

**A Bylaw to provide for the regulation, maintenance  
and operation of the Barriere Memorial Cemetery**

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WHEREAS the Barriere Memorial Cemetery Board voted to “turn over all matters and duties involved with the cemetery to the offices of the District of Barriere” with their last meeting being held on July 13, 2009;

AND WHEREAS Section 8(3)(f) of the *Community Charter, SBC, 2003, Chap. 26*, and amendments thereto, empowers the Council to enact a bylaw to regulate, prohibit and impose requirements in relation to cemeteries, including columbaria and mausoleums, subject to the *Cremation, Interment, and Funeral Services Act*;

AND WHEREAS the Municipal Council of the District of Barriere deems it necessary to provide the regulation, maintenance and operation of cemeteries within the District of Barriere;

AND WHEREAS Council wishes to establish itself as a board of trustees for the operation of the Barriere Memorial Cemetery;

NOW THEREFORE, the Municipal Council of the District of Barriere in open meeting assembled enacts as follows:

**CITATION**

1. This bylaw may be cited as “*District of Barriere Cemetery Bylaw No. 83*”.
2. Council of the District of Barriere hereby establishes itself as the board of trustees for the maintenance, operation, and regulation of the Barriere Memorial Cemetery.

**INTERPRETATIONS**

3. Any enactment referred to herein is a reference to an enactment of British Columbia or Canada, as the case may be, and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the Council of the District of Barriere, as amended, revised, consolidated or replaced from time to time.

**DEFINITIONS:**

4. In this bylaw, unless the context otherwise requires:

“Board” means the board of trustees as established by Council for the purpose of operating the Barriere Memorial Cemetery.

"Cemetery" means the Barriere Memorial Cemetery and includes any other parcel or tract of land set aside, used, maintained or operated as a cemetery by the District of Barriere. Means land that is set apart or used as a place of burial of human remains or cremated remains and includes any incidental or ancillary buildings on the land;

“Cemetery Reserve Fund” means a portion of the Right of Interment fees for use of Cemetery grave spaces, and Reservation Fees for Cemetery grave spaces, are set aside for the future purchase and development of land for cemetery purposes and or the building of a Columbarium.

"Child" means any person one year old up to and including twelve years of age. (Casket size not to exceed 3'6", 107 cm).

"Columbaria" means an above ground granite structure for cremated remains.

“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 District of Barriere.

"Cremated Remains" means the remains resulting from cremation of a deceased human body. Means human bone fragments left after human remains are cremated;

"Die" refers to the actual monument excluding the base and foundation.

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

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

“Finance Officer" means the person duly appointed as such from time to time by the Council.

"District" means the District of Barriere.

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

"Grave Space" 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 ridged shell structure to cover a casket for a grave interment.

"Infant" means any person up to the age of one year.

"Interment" means disposition by:

- (a) Burial of human remains or cremated remains,
- (b) Entombment of human remains
- (c) Inurnment of cremated remains;

“Install” means to embed in the ground in a permanent fashion.

“Medical Health Officer” and "Health Officer" means the person appointed to act as Medical Health Officer, as determined by the Provincial Authorities.

"Minister" means that member of the Executive Council charged by Order of the Lieutenant-Governor-in-Council with administration of the *Cremation, Interment, and Funeral Services Act* and includes a person designated in writing by the Minister.

"Non-resident" means any person who has not lived within the municipal limits of the District of Barriere or Thompson-Nicola Regional District Area “O” for more than one year prior to the purchase of a grave space.

"Perpetual Care Fund" means a portion of the fees are set aside for the maintenance of the memorial stone and plot. The principle in this fund shall not be reduced other than in accordance with an order made pursuant to the *Cremation, Interment and Funeral Services Act*.

"Photo Blast" means a sand blasted or chemical engraved process that imposes a portrait picture onto the memorial granite surface.

"Right of Interment" means a right, acquired by purchase, inheritance or transfer, for the interment of human remains or cremated remains in a lot.

"Supervisor" means the person or persons appointed or employed by the District from time to time to act as Supervisor of the cemetery or cemeteries who operates under the direction of the Chief Administrative Officer.

"Vault" means a fiberglass container for urns.

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

6. The following lands have been set aside, operated, used or maintained as the Barriere Memorial Cemetery: 4565 Airfield Road, Barriere, BC.
7. Cemetery Plans shall be kept available for public inspection at the offices of the District of Barriere and other places that may be deemed necessary.

