



# **CEMETERY BYLAW #608**

**VILLAGE OF CHASE**  
**CEMETERY BYLAW NO. 608 - 2001**

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**VILLAGE OF CHASE**

**BYLAW NO. 608 - 2001**

**A BYLAW RELATING TO THE OPERATION AND MAINTENANCE OF  
CEMETERIES, COLUMBARIA AND MAUSOLEA**

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**WHEREAS** Section 716 of the Local Government Act, Chapter 323, R.S.B.C. 1996, and amendments thereto, empowers the Council to enact a bylaw to regulate, maintain and operate cemeteries, including columbaria and mausolea, subject to the Cemetery and Funeral Services Act;

**AND WHEREAS** the Municipal Council of the Village of Chase deems it necessary to provide for the regulation, maintenance and operation of cemeteries, columbaria and mausolea within the Village of Chase;

**NOW THEREFORE**, the Municipal Council of the Village of Chase in open meeting assembled, enacts as follows:

**1. Title**

This bylaw may be cited as "Village of Chase Cemetery Bylaw No. 608 - 2001."

**2. Board of Cemetery Trustees**

The Municipal Council of the Village of Chase, by the adoption of this bylaw, appoints the Council as the Board of Cemetery Trustees in accordance with section 18(1)(b) of the Cemetery and Funeral Services Act.

**3. Definitions**

In this bylaw, unless the context otherwise requires:

**CARE FUND** means a fund established for the upkeep and repair of a cemetery, mausoleum or columbarium and held and administered in accordance with the Cemetery and Funeral Services Act.

**CARETAKER** means the person or persons appointed or employed by the Village from time to time to act as Caretaker or Caretakers of the cemetery or cemeteries of the Village of Chase.

**CEMETERY** means any parcel or tract of land set aside, used, maintained or operated as a cemetery by the Village of Chase.

**CHILD** means any person two years old up to and including fourteen years of age.

**CLERK** means the person duly appointed as such from time to time by the Council.

**COLUMBARIUM** means a structure or building or an area in a structure or building that contains, as an integral part of the structure or building or as free-standing sections, niches for the inurnment of cremated remains.

**COUNCIL** means the Council of the Village of Chase.

**CREMATED REMAINS** means the remains resulting from cremation of a deceased human body.

**CRYPT** is one kind of a lot and means a space in a mausoleum, used or intended to be used, for the entombment of human remains.

**ENTOMBMENT** is one form of interment and means the placement of human remains in a mausoleum.

**EXHUME** means the exposure of interred human remains for viewing or for examination, whether in or removed from the lot in which the human remains had been interred.

**GRAVE** is one kind of a lot and means a space of ground in a cemetery, used or intended to be used for the burial of human or cremated remains.

**GRAVE LINER** means a rigid shell structure to cover a casket for a grave interment.

**HUMAN REMAINS** means a dead human body in any stage of decomposition, but does not include cremated remains.

**INFANT** means any person up to the age of two years.

**INTERMENT** means the act of burying a casket in a grave.

**INURNMENT** means the act of interring an urn in a grave or niche.

**LICENSE** means the duly authorized permission to use or occupy a lot in the cemetery or to scatter cremated remains in the scattering garden and includes the terms License and Permit.

**LOT** means a space used or intended to be used for the interment of human remains or cremated remains under a right of interment and includes a grave, crypt, niche or plot.

**MAUSOLEUM** means a structure above ground containing crypts designed for the entombment of human remains, and includes a columbarium for the inurnment of cremated remains in its niches.

**MEDICAL HEALTH OFFICER** means the person appointed to act as Medical Health Officer.

**NICHE** is a recess in a wall of a mausoleum, used or intended to be used, for the entombment of cremated remains.

**NON-RESIDENT** means any person who has not lived within the cemetery local service area for more than one year prior to the purchase of a grave space.

**SCATTERING GARDEN** means an area set aside for the dispersal of cremated remains.

**SOCIETY** means a society incorporated under the Society Act.

**TREASURER** means the person duly appointed as such from time to time by the Council.

**VAULT** means a completely enclosed container for urns and caskets.

**VILLAGE** means the Village of Chase.

The use of words signifying the masculine shall include the feminine.

#### **4. Description of Cemetery**

1. The following lands have been set aside, operated, used or maintained as a cemetery by the Village of Chase:
  - a. **Chase Memorial Cemetery** legally described as being:  
  
Lots 1 and 2 of Lot 517, Kamloops Division of Yale District, Plan 20225, Lot "A" of Lot 517, Kamloops Division of Yale District, Plan 19079 and Lot 1 of Lot 517, Kamloops Division of Yale District, Plan 29678.
2. A copy of the plans of the cemetery shall be filed with the Minister and copies shall also be kept available for public inspection in the municipal office and at such other places as may be deemed necessary.

