
- Never leave an unattended grave open to avoid accidental falls into the excavation and ensure the security of the casket

### **5.2.3. Cremation Lot Openings & Closings**

Dos and Don'ts for cremation lots are similar to those for casket lots with a few differences

#### **Dos:**

- The opening is usually about 12" x 12" (unless there is to be a cremation vault)
- The usual depth of excavation is 30" deep
- The opening may be dug by shovel or auger
- One person may perform the opening and closing alone (digging by hand)
- Exercise caution when opening niches – the niche covers (granite shutters) may be very heavy
  - o A granite cover for four niches may weigh 30kg (66 lbs)
- Use the correct tool for removing the niche cover screws/rosettes

- Always place the removed granite niche covers on carpeting or other protective material to avoid scratching or chipping the shutter

#### **Don'ts:**

- Never leave an open niche unattended (allow some measure of privacy for family during committal ceremony)
- Ensure that privacy covers/security panels are in place if the removed niche cover extends over more than one niche
- Never pry granite covers with screwdrivers or other metal objects

## **5.3. Landscape Maintenance Standards**

### **5.3.1. Turf Care**

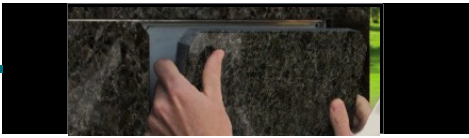
Turf maintenance is a major part of any cemetery's operations.

Spring Turf Maintenance should include as feasible/warranted:

- Dethatching
- Raking
- Aeration
- Application of higher ratio nitrogen fertilizer with an extended 'release' rate

Summer Turf Maintenance includes:

- Raise cutting heights during prolonged hot dry spells
- Reduce mowing frequencies to suit conditions (Maintain at least a 3" growing height)
- Avoid fertilizer applications during the summer period



### Fall Turf Maintenance:

- By mid-September apply a high potassium ratio fertilizer to 'harden' turf for winter months
- Cut to 3" height for 'last' cut
- Avoid high nitrogen fertilizers in the fall

#### **5.3.2. Tree/Shrub Care**

- Conduct pruning/shearing operations in the spring months so 'wounds' have time to heal
- Assess mature trees for potential hazards to cemetery users, operators or equipment by removing deadfalls, wind breakage, aging/diseased specimens, etc.
- Root feed (consult local professionals) to maintain tree vigor and promote resistance to disease/insect damage.

#### **5.3.3. Planting and Plant Materials**

- Where feasible make use of seed mixtures using a high percentage of Red Fescue. This species:
  - o Wears well
  - o Tolerates drought (needs 1/8<sup>th</sup> the water requirements of Kentucky Bluegrass species and 1/5<sup>th</sup> the nitrogen requirements)
  - o Is suitable for Saskatchewan's climate
  - o Is best planted in spring or late summer/early fall in accordance with local conditions
- When selecting plant replacements or additions for your cemetery use the following criteria:
  - o Plant hardiness to your zone
  - o Availability of suitable stock
  - o Aesthetics
  - o Longevity
  - o Functionality

- o Reduced maintenance needs
- o The preference is for native species
- o Avoid invasive/non-native species
- o Be judicious in the use of ornamental species

- In planting beds make good use of mulches to:
  - o Reduce watering requirements
  - o Reduce soil temperatures during the summer
  - o Help protect various plant species during the harsh winter months
- Remember smooth flowing bed edges make for easier and more efficient mowing activities

#### **5.3.4. Composting**

Capitalize on turf/leaf litter by developing compost sources. This material is excellent for topdressing/ seeding new grave sites.

## **6. CEMETERY SUSTAINABILITY**

Sustainability is a critical issue in the operations of a cemetery. There are three general aspects to cemetery sustainability; economic, social and environmental. Each of these aspects is important to ensure that the cemetery can continue to serve its community into the future.

