



# CARING FOR PEOPLE & GOD'S GIFTS



## Decommissioning a Parish Caring for Assets & Suppressing a Parish

### POLICY & PROCEDURES

#### Eparchy of Saskatoon

First Edition  
Ratified by Bishop Bryan Bayda, CSsR  
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This is the first edition 2019-02-12 of  
*Caring for People & God's Gifts - Policy and Procedure for Decommissioning  
Parishes, Caring for its Assets and Final Suppression*

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# **Policy Procedure for Decommissioning of Church Assets**

## **The Ukrainian Catholic Eparchy of Saskatoon**

### **A. PREAMBLE**

Catholic Parishes are the faithful that carry out the continued mission of Jesus Christ in the world as Missionary Disciples. The care of an Eparchy is entrusted to a bishop whose obligations are three-fold: 1) to Sanctify, 2) to Catechize and 3) to Administrate ensuring 1 & 2. These responsibilities are shared with all parish priests (especially as Consultors and Presbyteral Council) as the bishop sees fit, who in turn share these responsibilities with the laity. The parish priest (either as pastor or administrator) is responsible to the Bishop. The laity and faithful are responsible to the parish priest or Dean.

**Those who assist the parish priest** directly in the care of the parish are the laity, including:

- Trustees (appointed by a parish priest to assist the parish priest),
- Parish Councils (elected by a parish to assist the parish priest),
- Pastoral District Council (people elected by parish councils to represent a parish in a District),
- Ukrainian Catholic Women's League
- Ukrainian Catholic Youth
- Ukrainian Catholic Brotherhood
- Decommissioning Committee (experts in their field)
- AGEMI Executive Secretary (although directly responsible to the AGEMI Board of Directors, also assists clergy by gathering living and statistical information to assist in making decisions).
- Other parish organizations and committees, etc.

**Those who assist the Dean** in the care of a deanery are parish priests and the laity including:

- Eparchial Pastoral Council (people proposed by a Dean and appointed by the bishop to assist the Dean in deanery and eparchial matters)
- Decommissioning Committee (experts in their field)
- AGEMI Executive Secretary (although directly responsible to the AGEMI Board of Directors, also assists clergy by gathering living and statistical information to assist in making decisions).

**Those who assist the Bishop** in the pastoral and administrative care of the Eparchy, either directly or indirectly by assisting College of Consultors, Presbyteral Council, Financial Council, Deans and Parish Priests, are the laity, including:

- Ukrainian Catholic Brotherhood
- Ukrainian Catholic Women's League
- Ukrainian Catholic Youth
- Ukrainian Catholic Foundation of Saskatchewan Corp.,
- Decommissioning Committee (experts in their field)
- Eparchial Pastoral Council (people proposed by a Dean and appointed by the bishop to assist the Dean in deanery and eparchial matters)
- AGEMI Executive Secretary (although directly responsible to the AGEMI Board of Directors, also assists clergy by gathering living and statistical information to assist in making decisions).

### **B. MISSION STATEMENT**

In solidarity with the mission of the Catholic Church that provides for sanctification and catechesis, we build, we care for, and, if needed, we decommission our church properties. We embrace the original goal of our forefathers: to create places

where people could gather to encounter Jesus Christ and deepen their sacramental relationship with Jesus Christ while supporting each other in a faith community.

## C. DEFINITIONS

### 1) Parish Priest

- a) A priest who is duly appointed by his bishop as a pastor or parish administrator to care for the spiritual welfare of the faithful of a parish and its property and assets. There is an official relationship created, so that other clergy that serve in the parish need permission from the parish priest.

### 2) Parish

- a) The Code of Canons for Eastern Churches describes a parish as a definite community of Christian faithful<sup>1</sup> established on a certain territory<sup>2</sup>, that can be erected, modified or suppressed by the Eparchial bishop<sup>3</sup>. By the law itself, parish is a juridic person<sup>4</sup> entrusted to the pastoral care of a pastor which represents the parish in all juridical matters. Parish can exist without having its own church (as it happens often with newly erected parishes where parishioners have to work toward building of the place of worship), or can have more churches (this can occur in the merging of the parishes), of which one is the 'main' place of worship and, usually, coincides with the name of the parish. The priest serving the parish must live within the parish boundaries.
- b) In cases where there are more churches that belong to one parish, they are under the spiritual and administrative care of the parish priest, but the eparchial bishop can appoint a presbyter<sup>5</sup> to act as a rector of other church(es)<sup>6</sup> in the particular parish. That presbyter (as rector) cannot act as a parish priest of that parish and has no right to perform parochial functions.<sup>7</sup> So, the distinction of the two realities is very important and for different reasons.

### 3) Mission

- a) A Mission is a parish with the exception that the priest serving it is not a resident priest.

### 4) Parishioner or Parish Member is a person that is registered and contributes to a parish or mission spiritually, manually and/or financially. This is not to be confused with resident and non-resident stakeholders who may not be registered as members or parishioners that live in the boundary of the parish.

### 5) Church building or temple<sup>8</sup>

- a) is a sacred place that is blessed and dedicated, set aside for divine worship and is a place where the faithful from a given parish, together with the parish pastor or parish administrator, gather to worship God through the celebration of the sacraments and other ways of prayer.

### 6) Suppressed/Dissolved Parish

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<sup>1</sup> Can. 279 - A parish is a definite community of the Christian faithful established on a stable basis in the eparchy, whose pastoral care is entrusted to a pastor.

<sup>2</sup> Can. 280 - §1. Generally, a parish is to be territorial, that is, it embraces all the Christian faithful of a certain territory

<sup>3</sup> Can. 280 - §2. It is the competency of the eparchial bishop to erect, modify and suppress parishes after consulting the presbyteral council.

<sup>4</sup> Can. 280 - §3. A lawfully established parish is a juridic person by the law itself.

<sup>5</sup> Can. 305 - §1. The rector of a church is named by the eparchial bishop without prejudice to the right of the major superior of a religious institute or society of common life in the manner of religious to propose a suitable priest of his institute for appointment.

<sup>6</sup> Can. 304 - The rector of a church is a presbyter, to whom is given the care of some church which is neither parochial nor is connected with a house of an institute of consecrated life.

<sup>7</sup> Can. 306 - §1. In the church committed to him the rector of the church is not permitted to perform parochial functions unless the pastor consents or, if the matter warrants it, delegates the rector with due regard for can. 336, §2.

- §2. The rector of the church can celebrate the Divine Liturgy and the divine praises there with due regard for the legitimate statutes of foundation and as long as, in the judgment of the local hierarchy, they are in no way prejudicial to the parochial ministry.

<sup>8</sup> 869 - A church is a building exclusively dedicated for divine worship by consecration or blessing.

- a) A parish or mission that is suppressed or dissolved is one that no longer has canonical status by virtue of a formal decree issued by the Bishop of the Eparchy. (see CCEO canon 280)<sup>9</sup>

## 7) Stakeholders

- a) People who may have a concern with a given church property for some historical or practical reason. All registered parishioners have a direct voice. However, as former parishioners that may have moved away or have family buried in a respective cemetery, these opinions should be heard, including a person with land adjacent to a church; a donor; a municipality or civic authority, etc.

## 8) Decommissioning

- a) The process of changing the use of church assets through sale, transfer, demolition, removal – either in whole or in part.

## 9) Moveable Assets (Chattels)

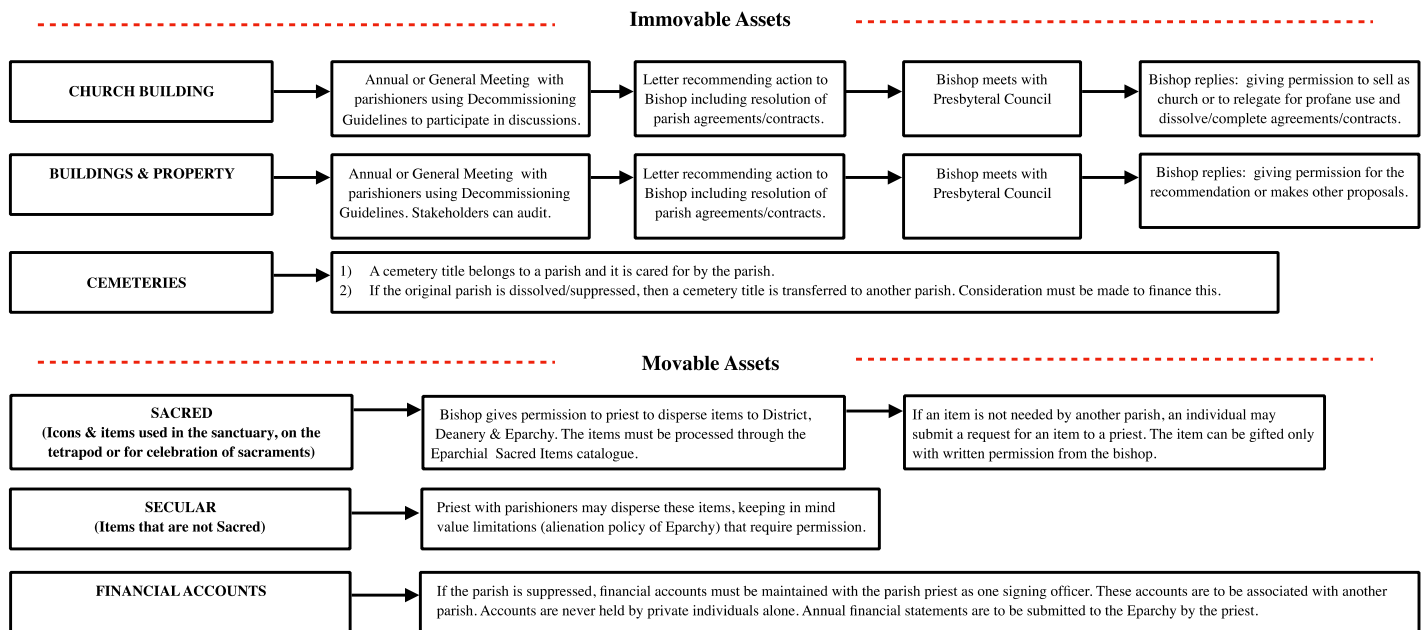
- a) Any sacred or secular assets that are not attached to land or buildings.

## 10) Immovable Assets (Real Estate)

- a) Land, buildings, and any fixtures that are attached to the buildings and the removal of which would result in damage to the building structure. Immovable assets may be sacred or secular.

# D. FLOW CHART

## GENERAL PROCESS OF DECOMMISSIONING OF PARISH ASSETS



## DISSOLUTION / SUPPRESSION OF A PARISH

Once assets have been dispersed, only the Bishop, after consultation with the Presbyteral Council, may suppress (canonical law) & dissolve (civil law) the parish.

**N.B.:** This process is stated for general purposes. It is intended to quickly outline the details of canon law. (CCEO) updated 2019-01-15

This Decommissioning Policy is a guideline for the decommissioning of church assets within the Ukrainian Catholic Eparchy of Saskatoon, in compliance with civil law and canon law, and in cooperation with established Eparchial councils, boards, and committees for the management of real estate assets within the Eparchy.

<sup>9</sup> “Suppressed” is a term used by canon law and is effective with the bishop’s decree while “Dissolved” is a civil legal term pursuant to *The Ukrainian Catholic Parishes Act* that means exactly the same but is effective by a declaration of the bishop and a Certificate of Dissolution with the bishop’s signature and seal.

## E. DECOMMISSIONING GENERAL GUIDELINE

**Decommission** = When a building is sold, wood and material is harvested or the building burned & buried, etc.

**Suppress** = Church Canon Law term for when a parish (group of people) no longer exists.

**Dissolve** = Civic legal term (see Suppress above) according to the Ukrainian Catholic Church Act.

The Bishop is the only one who, on behalf of the Eparchy, can enact the above steps (often simultaneously).

- 1) Priest starts calling/visiting stake holders to assemble a larger list of stakeholders.
- 2) Preliminary gatherings to discuss a broad range of items that need further research: P-forms, previous records, financial accounts, land titles, assets, history, sharing photos, etc.
- 3) Calling a Special Meeting.
  - a) There must be one month advanced notice or steps to ensure maximum attendance.
  - b) The local priest must attend the meeting.
  - c) Recommendation(s) may be created by the people. Multiple Special Meetings may be required before the people are ready to make a recommendation. In some cases, this might take years to accomplish. Practical planning and Pastoral care must both guide these proceedings.
- 4) Recommendation(s) if any, are to be forwarded to the Bishop, Presbyteral Council, Dean and District Council President.
  - a) Recommendations must be in writing.
  - b) If a larger parish where parish structures exist then more formal voting may take place. (2/3 majority)
  - c) Minutes of the meeting should be attached.
  - d) Signatures of all present at the meeting must accompany the recommendation(s).
  - e) All documents are to be forwarded by the priest.
- 5) The Recommendation should include:
  - a) Intentions for the church building, other buildings, property and assets if any.
  - b) Pastoral plan. Where will the people go to continue regular Sunday attendance and other celebrations? Where will funerals and burials take place? Where will the faithful receive the sacraments?
  - c) Express willingness to registered Sacred Items in the Eparchial Sacred Items Catalogue. (Which includes sharing these items with district churches after they are catalogued.)
  - d) Understanding that records, parish seal, minutes, etc, must be archived at the Chancery Office.
  - e) Intentions for selling or distributing secular items.
  - f) Anticipated financial realities should be explored and reported:
    - i) Current accounts: parish, ladies, cemetery account, other.
    - ii) Who has signing authority and in what name the accounts are being held.
    - iii) If there is a Charity number, the correct procedures must be followed to discontinue it. Eparchial procedure must be used.
  - iv) Projected income and expenses of the proposed sale/decommissioning of building(s), property and assets.
  - v) Pastoral, sacramental and financial impact on the district must be considered.
  - vi) Plan for distribution and retention of the remaining monies.
    - (1) All debts to Eparchy must be paid.
    - (2) All other debts must be paid.
    - (3) Cemetery maintenance must be considered.
    - (4) With consultation of the District Council, District needs for sanctification and catechesis should be considered.
    - (5) Local charities can be considered.
    - (6) Cemetery account should be created or amended with the following characteristics:
      - (a) Accounts cannot be held in the name of private individuals or trustees.
      - (b) Account could/should be a subaccount of an existing parish.
      - (c) There must be 2 of 3 signing officers to endorse cheques. Parish priest is to be one of the signing officers.
      - (d) Attempts should be made for signing officers to be arms-length. (not related to each other).
      - (e) It is understood that annual reports and statements are to be submitted to the Chancery Office.
- 6) Recommendations may not be acted on until there is a response from the Bishop and Consultors.
  - a) The plan may be approved as is.
  - b) The plan may require adjustments.
  - c) The Bishop may include suppressing the parish and dissolving its legal entity.
  - d) Realtors or lawyers may need to be engaged.

