

CITY OF KELOWNA

BYLAW NO. 9289

Amendment No. 1 to Kelowna Memorial Park Cemetery Bylaw No. 8807

A bylaw to amend the "Kelowna Memorial Park Cemetery Bylaw No. 8807".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Memorial Park Cemetery Bylaw No. 8807 be amended as follows:

1. THAT the first paragraph be amended by replacing the words "Section 885 of the *Local Government Act*" with "Section 8 of the *Community Charter*";
2. AND THAT **Section 1.2 Interpretation** sub-section 1.2.4 Schedules be amended by:
 - a) Deleting "Schedule B – Cemetery Licenses" and replacing it with "Schedule B – Right of Interment Fees"; and
 - b) Deleting "Schedule D – Surrender or Transfer of License" and replacing it with "Schedule D – Surrender or Transfer of Right of Interment";
3. AND THAT **Section 1.3 Definitions** be amended as follows:
 - (a) Sub-section 1.3.1 be amended by adding in the following definitions in its appropriate place as follows:
 - i) " **Family Estate** " means a walled or semi walled space intended to be used for the interment of human remains and/or cremated remains under a right of interment.";
 - ii) " **Right of Interment** " means a right, in perpetuity, for the interment of human remains or cremated remains, in a lot."; and
 - iii) " **Section G7** " of the **Cemetery** means the grassed area consisting of double depth in-ground lawn crypts and Family Estates as shown on Schedule "G". " ;
 - (b) Sub-section 1.3.1 be amended by amending the following definitions in its appropriate place as follows:
 - i) Add the sentence "The purchase of a mausoleum crypt, niche or memorial wall in Section G2 includes a standard name plate and opening and closing." to the end of the definition for " **Section G2** ";
 - ii) Replace the definition for " **Section G3** " with the following:

" **Section G3** " of the **Cemetery** means the grassed area within the **Promontory Green Interment Garden** consisting of companion (3" x 3") and family cremation plots (3" x 6") as shown on Schedule "G";

iii) Replace the definition for “**Section G5**” with the following:

“**Section G5**” of the **Cemetery** means the grassed area consisting of companion (3” x 3”) and family cremation (3” x 6”) plots as shown on Schedule “G”;

iv) Replace the definition for “**Section G6**” with the following:

“**Section G6**” of the **Cemetery** means the grassed area consisting of companion (3” x 3”) and family cremation (3” x 6”) plots as shown on Schedule “G”.

4. AND THAT **PART 2 – CITY OF KELOWNA CEMETERY BOUNDARIES** be amended by deleting Sub-section 2.2 “Cemetery Plans” and replacing it with the following:

“2.2 Cemetery Plans. A copy of the plans of the Cemetery shall be kept available for public inspection at the Cemetery and such places that may be deemed necessary.”

5. AND THAT **PART 3 – CEMETERY LICENCE** be renamed “**PART 3 - RIGHT OF INTERMENT**” and be amended by:

a) After the words “plots which may be vacant and” delete the word “unlicensed” and replace it with “not issued as a **Right of Interment**” in Sub-section 3.2 “Licence for Exclusive Use”; and

b) Sub-section 3.5 “Transfer Request” be deleted and replaced with the following:

“3.5 Transfer Request The transfer request must be in writing by the holder of a **Right of Interment** as set out in Schedule “D”. **Right of Interments for plots** must be surrendered, and a transfer fee as set out in Schedule “A” shall be paid to the City. The **Cemetery Manager** shall amend his records accordingly stating the new holder of the **Right of Interment** of the **plot** or **plots**.”

c) Sub-section 3.9 “Licence Cancellation” be amended by adding the following to the end of the paragraph:

“Should the plot that is to be surrendered have any memorial, surround or coping, the Cemetery may deduct the cost to remove and dispose of such memorials out of any monies paid for the purposes of a Right of Interment cancellation.”