### **6.1. Economic Sustainability**

This refers to the cemetery's ability to maintain its operations without relying unduly on taxpayer support. Over the long term, as each lot is sold and interred in, the only long term source of revenue for the perpetual care of the cemetery will be the income from the Care and Maintenance Trust Fund (**CMF**). It is important to evaluate the current status of your CMF as well as what will be required to achieve long term fiscal sustainability and how the cemetery might get there.





The Act requires a contribution from the sale price of lots, crypts and niches to the CMF. In general, and particularly in those cemeteries that have low sale prices for lots, this will not produce sufficient capital in the PCF to finance perpetual care. An analysis of the lifecycle costs of cemetery maintenance as well as future CMF requirements is a complex task and beyond the scope of this document. An analysis of the CMF status and outlook is encouraged, particularly in the case of municipalities who will likely become the unwilling owners of increasing numbers of cemeteries as they are abandoned.

## 6.2. Social Sustainability

This refers to the ability of the cemetery to continue to serve the needs of its community in relevant and meaningful ways. Primarily, this is determined by an **analysis of projected consumer demand** for the various types of amenities that the cemetery offers. In order to ensure its ability to continue operations, the cemetery needs to maintain an adequate inventory of developable cemetery property to meet anticipated needs.

In a broader sense, the cemetery should also be looking at how it can evolve to serve the community in new and different ways. Many cemeteries are now encouraging their use as venues for weddings and wedding photography. Although this may seem odd at first glance, if one considers that a cemetery is a maintained park-like space and many cemeteries have particularly beautiful environs, then they are often beautiful places to conduct weddings and other social events. Some cemeteries also have specific infrastructure (such as chapels) suitable for wedding use. Along with changing trends in disposition and memorialization, these types of novel uses for cemeteries will help ensure the long term social sustainability of the cemetery.

## 6.3. Environmental Sustainability

Perhaps the most widely-known aspect of sustainability is environmental sustainability. This has several areas of impact on cemeteries. The first is the need to adopt

environmentally sustainable practices and design in the operation of cemeteries in order to ensure that we leave a viable environment for our children and grandchildren. Second, there is a growing consumer interest in what is generally called 'Green Burial.'

### 6.3.1. Environmental Cemetery Practices

#### Dos:

- Practice integrated pest management<sup>2</sup> (IPM):
  - o Avoid overuse of toxic pesticides
  - o Develop a robust biodiverse mix of species (especially native) – avoid **monocultures**
  - o Monitor for early intervention
  - o Acquaint yourself with the following resources from the Saskatchewan government:

[\*A Guide to Reducing the “Cosmetic Use” Of Herbicides in Saskatchewan, 2009\*](#)

The [Ministry of Agriculture](#) has IPM resource specialists at the [Agriculture Knowledge Centre](#)  
Telephone: 1-866-457-2377  
Email: [aginfo@gov.sk.ca](mailto:aginfo@gov.sk.ca)

- Evaluate your planting plan with respect to:
  - o Avoidance of non-native and invasive species
  - o Location of plantings to avoid operational problems
  - o E.g. avoid planting trees in places where they will impede the passage of cemetery vehicles
- Follow the four steps recommended in the

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<sup>2</sup> Integrated Pest Management (IPM) is an ecologically based approach to managing pests by using a combination of methods (cultural, mechanical, biological, chemical and alternative methods) in a way that they complement one another in order to produce an equal or better result than either used alone and at the same time minimizes potential economic, health and environmental risks. Excerpt from [A Guide to Reducing the “Cosmetic Use” of Herbicides in Saskatchewan.](#)



document [A Guide to Reducing the “Cosmetic Use” of Herbicides in Saskatchewan](#) for maintaining healthy turf:

1. **Watering** – soak deeply but infrequently
2. **Mowing** – use a sharp blade and mow high when it is dry
3. **Aeration** – late summer especially in compacted areas
4. **Healthy soil** – ensure proper texture, nutrients, and pH

**Don’ts (the following practices should be avoided):**

- Overuse of pesticides and fertilizers (see IPM in “Dos” above)
- Cutting turf areas too low (allow at least 1½” to 2½” minimum height)
- Cutting turf repeatedly in the same mowing pattern – alternate directions each time you mow
- Pruning trees/shrubs ‘out of season’ – prune either before seasonal growth has started or after it has finished

### 6.3.2. Green Burial

Green Burial is a practice that is becoming increasingly widely known although its implementation is still lagging. It is important to remember that the Act still applies in all aspects of Green Burial. In essence, Green Burial is a return to burial practices that were historically common. It is identified by several characteristics with the level of ‘greenness’ commensurate with the number and rigor with which they are present.