## **5. Reserve Area**

1. The Council may, by agreement with a Society, Church or other organization, reserve a section of the cemetery to be used exclusively for the interment/inurnment of deceased members of the Society, Church or other organization concerned, and upon such an agreement being made, no person shall be issued with a license to use grave space in the reserved section, unless his/her application to the Village to purchase a license is accompanied by a certificate from the Society, Church or other organization concerned, stating that he or she, or the person on whose behalf he or she may be acting, is entitled to be buried in the reserved section. All licenses issued and services rendered by the Village under these conditions shall be subject to payment at the regular rates set forth in the schedule of rates attached hereto as Schedule "B."
2. The Societies, Churches or other organizations referred to in section 5(1) above are subject to the provisions of this bylaw and such other regulations that may from time to time be adopted by the Council unless otherwise stated.

## **6. License To Use**

1. The Council may grant to any person paying the fees therefore, according to the scale of fees hereinafter provided and subject to the terms of section 6(3) hereof, a license for the exclusive use by him or his executors or administrators, of one or more grave spaces, crypts or niches which may be vacant and unlicensed in the cemetery and upon payment of said fee therefore, such person or persons shall be entitled to receive a license in the form of Schedule "A" attached hereto and forming part of this bylaw.
2. The Council shall have the right to refuse to sell the use of more than two lots to any one individual.
3. All cemetery licenses issued for use of lots in the cemetery shall be subject to the provisions of this bylaw and all bylaws now or hereafter to be passed by the Council.
4. A license is issued by the Clerk and will be in the form of Schedule "A" attached to and forming part of this bylaw. Where the terms License and Permit are used they refer to the said Cemetery License and Permit in Schedule "A".

## **7. Sequential Selling Of Lots**

1. Lots shall be sold in a sequence that is conducive to the appropriate and efficient development and expansion of the cemetery. Upon application for a Cemetery License and the payment of any fees due, the Clerk will assign the purchaser the next available grave space, crypt space, niche or plot as determined by the Caretaker.
2. The Council may, upon written application to the Clerk, receive application for the sale of a grave space, crypt space, niche or plot in a location in the cemetery other than the next available lot as provided for in section 7(1) above.

## **8. Grave Spaces**

1. Grave spaces shall be of the following sizes:
  - a. Adult Size – Not less than 2.74 metres (9 feet) by 1.52 metres (5 feet);
  - b. Child Size – For children between 2 and 14 years of age inclusive, not less than 2.13 metres (7 feet) by 1.07 metres (3½ feet);
  - c. Infant Size – For infants under 2 years of age, not less than 1.37 metres (4½ feet) by 0.76 metres (2½ feet); and,
  - d. Cremated Remains Size – Not less than 0.76 metres (2½ feet) by 0.76 metres (2½ feet).
2. The Village may repurchase any vacant grave space from the holder thereof, at the rate specified in Schedule “B” of this bylaw.
3. The right to use any grave space may be transferred to another person provided that:
  - a. the license holder or his legal representative signifies, in writing, to the Clerk or any other persons acting for him, his desire to transfer his right to another person;
  - b. the Clerk or any person acting for him, is furnished full particulars of the name, address, occupation, or other description of the persons to whom such transfer is desired to be made, the consideration to be paid therefore, and such other information as the Clerk may reasonably request;
  - c. if a Care Fund contribution has not previously been made, such contribution in the amount specified in Schedule “B” shall be paid to the Village at the time of application for transfer;

- d. if the person to whom the grave space is to be transferred is not a resident of the Village, the extra fee for Non-Residents, as specified in Schedule "B", shall be paid to the Village at the time of the application for transfer;
- e. a transfer fee, as specified in Schedule "B", shall be paid to the Village at the time of application;
- f. after the transfer is effected, any interment made in the grave space shall be subject to the opening and closing service fees specified in Schedule "B" at the time of interment;
- g. if the grave space to be transferred is located in an area reserved under an agreement made between the Council and an organization pursuant to section 5 hereof, the requirement of said section 5 concerning entitlement to burial in a reserved section of the cemetery shall apply to the person to whom the transfer is to be made; and,
- h. upon acceptance by the Clerk of the transfer fee prescribed in Schedule "B", and upon compliance with the requirements of this bylaw by the license holder and the person to whom the license is to be transferred, the Clerk shall effect the desired transfer by an endorsement upon the license and shall record the transfer in the books or other records kept by him for that purpose.