6. AND THAT **PART 4 – FEES AND CHARGES**, sub-section 4.3 Instalment Plan be amended by replacing the word “re-sell” in the second paragraph with “re-issue”;

7. AND THAT **PART 5 – PERMISSION TO INTER, EXHUME AND CREMATE** be amended as follows:

- (a) Sub-section 5.3 Application for Permit be deleted and replaced with the following:

“5.3 Application for Permit All applications for an interment permit must be made at least 24 hours (1 working day), and during the winter months from November 1 to March 15 of each year 48 hours (2 working days); the **Pioneer Section** requires 48 hours (2 working days) before the scheduled interment, to the **Cemetery Manager** between the hours of 8:00 a.m. and 4:00 p.m. on all days of the week except Saturday and Sunday, Statutory Holiday, and in cases of emergency, as described in Sections 5.5, 5.6 and 5.7 of this bylaw.”;

- (b) Sub-section 5.5 Interment After Hours be amended by replacing the word “**Director**” with “**Cemetery Manager**”;

8. AND THAT **PART 6 – INTERMENT IN THE CEMETERY** be amended as follows:

- (a) Sub-section 6.6 Number of Interments be deleted and replaced with the following:

“6.6 Number of Interments In **Sections C, D, E1, E2, E3 and G4** and in the upright monument portion of **Sections A, B and E4** where the grave top is not covered by hard surfacing, two (2) casket interments plus two (2) cremations will be permitted in each large plot. In Section **G1** and **G7** Lawn Crypts, only two (2) interments are allowed. An additional use fee will be applied for the third and subsequent interment in a single **plot**”;

- (b) Sub-section 6.14 No Interment on Weekends or Statutory Holidays be amended by deleting the words “No interments will be scheduled on long weekends that are a result of a statutory holiday or on a statutory holiday”;

- (c) Sub-section 6.15 Grave Digging or Opening be deleted and replaced with the following:

“6.15 Grave Digging Opening or Closing. No grave shall be dug, opened or closed by any person other than the **Caretaker** and his assigned helpers or other person duly authorized by the **City**. Witnesses to a grave closing must adhere to WCB rules and regulations with the respect of safety and only with permission by the **Cemetery Manager**.”;

9. AND THAT **PART 9 – ADMINISTRATION AND MAINTENANCE** be amended as follows:

- (a) Sub-section 9.3 Grant Licence be deleted and replaced with the following:

“9.3 Grant Right of Interment. The **Cemetery Manager** is hereby authorized on behalf of the **City** to grant a **Right of Interment** in the form set out in Schedule “B” in respect of any vacant and not issued **Right of Interment plot** in the **Cemetery**, according to the fees and charges specified in Schedule “A” and subject to the provisions of this bylaw.”;

10. AND THAT **PART 10 – ADORNMENT** be amended as follows:
- (a) Sub-section 10.3 Removal of Offerings be amended by adding the following sentence at the end of the paragraph:
“The **Cemetery** cannot be held accountable for any offerings removed by an act of vandalism.”;
 - (b) Sub-section 10.7 Enclosures. be deleted and replaced with the following”
“10.7 Enclosures No grave or grave space shall be bounded or enclosed by a fence, hedges, railing except those that are allowed in the Pioneer Section or the **Family Estates** of the **Cemetery** that are part of the design feature.”;
 - (c) Sub-section 10.8 Specifications be amended by adding a new sub- paragraph (d) as follows:
“(d) Where an upright memorial is placed in a **Family Estate** only one (1) will be permitted and shall not exceed the width and depth of the foundation provided. Where cremation memorial tablets are placed between the full-size adult plots in accordance with Schedule “F”, the first cremation tablet shall be centred and set directly upon the cremation **plot**. Each of the following cremation memorials shall, in turn, be centred directly below each successive cremation plot. All ornamentation such as benches, large vases and other adornments must be made of granite or other materials that meet the approval of the **Cemetery Manager**.”;
11. AND THAT **PART 11 – GENERAL REGULATIONS** sub-section 11.11 Excessive Maintenance be amended by deleting the word “will” after the words “raised memorials or other edifices”;
12. AND THAT **SCHEDULE “A”** be repealed in its entirety and replaced with a new **SCHEDULE “A”** attached to and forming part of this bylaw;
13. AND THAT **SCHEDULE “B”** be repealed in its entirety and replaced with a new **SCHEDULE “B”** attached to and forming part of this bylaw;
14. AND THAT **SCHEDULE “C”** be amended by deleting “**CITY OF KELOWNA**” and replacing it with “**KELOWNA MEMORIAL PARK CEMETERY**”;
15. AND THAT Schedule “F” be amended as follows:
- (i) Deleting the word “**Director**” and replacing it with “**Cemetery Manager**” in Paragraph number 4;
 - (ii) Deleting the measurements “18” X 30” Paragraph number 6.(i)(B) and replacing it with the measurements “16 X 28”;
 - (iii) Delete Paragraph 6(iii) **Section G3 (PGIG Cremation Garden), G5 & G6** and replace with the following:
“Section G3 (PGIG Cremation Garden), G5 & G6
(A) Designated Companion Plots for G3 12” x 20” bronze marker mounted on pinkish granite 16” x 24” polished top side.

