

A Bylaw relating to the operation and maintenance of the Cemetery

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as “Cemetery Bylaw, 2015, No. 3920.”

Definitions

2. In this Bylaw, unless the context otherwise requires:

Administrator means the Director of Parks and Recreation or designate for City or any person appointed from time-to-time by the Chief Administrative Officer to provide for the general administration of this Bylaw;

Board means the Board of Cemetery Trustees established pursuant to Section 4 of this Bylaw;

Caretaker shall mean the person or persons duly appointed or employed by City from time to time as Caretaker or Caretakers of the cemetery or cemeteries of the City;

Cemetery shall mean and include any parcel or tract of land set aside, used, maintained or operated as a cemetery by the City;

Columbarium means an above ground structure for the interment of cremated remains;

City shall mean The Corporation of the City of Port Coquitlam;

Council shall mean the City Council of the City;

Cremated Remains shall mean human bone fragments left after human remains are cremated;

Expansion Fund shall mean a fund known as the “Expansion Fund”. This fund shall be administered as a reserve fund in accordance with the *Community Charter*. The

principle and interest in this Fund shall be used for the purchase or development of land or facilities for cemetery purposes in the future;

Family Member shall mean a parent or step parent, a grandparent or step grandparent, a sibling (natural, adopted or step), a spouse, a common-law spouse, a same sex spouse, a child (natural, adopted or step) or a grandchild (natural, adopted or step);

Interment Permit means a permit for the interment of human remains or cremated remains in a grave, niche or plot;

License means a license issued by the City granting the right of interment in a grave space subject to the issuance of an interment permit;

License fee means the charge for processing the license;

Manager of Revenue and Collections shall mean the person duly appointed as such from time to time by Council;

Mayor shall include the Acting Mayor;

Medical Health Officer shall mean the Medical Health Officer appointed by or for the City pursuant to the provisions of the *Health Act*;

Memorial means any object or structure within the cemetery upon which a memorial marker may be placed, including a memorial wall, a bench, a tree, a boulder, etc. without limitation;

Memorial Marker means a memorial marker prescribed in Section 11. 3) of this Bylaw;

Memorial Marker Permit means a permit for the installation, removal, and/or altering of a memorial marker anywhere in the Cemetery;

Non-Resident shall mean any person who does not qualify as a resident or former resident or property owner.

Order of Priority shall mean the right of a person to control the disposition of the human remains or cremated remains vests in and devolves on that person in order of priority as outlined in the *Cremation, Interment and Funeral Services Act*;

Property Owner shall mean a person who owns property in Port Coquitlam;

Proof of inheritance shall mean the owner of a right of interment dies and the ownership passes to the new owners before the new owners can obtain registration of their interest to it, the City may require proof of their right to such interest. This proof,

in ordinary cases, may consist of a will or other such proof as may be satisfactory to the City. If the new owner wishes to have an interment made before he/she has obtained registration of his/her interest in a plot, he/she shall satisfy the City of his/her right to do so before the interment shall be permitted;

Resident shall mean any person who qualifies as a resident elector under the *Local Government Act* (has lived in Port Coquitlam for at least 30 days) or is a property owner or was a resident who resided in Port Coquitlam for at least 10 years;

Scattering Garden means a designated area for the placement of non-recoverable, commingled cremated remains placed within an ossuary or scattered within the designated garden area;

Transfer Fee means the charge for the transfer of a license for an unoccupied grave space to a family member, as defined; and,

Treasurer shall mean the person duly appointed as such from time to time by Council.

Administration

3. 1) The following lands owned by the City have been set aside and used for cemetery purposes:

NAME "Port Coquitlam Municipal Cemetery"

LEGAL DESCRIPTION

Parcel "A" of 'Park Reserve' of Legal Subdivision 10 of Section 12, Township 39, Plan 3022 as shown outlined in red on Explanatory Plan 12647, Group One, New Westminster District, in the Province of British Columbia.

- 2) A copy of the plans of the cemetery shall be filed with the appropriate authority of the Province of British Columbia as required by Statute and copies shall also be kept available for public inspection by the City and at such other places as may be deemed necessary.
- 3) The expansion of the Cemetery, within the property described in Section 3. 1) of this Bylaw, and shown on City of Port Coquitlam's Engineering and Operations Department's Drawing No. 210-129 is ratified and confirmed.
- 4) In accordance with the provisions of Section 37 (2) (b) of the *Cremation, Interment and Funeral Services Act*, Council hereby establishes itself as a board of cemetery trustees to own and operate the Cemeteries with all such power

and authority as is necessary to permit the Board to own and operate the cemeteries, including, without limitation, the power from time to time to appoint the Administrator and to do all other acts necessary to give effect to this Bylaw.