- The body is **not embalmed**
  - o This avoids the use of toxic (traditionally formaldehyde-based) embalming fluids although new more environmentally friendly options are becoming available

- There is **no** (or only a very simple wooden) **casket**
  - o Bodies may be wrapped in a shroud or perhaps a biodegradable cardboard or wicker casket
- There is typically **no monument** at the grave
  - o Some Green Cemeteries allow a small flat fieldstone to mark the grave
- The area for Green Burial is typically **not maintained** (i.e. groomed) and is left in native species cover

The standards for Green Burial are evolving and cover a range of the above options. The **Green Burial Council** has established some standards for three levels of Green Burial, in order of increasing rigor:

- **Green Burial Council:**
  - o Hybrid Burial Grounds
  - o Natural Burial Grounds
  - o Conservation Burial Grounds

Green Burial, although gaining some public interest, is still in its infancy with only a few cemeteries in Canada with dedicated ‘Green’ sections. Existing cemeteries may accommodate Green Burial practices within current cemetery sections.

## 7. CEMETERY PRESERVATION & CONSERVATION

Cemeteries are repositories of our cultural history. They are much more significant than just places where we inter the dead. Cemeteries represent a link to our heritage and establish our place in a continuing story of growth and development. As such, cemeteries (and those interred there), need to be cared for with dignity and respect. In order to provide some context for cemetery preservation some definitions are in order.





## 7.1. Conservation Definitions

The Canadian Register is a vehicle through which federal, provincial and territorial governments and heritage conservation stakeholders can continue to explore measures that enable Canadians to recognize, celebrate and protect historic places today and for future generations. Collaborative projects have included:

- [The Canadian Register of Historic Places](#) -CRHP which provides a single source of information about historic places throughout Canada recognized for their heritage value, and
- [The Standards and Guidelines for the Conservation of Historic Places in Canada](#) - a document which outlines a set of conservation principles and guidelines that will be useful to anyone with an interest in conserving Canada's historic places.

These documents provide useful definitions and a helpful context within which to understand the maintenance and preservation of Saskatchewan cemeteries.

According to the "Standards and Guidelines" [document](#), the overarching term for protecting historic places in Canada is *conservation*; meaning all actions or processes aimed at safeguarding the *character-defining elements* of an *historic place* to retain its *heritage value* and extend its physical life. Such may involve *preservation*, *rehabilitation*, *restoration*, or a combination of these actions or processes. These terms are defined in the following paragraphs:

**"Preservation:** the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an *historic place*, or of an individual component, while protecting its *heritage value*."

**"Rehabilitation:** the action or process of making possible a continuing or compatible contemporary use of an *historic place*, or an individual

component, while protecting its *heritage value*."

**"Restoration:** the action or process of accurately revealing, recovering or representing the state of an *historic place*, or of an individual component, as it appeared at a particular period in its history, while protecting its *heritage value*."

### Standards and Guidelines for the Conservation of Historic Places in Canada, 2<sup>nd</sup> Ed., 2010

These are progressive standards ranging from the least intensive activity being preservation to the most intensive activity of restoration. In cemeteries, the general level of activity is preservation with some rehabilitation. Restoration is generally considered too aggressive a standard for use in cemeteries. Most people would be surprised or even put off by historic marble monuments restored to their original gleaming white. Generally there is an expectation that cemeteries should 'look' historic. The focus therefore is on preserving the landscape and monuments and preventing further degradation.