(B) Designated Family Plots 16" x 24" Bronze Maker c/w Flower Vase Mounted on Pinkish Granite pillow 28" wide x 28" long polished top side / rock pitch 4 sides hickey with a 10" Top Nose with 6" core hole for vase and drilled for 16" x 24" Matthews bronze plaque template.

(C) Family Bronze Scrolls For memorializing successive Members on Family Marker 7.9" x 3.0" Scroll includes Name on First line and Dates on Second Line to be drilled/tapped for mounting on Plaque.

(D) Companion Plots Section G5 & G6 12" x 20" marker.

(E) Family Cremation Plot Sections G5 & G6 16" X 24" bronze marker mounted on granite."

(iv) Paragraph 6(vi) **On Cremation Plots** is hereby amended by adding the following paragraph;

"The placement of additional memorials for Cremation required on the surface of full sized Adult graves should be 12" X 20" (30.38 cm x 50.8 cm) and placed according to Section 10.8 (c).";

(iv) A new paragraph numbered 6(vii) **Family Estates** is hereby enacted as follows and all other paragraphs should be renumbered in their subsequent order:

(vii) **Family Estates**

One (1) upright memorial placed upon the provided foundation. Individual cremation memorials will be 12" x 20" made of bronze and mounted on granite base.

All approved ornamentation such as benches, large flower vases must be made of granite or other materials that are approved by the **Cemetery Manager**."

16. AND THAT the layout plan for the City of Kelowna Memorial Park Cemetery Section "G" be repealed in its entirety and replaced with a new layout plan attached to and forming part of this bylaw;

17. AND THAT the words "Licence", "**Cemetery Licence**" or "**Cemetery Licences**" be replaced with the words "**Right of Interment**" or "**Rights of interment**", wherever they appear in the bylaw;

18. AND THAT all references "*Cemetery and Funeral Service Act*" be replaced with "*Cremation, Interment And Funeral Services Act*", wherever they appear in the bylaw;

19. AND THAT all references to the “*Local Government Act*” be deleted and replaced with “*Community Charter*”;
20. This bylaw may be cited as "Bylaw No. 9289 being Amendment No. 1 to Kelowna Memorial Park Cemetery Bylaw No. 8807".
21. This bylaw shall come into full force and effect and be binding on all persons on October 1, 2004.

Read a first, second and third time by the Municipal Council this 1st day of November, 2004.

First, second and third reading rescinded and the bylaw amended on the 8th day of November, 2004.

Adopted by the Municipal Council of the City of Kelowna this day of , 2004.

Mayor

City Clerk

SCHEDULE "A"

