

VILLAGE OF CHASE
BYLAW NO. 481, 1993

A Bylaw relating to the operation and maintenance of Cemeteries.

The Council of the Village of Chase in open meeting assembled, enacts as follows:-

1. In this Bylaw unless the context otherwise requires,

- "VILLAGE" shall mean the Village of Chase.
- "COUNCIL" shall mean the Council of the Village of Chase.
- "MAYOR" shall include the Acting Mayor.
- "CLERK" shall mean the person duly appointed as such from time to time by the Council.
- "TREASURER" shall mean the person duly appointed as such from time to time by the Council.
- "MEDICAL HEALTH OFFICER" shall mean the person duly appointed from time to time to act as Medical Health Officer for the Village of Chase.
- "CARETAKER" shall mean the person or persons duly appointed or employed by the Village from time to time as Caretaker or Caretakers of the Cemetery or Cemeteries of the Village of Chase.
- "CREMATED REMAINS" shall mean the ashes resulting from cremation of a deceased human body.
- "CEMETERY" shall mean and include any parcel or tract of land set aside, used, maintained or operated as a cemetery by the Village of Chase.
- "MINISTER" shall mean that member of the Executive Council charged by Order of the Lieutenant-Governor in Council with administration of the "Cemetery and Funeral Services Act" and includes a person designated in writing by the Minister.

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

2. The following lands have been set aside, operated, used or maintained as a cemetery by the Village of Chase:-

"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, Plan 29678, Kamloops Division of Yale District.

3. 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.

LICENCE TO USE THE CEMETERY

4. 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 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 licence to use grave space in the reserved section, unless his application to the Village to purchase a licence is accompanied by a certificate from the Society, Church or Organization concerned, stating that he, or the person on whose behalf he may be acting, is entitled to burial in the reserved section. All licences 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 "C".
5. 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 4 hereof, a licence for the exclusive use by him, or his executors or administrators, of any one or more grave spaces 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 licence in the form of Schedule "A" attached hereto and forming part of this Bylaw.
6. The Council reserves to itself the right to refuse to sell the use of more than two grave spaces to any one individual.
7. (1) Where the holder of a licence to use and occupy grave space in the cemetery wishes to transfer his right of use and occupancy to another person he shall first provide the Clerk with full particulars of the name, address, and other description of the person to whom the transfer is to be made, the consideration to be paid therefore, and such other information as the Clerk may reasonably request. The provision of such information shall not bind the Village to accept or permit the proposed transfer.
(2) If the licence to be transferred relates to a grave space located in an area reserved under an agreement made between the Council and an Organization pursuant to Section 4 hereof, the requirements of said Section 4 concerning entitlement to burial in a reserved section of the cemetery shall apply to the person to whom the transfer is to be made.
(3) Upon acceptance by the Village of the transfer fee prescribed in Schedule "C" to this Bylaw, and upon compliance with the requirements of this Bylaw by the licence holder and the person to whom the licence is to be transferred, the Clerk shall effect the desired transfer by an endorsement upon the licence and shall record the transfer in the books or other records kept by him for that purpose.

8. All licences issued for use of grave space in the cemetery shall be subject to the provisions of this Bylaw and all Bylaws now or hereafter to be passed by the Council.

FEES AND CHARGES

- 9.(1) The fees for interment, disinterment, use of grave space, and care of graves, 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 "C" attached hereto and forming part of this Bylaw.
- (2) The fees set out in Schedule "C" to this Bylaw shall be paid at the Village office at the time of purchasing a cemetery licence, interment permit, or any goods or services sold by the Village in connection with the operation of the cemetery.