## 7.2. Monument Preservation & Restoration

Traditionally, monuments were made of materials such as slate, sandstone and marble as they are common, soft and easily carved. This 'softness' meant susceptibility to damages incurred by acid rain, maintenance equipment, vandalism and furthermore, these materials tend to be porous hence subject to staining and freeze-thaw cycle degradation. Most cemeteries now require the use of granite for monuments. Granite is hard and relatively impervious and impermeable, making it very durable for cemetery use. It will withstand a high degree of mechanical and chemical abuse although care should still be exercised when cleaning it. A high degree of care should be exercised when preserving or restoring the older, softer materials and this activity is best left in the hands of professionals.



### 7.2.1. Monument Cleaning – Recommended Techniques

#### Dos:

- Document, Document, Document:
  - Photos before and after cleaning
  - Shining light nearly parallel to face (with mirror or flashlight) enhances visibility
  - Record monument inscriptions
  - Record date, cleaning treatment and by whom it was conducted
- Clean from the bottom up to avoid streaking
- Always start on the back or other unobtrusive area
  - This avoids damage to most significant surfaces
  - It also ensures that other surfaces are cleaned as well as the primary surface
  - If the front is done first it is harder to justify the hard work on the other faces and workers often lose interest
- Water is your friend – use lots of it for monument washing and rinse repeatedly
  - Always rinse stones well, never allow any cleaning products to dry on stone or streaking may result
- Use a soft brush (automobile cleaning brushes work well)
- Use only recommended products (see [Tools and Supplies](#) below)
- Use a mild soap if required
- Use an environmentally safe biocide to remove moss, lichen and other biological debris

#### Don'ts:

- Don't attempt to clean an unstable stone, or one that shows flaking or delamination
  - Ensure that the stone is stabilized before any work is performed on it
- Don't use a pressure washer
  - 20<sup>th</sup> century granite may be power-washed (no more than 60psi) if absolutely necessary
- Don't use bleach, acid or other harsh chemicals
- Don't use wire brushes or other abrasive products (steel wool, nylon scrubbing pads, etc.)
- Don't use a great deal of pressure or overly vigorous scrubbing
- Don't sandblast – ever. Sandblasting wears away the surface of the monument, speeding its decline
- Don't use chalk or flour to highlight inscriptions as it will adhere to the surface – it also creates a medium for unwanted 'growths' on stone surfaces
- Don't use products designed to seal, waterproof or make impermeable to water vapour
  - This will prevent the stone from 'breathing' through its natural porosity and will lock in any harmful substances
- Don't attempt to remove deep-set stains that remain after cleaning
  - Old stones are expected to have some character and not to look brand new
- Don't repeat cleaning within ten years
  - This will result in accelerated wear on the stone



### 7.2.2. Monument Cleaning – Recommended Tools & Supplies

- Digital camera with memory cards notepads, clipboards and pencils for recording information
- Lots of water, a hand sprayer is helpful if you don't have running water, it provides portability
- Brushes – soft-bristled, nylon or natural, preferably white or light-coloured
  - o Automotive cleaning brushes (available at most hardware stores) work well
  - o Use lots of elbow grease but little pressure.  
Too firm pressure can damage the stone or engraving
- A list of monument cleaning products (and potential sources of their supply) is available in the [Michigan Historic Cemetery Preservation Manual](#) – see the bibliography. These products include<sup>3</sup>:
  - o A biocide to remove moss, lichen and other organic overgrowths on monuments that is safer than bleach, non-toxic, biodegradable and harmless to landscape plants such as: **D/2 Biological Solution**
  - o Non-ionic detergents that enhances wetting and will not produce soluble salts. Examples of this type of product include:
    - A 'pure' soap or detergent (i.e. with no additives) such as: **Orvus Paste Soap**
    - A surfactant or wetting agent to reduce streaking and aid cleaning and drying such as: **Kodak Photo-Flo Solution**
    - A non-ionic detergent that is non-corrosive, non-foaming, non-hazardous, germicidal, non-acidic & insecticidal such as: **Vulpex Spirit Soap**

- o Note that commercial soaps and detergents (even those touted as 'pure' and/ or 'environmentally friendly') are NOT recommended as they can damage stone by the production of free alkali and fatty acid salts

### 7.2.3. Monument Repairing & Resetting

Monument repair can be quite technical and require specialized training.