SCHEDULE OF FEES

1. Right of Interment and Reservation Fees for **Cemetery Plots** shall be as follows:

PRODUCT/SERVICE	JANUARY 1, 2005	JANUARY 1, 2006
RIGHT OF INTERMENT - G7 LAWN CRYPT (Upright Marker) NO LINER REQUIRED		
PLOT PRICE	\$1,717.00	\$1,760.00
CEMETERY REPLACEMENT FUND	\$588.00	\$603.00
CEMETERY MAINTENANCE FUND	\$764.00	\$783.00
Total	\$3,069.00	\$3,146.00
RIGHT OF INTERMENT - G1, G7 LAWN CRYPT (Flat Marker G 7) NO LINER REQUIRED		
PLOT PRICE	\$1,281.00	\$1,313.00
CEMETERY REPLACEMENT FUND	\$641.00	\$657.00
CEMETERY MAINTENANCE FUND	\$641.00	\$657.00
Total	\$2,563.00	\$2,627.00
RIGHT OF INTERMENT - G4 LARGE PLOT (Upright Marker)		
PLOT PRICE	\$861.00	\$883.00
CEMETERY REPLACEMENT FUND	\$431.00	\$441.00
CEMETERY MAINTENANCE FUND	\$431.00	\$441.00
Total	\$1,723.00	\$1,765.00
RIGHT OF INTERMENT - G4 LARGE PLOT (Flat Marker)		
PLOT PRICE	\$615.00	\$630.00
CEMETERY REPLACEMENT FUND	\$308.00	\$315.00
CEMETERY MAINTENANCE FUND	\$308.00	\$315.00
Total	\$1,231.00	\$1,260.00
RIGHT OF INTERMENT - SEC C,D,E (5'x10")		
PLOT PRICE	\$431.00	\$441.00
CEMETERY REPLACEMENT FUND	\$215.00	\$221.00
CEMETERY MAINTENANCE FUND	\$215.00	\$221.00
Total	\$861.00	\$883.00
RIGHT OF INTERMENT - SEC A,B (5'x10')		
PLOT PRICE	\$215.00	\$221.00
CEMETERY REPLACEMENT FUND	\$108.00	\$110.00
CEMETERY MAINTENANCE FUND	\$108.00	\$110.00
Total	\$431.00	\$441.00
RIGHT OF INTERMENT - G2 MAUSOLEUM COUCH CRYPT, LEVEL 1,2,&3, INCLUDES STANDARD CRYPT PLATE, VASE AND OPENING & CLOSING		
PLOT PRICE	\$8,708.00	\$8,926.00
CEMETERY REPLACEMENT FUND	\$6,967.00	\$7,141.00
CEMETERY MAINTENANCE FUND	\$1,742.00	\$1,785.00
Total	\$17,417.00	\$17,852.00

Schedule "A" – Page 2

PRODUCT/SERVICE	JANUARY 1, 2005	JANUARY 1, 2006
RIGHT OF INTERMENT - G2 SINGLE CRYPT LEVEL 1, INCLUDES STANDARD CRYPT PLATE, VASE AND OPENING & CLOSING		
PLOT PRICE	\$5,228.00	\$5,358.00
CEMETERY REPLACEMENT FUND	\$4,182.00	\$4,287.00
CEMETERY MAINTENANCE FUND	\$1,046.00	\$1,072.00
Total	\$10,456.00	\$10,717.00
RIGHT OF INTERMENT - G2 SINGLE CRYPT LEVEL 2, INCLUDES STANDARD CRYPT PLATE, VASE AND OPENING & CLOSING		
PLOT PRICE	\$6,273.00	\$6,430.00
CEMETERY REPLACEMENT FUND	\$5,018.00	\$5,144.00
CEMETERY MAINTENANCE FUND	\$1,255.00	\$1,286.00
Total	\$12,546.00	\$12,860.00
RIGHT OF INTERMENT - G2 SINGLE CRYPT LEVEL 3, INCLUDES STANDARD CRYPT PLATE, VASE AND OPENING & CLOSING		
PLOT PRICE	\$5,909.00	\$6,057.00
CEMETERY REPLACEMENT FUND	\$4,727.00	\$4,845.00
CEMETERY MAINTENANCE FUND	\$1,182.00	\$1,211.00
Total	\$11,818.00	\$12,113.00
RIGHT OF INTERMENT - BENNETT MEMORIAL COLUMBARIUM		
PLOT PRICE	\$1,158.00	\$1,187.00
CEMETERY REPLACEMENT FUND	\$579.00	\$594.00
CEMETERY MAINTENANCE FUND	\$174.00	\$179.00
Total	\$1,911.00	\$1,960.00
RIGHT OF INTERMENT - PROMONTORY GREEN INTERMENT GARDEN NICHE, SECTION G2 - LEVEL 1, INCLUDES STANDARD NICHE PLATE AND OPENING & CLOSING		
PLOT PRICE	\$1,281.00	\$1,313.00
CEMETERY REPLACEMENT FUND	\$1,025.00	\$1,051.00
CEMETERY MAINTENANCE FUND	\$256.00	\$263.00
Total	\$2,562.00	\$2,627.00
RIGHT OF INTERMENT - PROMONTORY GREEN INTERMENT GARDEN NICHE, SECTION G2 - LEVEL 2, INCLUDES STANDARD NICHE PLATE AND OPENING & CLOSING		
PLOT PRICE	\$1,358.00	\$1,392.00
CEMETERY REPLACEMENT FUND	\$1,087.00	\$1,114.00
CEMETERY MAINTENANCE FUND	\$272.00	\$278.00
Total	\$2,717.00	\$2,784.00