- 5) The Manager of Revenue and Collections may, subject to payment of the fees and charges specified in Schedule "H" in the Fees and Charges Bylaw and to the provisions of this Bylaw, grant to any person a License using a form prepared by the Manager of Revenue and Collections for the exclusive use by such person or that person's executors or administrators of a vacant and unlicensed plot in a Cemetery for the interment of the human remains or cremated remains of the person identified in the License as the person to be interred.
- 6) No person will acquire any right or interest in a plot other than through the valid issuance of a License.
- 7) The issuance of a License does not entitle the holder of that License to require the City to put the human remains or cremated remains of the person designated in the License in the plot unless and until the holder complies in all respects with the provisions of this Bylaw as the same relate to the interment of human remains or cremated remains, including, without limitation, the payment of all fees and charges related to the interment.
- 8) The identity of the person whose human remains or cremated remains are to be interred in the plot pursuant to the License may not be changed without the prior written approval of the Manager of Revenue and Collections and may only be changed to family members upon payment of the applicable "Transfer of License Fee" and/or former resident or non-resident fee. If the license was issued to a resident of Port Coquitlam and is to be transferred to a family member who is not a resident of Port Coquitlam, at the date of transfer, the transfer fee plus the difference between the resident fee (including Care Fund) and the former resident fee (or non-resident fee) and corresponding Care Fund fee shall be paid for each grave transferred.
- 9) Council reserves to itself the right to refuse to sell the use of more than one plot to any one individual.

Cancellations and Refunds

4. 1) To cancel, you must give written notice of cancellation at the address in the contract (2580 Shaughnessy Street, Port Coquitlam, BC, V3C 2A8). You must give notice of cancellation by a method that will allow you to prove that you gave notice, including registered mail, electronic mail, facsimile or personal delivery. If you send notice of cancellation by mail, facsimile or electronic mail, it does not matter if the City receives the notice within the required period of time as long as you sent it within the required period.
- 2) WITHIN 30 DAYS: Where items listed are for future use and delivery the purchaser may cancel this contract, without penalty or obligation, from the day they enter the contract until 30 days after receiving a copy of this agreement. You do not need a reason to cancel. No refund will be made where a good or service has been provided, specially ordered or because of personalization or other unique characteristic cannot be used in the ordinary course of business.
- 3) AFTER 30 DAYS: Subject only to Section 3. 8), no License may be sold, assigned, or transferred. A License may be surrendered to the City at any time. When a written request of cancellation is provided by the Purchaser or a Legal Representative of a deceased Purchaser requesting to cancel this contract 31 days or more after the date of this contract any refund provided shall be subject to the following conditions:
 - i) INTERMENT RIGHTS FOR IN-GROUND LOTS: Refund payable shall be the original purchase price of the space identified LESS the amount of the Care Fund contribution for the lot or space collected at the time of purchase and less 25% of the remaining purchase price as set out in the City's Fees and Charges Bylaw (Schedule H).
 - ii) INTERMENT RIGHTS FOR NICHES, CRYPTS AND CREMATION PLOTS: Refund payable shall be the original purchase price of the space identified LESS the amount of the Care Fund contribution for the lot or space collected at the time of purchase and less 10% of the remaining purchase price as set out in the City's Fees and Charges Bylaw (Schedule H).
 - iii) CARE FUND CONTRIBUTIONS: After 31 days from the date of entering into a purchase agreement no refund shall be made of any Care Fund contribution collected as part of any good or service purchased.
 - iv) Upon confirmation of the requesting party/deceased's estate legal right to receive any refund the City will provide any refund owing within 15 (fifteen) days.

- v) A completed Schedule "C" Surrender of Cemetery Lot License is required to receive a refund.
- 4) All licenses issued for use of a plot in the cemetery shall be subject to the provisions of this Bylaw and all bylaws now or hereafter to be adopted by Council.