- e) Provincial and municipal regulations must be followed where applicable. (Saskatchewan Environment, Saskatchewan Heritage Site Regulations, etc.)
- 7) When permission to proceed with the original or modified recommendations is granted by the bishop, it will be given to the parish priest who informs the parish/mission council and district council.
- 8) When possible, the bishop, parish priest, district president and stake holders, together set a date for the final service with at least a three-month advance notice, so that others in the Eparchy can be aware and possibly attend if they wish. The bishop or his delegate officially attends the event. In certain situations, this final service may be forgone.

## **F. CATEGORIZATION OF ASSETS**

### **1) Religious / Sacred**

- a) Religious or Sacred Assets include all assets, whether movable or immovable, that are of religious or liturgical significance. A non-comprehensive list of Religious or Sacred Assets appears in Schedule A of this policy. In the event of uncertainty as to categorization, contact your priest and/or the Decommissioning Committee of the Eparchy.

### **2) Secular**

- a) Secular Assets are all other assets owned by a parish or mission that do not have any particular religious or liturgical significance. A non-comprehensive list of Secular Assets appears in Schedule B of this policy.

## **G. GENERAL PROCEDURES RELATING TO CHURCH ASSETS**

- 1) It is the duty of each parish priest with the assistance of his respective parishes/missions to protect sacred assets, both movable and immovable, from vandalism and desecration.
- 2) No immovable church assets, sacred or secular, shall be sold, loaned, traded, gifted, or disposed of in any way without the permission of the Bishop. When disposed of this shall take place according to canon law.
- 3) Except in the case of a sale of a church to a Catholic or Orthodox denomination, no movable sacred assets shall be sold under any circumstances.
- 4) Sacred movable assets may be loaned, traded, or gifted to another Ukrainian Catholic Parish within the Eparchy with the permission of the local parish priest or Bishop, after being catalogued for the Sacred items catalogue to maintain a record of these items or assets.
- 5) All movable or immovable assets, sacred or secular, that were donated by individuals, families, or organizations, are the property of the Church. Donors or their descendants do not have any claim to those assets. The proper allocation of these assets depends on the Bishop after consulting with the parish priest with his lay advisors. In cases where the objects are not usable anymore, they are to be disposed of according to canon law (see canons 1018; 1023 -1033)
- 6) No church property shall be designated as a heritage site without the written permission of the Bishop after consulting with the respective parish priest. No parish, individual, family, group, or organization shall take steps towards acquiring heritage status for a property without first obtaining permission to do so from the Bishop. Reason: Unless a substantial financial resource has been left to care for the building, designating a building as a Heritage site will render it unlikely maintainable because of new restrictions.

## **H. SALE OF CHURCH ASSETS**

### **1) Sale of Secular Immovable Assets**

- a) Permission to sell secular immovable property must be received in writing from the Bishop (upon consultation with the College of Consultors) BEFORE any further steps are taken by the parish.
- b) Once written approval is received, the parish may proceed to list the property or to privately advertise the property for sale and entertain offers to purchase. It is recommended that before advertising or listing the property, the parish should obtain an appraisal of value or at least a realtor's letter of opinion if a formal appraisal is considered to be too costly in the circumstances.

- c) Any offer must include a deposit to be determined at time of sale, which shall be subject to forfeiture in the event that the Purchaser fails to complete the purchase. Deposit must be at least \$1 to be a legally binding contract.
- d) When an offer is received that is acceptable to the parish, the parish must obtain the consent of the Bishop before accepting the offer. Otherwise, the offer can be accepted conditionally upon obtaining approval of the particular deal from the Bishop given the original permission to sell falls within a specified price range set by the parish.
- e) The parish may engage the Eparchial solicitor to act on its behalf in processing the real estate transaction or it may engage its own solicitor. If it engages its own solicitor, that solicitor should direct all inquiries, correspondence, and documentation to the office of the Eparchial solicitor and not to the Chancery Office.
- f) The transfer authorization to effect the transfer of title must be signed by the signing officers of the parish/mission and by the Bishop on behalf of the Episcopal Corporation.
- g) In rare cases, secular buildings may be sold as “chattels” with the intent that the buildings will be moved off the church land. These arrangements are difficult to enforce and are not encouraged. There must be a definite commitment on the part of the buyer to move the building by a particular date and leave the site in an acceptable condition. The agreement shall also provide that if the building is not removed by a specified date, ownership of the building shall revert to the seller unless the date for removal is extended in writing.
- h) Also, in rare cases, secular buildings may be sold with the intent that the buyer will dismantle the building, remove the building materials, and restore the site to an acceptable condition. There must be a definite commitment on the part of the buyer to dismantle the building, remove the materials, and restore the site by a particular date. The agreement shall also provide that if the building is not dismantled and the materials removed by a specified date, ownership of the building or materials shall revert to the seller unless the date for dismantling and/or removal is extended in writing. As in the case of “f”, these arrangements are difficult to enforce and are not encouraged.

**2) Sale of Secular Movable Property**

- a) There are no restrictions on the sale of secular movable property of parishes/missions other than the regular Eparchial Directives on alienation of church property.
- b) It is recommended that, in the case of certain types of secular property such as pews, chandeliers, etc. that may be useful to another parish, the selling parish advertise the items for sale through the Eparchial Website, bulletins, or other church media first before making these items available for sale to the general public.
- c) No articles that were donated by individuals or families shall be given back to the families who donated or paid for them. These are the property of the parish and are the sole property of the Episcopal Corporation in the case of Closed and Dissolved parishes.
- d) Secular Movable Property that cannot be sold may be donated to the needy, to a charity that raises funds for worthy causes.

**3) Sale of Religious/Sacred Immovable Property**

- a) Permission to sell religious immovable property must be received in writing from the Bishop in consultation with the Presbyteral Council BEFORE any further steps are taken by the parish. Not all churches, whether or not they are being used, are subject to sale. Churches having particular historical, architectural, spiritual, or artistic significance may be retained as heritage sites only with the approval of the Bishop.
- b) Once written approval is received (see 3. a) above), the parish may proceed to list the property or to privately advertise the property for sale and entertain offers to purchase. It is recommended that before advertising or listing the property, the parish should obtain an appraisal of value or at least a realtor’s letter of opinion if a formal appraisal is considered to be too costly in the circumstances.
- c) Any offer must include a deposit to be determined at the time of sale which shall be subject to forfeiture in the event that the Purchaser fails to complete the transaction.
- d) No church or building shall be sold if there is a cemetery on the same parcel of land unless a formal subdivision is secured and the titles are severed.
- e) When an offer is received that is acceptable to the parish priest and his advisors (see Preamble above) the parish priest must obtain the consent of the Bishop before accepting the offer or it must make acceptance of the offer conditional upon obtaining approval of the particular transaction from the Bishop as to price, purpose, and terms.
- f) The parish may engage the Eparchial solicitor to act on its behalf in processing the real estate transaction or it may engage its own solicitor. If it engages its own solicitor, that solicitor should direct all inquiries, correspondence, and documentation to the office of the Eparchial solicitor who will in turn communicate with the Chancery Office.
- g) The Transfer Authorization to affect the transfer of title must be signed by the parish priest, the signing officers of the parish/mission, and by the Bishop on behalf of the Episcopal Corporation.



- h) In the event of a sale of a church to another religious denomination, no sacred objects shall be included in the transaction unless the buyer is a Catholic or Orthodox congregation. In such cases, negotiation for the purchase of the church contents, including sacred objects, may be entertained. No commitments in that regard shall be made without written approval from the Bishop and his duly appointed parish priest.
  - i) The cornerstone shall be removed or the inscriptions obliterated. If possible, check if there is a time capsule within the cornerstone or behind the commemorative plaque.
  - j) In the event of a sale of a church building for a non-religious purpose:
    - i) All religious symbols such as the crosses or domes shall be removed. The property cannot maintain its appearance as a Ukrainian Catholic church.
    - ii) All bells whether within belfries or inside the church shall be removed.
    - iii) All icons and *iconostases* must be removed. If the icons are painted directly on the walls, they must be painted over.
    - iv) Stained glass windows that depict religious scenes or symbols must be removed
  - k) All sacred objects that are removed shall be secured and stored as required by Eparchy policy.
  - l) The terms and conditions relating to these matters must be expressly stated in any Sale Agreement. Therefore, no offer to purchase can be accepted until all of these issues, including the respective responsibilities of the parties, the timeline, and the costs are addressed, negotiated, and agreed upon.
  - m) In rare cases, church buildings may be sold with the intent that the buildings will be moved off the church land. These arrangements are difficult to enforce and are not encouraged. There must be a definite commitment on the part of the buyer to move the church by a particular date and leave the site in an acceptable condition with agreed upon consequences if that doesn't take place. The agreement shall also provide that if the building is not removed by a specified date, ownership of the building shall revert to the seller unless the date for removal is extended in writing.
  - n) Also, in rare cases, church buildings may be sold with the intent that the buyer will dismantle the building, remove the building materials, and restore the site to an acceptable condition. As stated above, there must be a definite commitment on the part of the buyer to dismantle the church, remove the materials, and restore the site by a particular date. The agreement shall also provide that if the building is not dismantled and the materials removed by a specified date, ownership of the building or materials shall revert to the seller unless the date for dismantling and/or removal is extended in writing.
- 4) **Sale of Sacred Movable Property**
- a) Except in the case of a sale of a church building to a Catholic or Orthodox denomination, no movable sacred assets shall be sold under any circumstances.
- 5) **Disposition of the Proceeds from the Sale of Church Assets**
- a) **Faithful have stewardship over belongings given by God to a parish/mission, in the name of a District, in the name of a Deanery and in the name of the Eparchy.** Thus, it is fitting that the assets of any parish/mission should be seen as assets of the District, Deanery and Eparchy as well. In the case of parishes/missions that plan to be suppressed and dissolved, plans about how revenue is disbursed from any sale should be discussed with the District Council before seeking approval from the parish priest, the Presbyteral Council and the Bishop.
    - i) Debts and bills must be paid.
    - ii) Ongoing costs for cemetery maintenance are invested.
    - iii) Needs for sanctification and catechesis in the District are met.
    - iv) Other local charities can be considered.

## **I. HANDLING MOVABLE SACRED ASSETS**

- 1) It is the duty of each parish priest, his advisors (see Preamble above) and the faithful, to protect sacred objects from vandalism and desecration.
- 2) In the case of parishes with infrequent services, the *antimins*, vestments, and sacred utensils shall be removed from the church and temporarily retained in safekeeping at the parish priest's residence or in the home of a church member.
- 3) Except in the case of a sale of a church to a Catholic or Orthodox denomination, no movable sacred assets shall be sold under any circumstances without permission from the parish priest and/or bishop.

- 4) A parish that is in the process of decommissioning its church shall prepare a detailed inventory of its movable sacred assets, photograph the objects, and deliver the inventory and photos to the office of Archangel Gabriel Ministries Inc. (AGEMI) at the Chancery Office.
- 5) In the case of a parish/mission planning to be suppressed and dissolved, arrangements will be made with AGEMI to come to the church site to catalogue all items on site. Later, the parish/mission must arrange for the transport of all movable sacred articles to the storage facilities designated for that purpose in Saskatoon or to another Ukrainian Catholic Parish.
- 6) Under no circumstances shall movable sacred assets be returned to the individuals, families, or organizations who donated or paid for the articles since they were donated and not loaned and now belong to the District, Deanery, Eparchy unless written permission is obtained from the parish priest and/or bishop. It would have to be established first, that it is not needed in any other churches in the eparchy. This is especially important regarding item that are found or used in the sanctuary. (see also canon 887, 1041).