#### Dos:

- Document, document, document (as for monument cleaning)
- Inventory all monuments and assess them for safety and degree of damage
- Prioritize the most important first
- Always ensure the appropriate safety equipment and procedures are used
- 'Do No Harm' and ensure that all repairs are reversible

#### Don'ts:

- Don't attempt to reset a monument alone
- Don't set fallen monuments in concrete in a horizontal position
  - o If necessary fallen monuments may be preserved temporarily by burying them in a horizontal position (refer to instructions in the [Michigan Historic Cemetery Preservation Manual](#) – see the Bibliography)

<sup>3</sup> Note that the products listed here are examples only and not provided as endorsements or recommendations. No representations are made as to their suitability or utility.



## 8. FINANCING, ORGANIZATION & FUNDRAISING

### 8.1. Cemetery Pricing

When setting cemetery pricing it is advisable to evaluate prices in nearby cemeteries. Although the local prices are relevant it must be remembered that your own cemetery's cost structure will define your minimum acceptable price regardless of those at competitive cemeteries.

When determining the appropriate pricing for interment rights there are several aspects to consider:

- Your cemetery's current cost structure including operations (opening/closing), maintenance (turf care, etc.), sales costs and administrative overhead
- The cost to acquire and develop a new interment right (i.e. more land) to replace each one sold
- Lifecycle maintenance costs of cemetery amenities (monuments, columbaria, etc.), infrastructure (roads, buildings, etc.) and landscape maintenance costs

All three of those categories of costs will factor into the calculation of the required minimum price for an interment right, remembering that all of them must be funded from the 85 per cent of the price that remains after the required contribution of the sale price to the **CMF**. Only the lattermost aspect is relevant to the determination of the minimum necessary contribution required to achieve fiscal adequacy in the **CMF**.

### 8.2. Cemetery Organization

Most small non-commercial cemeteries that are not owned by either municipalities or religious organizations are run by volunteer boards. These boards may be composed of rights holders or simply interested community members. Some municipalities also choose to organize a board to manage the operations of their cemeteries.

The purpose of the board is to ensure that the

cemetery serves its stakeholders, who may be interment rights holders, their families and the community at large. The board sets the policy and strategic direction for the cemetery and hires management or delegates the authority for day to day operations to those who will actually carry out their vision. The board provides oversight of cemetery management to ensure that the interests of the stakeholders are being met.

The [Saskatchewan Heritage Foundation](#) offers a guide on organizing and advancing a volunteer-run program to enhance community-based heritage conservation programs. Although the booklet (titled [Organize](#)) is generally focused on heritage buildings, the principles of organization are relevant. If your cemetery has a formally recognized and protected heritage building on it, the building may be eligible for conservation funding through the Heritage Foundation. Please note that this funding assistance would not apply to cemetery maintenance or related work in any way.

The board and management of your cemetery should monitor and review:

- The strategic direction and planning for your cemetery including the long term outlook
- Financial planning for the cemetery including:
  - Review of operating revenues, expenses and budgets
  - Budgeting and planning for required capital upgrades and lifecycle costs
  - Forecasting and preparing for future community demands for after death care services
  - Assessing the status and future adequacy of the cemetery's perpetual care trust fund
- Operational review of cemetery policies and practices including:
  - Bylaw review to ensure completeness and compliance with the Act
  - Review of documentation and recordkeeping



standards

- o Assessment of operational procedures and policies

It is the board's (and cemetery management's) responsibility to ensure that the cemetery is sustainable in all three of its senses; fiscally, socially and environmentally. Remember that you are not alone; there are many organizations that can provide guidance and assistance with these challenges.