Fees and Charges

- 5. 1) The fees for interment, disinterment, use of a plot, care of plots, and the charges for goods offered for sale by the City for use in the cemetery, and any other cemetery fees shall be those set out in Schedule "H" of the Fees and Charges Bylaw:
 - a) The fees set out in Schedule "H" of the Fees and Charges Bylaw shall be paid upon the demand of the City. All fees and charges will be adjusted annually on January 1st of every year to reflect the changes in the Vancouver Consumer Price Index.
 - b) Prepayment of fees and charges specified in Schedule "H" of the Fees and Charges Bylaw is limited to the Cemetery Plot license, the license fee and the payment of all other fees if the burial is scheduled within 30 days after the payment is made. Postponement of the burial will result in a refund of fees except the Cemetery Plot fee(s) and other related licensing fee(s).
- 2) In cases of poverty, the Council may consider and decide on applications 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.

Permission to Inter, Exhume, and Cremate

- 6. 1) No body other than a deceased human body shall be interred in the cemetery and no interment of a body shall be made until an Interment Permit to inter the body has been obtained from the City except as permitted otherwise under the terms of Section 7. 3).
- 2) All permits for interment of deceased persons in the cemetery shall use a form prepared by the Manager of Revenue and Collections.
- 3) All Interment Permits must be made to the Manager of Revenue and Collections in the City's Tax Office during regular business hours (8:30am - 4:30pm) on all days of the week (such permit to be obtained at least 48 hours in advance of the

scheduled time of interment) except Saturday, Sunday and statutory holidays, and in cases of an emergency, as described in Section 6. 7).

- 4) Any person who wishes to obtain an interment permit or who requires an interment to be made, shall furnish the Manager of Revenue and Collections a statement of the name, age, date of death of the deceased, date and time of funeral, whether or not death was caused by an infectious disease designated in Section 7. 3), and such other information as may be reasonably required. A copy of the Death Certificate and a copy of the written authorization to perform funeral services from the person with the disposition rights and the address of that person are to be provided to Manager of Revenue and Collections.
- 5) Where the body of a person who dies having an infectious disease is required under the terms of Section 7. 3) to be buried within thirty-six (36) hours of death and during the said thirty-six (36) hours the City's Tax Office is closed, permission to enter in the cemetery shall be obtained from the Manager of Revenue and Collections or duly authorized person acting on the Manager's behalf but in no case shall a person who dies having an infectious disease be buried without the consent of the Medical Health Officer.
- 6) The Caretaker or the person who performs a burial under the conditions of Section 6. 6) of this Section shall furnish the Manager of Revenue and Collections full particulars of the interment, and the representative of the deceased shall furnish the Manager of Revenue and Collections with full details of the deceased as required by Section 6. 4) hereof and the person who permitted the interment shall report the matter to the Manager of Revenue and Collections.
- 7) The information required to be given to the Manager of Revenue and Collections under the terms of Section 6. 6) shall be made and furnished to the Manager of Revenue and Collections as soon after such interment in the City's Tax Office during regular business hours (8:30am – 4:30pm Monday to Friday, excluding statutory holidays).
- 8) No deceased person interred in the cemetery shall be exhumed or disinterred without a written order being first obtained from the proper authority in accordance with the requirements of the *Cremation, Interment and Funeral Services Act* and the presentation of such order to the Manager of Revenue and Collections for examination.
- 9) It shall be unlawful for any person to cremate or bury a deceased person within the limits of the City, save and except as authorized under the terms of the *Cremation, Interment and Funeral Services Act* and the regulations made thereunder.