## **J. THE PROCESS OF DECOMMISSIONING CHURCH ASSETS**

- 1) Church assets may be decommissioned at various stages of the life of a parish. For example, there may be a partial decommissioning (i.e. sale of a rectory) while the parish continues to operate.
- 2) Where sale of assets is not an option, decommissioning may involve dismantling, burning, and burying of building structures.
- 3) Where a building structure is removed leaving a vacant parcel of land, the parcel can be sold or transferred at a nominal value to the owner of the adjacent land (only in cases where there is no cemetery on the same title).
- 4) Decommissioning of assets may be initiated by local stakeholders with a letter to the parish priest. The parish priest, after discussing this with his lay advisors (see Preamble above), writes to the Bishop, giving updates of consultations. The Bishop will consult with the Presbyteral Council.
- 5) A parish or mission that is suppressed or dissolved is one that no longer has canonical status by virtue of a formal decree issued by the Bishop of the Eparchy. Except in the extremely rare case of a Dissolved Parish that still holds church assets in its name (in which case the Episcopal Corporation can deal with the assets by operation of law), decommissioning of church assets involves consultation with local stakeholders.
- 6) In all cases of decommissioning of church assets, according to canon law, the final decision to decommission a property is made by the Bishop after consultation with local stakeholders, the priest assigned to the district, the dean, and the Presbyteral Council (see c. 873.2).
- 7) Where appropriate, if a church building is sold or dismantled, it is recommended that a cairn or memorial structure be left for posterity. For example, a bell, cornerstone or mission cross can be moved to a cemetery and transformed into a memorial structure.
- 8) The Decommissioning Committee of the Eparchy is available to assist in planning and implementing decommissioning initiatives.

## **K. SUPPRESSING / DISSOLVING PARISHES**

- 1) By virtue of his office, only the Bishop may declare a parish suppressed or dissolved. This is done in consultation with the Presbyteral Council, the parish priest and the local stakeholders.
- 2) This process may be initiated by local stakeholders, parish members or the parish priest. A Special or General meeting is called by the priest with public notice of time and location one month in advance. After the meeting is held (including the auditing stakeholders, voting parish members and the parish priest), the priest sends the results of the meeting to the bishop that includes in writing the signatures of those in attendance at that meeting and the minutes. (see Decommissioning general guideline below)
- 3) Suppressing/Dissolving a parish
  - a) Letter sent by parish priest to bishop to

- 4) Monies in parish accounts, including cemetery funds, should be transferred to a parish within the Pastoral District to be held in a segregated account to be used to cover costs associated with decommissioning the assets of the closed parish (if not already dealt with) as well as costs of maintaining the cemetery associated with the closed parish. If funds still remain, other charities can be considered.
- 5) Provision for the maintenance of cemeteries shall be of utmost importance in planning the closure of a parish.
  - a) Provision should be made to maintain cemeteries in a respectful and reverent fashion.
  - b) Cemeteries should be securely fenced
  - c) Appropriate signage should be erected at the cemetery property indicating the name of the parish associated with the cemetery, the date of erection of the parish, the date of the last Divine Liturgy and, if desired, the date of closure.
  - d) Signage should be erected at the cemetery gate warning individuals that they “Enter At Own Risk”.
  - e) Wherever possible, cemetery maps or a listing of the names and dates of death of all persons buried in the cemetery shall be submitted to the Chancery Office.
- 6) Monies in the accounts of affiliated organizations should be handled in the manner provided in the governing constitutions of the UCWLC, UCBC, UCYC, and the Knights of Columbus and in all other cases, the monies shall be transferred to the main parish/mission of the Pastoral District or to the Episcopal Corporation.
- 7) Alternative uses for remaining funds of parishes or affiliated organizations may be entertained by the Bishop.
- 8) In preparation for closure and dissolution, a parish should transfer sacramental registers, the parish seal, parish records (minutes), cemetery records and any outstanding liturgical intentions to the Parish District office.
- 9) The final step in the life cycle of a parish is dissolution. This is a formal declaration by the Bishop that the parish no longer exists. Usually, this does not occur until all church assets have been decommissioned or transferred to other parishes or to the Episcopal Corporation.
- 10) CAUTION MUST BE TAKEN IN THE CASE OF CLOSURE OF A PARISH THAT IS A REGISTERED CHARITY WITH THE CANADA REVENUE AGENCY: Special forms must be filed with the CRA and all assets must be transferred to another registered charity. Failure to comply can result in serious penalties. The parish may engage the Eparchial Finance Officer for direction or assistance with CRA requirements or it may engage its own solicitor for this purpose.
- 11) Whenever a parish is in the process of being Closed, the local faithful should attempt to record the history and life story of the parish by gathering information from individual and collective memory along with photographs, written records, building plans, and the like. The purpose of doing so is to record the heritage of this particular church and parish. These materials should be stored at the Parish District office.

## **L. SCHEDULE A – RELIGIOUS / SACRED ASSETS**

### **Immovable**

Church buildings (the buildings used for worship)  
Cemetery Properties  
Belfries/Bells  
Memorial Crosses / Monuments on affixed bases

### **Movable**

#### **Vestments for priests, deacons, and altar servers All articles used in celebrating liturgical services:**

- Chalices
- Spoons
- Antimension
- Star
- Discos
- Incensors
- Small bells
- Monstrance
- Tabernacle
- Candle holders including stands for votive lights
- Candles or oil lights
- Altar linens
- Altars (main and side altars), Tetrapod
- Iconostas
- Icons & Holy pictures, icon fans

#### **Liturgical books**

- Marriage
- Vessel for blessing of water at Feast of Jordan or Praznyk, also Holy Water Sprinkler (Aspergillum).and bucket (Aspersorium)
- Banners and flags
- Chandeliers if they have icons or other religious symbols on them
- Crosses (hand crosses, processional crosses, standing crosses, etc.)
- Shroud, noise makers, other symbols of the crucifixion
- Hand bells, large outside bells (electrically or manually controlled).

## **M. SCHEDULE B – SECULAR ASSETS**

### **Immovable**

Rectories that are not attached to the church.  
Church halls.  
Revenue properties (houses or land).

### **Movable**

Church contents that are not of religious significance: pews, chairs, chandeliers (without icons)  
Hall/kitchen contents – dishes, utensils, pots/pans/roasters, appliances  
Home contents from rectories that are not of religious significance.

## **N. APPENDICES**

- **Procedure #1:** Condition of Building Survey
- **Procedure #2:** Capital Cost Estimate
- **Procedure #3:** Cemetery Regulations and Maintenance
- **Procedure #4:** Cemetery Inspection
- **Procedure #5:** Heritage Status

- **Procedure #6:** Heritage Life Story
- **Procedure #7:** Real Estate Sale
- **Procedure #8:** Fire Safety for Controlled Burn
- **ACT #9:** Ukrainian Catholic Parishes Act - *Chapter 01 of the Statutes of Saskatchewan, 1992*

## O. Procedure #1: Building Condition Survey

This worksheet may be utilized by local Parish or District to determine current condition of a building and may be utilized in consideration of whether to repair, sell, or demolish a building.

	<b>Building Name and Address</b>	
	Building Name:	
	Street Address:	
	City, Province:	
	Phone:	
	<b>Built</b>	
	Year Built:	
	Age of Building:	
	Age of Addition:	
	<b>Building Life Cycle</b>	
	Type of Construction: (ie poured concrete bsmt, wood frame structure)	
	Typical Life Cycle for this type of construction: --- yrs	
	Remaining years:	
	<b>Condition of Structure</b>	
	<i>Specify material, previous repair and year, current defects</i>	
	Foundation:	
	Structural walls:	
	Roof:	
	<b>Condition of Building Systems</b>	
	<i>Specify age, previous repair and year, current defects, working order</i>	
	Electrical system: (power, and lighting)	
	Mechanical hvac system:	
	Mechanical plumbing system:	
	Telecommunications systems: (phone, fax, internet, cable)	
	Security system: (wired alarm)	
	Elevator:	
	<b>Hazardous Materials</b>	
	<i>Specify any known hazardous materials present in the construction or health of the building, their location and size of area</i>	
	Asbestos:	
	Lead Paint:	
	Mold:	
	<b>Barrier-Free Accessibility</b>	
	<i>Specify all elements of barrier-free access that are present</i>	
	Ramp access:	
	Electronic door opener:	
	Elevator:	

	Access to worship space:	
	Access to washroom:	
	Washroom stall:	
	Vanity/Sink:	
	<i>Other:</i>	
	<b>Estimated Remaining Life of Building</b>	
	Based on current condition: – yrs	
	Or if repaired: – yrs	
	<b>Capital Projects Pending</b>	
	Foundation:	
	Structural walls:	
	Infill walls:	
	Roof structure:	
	Roof cladding:	
	Building systems (Electrical - Power):	
	Building systems (Electrical - Lights):	
	Building systems (Mechanical - HVAC):	
	Building systems (Mechanical - Plumbing):	
	Building systems (Telecommunications):	
	Doors and Windows:	
	Stairs and ramps:	
	Millwork:	
	Finishes:	
	Grounds:	
	Other:	
	<b>Current Maintenance or Safety Issues</b>	
	Specify:	
	<b>Options</b>	
	Preference to repair, sell, demolish? Other options: rent, share, etc?	
	<b>Professional Recommendation Requested</b>	
	Access assistance of professional engineer, architect, or trades-persons to determine options.	

## P. Procedure #2: Capital Cost Estimate

This worksheet may be utilized by local Parish or District to determine a likely cost to repair or renovate a facility. It is based on the use of a Building Condition Survey, or an identified capital project, where the cost of the work exceeds what would be covered by maintenance only.

	<b>Building Name and Address</b>	
	Building Name:	
	Street Address:	
	City, Province:	
	Phone:	
	<b>Category of Repair</b>	
	Specify: i.e. structure, non-load bearing, finishes, building systems	
	<b>Description of Repair</b>	
	<b>Architecture</b>	
	Specify square foot area of repair	
	Material to match or upgrade	
	<b>Building Systems</b>	
	Specify electrical power & lighting, mechanical hvac and plumbing, telecommunications	
	Existing make and model, new make and model	
	<b>Availability of Contractors</b>	
	Within 5-10 km?	
	Within 50 – 100 km?	
	<b>Estimate Time for Repair</b>	
	Hours? Weeks?	
	Estimate Cost for Repair	
	Dollar value?	
	Competitive Quotes available? Best of 3 quotes?	
	% Accuracy? i.e. Quote is considered within 10% accuracy of actual cost	
	<b>Professional Recommendation Requested</b>	

	Access assistance of professional engineer, architect, or trades-persons to determine options.	
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## Q. Procedure #3: Cemetery Regulations and Maintenance

This worksheet may be utilized by local Parish or District as a guide to the regulatory requirements and recommended practice for cemetery maintenance.

	<b>CEMETERY REGULATIONS</b>	
	<p>Cemetery Act of Saskatchewan (Superintendent Eric Greene)</p> <ul style="list-style-type: none"> <li>• Cemetery care in perpetuity, <u>by owner</u></li> <li>• Place of respect and dignity for the remains that reside there</li> <li>• Graves not to be desecrated</li> </ul> <p>At a minimum, the property owner has the on-going responsibility as follows: Duties of owner 53(1) An owner shall maintain the cemetery, including all lots, structures and memorials, in a manner that: (a) ensures the safety of the public; and (b) is compatible with community standards. (2) An owner shall provide reasonable access to the public for visitation to any lot in the cemetery. Cemetery records should be filed or stored appropriately in perpetuity and a contact name should be kept current.</p> <p>Eric Greene   Registrar   FCAA   500 - 1919 Saskatchewan Drive   Regina, SK S4P 4H2   office: 306.787.2952   fax: 306 787-9779   eric.greene@gov.sk.ca</p>	
	<p>Rural Municipality (Practice varies per local RM, Maintenance may be available at No Cost)</p> <ul style="list-style-type: none"> <li>• Maintenance by RM: is not required by law; may be provided <u>upon request</u> of owner</li> <li>• Extent of maintenance to be determined: ie grass cutting, snow removal</li> <li>• Frequency of maintenance to be determined: ie Semi-annual? Annual? As needed?</li> </ul>	
	<p>Urban Municipality (per local Municipality)</p> <ul style="list-style-type: none"> <li>• Cemeteries within urban boundaries typically covered by local municipal services</li> </ul>	
	<b>CHURCH CEMETERIES</b>	
	Church cemeteries tend to be stand-alone rural cemeteries. The following are recommended practice.	
	<b>Cemetery Signage</b>	
	<ul style="list-style-type: none"> <li>• Identification: Indicate Name of Cemetery</li> </ul>	
	<ul style="list-style-type: none"> <li>• Further identification: what Parish/District it belongs to (including denomination), date of establishment of Parish, date of establishment of cemetery, date of last Divine Liturgy, date of Closure. Would we include a contact?</li> </ul>	
	<ul style="list-style-type: none"> <li>• Use: Welcome and respectful use, no litter, etc. For liability purposes be sure to state "Enter At Own Risk".</li> </ul>	
	<b>Cemetery Boundary</b>	
	<ul style="list-style-type: none"> <li>• Letter of acknowledgment with adjacent landowner(s), no damage to property boundaries by equipment or use</li> </ul>	
	<ul style="list-style-type: none"> <li>• Cemetery owner to demarcate property boundary: i.e. fence, hedgerow, trees etc</li> </ul>	
	<ul style="list-style-type: none"> <li>• If a plot is outside of the cemetery proper (stillborn babies or suicides in years gone by), then it too should have a fence around it</li> </ul>	
	<b>Cemetery Maintenance</b>	
	<i>Recommended minimum maintenance is semi-annual (between spring and fall).</i>	
	Semi-annual maintenance and care:	