### 8.3. Funding of Preservation Activities

There are limited funding opportunities for the maintenance of cemeteries. There are, however, a number of organizations that can provide funding for the preservation of historic cemeteries. These include non-profit organizations and charities.

These funding opportunities may change and some are limited in purpose, timing and of finite amount. There are application processes to consider and outcomes are uncertain; some also require other contingent requirements such as the private raising of matching funds. Thus while this section provides information on locating sources for funding opportunities, it is left to the reader to determine how their cemetery might be compatible with the requirements for any of the funding opportunities and whether they wish to submit an application.

#### 8.3.1. Government

- The Federal [Canadian Heritage Department](#) lists "funding opportunities" for the conservation and preservation of heritage objects and spaces.
- If you have a project that will enhance the environment, the Federal [Environment Canada Department](#) has funding available through its EcoAction Community Funding Program. Applicants must include a non-profit organization; municipalities are encouraged to partner with a non-profit organization. Projects must address at least one of the four themes: clean air, clean water,

climate change and nature. At least 50 per cent of funding must come from sources other than the federal government.

- Local municipal governments may provide funding to support local cemetery operations.

#### 8.3.2. Non-Profit Organizations & Charities

- The [Heritage Canada Foundation](#) (The National Trust for Canada) has links to many government and non-government sources for funding of heritage projects.
- The [Pillar Nonprofit Network](#) provides information on funding sources to non-profit organizations:
  - o [Canada-wide Funding Sources](#)
- [Charity Village](#) maintains funding and fund-raising information for non-profit organizations

## 9. OTHER RESOURCES & LINKS

### 9.1. Government

- **Financial and Consumer Affairs Authority (FCAA)** of Saskatchewan administers *The Cemeteries Act, 1999*. They have a variety of information available for the operators of cemeteries in Saskatchewan. Queries may be directed to:

Registrar  
Consumer Protection Division  
Financial and Consumer Affairs Authority  
Suite 500, 1919 Saskatchewan Dr.  
Regina, SK S4P 4H2  
Phone: (306) 787-5550  
Fax: (306) 787-9779  
Toll-free: 1-877-880-5550

E-mail: [consumerprotection@gov.sk.ca](mailto:consumerprotection@gov.sk.ca)  
Website: [www.justice.gov.sk.ca/cemeteries](http://www.justice.gov.sk.ca/cemeteries)

- Complete copies of [The Cemeteries Act, 1999](#) and





[The Cemeteries Regulations, 2011](#) may be accessed online.

- The [Occupational Health and Safety Division](#) of the Saskatchewan Ministry of Labour and Workplace Safety governs workplace health and safety under the *Occupational Health and Safety Act, 1993*:
  - [Occupational Health and Safety Act, 1993](#)
  - [Occupational Health and Safety Regulations, 1996](#)
  - [Excavation Guidelines Brochure](#)
- The [Canadian Register of Historic Places \(CHRP\)](#) is a Federal, Provincial and Territorial collaboration with information on registered historic places, as well as resources for preservation standards and guidelines:
  - [“Standards and Guidelines for the Conservation of Historic Places in Canada”](#)
- The source for land ownership information (for determining abandoned cemetery ownership) is [Information Services Corporation \(ISC\)](#), the provincial Crown Corporation responsible for registries:
  - [ISC’s Free Map-Based Title Search engine](#)

## 9.2 Cemetery Industry Organizations

- The [Western Canada Cemetery Association \(WCCA\)](#) provides information and support to cemeterians in Saskatchewan, Manitoba and Alberta.
- The [International Cemetery, Cremation and Funeral Association \(ICCFA\)](#) provides information and support to cemeterians throughout North America and beyond.

## 9.3 Selected Bibliography: Preservation & Restoration of Cemeteries

Following is a selected list of reference books on the subject of preservation and restoration of cemeteries. No endorsement is made of the content or views proposed therein.