Internment in the Cemetery

7. 1) 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.
- 2) The holder of a license to use and occupy a plot in the cemetery shall not permit an interment to be made in the plot to which the license refers nor transfer or dispose of the said plot to another person, unless such interment, transfer, or disposal is made pursuant to and subject to the provisions of this Bylaw.
- 3) Where the body of a person who dies having an infectious disease is to be buried in the cemetery, interment shall take place within thirty-six (36) hours after death occurs, and in such cases the Medical Health Officer shall furnish the Manager of Revenue and Collections with definite instructions respecting the interment and the Caretaker or duly authorized assistant acting on the Caretaker's behalf shall follow such instructions carefully and minutely in making such interments.
- 4) The following shall be considered as infectious diseases within the meaning of this Bylaw:
- Smallpox, Asiatic Cholera, Diphtheria, Typhus Fever, Anthrax, Scarlet Fever, Bubonic Plague, Epidemic Cerebra, Spinal Meningitis, Poliomyelitis and such others as may hereafter be designated by the Board of Health or the Medical Officer.
- 5) Two interments of human remains and four interments of cremated remains may be permitted in each grave space, except in those areas of the cemetery reserved exclusively for the burial of cremated remains where two interments of cremated remains only may be permitted in each plot. In Section "STH" two interments of human remains and eight interments of cremated remains may be permitted in each grave space.
- 6) Each interment in the cemetery, other than the interment of cremated remains and in-ground burial crypts (Section "STH"), shall be made in a plot dug to provide not less than three (3) feet of earth between the top surface of the ground and the top surface of the vault or concrete grave liner enclosing the coffin or casket. In each double depth plot permitted in the cemetery (except Section "STH") the first interment shall be at a lower depth than the second interment and each such interment shall comply with the requirement above. For every interment of cremated remains (maximum two) interred under a Boulder Memorial or Granite Memorial, the grave will be dug to a sufficient

depth to ensure that the Boulder Memorial or Granite Memorial, once installed, is level with the surface of the ground.

- 7) Each in-ground interment of cremated remains in the cemetery shall be made in a container enclosed in a liner not less than two (2) inches thick and shall be buried in the grave not less than two (2) feet deep except where the concrete encased container is used as the base for a marker installed on the plot flat and flush with ground level. Each container cannot exceed 9 ½" x 9 ½" x 11" long.
- 8) Each interment of cremated remains in a niche or other appurtenance will be in a container that can be accommodated within the opening.
- 9) On and after the date of adoption of this Bylaw, a concrete 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 Section 7. 7).
- 10) Each grave liner used in the cemetery shall be made of reinforced concrete not less than two (2) inches thick and shall consist of two side walls, two end walls, and a cover sufficient to bridge the coffin (casket) over its entire length.
- 11) A precast concrete grave liner as outlined in Section 7. 10) or a wood liner not less than two inches thick and consisting of two sides and end walls and a cover sufficient to bridge the coffin (casket) over its entire length shall be used for each interment in Sections "C" and "CA" of the Cemetery.
 - i) Coffins/caskets must not exceed 29" wide x 85" length x 27" high. All measurements are to outside of handles. Requirements for an oversized coffin/casket must be approved by Manager of Revenue and Collections and any additional costs are borne by the Licensee.
- 12) Subject to Section 7. 13), all interments will be done under the direct supervision of the Caretaker and will occur 9:00am to 2:00pm, Monday to Friday, excluding statutory holidays.
- 13) Interments outside of the hours prescribed in Section 7. 12) or on weekends and statutory holidays, will be permitted to occur only upon payment of the additional charges specified in Schedule "H" of the Fees and Charges Bylaw and with the written consent of the Manager of Revenue and Collections, which consent will be given in all circumstances where an interment is required in the directions of the Medical Health Officer given pursuant to Section 6. 5) and will be discretionary in all other cases, having regard to the availability of City resources and any costs associated with providing the same.

- 14) No plot shall be dug or opened by any person other than the Caretaker or a person duly authorized by the Caretaker or by the Director of Parks and Recreation or designate or the Manager of Revenue and Collections.
- 15) No interment in the Cemetery will be exhumed except in compliance with Part 4 of the *Cremation, Interment and Funeral Services Act* and upon payment of any fee required by and in compliance with all terms and conditions of this bylaw. The City's responsibility will end at the point where the soil is sufficiently excavated to permit access to the remains for removal by the attending funeral provider.

Cemetery Caretaker

8. A Caretaker may be appointed by the Council, and the duties of a Caretaker so appointed shall be among other things:
 - a) To dig and prepare, or cause to be dug and prepared, all plots required to be dug whenever ordered to do so by the Director of Parks and Recreation or designate or the Manager of Revenue and Collections, or the persons acting for them.
 - b) To install all memorial markers, monuments, and bases, etc.
 - c) To 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.
 - d) To maintain records and submit reports, as required, by the Director of Parks and Recreation or designate or the Manager of Revenue and Collections.
 - e) To complete such other work as may be from time to time directed by the Director of Parks and Recreation or designate or the Manager of Revenue and Collections.

