



THE CORPORATION OF THE CITY OF ENDERBY

CONSOLIDATED FOR CONVENIENCE ONLY

BYLAW NO. 1702 AMENDMENT INDEX

BYLAW NO.	ADOPTION	TEXT AMENDMENT
1733	March 6, 2023	<ul style="list-style-type: none">• Amending by replacing Schedule "A"

CORPORATION OF THE CITY OF ENDERBY

BYLAW No. 1702

A bylaw to regulate the operation and maintenance of Cliffside Cemetery

WHEREAS the Council of the City of Enderby may, by bylaw, in accordance with Section 8(3)(f) of the *Community Charter*, regulate, prohibit and impose requirements in relation to cemeteries, crematoriums, columbariums and mausoleums and the interment or other disposition of the dead;

AND WHEREAS the City of Enderby has resolved to provide this service outside the City to Electoral Area “F” of the Regional District of North Okanagan;

AND WHEREAS the Board of the Regional District of North Okanagan, on December 19, 2009 has provided consent in accordance with Section 13 of the *Community Charter* subject to certain terms and conditions;

NOW THEREFORE, the Council of the City of Enderby, in open meeting assembled, hereby ENACTS AS FOLLOWS:

CITATION

1. This Bylaw may be cited as the **“Enderby & District Cemetery Regulation Bylaw No. 1702, 2020”**.

DEFINITIONS

2. In this bylaw unless the context otherwise requires;

“Care Fund” means a fund established and maintained by the City for the care and maintenance of the Cemetery;

“Caretaker” means the person or persons duly appointed or employed by the City from time to time as Caretaker of the Cemetery, and shall mean, in the absence of a specifically appointed Caretaker, the City of Enderby Chief Administrative Officer or designate;

“Cemetery” means land that is set apart or used as a place of burial of human remains or cremated remains and includes any incidental or ancillary buildings on the land;

“Cemetery Administrator” means the person duly appointed as such from time to time by Council, and for the purposes of administering the *Cliffside Cemetery* shall mean the Chief Administrative Officer of the City of Enderby, or designate;

“City” means the Corporation of the City of Enderby;

“Council” means the Council of the City of Enderby;

“Controlled Substance” means a “controlled substance” as defined and described in Schedules I, II, III and IV of the *Controlled Drugs and Substances Act*, as may be amended from time to time;

“Cremated remains” means human bone fragments left after human remains are cremated;

“Director” means a director under the *Business Practices and Consumer Protection Act*;

“Disinterment” means the removal, for the purpose of permanent relocation, of

- (a) human remains, and
- (b) the container, or any of the remaining container, holding the human remains, from the lot in which the human remains are interred;

“Exhumation” means the exposure and removal of interred human remains for the purposes of viewing or examination;

“Former Resident” means an individual who,

- a) was a legal and registered owner of property within the corporate limits of the City of Enderby or Electoral Area “F” of the Regional District of North Okanagan for a continuous period of not less than three (3) years within the period of ten (10) years immediately prior to the date the individual, or their legal representative, makes application for a right of interment or interment, or;
- b) was a resident of the City of Enderby or Area “F” of the Regional District of North Okanagan for a continuous period of not less than three (3) years within the period of ten (10) years immediately prior to the date the individual, or their legal representative, makes application for a right of interment or interment;

“Holiday” means any day or part of a day as may be proclaimed from time to time as a holiday to be observed by the City, or otherwise in accordance with the *Interpretation Act RSBC 1996*;

“Human remains” means

- (a) a dead human body in any stage of decomposition, or
- (b) a body of a stillborn infant in any stage of decomposition, but does not include cremated remains;

“Infant” shall mean any person up to the age of one (1) year;

“Interment” means disposition by

- (a) burial of human remains or cremated remains,
- (b) entombment of human remains, or
- (c) inurnment of cremated remains;

“Interment Right Holder” means a person who owns a right of interment;

“Lot” means a space that is

- (a) in a place of interment, and
- (b) used or intended to be used for the interment of human remains or cremated remains under a right of interment;

“Memorial” means

- (a) a tombstone, monument, plaque or other marker on a grave or plot, or
- (b) an inscription on a niche front;

“Non-Resident” means a person who at the time of death did not qualify as a Resident as defined in this bylaw;

“Regional District” means the Regional District of North Okanagan;

“Resident” shall mean a person who at the time of death was a legal and registered owner of property within the corporate limits of the City of Enderby or Electoral Area “F” of the Regional District of North Okanagan, or alternately has resided within the corporate limits of the City of Enderby or Electoral Area “F” for not less than ninety (90) days prior to the date of death and shall include a Former Resident;

Those residents who may be required to be transferred from within the corporate limits of the City of Enderby or Electoral Area “F” of the Regional District of North Okanagan , to enter an extended, intermediate, nursing or other such care facility for medical reasons, shall be considered a “Resident” under the terms of this definition.