## **9. Fees and Charges**

- 1. The fees for interment, inurnment, use of grave space, care of graves, use of crypts and niches, and the charges for goods offered for sale by the Village for use in the cemetery, and any other cemetery fees shall be those set out in Schedule "B" attached to and forming part of this bylaw.
- 2. The fees set out in said Schedule "B" shall be paid at the Village Office at the time of purchasing a cemetery license or any goods or services sold by the Village in connection with the operation of the cemetery. Monthly billings to funeral homes for interments, inurnments and entombments performed may be approved by the Council.
- 3. Grave spaces only may be purchased and paid for in advance. Services will be paid for at the time they are incurred. No prepayment of any service is permitted.
- 4. In cases of poverty, the Council may, on written application to the Clerk, consider and decide upon a request for the remission of fees in whole or

in part, and in any such case the Council may remit such fees in whole or in part.

#### **10. Permission to Inter, Inurn, Entomb and Exhume**

1. No body shall be interred, inurned or entombed in the cemetery until a license to inter, inurn or entomb the body has been obtained from the Village and the fee for interment, inurnment or entombment as specified in Schedule "B" has been paid to the Village, except in the case which may be permitted otherwise under the provisions of section 10(5).
2. All applications for a license to inter, inurn or entomb in the cemetery must be made to the Clerk at the Village office between the hours of 8:30 a.m. and 4:30 p.m. on all days of the week except Saturday, Sunday, Statutory Holidays and in cases of emergency as described in section 10(5).
3. Any person who makes application for an interment, inurnment or entombment license or who requires an interment, inurnment or entombment to be made, shall provide the Clerk with a statement of the name, age and date of death of the deceased, whether or not death was caused by a communicable disease as listed in the Communicable Disease Regulations made under the Health Act, as amended from time to time, the time and date of the funeral and other information which it is reasonable for the Clerk to request.
4. No person shall be granted a license to intern, inurn or entomb in an area of the cemetery which the Council has reserved under provisions of section 5 for burial of members of a church, society or other organization, except where the applicant for the license furnishes the Clerk with a certificate from the organization for whom the area has been reserved, stating that the deceased person for whom the license is required is entitled to burial in the reserved section.
5.
  - a. Where the Medical Health Officer directs, pursuant to the said Communicable Disease Regulations or otherwise, that a body be buried in the cemetery during any period when the Village's offices are closed, permission to inter in the cemetery shall be obtained from the Clerk.
  - b. Where a burial in the cemetery is performed under the conditions of section 10(5)(a), the person who permitted the burial and the person who performed the burial shall report the matter to the Clerk with full details of the deceased as required by section 10(3), together with such fees as may be required in accordance with said Schedule "B", if such fees have not already been paid.

- c. The information to be given to the Clerk under the terms of section 10(5)(b) shall be provided to the Clerk as soon after such interment as the Village's offices are opened.
  - d. Where a body of a person who died while suffering a communicable disease is to be buried in the cemetery, any instruction given by the Medical Health Officer respecting the interment shall be fully and carefully followed by those who perform the interment.
  - e. Where the body delivered to the cemetery for interment is subject to directions of the Medical Health Officer under the terms of the Communicable Disease Regulations made under the Health Act, the person delivering the body to the cemetery shall inform the caretaker.
6. Applications for a Cemetery License must be obtained at least thirty-six (36) hours before the interment, inurnment or entombment may take place, except in the case:
- a. where the person to be buried has died of a communicable disease as outlined in section 10(5); and,
  - b. where the Clerk or any person acting for him, is satisfied that a shorter notice is necessary.
7. No deceased person interred, inurned or entombed in the cemetery shall be exhumed without a written order being first obtained from the proper authority in accordance with the requirements of the Cemetery and Funeral Services Act, as amended from time to time, and the presentation of such order to the Clerk for his examination.
8. It shall be unlawful for any person to inurn cremated remains of a deceased person within the municipal boundary of the Village except pursuant to the terms of the Cemetery and Funeral Services Act and the Regulations thereunder, all as amended from time to time.

## **11. Interment/Inurnment**

- 1. No body, other than a deceased human body, or the cremated remains or other remains of a deceased human body shall be interred or inurned in the cemetery and all interments or inurnments shall be subject to, and comply with, the provisions of this bylaw.
- 2. The holder of a license to use and occupy grave space in the cemetery shall not permit an interment or inurnment to be made in the grave space

to which the license refers, nor transfer nor dispose of the said grave space to another person, group or organization, unless such interment or inurnment, transfer, disposal is made pursuant to and subject to the provisions of this bylaw.