Licenses and Permits

9.
 - 1) The Manager of Revenue and Collections shall maintain records as necessary to the administration and management of the cemetery and as required by Section 27 of the Regulation under the *Cremation, Interment and Funeral Services Act*.
 - 2) The Manager of Revenue and Collections is hereby authorized on behalf of the municipality to grant a license hereof in respect of any unlicensed plot in the

cemetery, according to the scale of fees and charges specified in Schedule "H" of the Fees and Charges Bylaw and subject to the provisions of this Bylaw.

- 3) The Manager of Revenue and Collections shall issue all permits for interment required by this Bylaw, except as otherwise provided herein.
- 4) Upon issuing any permits for interment in the cemetery, or upon viewing an order for exhumation from the proper authority as required by Section 6. 8) hereof, the Manager of Revenue and Collections shall notify the Director of Parks and Recreation or designate or the Caretaker before the time of the intended interment or exhumation giving the name of the deceased and the number and location of the plot concerned.

Care Fund

- 10.** 1) A fund shall be established to be known as the "Care Fund", and such fund shall be administered in accordance with the requirements of the regulations made under the *Cremation, Interment and Funeral Services Act* for the establishment and administration of a Care Fund and in accordance with the procedures hereinafter set out.
- 2) On all licenses for use of plots sold, the Manager of Revenue and Collections shall collect from the Licensee and pay into the Care Fund the amount as specified in Schedule "H" of the Fees and Charges Bylaw.
- 3) On all licenses for the use of a plot, 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, provided that the amount so specified shall not apply to plot made available by the City, free of charge, for indigent burial.
- 4) Any owner of a memorial marker, or monument, or memorial and curbing, desiring to install same in the cemetery shall pay to the Manager of Revenue and Collections prior to the installation of such memorial, or memorial and curbing, amount as specified in Schedule "H" of the Fees and Charges Bylaw as a contribution to the Care Fund, and such amounts when received shall be paid by the City into the Care Fund for investment as hereinafter provided.
- 5) Investment of funds received for Care Fund purposes shall be made as required by the regulation under the *Cremation, Interment and Funeral Services Act* applicable to municipal cemetery care funds.
- 6) The income from the 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 part.

- 7) The principal sum of the Care Fund shall not be reduced otherwise than in accordance with an order of the appropriate authority of the Province of British Columbia made pursuant to the regulations under the *Cremation, Interment and Funeral Services Act*.
- 8) A separate account of all monies received under the provisions of this Bylaw and all monies expended hereunder shall be kept by the City 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 Care Fund and same shall be invested by the City in accordance with the provisions of the *Local Government Act* and the interest derived from such investment shall be expended on the upkeep and development of the cemetery.

Memorials

11. 1) No memorial marker or base may be placed in the Cemetery until a permit has been issued by the Manager of Revenue and Collections and an installation fee as set forth in Schedule "H" of the Fees and Charges Bylaw has been paid to the City. The maximum total allowable height for all boulder memorials and granite memorials is 36 inches and before the memorial can be ordered for placement in the Cemetery, the design must be approved by the Caretaker and/or the Manager of Revenue and Collections.
- 2) No memorial marker may be placed on any plot in the cemetery until an amount as specified in Schedule "H" of the Fees and Charges Bylaw has been paid the City for the Care Fund in respect of each memorial marker or tablet to be placed.
- 3) A memorial(s) may be installed on a plot in the cemetery subject to the requirements of Section 11. 2) hereof and subject to the following:
 - a) All memorial markers on any plot shall be made of granite or bronze.
 - b) All memorial markers and bases shall have their sides and edges cut true and perpendicular with the top surface.
 - c) For Sections "STA", "STB", "STE", "STG", "STH", "STL", "STM", "STN", "STP", "STQ", "C", "CA" and "D" if a concrete base is not supplied by the marker company a concrete base fee must be paid before the memorial marker is installed. The installation of memorial markers in the Sections of the Cemetery as designated hereunder, shall be as follows:

Sections "STA", "STB", "STE", "STF", "STG", "STH", "STK", "STL", "STM", "STP", and "STQ"