“Right of Interment” means a right, in perpetuity, for the interment of human remains or cremated remains, in a lot;

“Stillborn infant” means a product of conception that underwent a stillbirth, as defined in the *Vital Statistics Act*.

CEMETERY DESIGNATION

3. (1) The following City owned land, commonly known as *Cliffside Cemetery*, is hereby set aside as a cemetery for the City of Enderby and Electoral Area “F” of the Regional District of North Okanagan:
 - (a) *Block 6, District Lot 237, Kamloops Division of Yale District, Plan 423* (169 Enderby-Grindrod Road, Enderby, BC).
- (2) The Cemetery shall be set apart and used as a place of burial of human remains or cremated remains and for purposes incidental and ancillary thereto, and for no other purposes whatsoever.
- (3) A copy of the plan of the Cemetery shall be filed with the Director and copies shall also be kept available for public inspection at Enderby City Hall and at such other places as may be required or deemed necessary.
- (4) The City reserves the right to reconfigure or change the boundaries or grading of the Cemetery or change the locations of, or remove or re-grade any roads, driveways, walkways or landscaping or other cemetery improvements, subject to any approval required under the *Cremation, Interment and Funeral Services Act*.
- (5) The Council of the City of Enderby is hereby continued as the Council of Cemetery Trustees to operate the Cemetery under this bylaw, with all such power and authority as is necessary to permit such operation.
- (6) Authority is delegated to the Cemetery Administrator to administer this bylaw in accordance with the duties and powers contained in this bylaw.

POWERS AND DUTIES OF THE CEMETERY ADMINISTRATOR

4. (1) The Cemetery Administrator shall be responsible for the overall management and operation of the Cemetery, including but not limited to:

- (a) directing and supervising all City employees and workers in carrying out their duties under this bylaw, including, but not limited to, maintaining records, issuing permits, administering applications, maintaining and repairing cemetery lands and improvements, and the provision of cemetery services;
- (b) ensuring the preparation and maintenance of all records required under this bylaw, the *Cremation, Interment and Funeral Services Act* and regulations and the *Business Practices and Consumer Protection Act* and regulations, for the proper and efficient administration and management of the Cemetery.

PUBLIC CONDUCT IN THE CEMETERY

Hours of Closure

- 5. (1) The Cemetery shall be open to the public only between the hours of 8:00 A.M. to the earlier of dusk or 9:00 P.M.
- (2) No person shall enter or remain in the Cemetery during the hours it is closed for public attendance without the permission of the Cemetery Administrator.
- (3) Any person entering or present in the Cemetery at any time other than the hours of operation as specified in 5(1), without special permission of the Cemetery Administrator, shall be guilty of an offence under this bylaw and liable to its penalties.

Restrictions

- 6. (1) Boxes, shells, toys, wire screens, arbours, trellises, tripods, or any other objects are prohibited on any grave or lot with the following exceptions:
 - (a) tripods may be used to hold wreaths and sprays of flowers during Interment;
 - (b) cut and artificial flowers, wreaths, and floral offerings may be placed on graves, but may be removed by the Cemetery Administrator when their condition is considered to be detrimental to the appearance or proper maintenance of the Cemetery;
 - (c) metal or plastic vases which may be set by the Cemetery Caretaker flush with the ground.
- (2) No mausoleum or above-ground vault may be constructed or erected on any lot in the Cemetery.
- (3) No lot may be defined by fence, railing, coping, curbing, hedge or by any other marker except a memorial as permitted under this bylaw.
- (4) No lot may be decorated with trees, shrubs or plants, but may be decorated by placing cut flowers.
- (5) No person shall:
 - (a) destroy, mutilate, deface, injure or remove from the Cemetery any memorial, fence, gate or other improvements or structure; or