3. a. Each interment in the cemetery shall provide for not less than 0.9 metres (3 feet) of earth between the general surface level of the ground at the grave site and the upper surface of the grave liner/vault enclosing the body resting in the grave.
- b. Each inurnment in the cemetery shall provide for not less than 0.3 metres (1 foot) of earth between the general surface of the ground at the gravesite and the upper surface of the vault enclosing the cremated remains resting in the grave.
- c. Two interments may be permitted in each grave space in the cemetery as designated by each cemetery plot plan.
- d. Where two interments are permitted in one grave space, and each interment is in respect to a body not in the form of cremated remains, the first body shall be buried in the grave at a lower depth than the second and each of the two burials in the grave shall conform to the requirements of section 11(3)(a).
- e. Where one or two interments are allowed in a grave space, an unlimited number of inurnments shall be permitted over the regular interment(s) providing such is confined to the defined grave space as set out under section 8(1).
- f. Where an inurnment has occurred under section 11(3)(e), no exhumation of cremated remains or human remains shall be permitted, except in relation to section 10(7), in order to inter a second human remains in the same grave space.
- g. Each full-sized grave space must be occupied by at least one interment. Full-sized grave spaces will not be permitted to be occupied by just cremated remains. The individual inurnment of cremated remains shall be in cremated remains grave spaces.
- h. A grave liner/vault of approved non-deteriorative material shall be used for each interment, except where concrete or steel vaults are used.
- i. Where cremated remains are dispersed in the Scattering Garden, each cremated remains dispersed is not required to conform to the requirements of section 11(3)(g). Cremated remains dispersed

shall be required to obtain a license subject to payment at the rate set forth in Schedule "B".

4. a. No person shall inter/inurn any body in the cemetery except between the hours of 8:00 a.m. and 3:00 p.m. except where previous special arrangements have been made with the Clerk and the necessary fees paid to the Village.
  - b. No person shall inter/inurn any body in the cemetery on Saturday, Sunday or on any Statutory holiday unless the written permission of the Clerk is first obtained and the necessary fees paid, except in the emergency conditions as specified in section 10(5).
5. No grave shall be dug or opened by any person other than the Caretaker or a person duly authorized by the Caretaker or by the Clerk.

## **12. Special Cultural Considerations**

1. Upon application to the Council, provided in writing to the Clerk, requests for special cultural considerations for the interment or entombment of human remains or the inurnment or scattering of cremated remains may be considered. Such applications will be considered providing the proposed activity does not violate any provision of this bylaw or any other Village bylaw, or the Cemetery and Funerals Services Act or any other statute which from time to time may be in effect, and does not expose the Village to any liability or any other claim resulting from who performs the activity and/or the manner in which it is done.
2. Where any special cultural consideration for the interment or entombment of human remains or the inurnment or scattering of cremated remains is granted by the Council, the Clerk will provide the applicant with written permission and detail the extent of the special consideration granted.
3. Interments, inurnments, entombments and scatterings shall require a Cemetery License as provided for under section 10 of this bylaw.
4. Where any special cultural consideration for the interment or entombment of human remains or the inurnment or scattering of cremated remains is granted by the Council, all associated activity will be supervised by the Caretaker to ensure compliance with the special consideration granted by the Council, this bylaw, the Cemetery and Funeral Services Act and any bylaw or Act which may have a bearing on the activity.
5. Where any special cultural consideration for the interment or entombment of human remains or the inurnment or scattering of cremated remains granted by the Council incurs additional cost to the Village other than

those identified in Schedule "B", these costs will be paid to the Village in addition to any fees due, in accordance with Schedule "B", for the interment, inurnment, entombment or scattering of the remains.

6. All fees and additional costs must be paid to the Village before a Cemetery License is issued.
7. Where additional costs are expected and a reasonable estimate cannot be secured in advance for that activity, the Village may ask for security in the amount of one hundred and ten percent (110%) of the estimated cost as determined by the Clerk. Such security held by the Village shall be returned to the applicant as soon as is practical after the interment, inurnment, entombment or scattering less the cost incurred by the Village where it is demonstrable that said cost is associated with the said interment, inurnment, entombment or scattering and is not otherwise provided for in the schedule of fees in Schedule "B". The Village is not obligated to pay interest on security held by it regardless of the length of time held.

### **13. Infectious Diseases**

1. The body of any person who dies having an infectious disease must be interred within thirty-six (36) hours after death occurs and the Medical Health Officer shall furnish the Clerk or any person acting for him, with definite instructions respecting interments in such cases, and the Caretaker or duly authorized assistant, acting on his behalf, shall follow such instructions carefully and minutely in making such interments.
2. The following will be considered as infectious within the meaning of this bylaw:

Cholera, Diphtheria, Typhus Fever, Anthrax, Scarlet Fever, Bubonic Plague, Epidemic Cerebro Spinal Meningitis, Poliomyelitis, Acquired Immune Deficiency Syndrome, and such others as may be hereafter designated by the Medical Health Officer.