	<ul style="list-style-type: none"> <li>• grass cutting</li> <li>• debris removal</li> </ul>	
	<p>Additional maintenance and care:</p> <ul style="list-style-type: none"> <li>• tree trimming</li> <li>• hedge trimming</li> <li>• removal of weed trees</li> <li>• removal of weeds</li> <li>• fence, gate, and approach</li> <li>• signage installation, repair, maintenance</li> <li>• ground leveling</li> <li>• tombstone leveling</li> <li>• pathway leveling</li> <li>• eradication of gopher and other rodent burrows and dens</li> <li>• remedy vandalism as required</li> <li>• maintenance and care of cairn or memorial cross</li> <li>• maintenance of parking areas</li> </ul>	
	<b>Capital Projects</b>	
	<ul style="list-style-type: none"> <li>• i.e. fence installation, ensure enclosure around all graves</li> <li>• i.e. cairn or memorial installation with memorial cross, and cornerstone, or domes</li> </ul>	
	Consider items to plan for and their estimated cost:	
	<b>Maintenance Crew</b>	
	<ul style="list-style-type: none"> <li>• Identify names of those responsible for administering cemetery maintenance</li> </ul>	
	<ul style="list-style-type: none"> <li>• Establish Maintenance Crew to maintain the cemeteries belonging to a given Parish</li> </ul>	
	<ul style="list-style-type: none"> <li>• Recruit volunteer crew as possible from local parish and stakeholders</li> </ul>	
	<ul style="list-style-type: none"> <li>• Tool shed and tools for use by local Parish, or District</li> </ul>	
	<ul style="list-style-type: none"> <li>• Establish Maintenance Crew to maintain the cemeteries belonging to a given District</li> </ul>	
	<ul style="list-style-type: none"> <li>• Recruit volunteer crew as possible from District, or local contractor if required</li> </ul>	
	<p>Additional labour pool, at No Cost:</p> <ul style="list-style-type: none"> <li>• By request of Owner, Youth from local detention centre under supervision of social worker and Department of Justice.</li> <li>• Service groups within the community/district ie Earth Day clean-up, Seniors services</li> </ul>	
	<b>Cemetery Maintenance Fund</b>	
	<ul style="list-style-type: none"> <li>• Establish a Cemetery Maintenance Fund (Trust Fund) to cover annual costs of cemetery maintenance in perpetuity</li> <li>• Fund for use by local Parish or by a District to care for a Mission</li> <li>• Arrange for transfer of signing officers, and account, in case of Church Closure or Parish Suppression (*Protocol to be established by Eparchy.)</li> <li>• Funds to cover cost of required maintenance materials (ie fence supplies, repair), and labour if necessary (i.e. if volunteers unavailable).</li> </ul>	

## R. Procedure #4: Cemetery Inspection

This worksheet may be utilized by local Parish or District to inspect cemeteries in their custody.

	<b>Name and Cemetery Address</b>		
	Cemetery Name:		
	Street Address/Rural Address:		
	City, Township, Rural Municipality:		
	<b>Land Title</b>		
	Legal Description:		
	<b>Map</b>	<b>Photo</b>	
	For online maps/photos: See <a href="http://skeparchy.ca/Homepage/Parishes">skeparchy.ca/Homepage/Parishes</a> icon/scroll to locate parish See also ISC Information Services Corporation for title numbers and parcel pictures (No Cost).		
	<b>Cemetery Community</b>		
	Names of people/stakeholders who have a vested interest in maintaining the cemetery:		
	<b>Cemetery Bylaw</b>		
	Does a local cemetery bylaw exist?		
	<b>Inspection Checklist</b>		
	<i>State if each item exists and what condition it is in, state n/a if not applicable.</i>		
	<b>CEMETERY SIGNAGE</b>		
	Name of Cemetery:		
	District and Contact:		
	Cemetery Use/ Liability:		
	<b>CEMETERY BOUNDARY</b>		
	Fence: are there any plots outside the fence?		
	Hedgerow:		
	Trees:		
	Other:		
	<b>APPROACH/ACCESS</b>		
	Access by municipal road:		
	Access by private drive:		
	Parking available: how many vehicles?		
	Gate:		

	GRAVES	
	Number of Graves:	
	Number of headstones needing repair:	
	Number of sunken graves:	
	YARD	
	Grass:	
	Weeds:	
	Weed trees:	
	Pathways:	
	Rodent holes, dens, nests:	
	Debris:	
	Other: specify	
	MEMORIAL	
	Memorial Cross: what material, what condition	
	Cairn, Cornerstone, Domes:	
	OTHER CONCERNS: specify	
	<b>Capital Projects</b>	
	<ul style="list-style-type: none"> <li>• i.e. fence installation, repair, replacement</li> <li>• i.e. cairn or memorial installation, repair (memorial cross, cornerstone, domes)</li> <li>• i.e. ground leveling</li> <li>• i.e. vandalism repair</li> </ul>	
	Specify items in need of repair or new improvements:	
	<b>Maintenance Crew</b>	
	<ul style="list-style-type: none"> <li>• Identify names of those responsible for administering cemetery maintenance:</li> </ul>	
	<ul style="list-style-type: none"> <li>• Identify names of those on the maintenance crew:</li> </ul>	
	<b>Maintenance Fund</b>	
	<ul style="list-style-type: none"> <li>• Identify signing officers:</li> </ul>	
	<ul style="list-style-type: none"> <li>• Identify account location, account number, record of balance:</li> </ul>	
	<ul style="list-style-type: none"> <li>• Identify estimated annual costs, and number of years the fund is expected to cover:</li> </ul>	
	<ul style="list-style-type: none"> <li>• Identify estimated capital project costs:</li> </ul>	

## S. Procedure #5: Heritage Status

This worksheet may be utilized by local Parish or District as a guide to the regulatory requirements of a Heritage designated property in instances of repair, demolition, or sale; and steps to take for repeal of Heritage Status prior to Church Closure and Parish Suppression.

	<b>Building Name and Address</b>	
	Building Name:	
	RR/Street Address:	
	RM/City, Province:	
	Phone:	
	<b>Built</b>	
	Year Built:	Age of Building:
	<b>Heritage Designation</b>	
	Government designation: may be Municipal, Provincial, or National. All known Heritage Properties in the Eparchy of Saskatoon each have status as a <u>Municipal Heritage Property</u> .	
	Name of Municipal Dept to contact:	
	Contact Name:	
	Year Status conferred:	
	Website Listing:	
	<b>Heritage Description</b> (attach separate sheet as required; include website link if online)	
	Map: (include website link if online)	
	Photo: (include website link if online)	
	<b>HERITAGE PROPERTY ACT</b>	
	The Heritage Property Act of Saskatchewan governs all Municipal and Provincial heritage properties in the province. This document available online or in pdf download.	
	Website address: <a href="http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/H2-2.pdf">www.qp.gov.sk.ca/documents/English/Statutes/Statutes/H2-2.pdf</a>	
	Some highlights of Part III Designation of Properties by Municipality, include: <ul style="list-style-type: none"> <li>• Alteration of a designated Property</li> <li>• Demolition of a designated property</li> <li>• Stop Orders</li> <li>• Dereliction of designated property</li> <li>• Sale of designated property</li> </ul>	
	<b>Repairs to a Heritage Property</b>	

	<p><b><u>Alteration of Designated Property</u></b></p> <ul style="list-style-type: none"> <li>Item 23 (1) ... no person shall alter, restore, repair, disturb, transport, add to, change or move, in whole or in part, or remove any fixtures from, without written approval of the council of the municipality in which the property is situated...</li> <li>Item 23 (2) ... an owner of any property ... may apply to the council of the municipality for approval to do any of the activities mentioned...</li> <li>Item 23 (3) An application shall be accompanied by a detailed plan; <ul style="list-style-type: none"> <li>a) explaining the nature of the activities</li> <li>b) showing the outcome of the activities on a scaled drawing, and</li> <li>c) containing other information the council may require.</li> </ul> </li> <li>Item 23 (4) The council shall <ul style="list-style-type: none"> <li>a) consider the application</li> <li>b) provide a decision within 30 days, and notify the applicant.</li> </ul> </li> </ul>	
	<p>Generally, to maintain the integrity of a Heritage property:</p> <ul style="list-style-type: none"> <li>Repair: to match existing materiality and style, or fabricate to look like existing material and style</li> <li>Alternate: Owner may appeal for approval of alternate solution</li> </ul>	
	<b>Demolition of a Heritage Property</b>	
	<p><b><u>Demolition of Designated Property</u></b></p> <ul style="list-style-type: none"> <li>Item 24 (1) ...no person shall demolish or destroy, in whole or in part, without written approval of the council</li> <li>Item 24 (2) An owner may apply to the council of the municipality for approval to demolish or destroy the property</li> <li>Item 24 (3) ...the council shall <ul style="list-style-type: none"> <li>a) consider an application</li> <li>b) provide a decision within 30 days, and notify the applicant</li> </ul> </li> </ul>	
	<p><b><u>Objection to Denial of Application</u></b></p> <ul style="list-style-type: none"> <li>Item 25 (1) Any applicant who wishes to object to a council's denial of an application shall serve the council with an objection stating the reason and all relevant facts.</li> <li>Item 25 (2) ... the council shall <ul style="list-style-type: none"> <li>a) refer the matter to a review board for a hearing and a report of the result; or may consent to the objection and approve the application, and</li> <li>b) notify the applicant</li> </ul> </li> </ul>	
	<b>Transfer of Title</b>	
	<p>Notice by Registrar of Titles</p> <ul style="list-style-type: none"> <li>Item 26 (1) Where there is a transfer of title for any parcel of land that is designated property, the Registrar shall provide written notice to <ul style="list-style-type: none"> <li>a) the municipality</li> </ul> </li> </ul>	
	<b>Municipal Stop Orders</b>	
	<ul style="list-style-type: none"> <li>Item 29 (1) Where a mayor or reeve is of the opinion that a person is engaged in any activity that the mayor or reeve considers likely to result in damage or destruction to any heritage property in the municipality, the mayor or reeve may issue a temporary stop order requiring that a person cease the activity</li> <li>Item 29 (2) The temporary stop order may be made for a period of not more than 60 days to allow the council to: <ul style="list-style-type: none"> <li>a) salvage the heritage property in danger;</li> <li>b) record or excavate the heritage property;</li> <li>c) investigate alternatives to the destruction of the heritage property</li> </ul> </li> <li>Item 29 (3) Any person aggrieved by a temporary stop order may within 14 days appeal to the Court of Queen's Bench of Saskatchewan, and the judge who hears the appeal may confirm, vary, or rescind the order.</li> <li>Item 29 (4) The council may, by motion at a regular or special meeting, cancel an order.</li> </ul>	
	<b>Neglect Or Lack of Maintenance of Heritage Property</b>	

	<p><u><b>Dereliction of designated property</b></u></p> <ul style="list-style-type: none"> <li>Item 31 (1) Where, through neglect or lack of maintenance, the integrity or existence of the designated property is in jeopardy, the council may require the owner to undertake specific repairs or other measures to preserve the property</li> <li>Item 31 (2) The council shall give 14 days written notice of its intention to issue an order to the owner</li> <li>Item 31 (3) ...an applicant who is served a notice can issue an objection to the council stating the reason and all relevant facts</li> <li>Item 31 (4) ...the council shall <ul style="list-style-type: none"> <li>a) refer the matter to the review board for a hearing and report of result; or amend or modify the order or not issue the order; and</li> <li>b) notify the applicant.</li> </ul> </li> <li>Item 31 (5) If an objection is not received... the council may issue the order</li> <li>Item 31 (6) When issued, the order must provide a period of 90 days for the owner to comply</li> <li>Item 31 (7) Where the owner fails to comply, the council may perform the repairs or other measures</li> <li>Item 31 (8) The costs of the repairs are borne by the municipality in this situation</li> <li>Item 31 (9) Therefore <ul style="list-style-type: none"> <li>a) the municipality is deemed to have an interest in the land for the amount of the costs</li> <li>b) may register an interest on the Land Title with regard to the costs</li> <li>c) may charge interest</li> <li>d) shall issue to the Owner, at least once a year, a statement of costs and interest</li> </ul> </li> <li>Item 31 (10) If the owner sells the property, the costs and interest are to be repaid to the municipality</li> <li>Item 31 (11) When repaid, the municipality shall discharge any interest registered against the Title.</li> </ul>	
	<b>Review Board</b>	
	<p><u><b>Council to consider report</b></u></p> <ul style="list-style-type: none"> <li>Item 32 Where a matter is referred to a review board...the council on receipt and review of the report: <ul style="list-style-type: none"> <li>a) may issue the order, amend, or modify the order, or not issue the order; and</li> <li>b) notify the applicant.</li> </ul> </li> </ul>	
	<b>Sale of Heritage Property</b>	
	<ul style="list-style-type: none"> <li>Item 33 No owner of a designated property... shall offer the property for sale without giving the council of the municipality 30 days written notice of the owner's intent to sell, unless the council consents to a shorter period.</li> </ul>	
	<b>Heritage Status Repealed</b>	
	Contact local Municipal office to repeal status as a Municipal Heritage Property	
	<b>Documentation to Chancery Office</b>	
	Provide file copy of documents for Heritage Status repeal with the Chancery office, including letter of reply from the Municipality.	

## T. Procedure #6: Heritage Life Story

This worksheet may be utilized by the local Parish or District as a guide to assembling the specific history and life story of the local Parish.