- i) Each memorial marker on a plot shall be set on a concrete base and the top surface of the base shall be face level (with the surface of the ground).
- ii) The dimensions of each plot marker shall be 30 cm x 50 cm (12" x 20") and not less than 10 cm (4") or more than 15 cm (6") in height, provided that in the case of a bronze marker, the total height of the bronze marker (attached to the foundation) and concrete or granite foundation shall not be less than 10 cm (4") or more than 15 cm (6") and shall be set on a base as set forth in Section 11. 3) c) i) of this Section. The maximum plot marker is 46 cm x 76 cm (18" x 30").
- iii) Two or more related persons may be memorialized on one marker.
- iv) Where it is desired to memorialize on one marker two or more related persons buried side by side in adjacent plots, one 46 cm x 127 cm (18" x 30") tablet which provides for such multiple memorialization may be used instead of two separate tablets provided it is set to embrace evenly the two plots concerned.
- v) Four additional markers to those otherwise permitted may be installed to serve as a memorial of cremated remains or for memorialization purposes and the dimensions of such marker shall be 20 cm x 30 cm (8" x 12") and not less than 5 cm (2") in thickness set face level with the surface of the ground.

Sections "C" and "CA"

- vi) Each granite marker shall be 25 cm x 35 cm (10" x 14") and not less than 5 cm (2") in thickness, set face level with the surface of the ground.
- vii) Each bronze marker shall be 25 cm x 35 cm (10" x 14") and attached to a granite or concrete foundation 25 cm x 35 cm (10" x 14") of not less than 5 cm (2") in thickness, set face level with the surface of the ground.
- viii) Two or more related persons may be memorialized on one marker.

- ix) Where it is desired to memorialize on one marker two or more related persons buried side by side in adjacent plots, one 46 cm x 76 cm (18" x 30") tablet which provides for such multiple memorialization may be used instead of two separate tablets provided it is set to embrace evenly the two plots concerned.
- x) Four additional markers to those otherwise permitted may be installed to serve as a memorial of cremated remains or for memorialization purposes and the dimensions of such marker shall be 20 cm x 30 cm (8" x 12") and not less than 5 cm (2") in thickness set face level with the surface of the ground.

Section "D"

- xi) Each granite marker shall be 30 cm x 50 cm (12" x 20") and not less than 5 cm (2") in thickness, set face level with the surface of the ground.
- xii) Each bronze marker shall be 30 cm x 50 cm (12" x 20") and attached to a granite or concrete foundation 30 cm x 50 cm (12" x 20") of not less than 5 cm (2") in thickness, set face level with the surface of the ground.
- xiii) Two or more related persons may be memorialized on one marker.
- xiv) Where it is desired to memorialize on one marker two or more related persons buried side by side in adjacent plots, one 46 cm x 76 cm (18" x 30") tablet which provides for such multiple memorialization may be used instead of two separate tablets provided it is set to embrace evenly the two plots concerned.
- xv) Four additional markers to those otherwise permitted may be installed to serve as a memorial of cremated remains or for memorialization purposes and the dimensions of such marker shall be 20 cm x 30 cm (8" x 12") and not less than 5 cm (2") in thickness set face level with the surface of the ground.

Section "CRI"

- xvi) Each marker on a cremation space in Cremation Section "CRI" shall be 13 cm x 25 cm (5" x 10") and not less than 5 cm (2") in

thickness, set face level with the surface of the ground. CR1 is not permitted a second marker if a double marker exists.

- xvii) Two or more related persons may be memorialized on one marker.
- xviii) Where it is desired to memorialize on one marker two or more related persons buried side by side in adjacent plots, one 30 cm x 51 cm (12" x 20") tablet which provides for such multiple memorialization may be used instead of two separate tablets provided it is set to embrace evenly the two plots concerned.

Section "CR2", "CR3" and "CR4"

- xix) Each marker on a cremation space in Cremation Sections "CR2", "CR3" and "CR4" shall be not less than 18 cm (7") not more than 20 cm x 30 cm (8" x 12") and not less than 5 cm (2") in thickness, set face level with the surface of the ground. Sections "CR2", "CR3" and "CR4" are not permitted a second marker if a double marker exists.
 - xx) Two or more related persons may be memorialized on one marker.
 - xxi) Where it is desired to memorialize on one marker two or more related persons buried side by side in adjacent plots, one 30 cm x 51 cm (12" x 20") tablet which provides for such multiple memorialization may be used instead of two separate tablets provided it is set to embrace evenly the two plots concerned.
 - xxii) All columbarium and scattering garden memorial markers must be purchased through the City for a fee as specified in Schedule "H" of the Fees and Charges Bylaw and subject to the provisions of this Bylaw.
- 4) All memorial markers and bases to be placed shall be received at the City's Operation Centre, 1737 Broadway Street and shall be set by the cemetery staff under the supervision of the Caretaker.
 - 5) The City shall not be liable for the loss or theft or the breakage or damage of any marker, or base except that which shall arise out of the carelessness and negligence of the Caretaker or the Caretaker's assistant.