### **14. Mausoleum**

1. The license for a crypt or niche and entombment in such crypt or niche and the use of the cemetery shall be subject to the Cemetery Bylaw as approved and filed in accordance with the Cemetery and Funeral Services Act and Regulations made hereunder, including both those herein contained and all others now in force, and hereinafter prescribed:
  - a. Arrangements for entombment must be made at the Village Office by the immediate relatives of the deceased or a representative

authorized in writing by them to make such arrangements for the deceased, or by other authorized persons, at least thirty-six (36) hours before the time of entombment; no entombment order shall be taken over the telephone other than from licensed funeral homes.

- b. No entombment shall be made in the cemetery except on presentation of a license from the Village, nor shall the remains of a deceased person be accepted for entombment except upon presentation of the interment, inurnment or entombment license and Acknowledgement of the Registration of Death of the deceased, issued by a District Registrar of Births, Deaths and Marriages, or other official under the provisions of the Vital Statistics Act.
- c. No person shall entomb any body in a mausoleum on Saturday, Sunday or on any Statutory Holiday unless written permission of the Clerk is first obtained, except in the emergency conditions as specified in section 10(5). An additional fee will be charged for Saturday, Sunday or Statutory Holiday interments, inurnments and entombments.
- d. No sale, assignment or transfer of crypts and niches or of rights of entombment therein, shall be made without the written consent of the Village, which consent, subject to the Cemetery Bylaw, will not be withheld unreasonably; any such transactions shall not be recognized unless and until recorded on the books of the cemetery and the payment of the fee prescribed in Schedule "B" of this bylaw is received.
- e. Until an entombment has been made in a crypt or niche, an assignment or transfer of entombment rights therein may be made by the registered owner of such rights, subject to the Cemetery Bylaw; after an entombment has been made in a crypt or niche, no assignment or transfer of any right therein may be made or will be recognized by the Village.
- f. All entombments, disentombments and removals of crypts and niches shall be made only by the Village.
- g. External dimensions of a casket to be placed in any crypt shall not exceed 0.61 metres (2 feet) high by 0.76 metres (2½ feet) wide by 2.21 metres (7¼ feet) long.
- h. Urns to be placed in niches shall be made of metal, stone or porcelain, and manufactured for the express purpose of containing

cremated remains. Each niche may contain a maximum of three (3) urns and their cremated remains.

- i. The applicable entombment fee shall be charged by the Village and be payable prior to the time entombment is made.
- j. No memorial inscription may be placed until niche and crypt space and all other charges are fully paid, including the applicable inscription and installation charges for the memorial.
- k. Such memorial shall be in the form approved by the Village for the particular section.
- l. The fees for entombment, disentangment, use of crypts and niches, and any other fees shall be those set out in Schedule "B".
- m. All improvements, alterations and embellishments of crypts or niches or areas in the cemetery shall be under the direction of the Village and should any be made without its written consent, the Village reserves and shall have the right to remove, alter or change such improvements, alterations or embellishments at the expense of the crypt holder; the Village reserves the right to remove anything which, in the sole judgement of the Village, is unsightly, dangerous or impedes the progress of "care".
- n. No person shall visit the mausoleum except during the regular visiting hours from time to time in effect.
- o. The Village, exercising here as elsewhere its authority through its Clerk, reserves and shall have the right to correct any errors that may be made by it either in making entombments, disentangments or removals, or in the description, transfer or conveyance and substituting and conveying in lieu thereof other entombment right or crypt of equal value and similar location, as far as possible, as may be mutually selected by the Village and the Purchaser, or, failing such mutual agreement, the Village may refund the amount of money paid on account of said purchase; in the event any such error shall involve the entombment of the remains of any person in any crypt, the Village reserves the right, subject to section 8(1) of the Cemetery and Funeral Services Act, to remove and re-entomb the remains in such other crypt of equal value and similar location as may be substituted and conveyed in lieu thereof.
- p. Wherever in the Cemetery Bylaw such terms as interment/inurnment, burial, lot, etc., appear, these terms shall be

extended in meaning to include corresponding terms as are applicable to crypt or niche spaces.

- q. No person shall be permitted to burn incense or candles or other flammable products in a mausoleum at any time.
- r. One (1) entombment only is permitted in each crypt in addition to one (1) cremated remains in an urn. Two (2) name bars only are permitted.