- (b) deposit any rubbish or offensive matter or thing in the Cemetery.
- (6) No person shall carry on any business or calling in the Cemetery and, without limiting the foregoing, no person shall solicit orders for markers, tablets, memorials, funeral services or similar works or services within the Cemetery.
- (7) The Cemetery Administrator may cause the removal from a lot of any tree, shrub or other item which the Cemetery Administrator considers is injuriously affecting any lot or road adjacent to a lot, or is otherwise in conflict with this bylaw.
- (8) No person shall:
 - (a) break, remove or displace rocks in any rock work;
 - (b) use or drive a vehicle on any road, path or walk in the Cemetery for any purpose other than attending or conducting a funeral or visiting a lot;
 - (c) operate or drive a vehicle of any kind in the Cemetery at a speed in excess of fifteen (15) kilometres per hour or upon or over any lot; or
 - (d) possess or consume alcohol, cannabis or Controlled Substances anywhere within the Cemetery.
- (9) All vehicles or funeral processions and their drivers on and after entering the Cemetery grounds shall be, at all times, subject to the reasonable directions and orders of the Cemetery Administrator.
- (10) Any person who disturbs the peace, quiet and good order of the Cemetery or otherwise causes a nuisance or behaves without proper decorum within the Cemetery, shall immediately leave the Cemetery when so directed by the Cemetery Administrator.
- (11) The carrying or discharge of firearms within the Cemetery is prohibited except by permission of the Cemetery Administrator for a military funeral.

INTERMENT RIGHT AGREEMENT

Application for Right of Interment

- 7. (1) Every person who wishes to acquire one or more Rights of Interment for lots in the Cemetery shall make application to the City in accordance with subsection (2), enter into a *Right of Interment Contract* with the City and pay the applicable charges prescribed for that purpose in Schedule "A" of this Bylaw.
- (2) Applications for one or more Rights of Interment shall be made to the Cemetery Administrator at City Hall during office hours, Monday to Friday, except Holidays, and shall include a statement of:
 - (a) the applicant's name and address;
 - (b) the name and address of the person or persons for which a Right of Interment is being acquired;

- (c) if applicable, the date of death and time and date of the funeral for that person(s); and
 - (d) any other information that the Cemetery Administrator reasonably requests.
- (3) The Cemetery Administrator is authorized to enter into a *Right of Interment Contract* on behalf of the City, in a form prescribed by the City, in respect of any unlicensed lot in the Cemetery, according to the scale of fees and charges specified in Schedule “A” of this bylaw and subject to the provisions of this bylaw.
- (4) The Cemetery Administrator shall provide a copy of the *Right of Interment Contract*, to the applicant within 15 days of the applicant entering into such contract.
- (5) No person may acquire a Right of Interment to more than two (2) lots.
- (6) A Right of Interment:
- (a) provides a right holder, a right in perpetuity to use, in compliance with this Bylaw, a lot for the interment and/or memorialization of human remains or cremated remains of an individual or individuals named on a Right of Interment Contract;
 - (b) does not provide the right holder with any title to, ownership of, or interest in the land in the Cemetery or of a lot therein or any other special privilege over any land in the Cemetery;
 - (c) does not entitle a rights holder to require the City to perform an interment of human remains or cremated remains into a lot until the rights holder or their legal representative complies in all other respects with this Bylaw as it relates to the interment of human remains or cremated remains or the purchase and placement of a memorial, including and without limitations the payment of all fees.

Cancellation of Right of Interment

8. (1) An Interment Right Holder may cancel a Right of Interment within 30 days of its purchase and obtain a full refund of fees paid where:
- (a) there were no interments in the lot;
 - (b) the Interment Right Holder or executor submits a written application to the Cemetery Administrator requesting cancellation of the Right of Interment;
 - (c) the original Right of Interment or license is surrendered; and
 - (d) the costs for removal of any memorial(s) are paid.
- (2) An Interment Right Holder may cancel a Right of Interment more than 30 days after its purchase and obtain a refund equal to the Total Fees less the Care Fund contribution where:
- (a) there were no interments in the lot;

- (b) the Interment Right Holder or executor submits a written application to the Cemetery Administrator requesting cancellation of the Right of Interment and pays the Cancellation Fee prescribed in Schedule "A" of this bylaw;
- (c) the original Right of Interment or license is surrendered; and
- (d) the costs for removal of any memorial(s) are paid.