Schedule "A" – Page 3

PRODUCT/SERVICE	JANUARY 1, 2005	JANUARY 1, 2006
RIGHT OF INTERMENT - PROMONTORY GREEN INTERMENT GARDEN NICHE, SECTION G2 - LEVEL 3, INCLUDES STANDARD NICHE PLATE AND OPENING & CLOSING		
PLOT PRICE	\$1,409.00	\$1,445.00
CEMETERY REPLACEMENT FUND	\$1,128.00	\$1,156.00
CEMETERY MAINTENANCE FUND	\$282.00	\$289.00
Total	\$2,819.00	\$2,890.00
RIGHT OF INTERMENT - PROMONTORY GREEN INTERMENT GARDEN NICHE, SECTION G2 - LEVEL 4, INCLUDES STANDARD NICHE PLATE AND OPENING & CLOSING		
PLOT PRICE	\$1,358.00	\$1,392.00
CEMETERY REPLACEMENT FUND	\$1,087.00	\$1,114.00
CEMETERY MAINTENANCE FUND	\$272.00	\$278.00
Total	\$2,717.00	\$2,784.00
RIGHT OF INTERMENT - PROMONTORY GREEN INTERMENT GARDEN CREMATION PLOT, SECTION G3 - FAMILY PLOT 3'x6'		
PLOT PRICE	\$615.00	\$630.00
CEMETERY REPLACEMENT FUND	\$308.00	\$315.00
CEMETERY MAINTENANCE FUND	\$308.00	\$315.00
Total	\$1,231.00	\$1,260.00
RIGHT OF INTERMENT - PROMONTORY GREEN INTERMENT GARDEN CREMATION PLOT - SECTION G3 COMPANION PLOT 3'x3'		
PLOT PRICE	\$333.00	\$341.00
CEMETERY REPLACEMENT FUND	\$167.00	\$171.00
CEMETERY MAINTENANCE FUND	\$166.00	\$170.00
Total	\$666.00	\$683.00
RIGHT OF INTERMENT - CREMATION PLOT - SECTION G5&G6 FAMILY PLOT 3'x6'		
PLOT PRICE	\$513.00	\$525.00
CEMETERY REPLACEMENT FUND	\$256.00	\$263.00
CEMETERY MAINTENANCE FUND	\$256.00	\$263.00
Total	\$1,025.00	\$1,051.00
RIGHT OF INTERMENT - CREMATION PLOT - G5&G6 COMPANION PLOT 3'x3'		
PLOT PRICE	\$256.00	\$263.00
CEMETERY REPLACEMENT FUND	\$128.00	\$131.00
CEMETERY MAINTENANCE FUND	\$128.00	\$131.00
Total	\$512.00	\$525.00
RIGHT OF INTERMENT - CREMATION PLOTS SECTION C (1.5'x2')/SECTION D (2.5'x1.5')		
PLOT PRICE	\$154.00	\$158.00
CEMETERY REPLACEMENT FUND	\$77.00	\$79.00
CEMETERY MAINTENANCE FUND	\$77.00	\$79.00
Total	\$308.00	\$316.00