	<b>Parish Name and Address</b>	
	Parish Name:	
	RR/Street Address:	
	RM/City, Province: <b>NEED to include clergy and hierarchy</b>	
	<b>Parish Beginnings</b>	
	It is very important to record your parish heritage life story. Our churches have been an integral part of our lives, and their stories should remain into the future	
	By documenting both tangible and intangible history; through photographs, interviews, record books, history books, newspaper clippings, etc. you will ensure the story is not forgotten and future generations will respect and be inspired by our faith history.	
	Our Policy supports the local faithful to gather and record their parish history and life story. We provide an outline of potential points that you may consider in this process. There are real riches in the life story of parishes within our Eparchy.	
	Parish formation often began with a few people seeking a place to pray in community. Who were those people and how did their story begin:	
	<ul style="list-style-type: none"> <li>• Founding members</li> </ul>	
	<ul style="list-style-type: none"> <li>• Land location and donors</li> </ul>	
	<ul style="list-style-type: none"> <li>• Parish names</li> </ul>	
	<ul style="list-style-type: none"> <li>• Obstacles</li> </ul>	
	<ul style="list-style-type: none"> <li>• Cemeteries and burials</li> </ul>	
	<b>Church Construction</b>	
	The construction of a church was the biggest communal project that most congregations were to organize. Therefore, social organization of such construction is worth noting. The earliest churches were community-built with hewn logs, perhaps under the informal supervision of several men and women. Some parishes constructed more than one church as the community grew.	
	In Saskatchewan, some prominent carpenter-craftsmen were Wasyl Huziak and the Semeniuk brothers of Arran, Nicholas Zary of Laniwci, Ilyia (Ilko) and Alex Sembelarus of Prud'homme, Theodore Buchko of Ituna and Hryhoriw (Harry) Shalley of Goodeve. From Manitoba, Phillip Ruh and Ivan Ticholyz, and from Edmonton, Josef Janishewsky.	
	<ul style="list-style-type: none"> <li>• Construction organizers (Building Committee)</li> </ul>	
	<ul style="list-style-type: none"> <li>• Lead Builder</li> </ul>	
	<ul style="list-style-type: none"> <li>• Construction crew</li> </ul>	
	<ul style="list-style-type: none"> <li>• Dates of church construction/completion/consecration</li> </ul>	
	<b>Architectural Design and Features</b>	
	<ul style="list-style-type: none"> <li>• Architectural design and features</li> </ul>	
	<ul style="list-style-type: none"> <li>• Floor plans</li> </ul>	
	<ul style="list-style-type: none"> <li>• Church halls</li> </ul>	
	<ul style="list-style-type: none"> <li>• Bell towers</li> </ul>	

	<ul style="list-style-type: none"> <li>• Shrines</li> </ul>	
	<b>Church Interior, Icons, Liturgical Objects</b>	
	More than a dozen church painters are recorded in Saskatchewan. Artists / iconographers / craftspersons such as Peter Lipinski, Hnat Sych, Jacob Maydanyk, Stephan Meush, Peter Leskowski, Paul Zabalotny, Theodore Baran, Terry Zinkowski, Fr. Melnyk, Marianna Savaryn, Anna Mycyk, etc.	
	<ul style="list-style-type: none"> <li>• Iconographers/artists</li> </ul>	
	<ul style="list-style-type: none"> <li>• Dates of paintings</li> </ul>	
	Many liturgical objects were locally crafted or donated. Who were those people and what was their contribution:	
	<ul style="list-style-type: none"> <li>• Tabernacles</li> </ul>	
	<ul style="list-style-type: none"> <li>• Altars &amp; Tetrapods</li> </ul>	
	<ul style="list-style-type: none"> <li>• Lecterns</li> </ul>	
	<ul style="list-style-type: none"> <li>• Procession crosses</li> </ul>	
	<ul style="list-style-type: none"> <li>• Windows and stained glass</li> </ul>	
	<ul style="list-style-type: none"> <li>• Wooden clackers</li> </ul>	
	<ul style="list-style-type: none"> <li>• Embroidery</li> </ul>	
	<b>Parish Events</b>	
	Every parish hosted significant events in their parish life. What were those events?	
	<ul style="list-style-type: none"> <li>• Visitations by Metropolitan Sheptytsky, Bishop's Budka, Ladyka, Roborecki, etc.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Ordinations</li> </ul>	
	<ul style="list-style-type: none"> <li>• Vocations from the parish</li> </ul>	
	<ul style="list-style-type: none"> <li>• Marriages, baptisms, anniversaries, funerals</li> </ul>	
	<ul style="list-style-type: none"> <li>• Are priests or sisters buried in your parish cemetery?</li> </ul>	
	<b>Parish Organizations</b>	
	<ul style="list-style-type: none"> <li>• Sisterhood/UCWLC</li> </ul>	
	<ul style="list-style-type: none"> <li>• Altar society</li> </ul>	
	<ul style="list-style-type: none"> <li>• Brotherhood</li> </ul>	
	<ul style="list-style-type: none"> <li>• Knights of Columbus</li> </ul>	
	<ul style="list-style-type: none"> <li>• Drama/musical/dance groups</li> </ul>	
	<ul style="list-style-type: none"> <li>• Choirs – directors</li> </ul>	
	<ul style="list-style-type: none"> <li>• Youth groups</li> </ul>	
	<b>Historical, Heritage Documentation</b> referenced or included in this Life Story.	
	<ul style="list-style-type: none"> <li>• Copy of Original Land Title</li> </ul>	
	<ul style="list-style-type: none"> <li>• Photographs of founding members, land, construction, church building, grounds, church consecration, parish events, visitations, parish organizations, parish feast day and praznyk celebrations</li> </ul>	
	<ul style="list-style-type: none"> <li>• Parish members recorded recollection, anecdotes, and community memory.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Church records: marriages, baptisms, funerals; congregation count, growth/decline.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Parish catechism events: parish missions, summer catechetical program etc</li> </ul>	
	<ul style="list-style-type: none"> <li>• Parish records of meetings, decision-making, votes by Parish Council, Executive, Parish Membership, Parish organizations.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Newspaper clippings and published articles with reference to the Parish</li> </ul>	
	<ul style="list-style-type: none"> <li>• Record of apparitions, healings</li> </ul>	
	<b>Documentation to Chancery Office</b>	
	Provide file copy of Parish Heritage Life Story to the Chancery office. Contact information of persons who led/compiled the Parish Heritage Life Story.	



## U. Procedure #7: Real Estate Sale

This worksheet may be utilized by local Parish or District to prepare for and carry out the sale of a real estate property: for sale by Owner in conjunction with the Eparchial Solicitor or other qualified real estate lawyer; or working with a licensed Real Estate Agent and the Eparchial Solicitor or other real estate lawyer.

	<b>Permission Requested</b>	
	<p>The intent of a local Parish Council, Parish Priest, or District Council to sell a real estate property must be communicated in writing – prior to any plans of sale - to the Eparchial Bishop, who with the College of Consultors, will consider the request and supporting reasons, and shall approve or decline the request to proceed, and provide any specific conditions.</p> <ul style="list-style-type: none"> <li>• Permission Granted: Yes/ No</li> <li>• Letter Dated:</li> <li>• Conditions Noted:</li> </ul> <p>See Decommissioning Policy Item D.1.a</p>	
	PRE-SALE	
	<b>Building Name and Address</b>	
	Building Name:	
	RR/Street Address:	
	RM/City, Province:	
	Phone:	
	<p><b>Realtor Retained:</b> Specify Contact and Fees</p> <p>(Note: Fees typically 5% of sale price or a flat fee. If property has a low/modest value, it may not be feasible to hire a Realtor to sell it.)</p>	
	<b>Lawyer Retained:</b> Specify Contact and Fees	
	<b>Sacred Objects Inventory</b>	
	<p>Local Parish to document all Sacred items, per AGEMI Standard, with written inventory and photographs, submitted to AGEMI along with the names of the persons in charge.</p> <p>IF sale is not to a church, for building to be used as a church, and sacred items not included in sale, THEN sacred items to be removed to District storage.</p>	
	FOR SALE BY OWNER	
	<b>Title Search</b> (Information Services Corporation ICS <a href="http://www.ics.ca">www.ics.ca</a> )	
	Who holds legal title:	
	Legal Address:	
	Legal Description of Property:	
	Lot Size:	
	Property Boundaries:	
	<p>Liens, Encumbrances, Rights-of-Way:</p> <p>(Check for liens against the Property Title, and Liens against the Owner/Eparchy)</p>	
	Real Property Report/Surveyor's Certificate: (Available?)	

<b>Municipal Inquiry</b>		
Annual Property Tax Rate:	Property Deficiencies?	
Property Taxes Owning?	Outstanding Permits?	
Zoning:		
Building and Site Condition Survey (by Owner): <i>Results</i> <ul style="list-style-type: none"> <li>• Items for removal prior to Listing:</li> <li>• Items for maintenance prior to Listing:</li> <li>• Items for repair prior to Listing:</li> <li>• Identified defects to disclose: (Must provide written disclosure; attach separate sheet)</li> </ul>		
<b>Municipal Assessment</b> (by Municipality): <i>Value as assigned for assessment of Property Tax</i>		
<b>Market Comparison</b> (by Owner): <ul style="list-style-type: none"> <li>• Estimate per current real estate market:</li> </ul> <p><i>Maintain list of comparable properties sold, and area properties sold, in determination of asking price. Retain this list for future reference. It is not always possible to compare to similar properties (i.e. church use) so an estimation of properties of similar construction and age will have to suffice. Also, the value may be arrived at by income approach or by replacement cost, though this can be in-depth and difficult to accomplish.</i></p>		
<b>Professional Appraisal</b> (Optional): <i>Results</i>		
<b>Asking Price</b>		
<ul style="list-style-type: none"> <li>• Starting Price:</li> <li>• Acceptable Margin of adjustment:</li> </ul>		
The asking price should be as close to a reasonable selling price as possible. Over-priced property can sit on the market, and then when it does sell it typically sells for less than what it would have sold at if priced more accurately.		
<b>Heritage Status</b>		
If the property has designated status as a Municipal Heritage Property, the Heritage Property Act applies. Item 33 states: <ul style="list-style-type: none"> <li>• “No owner of a designated property...shall offer the property for sale without giving the council of the municipality...<u>30 days written notice</u> of the owner's intention to sell the property unless the council consents to a shorter period.”</li> </ul>		
Property Improvements for Sale-ability		
<ul style="list-style-type: none"> <li>• Removal/alteration of church elements, prior to possession, if converted to alternate use: ie altar, fixed lectern, stained glass depicting religious images, memorial cross, cornerstone, domes, bell tower.</li> <li>• Repeal of Heritage Status if present:</li> </ul>		
<b>Disclosure of Latent Defects and Damages</b>		
All latent defects and damages of the property, known by the seller, should be disclosed to the Realtor as well as municipal relations bylaws or rules that may affect the sale of the property. Note: Selling a property “As Is” still requires the seller to provide written disclosure of any known latent defects. A latent defect is defined as a defect which exists at the time of acceptance but cannot be discovered by a reasonable inspection (not immediately visible). The seller is to notify the buyer(s) in writing what and where the defects are. If the building is slated for demolition this becomes less critical but should still be noted in case the buyers plans change and the building is retained.		