- Anson-Cartwright, Tamara (Ed.). (1997). *Landscape of Memories: A Guide for Conserving Historic Cemeteries*. Toronto: Ministry of Citizenship, Culture and Recreation.
- Farber, Jessie Lie. (2003). *Recommendations for the Care of Old Gravestones: AGS Field Guide No.15*. Greenfield, MA: Association for Gravestone Studies.
- Haskell, Theodore J. (1968). *Municipal Cemetery Management for Park and Recreation Departments*. Washington, DC: National Recreation and Park Association.
- King, Gregg, Susan Kosky, Kathleen Glynn and Gladys Saborio. (2004). *Michigan Historic Cemetery Preservation Manual*. Lansing: Michigan State Historic Preservation Office.
- Meyer, Lance R. (2003). *The Care of Old Cemeteries and Gravestones: AGS Field Guide No. 12*. Greenfield, MA: Association for Gravestone Studies.
- Strangstad, Lynette. (1988). *A Graveyard Preservation Primer*. Nashville: The American Association for State and Local History in cooperation with the Association for Gravestone Studies.
- Strangstad, Lynette. (undated) *Preservation of Historic Burial Grounds*. (Booklet). Washington, DC: National Trust for Historic Preservation.



## 9.4 Helpful Links

### 9.4.1 Selected Computerized Cemetery Management Systems

The following is a list of links to selected companies offering cemetery management software listed alphabetically. No recommendations are made and the reader is encouraged to do their own research to find a system that meets their particular needs.

- [Axiom Cemetery Management Suite \(CMS\)](#)
- [Cemetery Information Management System \(CIMS\)](#)
- [Cemetery Management Database](#)
- [HMIS, Inc.](#)
- [Municipal Associates – Cemetery 2000](#)
- [Pontem Cemetery Management Software](#)
- [Stone Orchard Software](#)
- [webCemeteries.com](#)

### 9.4.2 Cemetery & Monument Preservation & Restoration

- The **Saskatchewan Genealogy Society** maintains "[The Saskatchewan Cemetery Care and Maintenance Program](#)" (SCCMP) website with information about Saskatchewan cemeteries and their preservation and maintenance:
- One of the more comprehensive guides to cemetery and monument preservation and restoration is published by The **State Historic Preservation Office of Michigan**. It is titled "[Michigan Historic Cemetery Preservation Manual](#)" and is available on the [Michigan State Housing Authority](#) website.
- The [Department of Archaeology and Historic Preservation \(DAHP\)](#) of Washington State maintains a list of links to online resources for cemetery preservation on their website.

- The [Association for Gravestone Studies](#) has a wide selection of information and links to cemetery preservation resources.
- Other organizations with information on cemetery preservation and restoration include:
  - [Links to resources on cemetery history & preservation](#)
  - [Chicora Foundation Inc.](#)
  - The [Alliance for Historic Landscape Preservation](#) has many allied links.

### 9.4.3 Green Burial

- The [Green Burial Council](#) is a nonprofit organization that publishes standards of operation for green burial cemeteries.
- The [Natural Burial Association](#) is a Canadian nonprofit organization devoted to green burial.

## 10. GLOSSARY

- Act:** In this document, refers to the **Saskatchewan Cemeteries Act, 1999** and its associated regulations.
- Abandoned:** When referring to a cemetery indicates that no interment activity is occurring (*see also – Active and Inactive*).
- Active:** When referring to a cemetery indicates that sales of burial rights are continuing (*see also – Abandoned and Inactive*).
- At-Need:** Referring to the purchase of death care services and/or products by the deceased's survivors or trustees after death has occurred.
- Burial:** Any disposition involving below-grade disposition of human remains. Usually full body dispositions but may include cremated remains. Used interchangeably with interment.



**Care and Maintenance Trust Fund (CMF):**

Referred to generically as a **Perpetual Care Trust Fund (PCF)**. A trust fund established for the perpetual care and maintenance of the cemetery. Saskatchewan legislation requires that 15 per cent of the selling price of interment rights and monuments (subject to required minimums) be deposited to the **CMF**. The principal may not be removed but the income may be used to offset the cost of care and maintenance at the cemetery. Refer to the **Act** for full details.