Schedule "A" – Page 5

PRODUCT/SERVICE	JANUARY 1, 2005	JANUARY 1, 2006
RIGHT OF INTERMENT - SECTION A,D SMALL PLOT (3'x5')		
PLOT PRICE	\$128.00	\$131.00
CEMETERY REPLACEMENT FUND	\$64.00	\$66.00
CEMETERY MAINTENANCE FUND	\$64.00	\$66.00
Total	\$256.00	\$263.00
MEMORIAL WALL SPACE		
PLOT PRICE	\$205.00	\$210.00
CEMETERY REPLACEMENT FUND	\$103.00	\$105.00
CEMETERY MAINTENANCE FUND	\$103.00	\$105.00
Total	\$411.00	\$420.00
RIGHT OF INTERMENT - PROMONTORY GREEN INTERMENT GARDEN SCATTERING GARDEN OSSUARY INCLUDES NAME PLATE		
PLOT PRICE	\$205.00	\$210.00
CEMETERY REPLACEMENT FUND	\$103.00	\$105.00
CEMETERY MAINTENANCE FUND	\$103.00	\$105.00
Total	\$411.00	\$420.00

Schedule "A" – Page 5

2. The fees for interments, disinterment and the supply of goods and services in the **Cemetery** shall be as follows:

Description		January 1, 2005	January 1, 2006
INTERMENT - CASKET	OPENING & CLOSING	\$589.00	\$604.00
INTERMENT - CREMATED REMAINS	OPENING & CLOSING	\$256.00	\$263.00
DISINTERMENT - CASKET	OPENING & CLOSING	\$1,025.00	\$1,051.00
DISINTERMENT - CREMATED REMAINS	OPENING & CLOSING	\$256.00	\$263.00
INTERMENT - CHILDREN UNDER 12 YEARS OF AGE	OPENING & CLOSING	50% OF REGULAR FEE	
CONCRETE LINER OR REINFORCED FIBREGLASS LINER - LARGE	SUPPLY	\$410.00	\$420.00
CONCRETE LINER OR REINFORCED FIBREGLASS LINER - CREMATION	SUPPLY	\$128.00	\$131.00
CONCRETE CONTAINER OR REINFORCED FIBREGLASS LINER CHILDS	SUPPLY	\$154.00	\$158.00
HANDLING & PLACING VAULTS SUPPLIED BY FUNERAL HOME	EXTRA CHARGE	\$256.00	\$263.00
INSTALLATION OF PLAQUES BY CITY IN SECTIONS C, D, E1,E2,E3,G3,G4,G5 & G6	CEMETERY MAINTENANCE FUND	\$106.00	\$109.00
	INSTALLATION	\$159.00	\$163.00
	Total	\$265.00	\$272.00
INSTALLATION OF MEMORIAL (ALL TYPES) BY OTHERS IN PIONEER SECTION AND UPRIGHT SECTIONS OF SECTION G3, G4 & G7 MARKER UPRIGHT PERMIT	CEMETERY MAINTENANCE FUND	\$154.00	\$158.00
MODIFICATION (RE-SETTING) OF MEMORIAL	CEMETERY MAINTENANCE FUND	\$51.00	\$53.00
WEEKEND/HOLIDAY FEE	EXTRA CHARGE	\$400.00	\$410.00
INTERMENTS AFTER 3:00 PM	EXTRA CHARGE	\$246.00	\$252.00
CANOPY SERVICE (2ND TENT)	SET UP & TAKE DOWN	\$87.00	\$89.00
IN-GROUND GALVANIZED FLOWER VASE	INSTALLATION	\$21.00	\$21.00
FEE FOR PLOT TRANSFER	ADMINSTRATION FEE	\$51.00	\$53.00
ADDITIONAL USE FEE (3RD/+ BURIAL)	CEMETERY MAINTENANCE FUND	\$256.00	\$263.00
DEEPENING LARGE LOT	EXTRA CHARGE	\$1,025.00	\$1,051.00
DEEPENING CREMATION LOT	EXTRA CHARGE	\$256.00	\$263.00
SUPPLY 2ND NICHE DATE PLATE	EXTRA CHARGE	\$77.00	\$79.00
DISPOSAL OF MARKER	EXTRA CHARGE	\$51.00	\$53.00
TO SUPPLY PALL BEARER PER (2 EMPLOYEES)	EXTRA CHARGE	\$75.00	\$77.00

SCHEDULE "B"

KELOWNA MEMORIAL PARK CEMETERY

1991 BERNARD AVENUE, KELOWNA BC V1Y 9V7

RIGHT OF INTERMENT NO.