PERMISSION TO INTER, EXHUME AND CREMATE

10. No body shall be interred in the cemetery until a permit to inter the body has been obtained from the Village and the fee for interment as specified in Schedule "C" hereof has been paid to the Village, except as may be permitted otherwise under the terms of Section 15.
11. All permits for interment of deceased persons in the cemetery shall be in the form of Schedule "B" attached hereto and forming part of this bylaw.
12. All applications for a permit to inter 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 15.
13. Any person who makes application for an interment permit or who requires an interment 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 Division 7 of the "Regulations for the Control of Communicable Diseases" made under the "Health Act", the time and date of the funeral and any other information which is reasonable for the Clerk to request.
14. No person shall be granted a permit to inter in an area of the cemetery which Council has reserved under the provisions of Section 4 hereof for the burial of members of a Church, Society, or other Organization, except where the applicant for the permit furnishes the Clerk with a Certificate from the organization for whom the area has been reserved, stating that the deceased person for whom the permit is required is entitled to burial in the reserved area.
- 15.(1) Where the Health Officer directs, pursuant to the "Regulations for the Control of Communicable Diseases" or otherwise, that a body be buried in the cemetery during any period when the Village Office is closed, permission to inter in the cemetery shall be obtained from, firstly, the Clerk Treasurer secondly the Caretaker or thirdly any member of the Village Council.

- (2) Where a burial in the cemetery is performed under the conditions of Sub-section (1) the person who permitted the burial and the person who performed the burial shall report the matter to the Clerk, and the representative of the deceased shall furnish the Clerk with full details of the deceased as required by Section 13 hereof.
- (3) The information required to be given to the Clerk under the terms of Sub-section (2) of this section shall be provided to the Clerk as soon after such interment as the Village Office is opened.
- 16. No deceased person interred 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" and the presentation of such order to the Clerk for his examination.
- 17. It shall be unlawful to bury or cremate a deceased person within the Municipal boundary of the Village except pursuant to the terms of the "Cemetery and Funeral Services Act" and Regulations thereunder.
- 18. No body other than a deceased human body shall be interred in the cemetery and all interments shall be subject to and comply with the provisions of this Bylaw.
- 19. The holder of a licence to use and occupy grave space in the cemetery shall not permit an interment to be made in the grave space to which the licence refers nor transfer or dispose of the said grave space to another person, group or organization unless such interment, transfer, or disposal is made pursuant to and subject to the provisions of this Bylaw.
- 20.(1) Where the body of a person who died while suffering a communicable disease is to be buried in the cemetery any instruction given by the Health Officer respecting the interment shall be fully and carefully followed by those who perform the interment.
- (2) Where the body delivered to the cemetery for interment is subject to direction of the Health Officer, under the terms of Division 7 of the "Regulations for the Control of Communicable Diseases" made under the Health Act, the person delivering the body to the cemetery shall inform the Caretaker.
- 21.(1) Each interment in the cemetery, other than the interment of cremated remains, shall be made in a grave which, when filled and close, provides not less than three (3) feet of earth between the general surface level of the ground at the grave site and the upper surface of the vault, casket or approved grave liner enclosing the body resting in the grave.
- (2) Two interments may be permitted in each grave space, (including cremated remains) in the cemetery.

- (3) Where two (2) interments are permitted in one grave space, the first burial shall be at a lower depth than the second and each of the two burials in the one grave shall comply with the requirements of Sub-section (1).
 - (4) Each interment of cremated remains in the cemetery shall be made in a container which is considered suitable by the Village beneath a small tablet memorial installed on the grave according to the requirements of Section 35.
 - (5) A grave liner shall be used for each interment, except where a concrete or steel vault is used or cremated remains are interred according to the requirements of Sub-section (4).
22. No person shall inter any body in the cemetery except between the hours of eight (8) o'clock in the forenoon and five (5) o'clock in the afternoon, unless written permission of the clerk is first obtained, except in the case of emergency conditions as specified in Section 15 hereof.
23. No person shall inter any body in the cemetery on Saturday or Sunday or any Statutory holiday unless written permission of the Clerk is first obtained, except in the case of emergency conditions as specified in Section 15 hereof.
24. No grave shall be dug or opened by any person other than the Caretaker or a person duly authorized by the Clerk.
25. No structure for interment above ground shall be erected in the cemetery; each interment in the cemetery shall conform to the requirements of Section 21 except where a vault or mausoleum already in the cemetery contains space which a deceased person is entitled to occupy in which case interment may be permitted therein.