Transfers and Reclamation

9. (1) A Right of Interment may be transferred by an Interment Right Holder to another person at the discretion of the Cemetery Administrator. An application for transfer shall be made to the Cemetery Administrator along with:
- (a) payment of the transfer fee prescribed in Schedule "A";
 - (b) payment of all outstanding cemetery charges and fees owed by the Interment Right Holder;
 - (c) payment of the difference between fees originally paid for the Right of Interment and those payable at the time of transfer;
 - (d) provision of a statement setting forth full particulars as to the name and address of the person to whom the transfer is to be made, the consideration to be paid, if any, and such other information as the Cemetery Administrator may reasonably request; and
 - (e) the original Right of Interment or license is surrendered.
- (2) If a transfer of a Right of Interment is approved, the Cemetery Administrator shall:
- (a) record the details of the transfer in the City's records kept for that purpose; and
 - (b) either endorse the details of the transfer on the original *Right of Interment Contract* and provide a copy to the applicant or enter into a new *Right of Interment Contract* with the applicant.
- (3) No purported transfer or assignment of a Right of Interment shall be valid without first obtaining the approval of the Cemetery Administrator in accordance with the requirements of this bylaw.
- (4) Subject to the *Cremation, Interment and Funeral Services Act*, and upon approval of the Director, an interment right for an unused lot may be reclaimed and resold by the City if all of the following have occurred:
- (a) the owner of the right of interment is at least 90 years of age or, if living, would be at least 90 years of age;
 - (b) a period of at least 50 years has elapsed from the date the prior right of interment was sold;
 - (c) at least 90 days have passed since the date the City sent a notice of its intention to resell the right of interment to the last known address of the interment right holder and no response has been received; and

- (d) the City has made diligent attempts to contact the interment right holder but is not able to locate or contact the interment right holder.

INTERMENT, DISINTERMENT AND EXHUMATION

Interment

10. (1) All interments, disinterments, exhumations and funeral arrangements shall be made and carried out in strict compliance with the requirements of this bylaw, the *Cremation, Interment and Funeral Services Act*, the *Business Practices and Consumer Protection Act* and regulations, all other applicable bylaws, statutes and regulations and the directions of the Cemetery Administrator.
- (2) Every person wishing to obtain interment and other cemetery services for a deceased person shall obtain an Interment Authorization, in a form prescribed by the City, and for that purpose, shall:
- (a) make application at the office of the Cemetery Administrator during office hours, Monday through Friday, except Holidays, setting forth a statement of the name, age and date of death of the deceased, proposed date and time of Interment, and such other information as may reasonably be required; and
- (b) pay the applicable interment charge prescribed in Schedule "A" of this bylaw.
- (3) Application for interment must be made at least seventy-two (72) hours prior to the scheduled date of interment for interments between March 15 and October 15 and at least five (5) days for interments between October 16 and March 14.
- (4) The Cemetery Administrator shall not carry out, or permit the carrying out of an interment until such time as the Cemetery Administrator is in possession of the burial permit or cremation certificate received by the City as required under section 22 of the *Vital Statistics Act*.
- (5) Unless the written permission of the Cemetery Administrator is first obtained and any overtime charges specified in Schedule "A" of the bylaw are paid, no interment shall be carried out:
- (a) except between the hours of 9:00 a.m. and 3:00 p.m.; or
- (b) on a Saturday or Sunday, a Holiday or any other day designated by the City as a Holiday;
- (6) No grave may be dug, opened or closed by any person other than a person authorized to do so by the Cemetery Administrator.
- (7) Every interment in the Cemetery shall comply with the following requirements:
- (a) the maximum interments of human remains and cremated remains that may be permitted in each lot is as follows:
- Single-Depth Human Remains Lot:

- one (1) interment of human remains and no more than four (4) interments of cremated remains, or
 - six (6) cremated remains where there is no interment of human remains.
 - Double-Depth Human Remains Lot:
 - two (2) interments of human remains and no more than four (4) interments of cremated remains, or
 - six (6) cremated remains where there is no interment of human remains.
 - Cremation Lot - two (2) interments of cremated remains.
 - Columbarium Niche Lot – two (2) interments of cremated remains.
- (b) where two human remains are permitted to be interred in one lot, the first interment shall be at a lower depth than the second and each interment shall conform to the requirements of subsection (c);
- (c) no interment after the first interment in any one lot shall be made so as to disturb or disinter the remains of a deceased person from the first interment.
- (d) all cremated remains shall be enclosed in an urn of a size that conforms with the lot specifications.
- (e) every in-ground interment of cremated remains shall be made in a cremation vault with a lid or in a container encased in concrete not less than 1.5 inches thick and shall be buried not less than two (2) feet deep, except where the concrete encased container of cremated remains is used as a foundation base or a tablet memorial installed on the lot according to the requirements of this bylaw;
- (f) a concrete or fibreglass reinforced polymer concrete (FRPC) grave liner shall be used for each interment, except where a concrete, fibreglass or steel vault is used, or cremated remains are interred according to the requirements of subsection (g);
- (g) every grave liner or cremation vault used in the Cemetery shall be supplied by, and obtained from the City, and subject to payment of the applicable charge prescribed in Schedule “A” of this bylaw.