## **15. Flowers and Wreaths**

- 1. No person other than an employee of the Village authorized to do so, shall plant, remove, cut down, or destroy any trees, shrubs, plants, flowers, bulbs, fences or rocks in the cemetery.
- 2. Cut flowers, wreaths and floral offerings may be placed on graves but may be removed by the Caretaker when, in his opinion, their condition detracts from the beauty of the cemetery .
- 3. Artificial flowers or wreaths are permitted on the grave between October 1<sup>st</sup> and March 31<sup>st</sup> each year. Artificial flowers found before or after these dates which are not in a vase that is part of the monument or tied up off the ground to the monument will be picked up and disposed of.
- 4. Natural or artificial flowers may be placed in vases that are part of the monument at any time.

## **16. Memorials**

- 1. Grave Markers (Flat and Upright)
  - a. No person shall damage or deface any grave marker, monument, memorial, fence, gate, structure or any other improvement in the cemetery.
  - b. The Village shall, with its employees authorized to do so, maintain grave markers with respect to the natural settlement of the soil.
  - c. The Village shall not be responsible for damage to grave markers or upright monuments caused by natural weathering or deterioration, vandalism, or faulty construction.
  - d. All grave markers, whether flat or upright, shall be:
    - i. supplied by the licensee;

- ii. installed only by the Caretaker; and,
  - iii. made of durable, weatherproof material, capable of resisting wear and decay such as concrete, cast bronze, stone or other weatherproof durable material.
- e. All flat grave markers shall be set flush into the ground.
- f. All flat grave markers shall conform to one of the two permitted sizes:
- i. small – not exceeding 0.31 m. x 0.51 m. (12" x 20"); or,
  - ii. large – not exceeding 0.46 m. x 0.71 m. (18" x 28").
- g. All upright monuments shall:
- i. have a minimum thickness-to-height ratio of 0.13; and,
  - ii. be placed with the top of the concrete base set flush and level with the surrounding ground.

## 2. Restriction on Upright Markers

Upright markers shall be restricted to that portion of the cemetery between Foothills Road and the Trans Canada Highway, known as the "old cemetery." Such markers will only be permitted for use on designated grave spaces and will not be permitted on any grave space which may be created outside of the established grid pattern. Upright markers are expressly prohibited from that portion of the cemetery to the southeast of Foothills Road, known as the "new cemetery."

## 3. Mausoleum Memorial

- a. Memorial inscriptions shall consist solely of given names and/or initials and surname together with years of birth and death to the following specifications:

i. Niche Name Plate

To consist of separate surname and given names and/or initials plate no more than 0.28 metres (11 inches) in length each, cast in bronze alloy. Surname lettering to be 0.019 metres ( $\frac{3}{4}$  inch) in height, and given name and initial lettering to be 0.013 metres ( $\frac{1}{2}$  inch) in height in Times

Roman font. Letters and numerals are to be hand chased and polished. The castings are to be true and free from defects and roughness, and the colour finish is to be secured by chemical means.

ii. Memorial Wall Plate

To consist of surname and given names and/or initials plate not more than 0.025 metres (1 inch) high by 0.56 metres (22 inches) in length, cast in bronze alloy. Letters and numerals are to be 0.019 metres ( $\frac{3}{4}$  inch) in height in Times Roman font, and are to be hand chased and polished. The finish is to be bright nickel-plated.

iii. Crypt Name Plate

To consist of surname and given name and/or initials plate not more than 0.69 metres (27 inches) in length, cast in bronze alloy. Lettering to be 0.04 metres (1  $\frac{5}{8}$  inches) in height and a Times Roman font. Letters and numerals are to be hand chased and polished. The castings are to be true and free from defects and roughness, and the colour finish is to be secured by chemical means.

iv. Crypt Portraits

Only pictures of the deceased are allowed to be affixed to the face of a crypt. The pictures must be covered and locked in a frame 0.057 metres (2 $\frac{1}{4}$  inches) by 0.07 metres (2 $\frac{3}{4}$  inches) cast in bronze alloy, manufactured specifically for this purpose. The approved picture frames may be installed provided the installation fee, as set out in Schedule "B" is paid.

b. The bronze alloy to be used for flower containers, nameplates, bars and picture frames shall have a composition of:

copper	85 – 88	percent variance
lead	1.5 – 5	percent variance
tin	5 – 6	percent variance
zinc	4.5 – 5	percent variance

c. The Village will not be responsible for any damage or loss to crypt portraits or their enclosures, except where it can be determined to be a result of maintenance operations.

## **17. Cemetery Caretaker**

1. A cemetery Caretaker may be appointed and the duties and responsibilities of a caretaker so appointed shall be, amongst other things, to carry out, or cause to be carried out by cemetery workers placed under his supervision:
  - a. The digging, preparation, opening and closing of graves as ordered by the Clerk;
  - b. The direction of all funerals in the cemetery to the correct grave site;
  - c. The installation of memorial tablets, markers and monuments on graves and construction of their foundation bases;
  - d. The general work of cemetery grounds, to maintain them in a neat and tidy condition, including maintenance of walls, fences, gates, paths and other cemetery improvements; and,
  - e. The provisions for care of the cemetery tools and equipment.
2. The caretaker shall maintain records as directed by the Clerk and shall submit reports as required by him and shall do such other work as the Clerk requires from time to time in relation to the operation of the cemetery.