CEMETERY CARETAKER

- 26.(1) Council may authorize the appointment of a cemetery caretaker and the duties and responsibilities of a caretaker so appointed shall be, among other things, to carry out, or cause to be carried out by cemetery workmen 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 foundations or bases.
 - (d) The general work of the cemetery, to maintain it in a neat, tidy condition, including maintenance of walls, fences, gates, paths and other cemetery improvements.
 - (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 may require from time to time in relation to the cemetery operation.

ADMINISTRATION AND CARE FUND

27. The Clerk shall maintain records as necessary to the administration and management of the cemetery and as required by Division II of the Regulation under the "Cemetery and Funeral Services Act".
28. The Clerk is hereby authorized on behalf of the Municipality to grant a licence in the form set out in Schedule "A" hereof in respect of any unlicensed grave space in the cemetery, according to the scale of fees and charges specified in Schedule "C" of this Bylaw and subject to the provisions of this Bylaw.
29. The Clerk shall issue all permits for interment required by this Bylaw, except as otherwise provided herein.
30. Upon issuing any permits for interment in the cemetery, or upon viewing an order for exhumation from the proper authority as required by Section 16 hereof, the Clerk shall notify the Caretaker before the time of the intended interment or exhumation giving the name of the deceased and the number and location of the grave space concerned.
- 31.(1) A fund shall be established to be known as "The Cemetery Care Fund" and such fund shall be administered 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 and in accordance with the procedures hereinafter set out.
 - (2) A bank account shall be established to be known as "The Cemetery Care Fund Account" into which the Treasurer shall pay all funds received for Care Fund purposes and all such funds shall be deposited in said account, and there held pending investment as hereinafter provided.
 - (3) On all licences the Treasurer shall pay into "The Cemetery Care Fund Account" from the amount received for each licence sold at the fee specified in Schedule "C" hereof, except in those cases where a different amount is approved by the Minister.
 - (4) On all licences for the use of grave space, and on all contracts or agreements for the sale of such licences, the amount required to be used for Care Fund purposes shall be specified, provided that the amount so specified shall not apply to grave space made available by the Village free of charge for indigent burial.
 - (5) Any owner of a memorial marker, tablet, or monument, or memorial and curbing desiring to install same in the cemetery shall pay to the Clerk prior to the installation of such memorial, ten dollars (\$10.00) 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.

- (6) Investment of funds received for Care Fund purposes shall be made as required by the Regulation under the "Cemetery and Funeral Services Act" applicable to Municipal Cemetery Care Funds.
 - (7) 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 licenced and the cemetery of which it forms part.
 - (8) 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".
32. 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 same shall be invested by the Village in accordance with the provisions of the "Municipal Act" and the interest derived from such investment shall be expended on the upkeep and development of the cemetery.

MEMORIALS

33. No person shall place on any grave space in the cemetery a memorial marker, tablet or monument, or a memorial curbing until an amount of Ten Dollars (\$10.00) has been paid to the Clerk for Care Fund purposes in respect to each memorial, or memorial and curbing which it is desired to install.
34. No grave or grave space in the cemetery shall be defined by a fence, hedge, or railing, and no memorial other than a tablet type memorial as specified in Section 35 may be installed on a grave except in the older sections of the cemetery located on Lot 2, Plan 20225, and Lot "A", Plan 19079, where a memorial different from that required by Section 35 has been installed. Permission for amending such installation shall be obtained from the Village and is constructed according to the specifications of the Caretaker and the required fees are paid.
35. A tablet type memorial may be installed on a grave in the cemetery provided the installation fee as set out in Schedule "C" hereto is paid and the tablet is made of stone or bronze and conforms to the following:
- (a) Each memorial tablet shall be installed in a position on the grave according to that established by the Village for memorials on graves in the cemetery and shall have its top surface set level and flush with the surface of the surrounding ground.
 - (b) Each bronze memorial tablet shall be attached to a concrete base not less than four (4) inches thick with side surfaces true and perpendicular with the top surface of the attached tablet.