**Casket:** A container for holding a dead human body for funeral, cremation, interment or entombment purposes.

**Cemetery** Any land or place that is set apart or used as a place of interment and that is approved as a cemetery pursuant to the **Act**, and includes any buildings that are incidental or ancillary to that land or place.

**Columbarium:** A building designed for the purpose of storing or interring cremated human remains in sealed compartments or niches. This may be a free standing structure or structure incorporated into a retaining wall or inside walls of a building.

**Cremation:** The irreversible reduction of human remains to residual ashes and bone fragments by thermal and mechanical means.

**Crypt:** An individual space within a mausoleum intended for the entombment of human remains, typically above grade.

**Death Care:** Any services or products related to the transportation, preparation or final disposition of deceased persons. It includes funeral services, cremation

and transportation, as well as cemetery, casket and memorialization product sales. Also referred to as after- death care.

**Disposition:** Any final disposal of human remains, including burial, inurnment, entombment and scattering of cremated remains.

**Entombment:** The placement of casketed human remains in a crypt. **Human Remains:** A dead human body, but does not include cremated human remains under Saskatchewan Cemeteries Act.

**Inactive:** When referring to a cemetery indicates that sales of burial rights have ceased (i.e. sold out) although interment/ inurnment activity may continue for many years. (*see also – abandoned and active*).

**Interment:** *See burial above.*

**Inurnment:** The final disposition of cremated human remains, it includes ground burial (interment) of the urn as well as placement of the urn in a columbarium niche or mausoleum crypt.

**Lot:** A space in a cemetery used or intended to be used for the interment of human remains or cremated human remains and includes a tomb, crypt, compartment or vault in a mausoleum and a niche or compartment in a columbarium.

**Marker:** Any product used to identify the deceased in a lot (grave). Typically flat or flush with ground (*see Monument*).

**Mausoleum:** A building designed for the entombment of human remains in tombs, crypts, compartments.





**Memorial:** A marker, headstone, tombstone, monument, plaque, tablet, plate, inscription, lettering or ornamentation that is used to identify a lot or memorialize a deceased person. Includes memorial benches, trees and boulders (*see also Marker and Monument*).

**Monument:** Any product used to identify the deceased in a lot (grave). Typically upright (*see Marker*).

**Niche:** An individual space (typically about 12" x 12" x 12" inside space) within a columbarium intended for the inurnment of cremated human remains. Generally accepts two urns.

**Open/Close:** Refers to those cemetery services provided at the time of interment, inurnment, or entombment. May include excavation of a lot, reparation of ground surface as well as provision of an awning and chairs.

**Ossuary:** A place or receptacle for the bones of the dead. As cremated remains are essentially bone fragments the term ossuary now refers to a receptacle for the commingled cremated remains of multiple people. Commingling (like scattering) is an irreversible process.

**Perpetual Care Trust Fund (PCF):** *See Care and Maintenance Trust Fund (CMF)*

**Plot:** An area of land in a cemetery containing, or set aside to contain, human remains, containing more than one lot (*see above*). May be double, triple, quad, etc.

**Pre-need:** Refers to the purchase of death care services and/or products prior to the death of the right holder.

**Removal:** Transportation of human remains from the place of death to an authorized location. Also in "removal from province" representing those human remains shipped out of province for final disposition (either in cremated state or as casketed full body).

**Right of Interment:** A right, acquired by purchase, inheritance or transfer, for the interment of human remains or cremated remains in a lot, niche, crypt, etc.

**Scattering:** The irreversible dispersal of cremated human remains or commingling in a defined area within a cemetery or within an ossuary.

**Urn:** A container for cremated human remains.

**Vault:** Also known as an outer burial container, this is any container in which a casket (or urn) is placed. It protects the casket (or urn) and prevents subsidence problems associated with in ground burials in the cemetery.