## **18. Administration**

1. The Clerk shall maintain records as necessary to the administration and management of the cemetery and as required by the Regulations under the Cemetery and Funeral Services Act as amended from time to time.
2. The Clerk is hereby authorized on behalf of the Village and subject to the provisions of this bylaw to grant a license in respect of any unoccupied and unlicensed grave space, crypt or niche in the cemetery and to charge for services according to the scale of fees and charges specified in Schedule "B".
3. The Clerk shall issue all licenses for interment, inurnment, entombment and scattering required by this bylaw except as otherwise provided herein.
4. Upon issuing any license for interment, inurnment, entombment or scattering in the cemetery, or upon receiving an order for exhumation from the proper authority as required by section 10(7), the Clerk shall notify the Caretaker before the time of the intended interment, inurnment,

entombment, scattering or exhumation, giving the name of the deceased, the number and location of the grave, crypt or niche space concerned and any instructions of the Medical Health Officer relative to the interment, inurnment, entombment, scattering or exhumation.

## **19. Care Fund**

1. a. The Cemetery Care Fund established in accordance with the requirements of the Regulations made under the Cemetery and Funeral Services Act for the establishment and administration of a municipal cemetery care fund, shall be administered in accordance with the procedures herein set out.
- b. The Treasurer shall deposit all funds received for Care Fund purposes into the Cemetery Care Fund account to be held there, pending investment as herein provided.
- c. On all licenses for the use of grave space, crypt or niche space sold and other services provided by the Village, the Treasurer shall pay into the Cemetery Care Fund account from the amount received for each license or service, the amount specified in Schedule "B".
- d. On all licenses for the use of grave space, and on all contracts or agreements for the sale of such licenses, the amount required to be used for Care Fund purposes shall be specified.
- e. Any owner of a memorial marker desiring to install same in the cemetery shall pay to the Village prior to the installation of such memorial, the sum specified in Schedule "B", as a contribution to the Cemetery Care Fund, and such amounts, when received, shall be paid by the Treasurer into the Cemetery Care Fund account for investment as hereinafter provided.
- f. Investment of funds received for Care Fund purposes shall be made as required by the Regulations under the Cemetery and Funeral Services Act applicable to municipal cemetery funds.
- g. The income from the Cemetery Care Fund, including any appreciation thereof, shall be used for the sole purpose of upkeep and maintenance of the property licensed, and the cemetery of which it forms a part.
- h. The principal sum of the Cemetery Care Fund shall not be reduced otherwise than in accordance with an order of the Minister made pursuant to the Regulations under the Cemetery and Funeral Services Act.

2. A separate account of all monies received under the provisions of this bylaw and of all monies expended hereunder shall be kept by the Treasurer and any surplus remaining of receipts over expenditures shall be paid at the end of each financial year into a fund to be known as the Cemetery Fund and shall be invested by the Village in accordance with the provisions of the Local Government Act, as amended from time to time, and the interest derived from such investment shall be expended on the upkeep and development of the cemetery.

## **20. General**

1. No person shall plant any trees, shrubs, plants, flowers bulbs or rocks in the cemetery other than an employee of the Village authorized to do so.
2. No person shall enter the cemetery in a vehicle after dusk, or drive a vehicle in the cemetery at any time at a speed of more than 30 km/h (19 mph) and all vehicles and their drivers, while in the cemetery grounds, shall be subject to the directions and orders of the Caretaker.
3. No person shall solicit orders for markers, tablets, memorials, curbing, cappings, or like works within the limits of the cemetery.
4. All persons and funeral processions in the cemetery shall obey the reasonable instructions of the Caretaker, but any person not behaving with proper decorum within the cemetery, or disturbing the quiet and good order of the cemetery, may be evicted therefrom by the Caretaker.
5. The cemetery shall be deemed to be open from dawn to dusk. Any person in the cemetery between dusk and dawn without special permission of the caretaker, Clerk or other person authorized by the Village to grant such permission, shall be deemed guilty of an infraction of this bylaw and liable to the penalties hereof.