- (c) Each stone memorial tablet shall be not less than four (4) inches thick and shall have its side surfaces true and perpendicular with its top surface.
- (d) Except as permitted otherwise in subsection (e) the top surface of memorial tablets and concrete bases shall measure as follows:
 - On Adult size graves:
 - (i) Memorialization of one person...12"x20" (30cm x 50cm)
 - (ii) Memorialization of one or two persons
 - 18"x30" (45cm x 75cm)
 - On an infant size grave.....12"x20" (30cm x 50cm)
 - On an ashes size grave 8"x11" (20cm x 28cm)
- (e) A bronze memorial tablet intended for installation on an adult or infant size grave may be smaller than its concrete base provided the concrete base conforms to the size for the grave as required by Sub-section (d) above, and provided the part of the base extending beyond the tablet as a concrete border is the same width on each side of the tablet, does not exceed two (2) inches (5cm) wide and has a smooth, slightly bevelled surface to shed water at its outer edges.
- (f) One memorial tablet only may be installed on each grave but where two related persons are buried side by side in adjacent graves, one 18"x 30" (45cm x 75cm) tablet which provides for the memorialization of both persons may be used instead of two separate tablets provided the single tablet so used is set to embrace evenly the two graves concerned.

GENERAL

- 36. Cut flowers, wreaths and floral offerings may be placed on graves but may be removed by the Caretaker when their condition is considered by him to be detrimental to the beauty of the cemetery.
- 37. No person shall plant, remove, cut down or destroy, any trees, shrubs, plants, flowers, bulbs or rocks in the cemetery other than an employee of the Village authorized to do so.
- 38. All persons are prohibited from damaging, or defacing any memorial, monument, fence, gate or structure in the cemetery, or any improvements in the cemetery.
- 39. No person shall enter the cemetery in a vehicle at any time except under the directions and orders of the Caretaker.
- 40. No person shall solicit orders for markers, tablets, memorials, or like works within the limits of the cemetery.
- 41. 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.

42. The discharging of firearms, other than in regular volleys (save at a Military Funeral) at burial services, is prohibited in the cemetery.
43. Any persons 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 shrub or plant, or plays at any game or sport, or discharges firearms (save at a military funeral), or who willfully or unlawfully disturbs persons assembled for the purpose of burying a body therein, or who commits a nuisance, or at any time behaves in an indecent and unseemly manner, or deposits any rubbish or offensive matter or thing in a 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.
44. The cemetery shall be deemed open at seven (7) o'clock every morning and closed every evening at dusk. Any person in the cemetery between dusk and seven (7) A.M. the following morning, 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.
45. Every person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding Five Hundred Dollars (\$500.00) and the cost of prosecution.
46. Notwithstanding anything herein contained, the administration and operation of the cemetery shall be carried out at all times in accordance with the "Cemetery and Funeral Services Act" and Regulations made thereunder.
47. This Bylaw may be cited as "The Village of Chase Cemetery Bylaw No. 481, 1993".
48. That upon adoption of this Bylaw, the following Bylaws are hereby repealed:
 - (1) Village of Chase Cemetery Bylaw No. 127, 1975.
 - (2) Village of Chase Cemetery Bylaw No. 245, 1982.
 - (3) Village of Chase Cemetery Bylaw No. 300, 1985.
 - (4) Village of Chase Cemetery Bylaw No. 353, 1987.

READ A FIRST TIME this 14th. day of January 1993.

READ A SECOND TIME this 14th. day of January 1993.


READ A THIRD TIME this 14th. day of January 1993.

RECONSIDERED AND FINALLY ADOPTED on the 28th. day of January 1993.


RESCINDED THIRD READING and ADOPTION on the 8th. day of April, 1993

RE-READ THIRD READING on the 22nd. day of April 1993.