	<ul style="list-style-type: none"> <li>Defects: (See Building and Site Condition Survey results, Specify defects in writing.)</li> <li>Municipal Bylaws: (ie PID Property Information Disclosures, and BIA Building Information Abstract)</li> </ul> <p>A Building Information Abstract (BIA) is a document that contains information regarding zoning compliance, building information, and building history. This includes a review of a real property report for site compliance with applicable bylaws. The city will require a real property report that has been completed within the last 5 years. A BIA costs \$50.</p> <p>A Property Information Disclosure (PID) only contains information regarding building information and history. A review of a real property report for site compliance is not required. A PID costs \$25.</p> <p>Property owners, property purchasers, real estate agents, lawyers, and lending institutions can all apply for BIA or PID. Information will not be verified by a city inspection.</p>	
	<b>Property Contents</b>	
	<ul style="list-style-type: none"> <li>Included in Sale:</li> </ul>	
	<ul style="list-style-type: none"> <li>Not Included, to be removed prior to Possession:</li> </ul>	
	Refer to Decommissioning Policy Schedule A and B for list of Sacred and Secular Items.	
	Government Agencies	
	<ul style="list-style-type: none"> <li>Notify government agencies as required, for sale of charity property (ie Canada Revenue Agency regarding charitable status and property)</li> </ul>	
	<b>Corporation as Owner</b>	
	<ul style="list-style-type: none"> <li>If a corporation is the Seller, all company bylaws detailing the authorization and signing authority for the corporation be provided to the sales person. This is mandatory, and a legal requirement as set out by Fintrac.</li> <li>Check if this is required in a private sale.</li> </ul>	
	<b>Advertising</b> Consider what media, and extent of market area? <ul style="list-style-type: none"> <li>Include Asking Price in all ads</li> <li>Publish in real estate newspapers</li> <li>Publish in church bulletin and church website</li> </ul>	
	<b>Deposit</b>	
	<ul style="list-style-type: none"> <li>A deposit is required of an amount large enough to commit the buyer and deter the buyer from withdrawing, as well as to help defray the costs of the transaction and the cost of taking the property off the market while the transaction is in process. While the amount is to be determined, a minimum of \$1 is required for a legal transaction.</li> <li>The idea is that you don't want the property to be conditionally sold for a time only to have it fail. This is costly and makes the property more difficult to sell at a later date.</li> </ul>	
	<b>Financing</b>	
	<ul style="list-style-type: none"> <li>The buyer may require time to arrange financing. This should be done within 10 working days, and an expiry date should be put on the offer. For best results the property sale should be completed as prompt and efficient as possible. The longer the sale requires the less likely to achieve the asking price.</li> </ul>	
	<b>SALE PROCESS</b>	
	<ul style="list-style-type: none"> <li>Letter of request for permission to sell, based upon a motion by the local Parish Council, and with the signature of the local Parish Priest, provided to the Bishop</li> </ul>	
	<ul style="list-style-type: none"> <li>Letter of request includes the plan for distribution of monies from the sale</li> </ul>	
	<ul style="list-style-type: none"> <li>Bishops Letter of <u>Approval</u> for permission to sell has been received, conditions noted.</li> </ul>	
	<ul style="list-style-type: none"> <li>Modifications/ property improvements complete. No deficiencies.</li> </ul>	
	<ul style="list-style-type: none"> <li>Determination of Reasonable Offer</li> </ul>	
	<ul style="list-style-type: none"> <li>Bishop/Consultors Letter of <u>Approval</u>/decline of Offer.</li> <li>Bishops Letter of Approval to include requirement for: <ul style="list-style-type: none"> <li>Local Parish to consult Eparchial Solicitor regarding the Title and intent to sell;</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>• Realtor to consult Eparchial Solicitor regarding process for Bishop's approvals.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Counter Offer dated, and with expiry date.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Offer Accepted dated, and with expiry date.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Purchase Agreement, including expiry date.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Terms: Terms are generally made on chattels that can be removed from the property without damaging the property and are not attached to the property (ie stove, fridge, washer, dryer, window coverings).</li> </ul>	
	<ul style="list-style-type: none"> <li>• Conditions of Sale including expiry date, are usually put on by the buyer (ie financing, building inspections, legal advice, third person viewing and approving etc). These conditions need to be completed and formally removed before the sale can proceed.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Bishops written <u>Approval</u> for sale of a church to another religious denomination</li> </ul>	
	<ul style="list-style-type: none"> <li>• Conditions of Sale IF to a church, to be used as a church (See Decommissioning Policy D.3, including D.3.i,j). All of these conditions need to be satisfied in writing before the sale can proceed to the buyer.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Conditions of Sale IF for a secular use (See Decommissioning Policy D.3., including D.3.j,k). All of these conditions need to be satisfied in writing before the sale can proceed to the buyer.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Bishops written <u>Approval</u> for Transfer Authorization to effect the transfer of Title</li> </ul>	
	<ul style="list-style-type: none"> <li>• Deposit Accepted at time of Offer</li> </ul>	
	<ul style="list-style-type: none"> <li>• Possession Date. Note: Possession does not take effect until all of the conditions have been satisfied and formally removed. The Buyer should not be allowed on the property before the Sellers lawyer verifies the money is in place and that the property is releasable.</li> </ul>	
	<b>AFTER-SALE prior to possession</b>	
	<ul style="list-style-type: none"> <li>• Removal of Contents not included in sale</li> </ul>	
	<ul style="list-style-type: none"> <li>• Clean-up</li> </ul>	
	<ul style="list-style-type: none"> <li>• Verify receipt of monies from Buyers Lawyer</li> </ul>	
	<ul style="list-style-type: none"> <li>• Title Transfer (ISC may require 1 week to transfer title)</li> </ul>	
	<ul style="list-style-type: none"> <li>• Depending on the contract, interest may be paid to the seller by the buyer for the duration of transfer of monies and transfer of title.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Walk-Through Inspection/ Acceptance</li> </ul>	
	<b>POSSESSION</b>	
	<ul style="list-style-type: none"> <li>• Contract Closure when monies received and title transfer done.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Fees to Lawyer</li> </ul>	
	<b>Lawyer</b>	
	<p>Depending on the scope of services negotiated with the lawyer, the lawyer will provide:</p> <ul style="list-style-type: none"> <li>• Title search</li> <li>• Municipal Inquiry</li> <li>• Copy of Municipal Assessment</li> <li>• Market Value verification</li> <li>• Asking Price verification</li> <li>• Heritage Status 30 day notice to sell (or by Owner)</li> <li>• Heritage Status repeal (or by Owner)</li> <li>• Written disclosure of latent defects and damages</li> <li>• List of Contents included/not included in sale</li> <li>• Coordination with Canada Revenue Agency regarding Charitable status and property</li> <li>• Advice if Corporation as Owner</li> <li>• Advice on Deposit amount</li> <li>• Prepare and execute sales contract</li> <li>• Legal management of sales process: listing date, offer, counter offer, acceptance of offer, terms, conditions, expiry dates, deposit, default, possession, close-out</li> </ul>	

	As all real estate sales are unique there may be questions and situations that arise, consult your lawyer to advise.	
	<b>SALE BY REALTOR</b>	
	<b>Municipal Inquiry</b> by Realtor	
	<b>Municipal Assessment</b> Realtor to obtain	
	<b>Market Comparison</b> Realtor Letter of Opinion	
	<b>Heritage Status</b>	
	If sale of a Municipal Heritage Property: a) Ensure written notice of intent to sell is provided to municipal council 30 days prior.	
	Property Improvements for Sale-ability	
	After removal/alteration of church elements, and Repeal of Heritage Status if applicable; then additional improvements per Realtor Recommendation	
	<b>Disclosure of Latent Defects and Damages</b> Realtor to provide written disclosure	
	<b>Property Contents</b> Realtor to verify what is/is not included	
	<b>Advertising</b> Realtor to advise: advertising media, listing content, start/stop dates etc.	
	<b>Deposit</b> Realtor to determine accurate, reasonable deposit; and handle all negotiation.	
	<b>Financing</b> Realtor to advise length of time allowed (ie 10 days) for buyer to secure financing.	
	<b>Sale</b> Realtor to fully manage the sale process in consultation with owner and lawyer.	
	<b>Post Sale</b> Realtor to fully manage the after-sale process in consultation with owner and lawyer.	
	<b>Possession</b> Realtor to fully manage the possession process with owner and lawyer.	
	<b>Real Estate Agent</b> <ul style="list-style-type: none"> <li>• A licensed Real Estate Agent carries Errors and Omissions Insurance to protect the seller and the agent from lawsuits to do with errors and omissions.</li> <li>• There are always two sides to a sale and both sides are to be treated fairly and honestly. Neither owner nor agent should state anything about the property that they are not certain about. If you are not certain find out from the appropriate source.</li> <li>• A Real Estate Agent will maintain confidentiality of all financial and personal information unless you have granted them permission to disclose.</li> <li>• As all real estate sales are unique there may be questions and situations that arise, consult your real estate agent to advise at each step.</li> </ul>	
	<b>Lawyer</b> When a Real Estate Agent is hired, the role of the lawyer will adjust to provide: <ul style="list-style-type: none"> <li>• Title Search</li> <li>• Transfer of Title</li> <li>• Coordination with Canada Revenue Agency and/or other depts regarding change of charitable status when Church closed, Parish suppressed, Sale of property.</li> <li>• Advice on requirements of sale when Corporation is the Owner.</li> <li>• Direction during Sale, After-Sale, and Possession process; and close-out.</li> </ul>	

## V. Procedure #8: Fire Safety for Controlled Burn

This worksheet may be utilized by local Parish or District to plan for the demolition of a building by a controlled burn.

	<b>Building Identity</b>	
	Building Name:	
	RR/Street Address:	
	RM, City, Province:	
	Phone: (District Council, District Priest)	
	Phone: (Parish Contact for Controlled Burn)	
	<b>Built</b>	
	Year Built: Age of Building:	
	Type of Construction: (ie slab-on-grade or poured concrete bsmt, wood frame structure)	
	Current Condition:	
	Reason for Controlled Burn:	
	Other Options considered: <ul style="list-style-type: none"> <li>Salvage/sell materials: all salvageable materials have been removed for sale and for recycling as applicable.</li> </ul>	
	Any Hazardous Materials have been identified and removed: <ul style="list-style-type: none"> <li>Asbestos products: The Clean Air Regulations prohibit the open burning of certain products. Prohibited materials must be removed prior to burning.</li> </ul>	
	<b>Liability</b>	
	<p style="text-align: center;"><b>IMPORTANT NOTICE</b></p> <ul style="list-style-type: none"> <li>Any person who starts a fire is responsible for all suppression costs and possible liability from damage caused by the fire.</li> </ul>	
	<b>Risks</b>	
	<ul style="list-style-type: none"> <li>Fire out of control, or unintentional grass fire: resulting in additional damage to own property, damage to others property, damage to persons, damage to public, financial liability for that damage and loss, reputation of Eparchy, loss of confidence and trust of RM and community, etc</li> </ul>	
	<b>Insurance</b>	
	<ul style="list-style-type: none"> <li>Eparchy Insurance covers Public Liability and Property Damage to Others.</li> <li>Parish Property Insurance would be additional to the Eparchial coverage.</li> <li>A Parish may also consider insurance for Event coverage for the controlled burn.</li> </ul> <p>Note: Eparchy Insurance coverage is for any accidental damage to others property or person. Eparchy Insurance does Not cover personal property damage or injury of the volunteers.</p>	
	<b>Permission received</b> from whom: (Bishop/Delegate, specify):	
	Letter of Permission dated:	
	<b>Advance Preparations by Owner</b>	
	<p>Canon Law</p> <ul style="list-style-type: none"> <li>Church Decommissioned</li> <li>Parish Suppressed</li> </ul>	
	<p>Building, Utilities, Contents</p> <ul style="list-style-type: none"> <li>Contents removed</li> </ul>	

	<ul style="list-style-type: none"> <li>• Telecommunications (Phone, Fax, Internet, Security) systems shut down, equipment removed</li> <li>• Contact SaskTel to be disconnected/ removed from external supply</li> <li>• Mechanical hvac system (furnace, air conditioning) shut down</li> <li>• Power panel powered off, all breakers and main power switch</li> <li>• Contact SaskPower/Sask Energy to be disconnected/removed from external supply</li> <li>• Water supply shut off including all taps and all valves</li> <li>• Contact RM to be disconnected/removed from external supply</li> <li>• Hazardous materials identified (Asbestos, Lead Paint)</li> <li>• No fuels present (Oil tank removed)</li> <li>• Domes removed</li> <li>• Memorial Cross removed</li> <li>• Cornerstone removed</li> <li>• Other, specify</li> </ul>	
	<b>Bylaws, Regulations</b>	
	<ul style="list-style-type: none"> <li>• Controlled burns may not be allowed and are not recommended within a hamlet, village or town. Inquire of your local jurisdiction. (May only be feasible if on an isolated rural property.)</li> <li>• From April 1 to October 31, a burn notification number is required, if site is located wholly or partly within 4.5 km of a Provincial Forest. Contact your local Wildfire Management Forest Protection Area Office to get one.</li> <li>• Oil tank removal, steam cleaning, sale as scrap metal. See Ministry of Environment.</li> </ul>	
	<b>Controlled Burn by RM Fire Department</b>	
	<ul style="list-style-type: none"> <li>• Determine local provider of Fire Protection Services.</li> <li>• Fire Protection in rural areas may be provided in co-operation with an Urban center, if the rural municipality has an agreement with their urban center.</li> <li>• Each of the 297 rural municipalities in Saskatchewan have their own agreements and in some cases there is No coverage.</li> <li>• Contact local provider for availability of service and cost of service.</li> <li>• Inquire of local Fire Protection Service for the option of having the controlled burn done at minimal cost or no cost as a volunteer exercise or part of a training program.</li> </ul>	
	<b>Controlled Burn by Contractor</b>	
	<ul style="list-style-type: none"> <li>• Determine availability and choice of local contractors.</li> <li>• Provide written scope of work: site preparation, controlled burn, liability, site clean-up.</li> <li>• Site inspection, quote, references, safety plan, schedule.</li> <li>• Compare qualifications, bids, reference checks.</li> <li>• Ensure Demolition Permit, and Fire Permits obtained.</li> </ul>	
	<b>Controlled Burn by Owner</b>	
	<p>Before the Controlled Burn</p> <ul style="list-style-type: none"> <li>• Verify controlled burn allowed by local by-law. Obtain Demolition Permit and/or Fire Permit as required.</li> <li>• What is the square foot area of the burn, the material composition, its condition (older building, drier wood).</li> <li>• What is the estimated length of the burn (the time required to complete the burn).</li> <li>• Identify the scope of work: site preparation, controlled burn, liability, site clean-up.</li> <li>• Recruit qualified crew. Qualifications? Number of persons required? Personal Protective Equipment (PPE) required?</li> <li>• Site inspection, equipment requirements, equipment rental, safety plan, cost estimate, schedule.</li> </ul>	