Exhumation, Disinterment and Removal of Human Remains

11. (1) No person may exhume, disinter or otherwise remove human remains from the place they are interred in the Cemetery without first:
- (a) obtaining all orders, approvals or consents required under the *Cremation, Interment and Funeral Services Act* and all other applicable statutes and regulations governing such exhumation, disinterment or removal;
 - (b) presenting such orders, approval or consents to the Cemetery Administrator for examination; and
 - (c) paying the applicable charges prescribed in Schedule “A” of this bylaw.

- (2) Application for disinterment or exhumation shall be made and received by the Cemetery Administrator at least four (4) weeks prior to the disinterment or exhumation.
- (3) Every such exhumation, disinterment or removal of human remains shall be strictly subject to and in accordance with the restrictions and requirements of the *Cremation, Interment and Funeral Services Act* and regulations and all other applicable legislation.

CEMETERY CARETAKER

12. (1) A Caretaker may be appointed by the Cemetery Administrator, and the duties of a Caretaker so appointed shall be among other things to:
 - (a) Dig and prepare, or cause to be dug and prepared, all lots required to be dug whenever requested to do so by the Cemetery Administrator or designate;
 - (b) Identify the correct lot and space (gravesite) as and when required;
 - (c) Install or remove memorial tablets, foundations and bases as and when required;
 - (d) Carry out, or cause to be carried out, the general work of the Cemetery to maintain it in a neat and tidy condition, including the maintenance of paths, gates, fences and other cemetery improvements;
 - (e) Maintain records and submit reports as required by the Cemetery Administrator;
 - (f) Complete such other work in relation to the Cemetery as may be from time to time directed by the Cemetery Administrator.
- (2) The City, so as to ensure that cemetery operations can be performed in a safe, efficient and timely manner, shall at all times have a right of passage over every lot and the entire land of the Cemetery.

MEMORIALS

13. (1) No person shall install a memorial in the Cemetery without first making application to the Cemetery Administrator and paying the fees prescribed in Schedule "A" of this bylaw.
- (2) Every installation of a memorial in the Cemetery shall be consistent with this Bylaw, including the specifications as described in Schedule "B".

CARE FUND

Deposit, Investment and Use of Funds

14. (1) A Care Fund is hereby established to be known as the "Cliffside Cemetery Perpetual Care Fund" (hereinafter called "the fund") and the fund shall be administered in accordance with the requirements of the *Cremation, Interment and Funeral Services Act* to provide for the care and maintenance of the Cemetery.
- (2) The Chief Financial Officer for the City shall deposit into the fund all amounts received for that purpose on account of fees imposed for Rights of Interment and memorial installations as prescribed in Schedule "A" of this bylaw.

- (3) Any money held by the City to the credit of the fund, together with interest earned on it, shall be credited to the fund operated and maintained under this bylaw.
- (4) Money deposited in the fund, together with the income earned, shall be held in a separate account with a savings institution and the City may use the interest and dividend income earned by the fund only for the purpose of financing the care and maintenance services provided in respect of the Cemetery.
- (5) Funds held in the fund must be invested only in accordance with the requirements of the *Cremation, Interment and Funeral Services Act* and the *Community Charter*.
- (6) Every *Interment Right Contract* shall specify the amount payable in respect of the Care Fund.

GENERAL

Fees and Charges

15. (1) Every person who:
 - (a) obtains a Right of Interment for a lot in the Cemetery;
 - (b) installs or causes the installation of a memorial on a lot; or
 - (c) obtains any other cemetery good or service specified in Schedule "A";shall pay the applicable fees and charges prescribed in Schedule "A" for such right, good or service.
- (2) All fees and charges shall be paid at the time of obtaining the right, good or service.