RECONSIDERED AND FINALLY ADOPTED this 10th. day of June 1993.

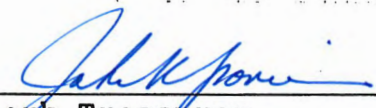


Mayor C. Marshall



Clerk Treasurer
John K. Spanier

I hereby certify the above to be a true and correct copy of Bylaw No. 481 passed by Mayor and Council of the Village of Chase on the 10 day of JUNE 1993.



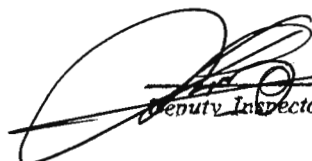
Clerk Treasurer
John K. Spanier

I hereby certify this to be a true and correct copy as at Third Reading.

Clerk Treasurer
John K. Spanier

Accepted and filed pursuant to the Provisions of the Cemetery and Funeral Services Act on June 17th. 1993

A true copy of By-Law No. 481
registered in the office of the Inspector
of Municipalities this 26th day of
July 1993.



Deputy Inspector of Municipalities

VILLAGE OF CHASE BYLAW #481

SCHEDULE "A"

CEMETERY LICENCE

In consideration of (licencee) _____

having paid the sum of \$_____ being the fee for use of grave space in Chase Memorial Cemetery, he/she is hereby granted a licence and permission to use and occupy grave space #_____ of Block #_____ in said cemetery for the purpose of interment and in accordance with and subject to the Village of Chase Bylaw No. 481 for regulation of Chase Memorial Cemetery which may for the time being be in force, or any law applicable thereto in force in the Municipality of Chase. In granting this licence to _____ the Village of Chase undertakes to maintain a cemetery care fund for maintenance of the grave space herein described 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 grave space fee shown herein as paid, and the portion of the said fee to be set aside for Care Fund purpose shall be as prescribed in Schedule "C".

Dated this _____ day of _____, 19__.

Clerk, Village of Chase

The Licencee is hereby notified in accordance with the terms of the 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 licenced grave space a payment of \$10.00 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 licence upon the terms and subject to the conditions above expressed.

Signature of Licencee

THIS LICENCE IS SUBJECT TO THE "CEMETERY AND FUNERAL SERVICES ACT" AND THE REGULATIONS MADE THEREUNDER.
481A.BYL

VILLAGE OF CHASE BYLAW #481

SCHEDULE "B"

INTERMENT PERMIT

Chase, British Columbia
_____ 19, __

Permission is hereby given to _____ to have
the remains of _____ interred in grave
space # _____ of Block # _____ in the Chase Memorial Cemetery, on
the _____ day of _____, 19__ at _____ o'clock.

Remarks _____

Municipal Clerk

481B.BYL

VILLAGE OF CHASE BYLAW #481

SCHEDULE "C"

TARIFF

GRAVE SPACE	TOTAL FEE
Adult size (including Care Fund of \$35.00) (5' x 10')	\$110.00
Infant size (including Care Fund of \$20.00) (3' x 5')	55.00
Cremated (including Care Fund of \$20.00) remains size (2 1/2' x 2 1/2')	40.00
SERVICES	
Opening and Closing for Burial:	
Adult size	310.00
Infant size	150.00
Cremated remains	55.00
Opening and Closing for Exhumation:	
Adult size	500.00
Infant size	200.00
Cremated remains	50.00
Deeper Depth/permit second burial in same grave (Does not include cremation plot)	EXTRA 75.00
Burials after 4:30 P.M. Monday to Friday	EXTRA 75.00
Burials on Saturday, Sunday, or Statutory Hol.	EXTRA 175.00
Transfer of Licence	10.00
Installation of Stone or Bronze Memorials with base (including Care Fund contribution of \$10.00)	50.00
Installation of Stone or Bronze Memorials without base (including Care Fund contribution of \$10.00)	55.00
GOODS	
Grave Liners (Adult)	140.00
(Child)	100.00
481C.BYL	