	<ul style="list-style-type: none"> <li>• Equipment requirements may include: fire extinguishers, water supply truck including pump and hoses, bull dozers.</li> <li>• Mow as low as possible or cultivate grasses within 30 m (100 ft) distance of building, and up to 50 m (165 ft) distance on downwind side. Remove dry leaves, tinder, debris, wood piles.</li> <li>• Establish fire guards, natural (ploughed soil) or man-made (water drenched areas or fire-fighting foam drenched areas). Keep the fire guard (fuel break) as straight as possible, avoid right angle turns.</li> <li>• What is the moisture level in the area?</li> <li>• What is the condition of the surrounding crops?</li> <li>• Schedule is subject to weather and wind conditions. Consider Alternate date.</li> <li>• Build relationship, establish communications with RM, Fire Protection Services, Provincial Fire Burn Control, and neighbouring land owners.</li> <li>• Contact Provincial Fire Burn Control 1 – 866 – 404 – 4911 for advance planning.</li> <li>• Contact local, or adjacent, fire department for advance planning and notice.</li> <li>• Two weeks prior to the burn: <ul style="list-style-type: none"> <li>◦ The mayor, administrator, or council should be informed. If the administrator of a municipality is notified they would inform the representative(s) of the hamlet or village where the structure is located.</li> <li>◦ Obtain Demolition Permits.</li> </ul> </li> <li>• One week prior to the burn: <ul style="list-style-type: none"> <li>◦ The local fire department, RCMP, and Ministry of Environment field office should be informed of the approximate date of the burn.</li> <li>◦ Segregate any materials including asbestos, and any hazardous substances.</li> </ul> </li> </ul> <p>Conditions to Consider</p> <ul style="list-style-type: none"> <li>• Consideration should be given to not starting a fire when present or forecasted wind speeds are greater than 10 km/hr. Potential for wind gusts must also be taken into account as they can create significant problems for control. If gusts are forecasted, burning should not be considered. If you are burning, be sure the weather is constantly being monitored and if conditions change extinguish your burn and wait for better and safer conditions.</li> <li>• Burning should not be conducted when the relative humidity falls below 25 per cent or when temperatures rise into the high twenties or above.</li> <li>• Prior to starting the fire, check the ministry website at <a href="http://www.saskatchewan.ca/fire">www.saskatchewan.ca/fire</a> for the current fire danger rating: low, moderate, high, extreme.</li> <li>• Time of day – The best time for burning is usually in the early morning or late afternoon. Winds tend to be lightest near dawn and strongest in the mid-afternoon. Burning during the midday poses risks such as erratic and variable winds. If burning in late afternoon is considered, ensure the operation is completed at least two hours before sunset.</li> <li>• Time of year – The time of year must be considered too, fall and early spring pose the most danger for lighting fires. Vegetative fuels (ie grasses, dry leaves) have the lowest moisture content at that time. Choosing to conduct the fire after snowfall in the late fall or during the winter could substantially reduce risk of the building fire causing a grass fire and of the fire getting out of control. If you start a fire in the late fall or in winter, check it in the spring, to see if it has "gone to ground" as hot dry winds in spring could cause it to flare up!</li> <li>• Smoke can cause a hazard by impairing visibility on public roadways. Ensure that smoke from the fire does not interfere or present harm to those affected downwind.</li> <li>• Other considerations: Be careful not to burn too much fuel or area at one time. Light the fire on the downwind side.</li> <li>• Go/No Go: Consult an experienced fire fighter for objective determination if it is safe to start the fire, with them present at that day and time, to grant a Go/No Go decision. Have this skilled resource review your Safety Plan in advance.</li> </ul> <p>Safety Plan</p> <ul style="list-style-type: none"> <li>• Contact with authorities having jurisdiction, stakeholders, and neighbours.</li> <li>• Crew members, roles, communication protocol amongst team</li> <li>• Personal Protective Equipment, first aid, first aid qualification</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Building preparation, site preparation, including fire guards</li> <li>• Site equipment, quantity, experienced/licensed operators</li> <li>• Burn duration, where to start, choice of safe fuel</li> <li>• Fire monitoring and control</li> <li>• Fire Emergency protocol including emergency phone numbers</li> <li>• Fire completion, temporary site safety and site protection (including open basement)</li> <li>• Site clean-up and permanent site safety</li> </ul> <p>Start of Controlled Burn</p> <ul style="list-style-type: none"> <li>• Verify weather and wind conditions, current and forecasted for duration of burn.</li> <li>• Contact local, or adjacent, fire department for notice before beginning fire. Fire dept not to respond to notice of passers-by during scheduled time unless you contact them due to emergency (change of wind conditions, fire out of control).</li> <li>• Contact Provincial Fire Burn Control 1 – 866 – 404 – 4911 when ready to start fire. Do not proceed with fire if winds &gt; 10km/hr.</li> </ul> <p>During the Controlled Burn</p> <ul style="list-style-type: none"> <li>• Weather monitoring &amp; updated forecast; will need to halt if winds increase &gt; 10 km/hr.</li> <li>• The fire must be attended and supervised at all times. The fire must be extinguished before the person(s) carrying out the burn leaves the fire.</li> <li>• Sufficient fire-fighting equipment must be on-site to control the fire during the burn and to extinguish the fire when the burn is complete.</li> <li>• Fire monitoring and control, emergency response if required, per Safety Plan.</li> </ul> <p>Completion of Controlled Burn</p> <ul style="list-style-type: none"> <li>• Contact Local Fire Protection services when fire concluded and fully extinguished.</li> <li>• Contact Provincial Fire Burn Control when fire concluded and fully extinguished.</li> <li>• "Mop up" involves extinguishing all burning material starting along the fire's edge and working into the burn. Ensure all surface fire and any ground fires are extinguished.</li> <li>• Secure site till clean-up/removal of fire debris. Possible fencing, and signage.</li> <li>• Communicate results, and lessons learned, to Decommissioning Lead (Fr Ivan).</li> </ul>	
	<b>Site Preparation for Re-Use</b>	
	<i>Agricultural Use</i>	
	<ul style="list-style-type: none"> <li>• Slab-On-Grade: IF site is to be re-used for agriculture, THEN demolition and removal of concrete slab required. If too costly to demolish, haul, and pay landfill fees, may dig hole of sufficient depth with backhoe to bury. Allow minimum of 3 ft cover of soil for clearance of agricultural equipment.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Basement: IF site is to be re-used for agriculture, THEN demolition and removal of concrete basement required to Minimum of 3 ft below grade. Then fully infill basement. May use site soils if hill existing or soils from leveling throughout site. Maintain Minimum of 3 ft soil cover for clearance of agricultural equipment.</li> </ul>	
	<i>Residential Use</i>	
	<ul style="list-style-type: none"> <li>• Slab on Grade: IF site is to be re-used for residential use, THEN demolition and removal of concrete slab required. Need to allow for this in budget: demolish, haul, and landfill fees.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Basement: IF site is to be re-used for new residential use, THEN demolition and removal of concrete entire basement required. Need to allow for this in budget: demolish, haul, and landfill fees.</li> </ul>	
	<b>Government of Saskatchewan Publications</b>	
	<p>Resources online: <a href="http://www.publications.gov.sk.ca">http://www.publications.gov.sk.ca</a> Then search by document title.</p> <ul style="list-style-type: none"> <li>• "Open Burning and Disposal of Wooden Structures Guideline" **** <i>Valuable Resource</i></li> <li>• "Best Practices for Open Burning" *** <i>Valuable Resource</i></li> <li>• "Construction/Demolition Waste Recycling and Disposal"</li> <li>• "Hazardous Substance and Waste Dangerous Goods Regulations"</li> </ul>	

	<ul style="list-style-type: none"> <li>• “The Clean Air Regulations”</li> </ul>	
	<b>Feasibility</b>	
	<ul style="list-style-type: none"> <li>• What are some key questions to determine if this option is feasible for you: <ul style="list-style-type: none"> <li>◦ Building is no longer structurally sound</li> <li>◦ Building is no longer salvageable for use</li> <li>◦ Building materials for re-use have been harvested</li> <li>◦ Building is all wood construction</li> <li>◦ Building is isolated from any neighbouring structures by a distance of – km</li> <li>◦ RM bylaws permit controlled burn</li> <li>◦ RM Fire Protection Services are available (for hire), and to carry liability; Or</li> <li>◦ Contractor is available for hire and to carry liability; Or</li> <li>◦ Owner has volunteer crew available and experienced in fire safety and controlled burns, and the Eparchy will carry the liability for the controlled burn</li> <li>◦ <b>Volunteers have been informed and agree that they do so at their own risk</b></li> <li>◦ Permission has been granted by Eparchy to demolish structure by controlled burn</li> <li>◦ Fire Hazard Index is very low</li> <li>◦ You have a Safety Plan for the controlled burn: preparation, burn, and clean-up</li> <li>◦ Adequate budget to cover the costs?</li> <li>◦ Some costs can be high: oil tank removal and steam cleaning, landfill costs.</li> </ul> </li> </ul>	
	<b>Lessons Learned</b>	
	<p>Consider knowledge and valuable learning as a result of this experience, from the perspective of each participant. Share this with the Decommissioning Team.</p> <ul style="list-style-type: none"> <li>• ie What was the square foot size of the structure and how long was the burn?</li> <li>• ie How many people were required and their roles?</li> <li>• ie How long did it take in total for site preparation, controlled burn, site clean-up?</li> <li>• ie What was the cost of disposing of the oil tank?</li> <li>• ie What was the cost to break-up and dispose of slab-on-grade? Landfill cost?</li> <li>• ie What was the cost to demolish entire basement? Landfill cost?</li> <li>• ie Estimated total cost for permits, personnel, equipment, landfill?</li> </ul> <p>What recommendations would you offer based on your experience?</p>	

W.

# The Ukrainian Catholic Parishes Act

being a Private Act  
Chapter 01 of the Statutes of Saskatchewan, 1992  
(effective July 31, 1992).

## NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## Chapter 01

An Act to provide for the incorporation of Ukrainian Catholic Parishes  
Within Saskatchewan  
(Assented to July 31, 1992)

## Preamble

WHEREAS An Act to incorporate the Ruthenian Greek Catholic Parishes and Missions in the Province of Saskatchewan, chapter 73 of the Statutes of Saskatchewan, 1913, had been passed to provide for the management and administration of property of Ruthenian Greek Catholic parishes and missions within the province of Saskatchewan; and

WHEREAS the legislation was amended by An Act to amend an Act to incorporate the Ruthenian Greek Catholic Parishes and Missions in the Province of Saskatchewan, chapter 110 of the Statutes of Saskatchewan, 1952; and

WHEREAS the Ruthenian Greek Catholic Church, which had been renamed the Ukrainian Greek Catholic Church, is now known as the Ukrainian Catholic church; and

WHEREAS the Ukrainian Catholic Church in Canada has undergone administrative and organizational changes over the last several decades; and

WHEREAS a petition has been presented by Glen Lekach of Regina, Saskatchewan, President of the Ukrainian Catholic Council for the Ukrainian Catholic Eparchy of Saskatoon, Ray Lalach of Saskatoon, Saskatchewan, past president of the Ukrainian Catholic Council for the Ukrainian Catholic Eparchy of Saskatoon, and Steven Kobrynsky of Canora, Saskatchewan, past president of the Ukrainian Catholic Brotherhood, National Executive, praying that an Act be passed by the Legislature of Saskatchewan as hereinafter set forth with regard to the property, rights, and powers of the parishes of the Ukrainian Catholic Church in Canada within the Province of Saskatchewan; and

WHEREAS it is expedient to grant the prayer of the said petition:

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

## Short title

1 This Act may be cited as The Ukrainian Catholic Parishes Act.

## Interpretation

2 In this Act:

(a) “**Administrator**” means the person who, according to the canonical constitution of the Church has authority to perform the duties of the Bishop in the event of the death or incapacity of the Bishop in the event of the death or incapacity of the Bishop;

(b) “**Bishop**” means the person appointed by the Holy Roman See from time to time as the Bishop of the Ukrainian Catholic Church in Canada having authority over the Ukrainian Catholics of Western Canada in communion with Rome, ordinarily resident in the province of Saskatchewan and that part of the Northwest Territories lying immediately north of the said Province;

(c) “**Church**” means the Ukrainian Catholic Church in Canada in communion with Rome;

(d) “**Canonical constitution of the Church**” means the fundamental principles, decrees, ordinances, rules, and regulations according to which the Church, as an ecclesiastical entity, is organized and governed;

(e) “**Eparchy**” means a district or diocese under the pastoral authority of a bishop of the Church;

(f) “**Episcopal Corporation**” means the Ukrainian Catholic Episcopal Corporation of Saskatchewan incorporated under An Act to incorporate The Ukrainian Catholic Episcopal Corporation of Saskatchewan, chapter 82 Statutes of Canada, 1951, 15 George VI;

- (g) **“Incorporated parish”** means a parish incorporated or continued as a body corporate under this Act;
- (h) **“Members”** means Christians who hold services of public worship according to the dogmas, doctrines, discipline, bylaws, rules, and regulations of the Church;
- (i) **“Parish”** means a congregation, mission, or other local unit for purposes of worship within the Church;
- (j) **“Preceding legislation”** means An Act to incorporate the Ruthenian Greek Catholic Parishes and Missions in the Province of Saskatchewan, chapter 73 of the Statutes of Saskatchewan, 1913, and An Act to amend an Act to incorporate the Ruthenian Greek Catholic Parishes and Missions in the Province of Saskatchewan, chapter 110 of the Statutes of Saskatchewan, 1952;
- (k) **“Registrar”** means the Registrar of Land Titles for any of the Land Registration Districts within the Province of Saskatchewan;
- (l) **“Vicar-General”** means the person appointed by the Bishop according to the canonical constitution of the Church to perform the duties of the Bishop in the event of his absence, illness, infirmity or other incapacity.

## **PART I**

### **Incorporations**

#### **Power of Bishop to establish parishes**

- 3 (1) The authority of the Bishop to establish parishes according to the canonical constitution of the Church, which authority was recognized under the preceding legislation, is confirmed.
- (2) Every new parish established by the Bishop according to the canonical constitution of the Church shall be a body corporate under the name of the “Ukrainian Catholic Parish (or Mission) of distinguishing name”.
- (3) A Certificate of Incorporation signed by the Bishop and bearing the seal of the Episcopal Corporation shall be issued for every corporation incorporated pursuant to this Act.
- (4) Every parish incorporated pursuant to this Act shall come into existence on the date shown in the Certificate of Incorporation.