OFFENCE AND PENALTY

16. (1) Without limiting Section 14.2, any person who wilfully:
 - (a) destroys, mutilates, defaces, injures or removes any memorial or other structure placed in the Cemetery or any landscaping, fence, railing or other work installed for the protection or ornament of the Cemetery;
 - (b) destroys, cuts, breaks or injures any shrub or plant;
 - (c) plays any game or sport or carries or discharges firearms, except at a military funeral;
 - (d) possesses or consumes alcohol, cannabis or Controlled Substances within the Cemetery;
 - (e) disturbs persons assembled for the purpose of an interment or funeral service;
 - (f) commits a nuisance or, at any time, behaves in an indecent and unseemly manner within the Cemetery;

- (g) deposits any rubbish or offensive matter or thing in the Cemetery; or
- (h) in any way violates any lot, memorial or other structure, improvement or landscaping in the Cemetery;

shall be guilty of an offence under this bylaw and liable to its penalties.

- (2) Every person who contravenes or violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and, upon conviction, shall be liable to a fine or penalty, upon conviction of up to \$10,000 and other penalties imposed under the *Offence Act*, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

REPEAL

- 17. Enderby and District Cemetery Regulation Bylaw 1515, 2012 and all amendments thereto are hereby repealed.

READ a FIRST time this 17th day of August, 2020.

READ a SECOND time this 17th day of August, 2020.

READ a THIRD time this 17th day of August, 2020.

ADOPTED this 17th day of August, 2020.

Mayor

Corporate Officer

**Adopted in accordance with Section 12 of Ministerial Order No. M192 [Local Government Meetings and Bylaw Process (COVID-19) Order]*

Cliffside Cemetery
Schedule "A"
Fee Schedule

<u>CEMETERY LOTS</u>	<u>Lot Fees</u>	<u>Care Fund Portion</u>	<u>Total Fees</u>
Adult			
(Resident)	\$ 358.75	\$ 120.00	\$ 478.75
(Non Resident)	1,200.00	400.00	1,600.00
Child/Infant (up to 12 years)			
(Resident)	244.50	82.00	326.50
(Non Resident)	820.00	274.00	1,094.00
Cremated Remains			
(Resident)	174.00	58.00	232.00
(Non Resident)	580.00	194.00	774.00
Columbarium Niche			
(Resident) Level I	573.00	57.50	630.50
Level II	605.00	60.50	665.50
Level III - V	668.50	67.00	735.50
(Non Resident) Level I	1,910.00	191.00	2,101.00
Level II	2,020.00	202.00	2,222.00
Level III - V	2,230.00	223.00	2,453.00

CEMETERY SERVICES

Interment Services (Opening & Closing)

	<u>Fee</u>
Adult	\$ 522.75
Child/Infant	307.50
Cremated Remains (Regular)	246.00
Cremated Remains (if covered with concrete)	369.00
Columbarium Niche	63.75
Deeper Depth to Permit Second Burial in Same Grave (additional cost)	1,170.00
Premium/Overtime Charges	At cost

Exhumation / Disinterment Services

Adult	850.00
Child/Infant	500.00
Cremated Remains (Regular)	400.00
Cremated Remains (if covered with concrete)	600.00
Premium/Overtime Charges	At cost

Memorial Installation

Care Fund Contribution	30.50
Memorial Reinstallation	90.75
- Supplies / Materials	At cost

SUPPLIES

Grave Liner (Regular)	At cost
Grave Liner (Special - Small or Oversized)	At cost
Cremation Vault	At cost

SUNDRY

Transfer of Right of Interment	30.50
Cancellation of Right of Interment	30.50

TAXES

Provincial and Federal Taxes as legislated

SCHEDULE "B"