- 6) No grave or grave plot shall be defined by a fence, railing, coping, curbing, hedge, or by other marking save by a memorial marker or tablet as set out in Section 11. 3) hereof.

General

- 12.** 1) The Council shall have power to determine from time to time the size of any unlicensed plot in any portion of the Cemetery.
- 2) At the time of interment, wreaths and floral offerings may be placed on graves but may be removed by the City when they become wilted or unsightly or if necessary or expedient for the operation of the Cemetery. Persons wishing to retain these items must remove them within four days after interment.
- 3) The City will not permit nor be responsible for items such as flower boxes, shells, toys, candles, wire screens, arbors, trellises, chairs, decorations and objects of similar description placed on any lot or columbarium.
- 4) The City shall accept no responsibility for the preservation of potted plants, cut or artificial flowers, whenever placed.
- 5) The City will remove items placed on any grave space deemed to be offensive, improper, or in violation of this Bylaw.
- 6) No glass objects of any kind, (ie. vases, figurines and candleholders) are to be placed on any lot or columbarium.
- 7) Potted plants in a 4" container, fresh cut or artificial flowers, may only be placed at the base of the columbarium and book of memories. Only plastic or biodegradable containers are acceptable. The placement of flowers and trinkets on the columbarium and book of memories are specifically prohibited.
- 8) From December 1st to January 15th, additional decorations for the festive season will be allowed. These decorations must be removed by January 15th or the City will dispose of them.
- 9) Only fresh cut flowers may be placed in the flower vase provided on the gravesite between March 15th and November 15th.
- 10) Artificial flowers are permitted to be placed in the flower vase provided on the gravesites between November 16th and March 15th.
- 11) The Cemetery shall be deemed open at dawn every morning and closed every evening at dusk. Any person in the Cemetery without special permission of the

Caretaker between dusk and dawn the following morning, shall be deemed guilty of an infraction of this Bylaw and liable to the penalties hereof.

- 12) Fresh cut, artificial and potted plants in a 4" container may be placed in the provided flower vase at the gravesite, year round.
- 13) Wreaths, religious mementos and floral offerings may be placed on top of headstones so long as the item(s) stays within the headstone boundary.
- 14) Additional decorations (placed adjacent to the individual gravesite) for the following recognized events will be allowed for seven days after the day of the event; with the exception of Remembrance Day commencing two weeks prior and ending seven days after the event:
 - a. Valentine's Day
 - b. Easter
 - c. Mother's Day
 - d. Father's Day
 - e. Thanksgiving
- 15) It is an offence for any person to scatter, dispose of, or interment remains or bury any human remains within the Cemetery except in accordance with the *Cremation, Interment and Funeral Services Act* and this Bylaw.
- 16) Every person who violates any of the provisions of this Bylaw or who permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act which violates any of the provisions of this Bylaw shall be guilty of an offence punishable on summary conviction and shall be liable to a fine of not more than \$2,000.00 or to imprisonment for not more than six (6) months, or to both, the penalties being enforced and the fines and costs being recoverable upon summary conviction in the manner provided by the *Offence Act* RSBC 1996, c. 338, as amended.
- 17) Notwithstanding anything herein contained, the administration of the Cemetery shall be carried out at all times in accordance with the *Cremation, Interment and Funeral Services Act* and regulations made thereunder.

Severability

- 13.** If any section, subsection or clause of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this Bylaw.

Repeal

- 14.** Cemetery Bylaw No. 3616, 2007 and its amendments are hereby repealed.

Read a first time by the Municipal Council this 27th day of July, 2015.

Read a second time by the Municipal Council this 27th day of July, 2015.

Read a third time by the Municipal Council this 27th day of July, 2015.

Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 14th day of September, 2015

Mayor

Corporate Officer

RECORD OF AMENDMENTS

Amendment Bylaw No.	Section(s) Amended	Date
3977	Definitions, 7(6) and 11(1)	2016 12 12
4169	Sections 4 and 14	2020 09 22