## **21. Offence**

Any person who wilfully destroys, mutilates, defaces, injures or removes any tomb, monument, memorial or other structure placed in the cemetery, or any fence railing or other work for the protection or ornament of the cemetery, or any tomb, monument, memorial or other structure aforesaid, or lot within the cemetery, or wilfully destroys, cuts, breaks or injures any plant, shrub or tree, or plays at any game or sport, or discharges firearms, except at an authorized military funeral, or who wilfully or unlawfully disturbs persons assembled for the purpose of burying a body herein, or who commits a nuisance, or at any time behaves in an indecent or unseemly manner, or deposits any rubbish or offensive matter or thing in the cemetery, or in any way violates any grave, tomb,

tombstone, vault, memorial or other structure within the same, shall be guilty of an infraction of this bylaw and liable to the penalties hereof.

**22. Penalty**

Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits or neglects to fulfil, observe, carry out or perform any duty or obligation imposed by this bylaw, shall be liable upon summary conviction, to a fine of not less than One Hundred Dollars (\$100.00) and not more than Two Thousand Dollars (\$2,000.00) or to imprisonment for not more than six months, or both, and shall be liable for costs of the prosecution.

**23. Application of the Cemetery and Funeral Services Act and Regulations**

Notwithstanding anything herein contained, the administration of the cemetery shall be carried out at all times in accordance with the Cemetery and Funeral Services Act and Regulations made thereunder.

**24. Repeal**

Village of Chase Cemetery Bylaw No. 481, 1993 is hereby repealed.

READ A FIRST TIME THIS 23<sup>rd</sup> DAY OF January, 2001.

READ A SECOND TIME THIS 23<sup>rd</sup> DAY OF January, 2001.

READ A THIRD TIME THIS 23<sup>rd</sup> DAY OF January, 2001.

RECONSIDERED AND ADOPTED THIS 13<sup>th</sup> DAY OF February, 2001.

RECEIVED APPROVAL OF THE MINISTRY OF ATTORNEY GENERAL THIS 13<sup>th</sup>  
DAY OF February, 2001.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Certified a true copy of Bylaw No. 608 - 2001.

\_\_\_\_\_  
Clerk

Schedule "A" to Bylaw No. 608 - 2001  
Village of Chase

**Cemetery License and Permit**

In consideration of (name) \_\_\_\_\_ of (address) \_\_\_\_\_

\_\_\_\_\_ having paid \$ \_\_\_\_\_ being the fee for the use of grave space in Chase Memorial Cemetery, he/she is hereby granted a license and permit to use and occupy grave space, in said cemetery for the purpose of interment, inurnment, entombment or scattering and in accordance with, and subject to, the bylaw for the regulation of Chase Memorial Cemetery, which may, for the time being, be in force or any law applicable thereto in force in the Village of Chase. In granting this license and permit the Village undertakes to maintain the cemetery Care Fund for maintenance of the grave space specified herein and the cemetery of which it forms part, and will set aside in trust within the present calendar year for use of the Cemetery Care Fund a portion of the fee paid as herein, and the portion of said to be set aside for this purpose shall be as specified in Schedule "B" attached to the Village of Chase Cemetery Bylaw.

Clerk \_\_\_\_\_ Interment  Inurnment  Entombment  Scattering

Name of Applicant \_\_\_\_\_  
Address of Applicant \_\_\_\_\_

Full Name of Deceased \_\_\_\_\_ Sex M  F  Age \_\_\_\_\_  
Address \_\_\_\_\_  
Scheduled Date and Time of Interment/Inurnment/Scattering \_\_\_\_\_

Plot Reservation Yes  No  Cremation Location \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Plot \_\_\_\_\_

Care Fund	\$ _____	Comments	_____
Plot	\$ _____		_____
Opening & Closing Grave	\$ _____		_____
Saturday Funeral	\$ _____		_____
Single Depth	\$ _____		_____
Double Depth	\$ _____		_____
Cremation	\$ _____	Marker	\$ _____
Grave Liner	\$ _____	Other	\$ _____
Other	\$ _____	Exhumation	\$ _____
GST	\$ _____	GST	\$ _____
Sub Total	\$ _____	Sub Total	\$ _____
Total	\$ _____		\$ _____

Actual Location of Interment/Inurnment: Cremation Location \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Plot \_\_\_\_\_

The licensee is hereby notified in accordance with the terms of Regulations under the Cemetery and Funeral Services Act that memorial markers made only of stone or bronze are permitted in the cemetery and that prior to the installation of a memorial marker on the above licensed lot a payment of \$ \_\_\_\_\_ (see Schedule "B" for type of marker and Care Fund amount) for deposit to the Cemetery Care Fund is required to be made by the purchaser to the Village of Chase.

I agree to accept the above written license and permit upon these terms and subject to the conditions expressed.

\_\_\_\_\_  
Licensee

This license is subject to the Cemetery and Funeral Services Act and the Regulations made thereunder.