MEMORIAL SPECIFICATIONS

1. No person may install a memorial in the Cemetery without first making application to the Cemetery Administrator and paying the prescribed fees.
2. Every memorial and installation thereof shall conform to the plan established for the lot and the section of the Cemetery in which the memorial is proposed to be installed specifically, and to the plan of the Cemetery generally.
3. No memorial shall be installed on a lot until:
 - a. Plans and specifications for the memorial, which fully describe a memorial's proposed size, design, material and inscription are submitted to the City by the applicant;
 - b. It is determined that the memorial described on the application complies with all the requirements of this Bylaw.
4. Each memorial shall be installed in a position on the lot according to that established by the City for memorials in the Cemetery and shall have its base set level and flush with the surface of the surrounding ground.
5. It is the responsibility of an interment rights holder, or the legal representative of the deceased, to make arrangements for the supply and installation of a memorial in the Cemetery. The City shall have no responsibility or obligation to place or install at the City's expense any form of temporary or permanent memorial.
6. Where it is determined that a memorial or its installation does not comply with this Bylaw, the City may, without prior notice, move and reinstall or permanently remove the memorial at the expense of the applicant.
7. No memorial other than a tablet-type memorial meeting the requirements of subsection 6 may be installed on any lot in the Cemetery.
8. A permitted tablet-type memorial must be made of stone or bronze and conform to the following requirements:
 - a. The top surface of memorial tablets and concrete bases shall not exceed the following measurements:
 - i. Single or double-depth burial lots - 14 inches x 24 inches
 - ii. Companion-type memorials identifying two adjacent burial lots - 16 inches x 36 inches; or
- 13 inches x 44 inches;
 - iii. On a burial lot containing an adult burial and cremated remains; - 14 inches x 24 inches
plus up to four (4) single cremation size; - 9 inches x 12 inches
or up to two (2) double cremation size - 12 inches x 20 inches

- iv. On a burial lot containing up to six (6) cremated remains:
 - up to six (6) single cremation size; - 9 inches x 12 inches
 - or up to three (3) double cremation size - 12 inches x 20 inches
 - v. On a cremation only lot:
 - one cremation size; - 9 inches x 12 inches
 - or one companion size - 12 inches x 15 inches
 - vi. Companion-type memorials identifying two (2) adjacent cremation lots - 9 inches x 12 inches; or
- 12 inches x 20 inches
- b. Except as permitted otherwise in paragraph (c), each memorial tablet shall be attached to a concrete base not less than three (3) inches thick with side surfaces true and perpendicular with the top surface of the attached tablet;
 - c. A bronze memorial tablet may be smaller than its concrete base, provided the concrete base conforms to the size for the lot as required by paragraph (a), and provided the part of the base extending beyond the tablet does not exceed two (2) inches wide and has a smooth, slightly bevelled surface to shed water at its outer edges and the depth of the concrete base shall not exceed four (4) inches;
 - d. Each stone memorial tablet shall be not less than three (3) inches thick, shall have its side surfaces true and perpendicular with its top surface, and shall be set on a concrete base at least three (3) inches in thickness, and the base shall extend outwards not less than (2) inches or more than four (4) inches from each side of the memorial;
 - e. Inscriptions must be level with the top surface of memorial tablets except in the case of bronze tablets;
 - f. Raised letters containing lead are not permitted on memorial tablets set with the top surface level with the surrounding ground.
9. Columbaria Niches: A memorial taking the form of a columbaria niche plate shall, subject to the niche plate size, have an inscription carved or engraved on the surface of the niche plate and shall be consistent with this Bylaw.
 10. No memorial, inscription, engraving, or ornamentation or combination thereof that, in the opinion of the City, is inconsistent with the dignity of adjacent lots, the Cemetery or community standards shall be placed on any memorial.
 11. Except as permitted otherwise in section 10, all memorials shall have top surfaces set level and flush with the surface of the surrounding ground;
 12. On graves containing cremated remains, a memorial base which conforms to the requirements of section 6(a), and which supports either a stone or bronze tablet, may enclose one or two containers of cremated remains and shall have its top surface set level and flush with the surface of the surrounding ground;
 13. No memorial tablet may be installed on any lot until the grave is occupied, except where it is a shared memorial with an adjacent occupied lot, and provided the single tablet so used is set so as to evenly span both lots.

14. The Cemetery Caretaker may arrange for the temporary removal of a memorial without the owner's permission if, during excavation of an adjoining grave, the memorial is found to be a hazard to the safety of workers in the excavation, and provided that:
 - a. The memorial is replaced in its original position on the grave from which it was removed as soon as possible after the excavation is filled;
 - b. The owner of the memorial is not charged with the cost of the work; and
 - c. The City repairs, at its expense, any damage made to the memorial.

15. The City shall be responsible for the maintenance of the land of a lot on which a memorial is placed or installed but is not responsible for the maintenance of any memorial on a lot and shall not be liable for, or obligated to repair, any scratch, breakage or damage to a memorial except where it can be shown the damage was caused by the negligence of the City or Caretakers.