RIGHT OF INTERMENT

RECEIPT NO.

INCONSIDERATION

(Name or Company)

AS AGENT FOR

(Right of Interment)

OF

(Right of Interment Address)

HAVING PAID THE SUM SHOWN IN THE RECEIPT BELOW FOR A RIGHT OF INTERMENT, PERMISSION IS HEREBY GRANTED TO:

(Name of person
to be interred)

TO USE OR OCCUPY:

This Right of Interment is subject to Kelowna Memorial Park Cemetery Bylaw No. 8807 as amended or replaced from time to time, and any other bylaw applicable thereto being in force in the City of Kelowna. In granting the Right of Interment, the City of Kelowna undertakes to maintain a Cemetery Maintenance Fund for the maintenance of the grave space specified herein and the Cemetery of which it forms part, and will set aside within the present calendar year for the use of the Cemetery Maintenance Fund a portion of the fee as specified below.

The Right of Interment is hereby notified in accordance with the *Cremation, Interment and Funeral Services Act* that prior to the installation of any marker, monument or curbing on the grave site sold, the purchaser must pay to the City of Kelowna the fee in effect as specified by the Cemetery Bylaw in force at the time of payment, as a contribution to the Cemetery Maintenance Fund.

NOTE: This Right of Interment is not transferable.

DATED _____

ISSUED BY: _____

ACCOUNT NO.	DESCRIPTION OF FEES	AMOUNT
	RIGHT OF INTERMENT FEE	
	CEMETERY MAINTENANCE FUND	
	CEMETERY REPLACEMENT FUND	
	GST	
	TOTAL DUE	

\$20.00 Service charge for returned cheques.

A returned cheque invalidates this receipt.

This receipt is not valid unless stamped and signed.

TERMS AND CONDITIONS OF RIGHT OF INTERMENT (Schedule "B")

A refund for cancellation of Right of Interment will be a sum equivalent to that paid for such Right of Interment at the time of issuance less the maintenance fee paid at the time of issuance.

1. This Right of Interment is for the use of the plot only and all fees and charges relate solely to the plot and do not include any other charges, including without limitation, charges for:
 - (a) grave services, such as opening and closing graves at time of interment or disinterment
 - (b) provision of grave liners
 - (c) provision of cremated remain liners
 - (d) permits for the installation of Memorial Markers
 - (e) additional use fee for the 3rd or subsequent burial

all of which charges will be assessed at the time of actual interment in accordance with the fees and charges then in effect under the bylaw or any subsequent bylaw.
2. The Right of Interment is conditional upon the Applicant complying in all respects with the terms and conditions of this bylaw and the *Cremation, Interment and Funeral Services Act*. A failure by the Applicant to so comply will entitle the City to either correct the failure at the Applicant's cost or, where interment in the plot has not yet occurred, revoke this Right of Interment upon repayment to the Applicant of the plot price less the Cemetery Maintenance Fund.
3. Subject to the City's rights to reclaim the plot pursuant to the *Cremation, Interment and Funeral Services Act*, the plot may be surrendered to the City at any time, the City will pay to the legal owner of such plot the plot price paid pursuant to this agreement less the Cemetery Maintenance Fund.
4. The City reserves the right to procure, store, or install goods covered by this agreement, and to be reimbursed immediately for any goods or services that have been prepaid in advance of need. In return, the City guarantees to deliver the goods and services when required without additional charge. Any funds paid by the City for goods and services under this agreement will not be refundable to the Purchaser once the City has started to discharge the obligation to provide these goods and services even if only by the pre-need procurement, storage or installation of these goods. Should the plot that is to be surrendered have any memorial, surround or coping, the Cemetery may deduct the cost to remove and dispose of such memorials out of any monies paid for the purposes of a Right of Interment cancellation.

The foregoing terms and conditions of the Right of Interment are hereby acknowledged and agreed to by the Applicant.

DATED AT KELOWNA, BC this _____ day of _____ 20 .

Signature of Applicant



