

TITLE 22: (CEMETERY) BYE-LAWS, 2017

In exercise of the powers conferred on the OFFINSO MUNICIPAL ASSEMBLY (hereinafter called ‘‘the Assembly’’) by section 181 of the Local Governance Act, 2016 (Act 936) these Bye-Laws are hereby made:

1. *Title*

These Bye-laws may be cited as the OFFINSO MUNICIPAL ASSEMBLY (Cemetery) Bye-law, 2017 and shall apply within the area of authority of the Assembly.

2. *Control of Cemetery*

The Offinso Municipal (hereinafter referred to as the ‘Assembly’) shall for the purpose of and subject to these bye-laws have the control and management of all cemeteries within the area of authority of the Assembly.

3. *Plan for Cemetery*

The Assembly shall cause a plan of each Assembly Cemetery to be prepared by a licensed Surveyor, in which the position of all grave spaces and pathways shall be delineated and plotted and this plan shall be kept in the office of the sexton-in charge of the cemetery.

4. *Infant burial/free burials*

In each Assembly cemetery, part may be set aside for infant burials and a part may likewise be set for free burials.

5. *Grave space*

In every Assembly cemetery, grave shall be 8 feet by 4 feet. Provided that in that part of a cemetery, which may be reserved for infant burials, each grave shall be 4 feet by 3 feet.

6. *Dept. of grave*

No grave in the Assembly cemetery shall be less than 6 feet deep.

7. Registrar of burials

Each grave space delineated and plotted in the plan provided for these bye-laws shall be numbered and the sexton-in-charge of the Assembly cemetery shall cause a Register of Burials to be kept in the form shown in the second schedule.

8. Adults

No greater than six grave spaces shall in the Assembly cemetery be granted to any one person or family for the construction of a vault.

9. Head stones

The foundation of a headstone or other memorial in the cemetery shall not be more than 2 feet below the surface of the ground.

10. Crematoria

In each Assembly cemetery a part may be set aside as crematoria where in the opinion of the Assembly it is expedient to do so.

11. Restriction

No burial shall be allowed without a permit issued by the Assembly.

(i) No burial shall be allowed outside the Assembly's approved cemetery.

(ii) Notwithstanding provisions of section 11 (i) above, where a burial is to be allowed outside the Assembly's cemetery, permission shall be sought from Municipal Assembly.

12. Free Burial

No free burials shall be allowed without the written authority of the Municipal Assembly which shall specify the reasons why free burials were permitted.

13. Time of burials

No burial shall take place in any Assembly cemetery except between the hours of 8:00 a.m. and 5:00 p.m.

14. Fee for grave space

A fee for grave and vaults in Assembly cemetery shall be payable at the rates fixed by resolution of the Assembly and approved by the Minister for Local Government, provided that for any portion set aside for free burial, no fee shall be charged.

15. Nuisance

(i) No person shall commit any nuisance in a cemetery.

(ii) Persons/Organizations to whom portions of the cemetery have been allocated shall be responsible for the sanitation of those portions of the cemetery.

16. Penalty

Any person contravening or failing to comply with any of the provisions of these bye-laws shall be guilty of an offence and shall be liable on summary conviction to a fine between **100-250 penalty units** payable to Offinso Municipal Assembly or in default of payment of the fine to imprisonment for a term not exceeding six (6) months or both.

17. Revocation

Any bye-laws on **Cemetery** in existence in the area of authority of the Assembly before the coming into force of these bye-laws are hereby revoked.

SECOND SCHEDULE

Register of Burial in OFFINSO MUNICIPAL ASSEMBLY cemetery at

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Name of person buried (Surname First) State if stillborn or nameless)

Date of burial

Registry Office

Grave space granted

Date on which grave space was granted

Name of grantee