## **PART II**

### **Continuance**

#### **Continuation of existing parishes**

- 4 (1) Every parish established according to the canonical constitution of the Church before the coming into force of this Act is continued as a body corporate under this Act and this Act shall apply to that body corporate.
- (2) The name of each parish incorporated under the preceding legislation is hereby changed by substituting the words “Ukrainian Catholic Parish (or Mission)” for the words “Ruthenian Greek Catholic Parish (or Mission)” or for the words “Ukrainian Greek Catholic Parish (or Mission)” where those words appear in the name.
- (3) Continuation of a parish as a body corporate under this Act and the change in the name of the incorporated parish shall not affect the legal liability or legal obligations of the incorporated parish.
- (4) A Certificate of Continuance signed by the Bishop and bearing the seal of the episcopal Corporation shall be issued for every parish continued as a body corporate under this Act.

### **PART III**

#### **Powers and Obligations of Incorporated Parishes**

##### **Spiritual leadership of Bishop**

5 Every incorporated parish shall be under the spiritual guidance of the Bishop and his successors in office of the same faith and rite, appointed by the Holy Roman See and persevering in communion with Rome.

##### **Acquisition of property**

6 Every incorporated parish may, with the written approval of the Bishop, purchase, acquire, take, have, hold, receive, possess, retain, and enjoy property real or personal, corporeal or incorporeal, necessary for its purposes or any estate or interest therein.

##### **Disposal of property**

7 Every incorporated parish may, with the written approval of the Bishop, sell, convey, exchange, alienate, mortgage, lease, or demise, any real or personal property held by the incorporated parish.

##### **Borrowing power**

8 Every incorporated parish may, with the written approval of the Bishop:

- (a) borrow money upon the credit of the incorporated parish;
- (b) limit or increase the amount to be borrowed; and
- (c) make, draw, accept, endorse or become a party to promissory notes and bills of exchange; for the purposes of the incorporated parish.

##### **Requirements for execution of documents**

9 (1) Any deed, transfer, mortgage, charge, or other instrument relating to, or dealing with, real property or any interest therein vested in any incorporated parish shall be deemed to be duly executed and binding upon the incorporated parish, and shall be sufficient for the purposes for which it is intended, if there are affixed thereto:

- (a) the signatures of the signing officers of the incorporated parish as they may be designated from time to time; and
- (b) the seal of the episcopal Corporation attested by the signature of the Bishop.

(2) In the event of dissolution of an incorporated parish, any deed, transfer, mortgage, charge, or other instrument relating to, or dealing with real property or any interest therein vested in the incorporated parish shall be deemed to be duly

executed and shall be sufficient for the purposes for which it is intended if;

- (a) the seal of the Episcopal Corporation attested by the signature of the Bishop is affixed to the instrument; and
- (b) a certified copy of a Certificate of Dissolution issued under this Act is attached to the instrument.

(3) No instrument or agreement executed on behalf of an incorporated parish by its property officers in that behalf shall be invalid merely because the corporate seal of the incorporated parish is not affixed thereto.

##### **Members not personally liable**

10 No member of any incorporated parish shall be individually responsible for any of the debts, contracts, or liabilities of the incorporated parish.

##### **Bylaws**

11 (1) Subject to the canonical constitution of the Church and any bylaws promulgated by the Bishop by reason of his ecclesiastical authority, every incorporated parish may make bylaws or adopt a constitution not contrary to law for:

- (a) the administration, management, and control of the property, business, and other temporal affairs of the incorporated parish;
- (b) the appointment of committees for the purposes of the incorporated parish and the calling of meetings of those committees;

(c) generally for the carrying out of the objects and purposes of the incorporated parish.

(2) No such bylaw or constitution shall have any force or effect nor shall any committee have any powers until the bylaw or constitution has been filed with the Bishop and the Bishop has given his written approval.

(3) The determination of the Bishop that the bylaw or constitution is consistent with or inconsistent with the canonical constitution of the Church shall be conclusive.

(4) Until an incorporated parish makes its own bylaws or adopts a constitution pursuant to subsection (1), each incorporated parish shall be governed by the bylaws set out in Appendix “A” to this Act.

(5) In the event of any conflict between the bylaws or constitution adopted by an incorporated parish and the provisions of this Act, this Act shall govern.

### **Financial records**

12 (1) Every incorporated parish shall maintain a record of all revenues received and monies expended by the incorporated parish as well as a record of all assets and liabilities and all transactions affecting the financial position of the incorporated parish.

(2) Every incorporated parish shall prepare annual financial statements according to generally acceptable accounting principles making a full accounting of:

- (a) all revenues received by the incorporated parish and the application of such revenues;
- (b) all assets held by the incorporated parish and all outstanding liabilities.

(3) A copy of the annual financial statements of the incorporated parish shall be submitted to the Episcopal Corporation.

(4) The financial records of each incorporated parish shall, at all reasonable times, be open to inspection by a representative of the Episcopal Corporation.

## **PART IV**

### **Dissolution**

### **Dissolution**

13 (1) An incorporated parish may be dissolved:

- (a) pursuant to a resolution passed by two-thirds of the persons present at a meeting of its members; or
- (b) pursuant to a declaration of the Bishop if such incorporated parish is no longer functioning as an independent parish.

(2) The dissolution of an incorporated parish shall not take effect until the procedure provided in this Act for liquidation of assets and settlement of debts and liabilities of the incorporated parish has been completed.

(3) Where an incorporated parish has resolved to dissolve, or the Bishop desires to dissolve an incorporated parish, the Episcopal Corporation shall appoint a liquidator, who may be a member of the parish, who shall:

- (a) take into his custody and control the property of the incorporated parish;
- (b) open and maintain a trust account for the monies of the incorporated parish;
- (c) keep accounts of the monies of the incorporated parish received and paid out by him;
- (d) liquidate any property of the incorporated parish that can be conveniently sold by public auction or private sale;
- (e) discharge the liabilities and obligations of the incorporated parish; and
- (f) provide a final accounting to the Episcopal Corporation.

(4) The liquidator may:

- (a) retain lawyers, accountants, engineers, appraisers and other professional advisors;

- (b) bring, defend or take part in any civil, criminal, or administrative action or proceeding in the name and on behalf of the incorporated parish;
- (c) do all acts and execute any documents in the name and on behalf of the incorporated parish;
- (d) settle or compromise any claims by or against the incorporated parish; and
- (e) do all other things necessary for the liquidation of the incorporated parish and distribution of its property.

(5) In the event that the proceeds of the sale of the assets of an incorporated parish which could be conveniently sold are insufficient to enable the liquidator to settle all of the debts and liabilities of that incorporated parish, the liquidator shall have authority to establish a value for the remaining assets which could not be conveniently sold and to sell the remaining assets to the Episcopal Corporation at that value, the proceeds of which shall then be applied by the liquidator to settle any remaining debts or liabilities of the incorporated parish.

(6) When the liquidator has fulfilled his duties under this Act in respect of the dissolution of an incorporated parish, both real and personal, shall vest in and be transferred to the Episcopal Corporation to be dealt with as the Episcopal Corporation may determine.

#### **Certificate of dissolution**

14 When a parish is dissolved pursuant to this act, a Certificate of Dissolution shall be issued under the seal of the Episcopal Corporation attested by the signature of the Bishop, which Certificate shall declare that the incorporated parish therein named has been dissolved as at the date therein stated.

### **PART V**

#### **Titles to Land**

#### **Amending titles of parishes**

15 (1) All titles to real property now standing in the name of any Ruthenian Greek Catholic Parish, Mission, or Church or in the name of any Ukrainian Greek Catholic Parish, Mission, or church shall be amended by substituting the words "Ruthenian Greek Catholic Parish (or mission or church)" or for the words "Ukrainian Greek Catholic Parish (or mission or church)".

(2) To effect the name change referred to in subsection (1), it shall be sufficient for the Bishop to file with the Registrar a written request for an amendment to each Certificate of title affected along with an Affidavit to the effect that the parish named in the existing Certificate of Title is now known under the new name described in the Affidavit.

(3) No fee shall be payable under The Land Titles Act in order to register or record the amendment to the name of the parish in all such titles.

#### **Titles in names in individuals as trustees**

16 (1) Where the title to any real property stands in the name of individuals as Trustees for a congregation of the Ukrainian Catholic Church, whether such individuals or any of them be deceased or not, a certificate under the seal of the Episcopal Corporation attested by the signature of the Bishop to the effect that such property belongs to or is held in trust for an incorporated parish or belongs to or is held in trust for the Episcopal Corporation shall be accepted by the Registrar as conclusive proof of the facts stated.

(2) Upon receiving a certificate pursuant to subsection (1), the Registrar shall thereupon cancel the existing Certificate of title and issue a new certificate of Title for the property in the name of the incorporated parish or the Episcopal Corporation, as the case may be.

(3) The fee for the cancellation of the old Certificate of Title and the issuance of a new one under this section shall be equivalent to the fee payable under The Land Titles Act to amend or change the name of a registered owner on an existing Certificate of Title.

#### **Titles in name of society, group, etc.**



17 (1) Where the title to any real property stands in the name of any individual, society, group, organization, or congregation, whether or not such society, group, organization, or congregation continues to exist as such, a certificate under the seal of the Episcopal Corporation, attested by the signature of the Bishop, to the effect that such property belongs to or is held in trust for or to the use of an incorporated parish or belongs to or is held in trust for the Episcopal Corporation shall be accepted by the Registrar as conclusive proof of the facts stated in the certificate.

(2) Upon receiving a certificate pursuant to subsection (1), the Registrar shall cancel the existing Certificate of Title and issue a new Certificate of Title for the property in the name of the incorporated parish or the Episcopal Corporation, as the case may be.

(3) The Registrar may, before issuing a new Certificate of Title, require the Episcopal Corporation to publish once a week for two consecutive weeks in a newspaper distributed in the area where the property described in the Certificate of Title is located, a notice from the Registrar of his intention to issue a new Certificate of Title for the subject property, requiring that any objections be submitted to the Registrar in writing within 4 weeks from the date stated in the notice.

(4) The fee for the cancellation of the old Certificate of Title and the issuance of a new one under this section shall be equivalent to the fee payable under The Land Titles Act to amend or change the name of a registered owner on an existing Certificate of Title.

## **PART VI**

### **General**

#### **Certificates as proof of facts**

18 (1) Any certificate issued pursuant to the Act is admissible in evidence as conclusive proof of the facts stated in that certificate without proof of the office or signature of the person purporting to have signed it.

(2) The Episcopal Corporation may prepare certified copies of certificates issued under this Act and such certified copies shall be admissible in evidence as *prima facie* proof of their contents without proof of the office or signature of the person purporting to have signed the certification.

#### **Signing of documents**

19 Where the Act provides that a document is to be signed by the Bishop, such document may be signed on his behalf by the Administrator or Vicar-General, as circumstances may require.

#### **General legislation for religious societies**

20 the provisions of this Act shall supersede any general act respecting the property of religious societies, congregations, or institutions in force in the Province of Saskatchewan, however the provisions of any such general act shall, when not inconsistent with the provisions of this Act, be construed as supplementary thereto.

## **PART VII**

### **Repeal and Coming Into Force**

#### **Repeal**

21 The following Acts are repealed:

- (a) An Act to incorporate the Ruthenian Greek Catholic Parishes and Missions in the Province of Saskatchewan, chapter 73 of the Statutes of Saskatchewan, 1913; and
- (b) An Act to amend an Act to incorporate the Ruthenian Greek Catholic Parishes and Missions in the Province of Saskatchewan, chapter 110 of the Statutes of Saskatchewan, 1952.

#### **Coming into force**

22 This Act comes into force on the day of assent.

## **APPENDIX A**

## **Bylaws**

### **Parish council**

- 1 (1) Every incorporated parish shall have a parish council consisting of:
  - (a) a priest appointed by the Bishop who shall be the chief administrator of the incorporated parish and the chairman of the parish council;
  - (b) members elected from the parish community.
- (2) There shall be at least three members on parish council in addition to the priest.
- (3) Members elected to the parish council shall be elected at the annual general meeting of the incorporated parish for a term two years.
- (4) Approximately one-half of the members of the parish council shall be elected at each annual general meeting to ensure that there is some continuity of parish council members from one year to the next.
- (5) Members may be elected to the parish council for two consecutive terms (for a maximum of four years) at which time they must retire from the parish council for a period of at least one year before standing for re-election.

### **Annual general meeting**

- 2 Each incorporated parish shall hold an annual general meeting of members at which the members of the parish council shall be elected and at which the annual financial statements for the incorporated parish shall be presented and approved.

### **Calling of meetings**

- 3 (1) All meetings of the parish council, the annual general meeting, and all special general meetings of the incorporated parish shall be called by the parish priest or in his absence, and with his consent, by the person elected or designated as the president of the parish council.
- (2) A special general meeting of members shall be convened for the purpose of addressing a particular specified issue upon written request of two-thirds of the members of the parish council or upon written request of at least 10 members of the incorporated parish.

### **Quorum**

- 4 The quorum for the annual general meeting and for any special general meetings of the incorporated parish shall be the members present.

### **Chairmanship**

- 5 The parish priest shall be the Chairman of all meetings of the parish council and all general meetings of the incorporated parish unless the parish priest delegates that duty to an elected member of the parish council.

### **Majority decisions**

- 6 All questions at meetings of the parish council and at all general meetings shall be decided by majority vote.

### **Approval of priest**

- 7 Where a meeting is held in the absence of the parish priest all decisions are subject to his approval.

### **Casting of vote**

- 8 In case of a tie on any motion put to a vote at a parish council meeting or at a general meeting of members, the priest shall have the casting vote.

### **Signing cheques**

- 9 Cheques issued by an incorporated parish shall be signed by the parish priest and another member of the parish council or where there is no resident parish priest, by two members of the parish council.

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