## **RIGHT OF INTERMENT**

8. The District may grant to any person paying the fees therefore, according to the scale of fees hereinafter provided and subject to the terms of Section 18, 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 a cemetery and upon payment of said fee therefore, such person or persons shall be entitled to receive a licence.
9. The District may refuse to sell a Right of Interment for the use of more than two grave spaces to any one individual.
10. Where the holder of a licence to use and occupy grave space in a cemetery wishes to transfer his Right of Interment to another person, he shall first provide the District 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 Supervisor may reasonably request. The provision of such information shall not bind the District to accept or permit the proposed transfer.
11. Upon acceptance by the District of the transfer fee prescribed in Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended, 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 District shall effect the desired transfer by an endorsement upon the licence and shall record the transfer in the books or other records kept for that purpose.
12. If the person to whom the Grave Space to be transferred is a Non-Resident, the Non-Resident fee as per Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended shall be paid prior to the licence being transferred.
13. The right of a person to control the disposition of the human remains or cremated remains vested in and devolves on that person in the order of priority as outlined in the *Cremation, Interment and Funeral Act*.
14. Upon receiving a written request by the holder of a Right of Interment to forfeit such right to use and occupy grave space, the District may cancel the Right of Interment and refund the holder of a right of Interment a sum equivalent to that paid for such Right of Interment less the Perpetual Care Fund fee paid at the time of Right of Interment issuance.
15. All Rights of Interment shall be subject to the provisions of this Bylaw and to all Bylaws now or hereafter adopted by Council.

## **FEES AND CHARGES**

16. The fees for interment, use of grave space, and care of graves, and the charges for goods offered for sale by the District, and any other cemetery fees shall be those set out in said 'Schedule 10 – Cemetery Fees & Charges' of District of Barriere Fees & Charges Bylaw No. 73, as amended. The fees set out in said 'Schedule 10 – Cemetery Fees & Charges' of District of Barriere Fees & Charges Bylaw No. 73, as amended, shall be paid at the District Office at the time of purchasing a Right of Interment, interment permit or any goods or services sold by the cemetery.
17. The District will not undertake any services until full payment is made to the District.

#### **PERMISSION TO INTER AND EXHUME**

18. No human remains or cremated remains shall be interred in a cemetery until a permit to inter the body has been obtained from the District and the fee for interment as specified in Schedule 10 – Cemetery Fees & Charges' of District of Barriere Fees & Charges Bylaw No. 73, as amended has been paid to the District, except as may be permitted otherwise under the provisions of Section 22.
19. All permits for interment of deceased persons in the Cemetery shall be in the form of Schedule 'C'.
20. All applications for a permit to inter in a cemetery must be made at the District Office, during regular business hours, not less than thirty-six (36) hours prior to the interment, except in special cases or emergency as described in Section 22.
21. Any person who makes application for an interment permit or who requires an interment to be made, shall provide to the District, appropriate documentation and the following information for the purpose of record as required, before such interment be allowed:
  - (1) The full name of the deceased
  - (2) Date of birth
  - (3) Place of death
  - (4) Date of death
  - (5) Age
  - (6) Day, date and time of interment
  - (7) Plot and lot number
  - (8) Name of Funeral Home
  - (9) The name(s) and related addresses of the person(s) to receive the Licence for the plot
  - (10) The name(s) and related addresses of the next of kin
  - (11) The rights of a person to control the disposition
22. Where the Health Officer directs, pursuant to the said Communicable Disease Regulations or otherwise, that a body be buried in a cemetery during any period when the District's offices are closed, permission to inter in a cemetery shall be obtained from a District Employee who has access to the Cemetery Plan.
23. Where a burial in a cemetery is performed under the conditions noted above, the person who permitted the burial and the person who performed the burial shall report the matter to the District Office with full details of the deceased as required by Section 21, together with such fees as may be required in accordance with said Schedule 10 – Cemetery Fees & Charges' of District of Barriere Fees & Charges Bylaw No. 73, as amended, if such fees have not already been paid.

24. No deceased person interred in a cemetery shall be exhumed without a written order being first obtained from the proper authority in accordance with the requirements of the *Cremation, Interment, and Funeral Services Act*, as amended from time to time, payment of any fee required by and in compliance with all terms and conditions of this bylaw and the presentation of such order to the Supervisor for his examination. The District's responsibility will end at the point where the soil is sufficiently excavated to permit access to the remains for removal. The District is not responsible for damage to any casket, urn or other container sustained during exhumation.
25. The District reserves, and shall have the right to correct any errors that may be made during interments, disinterment's or removals, transfers or conveyance by substituting and conveying interment rights of equal value and similar location as may be mutually agreed upon by the District and the purchaser, or failing such mutual agreement, the District may refund the amount of money paid on account of the said purchase. In the event the error involves the interment of the remains of any person, the District reserves the right, subject to the *Cremation, Interment, and Funeral Services Act*, to remove and transfer such remains to another location of equal value and similar location. The District shall not be liable in respect to any such errors, except as aforesaid.
26. Scattering of cremated remains is not permitted within the boundaries of the Barriere Memorial Cemetery.

#### **TRANSFER OF GRAVE SPACES**

27. A person who has been sold a Grave Space which has not yet been used may transfer the Grave Space to another person, upon providing the District with the following:
  - (1) Full particulars of the name, address, occupation, or other description of the person to whom such transfer is intended;
  - (2) The applicable transfer fee set forth in the fees and charges;
  - (3) If the person to whom the Grave Space is to be transferred is a Non-Resident, the difference between the Resident and Non-Resident fee for the current year in Schedule 10 – Cemetery Fees & Charges' of District of Barriere Fees & Charges Bylaw No. 73, as amended must be remitted to the District in addition to the Transfer Fee.
  - (4) The Right of Interment issued for the Grave Space; and
  - (5) Such other information as the District may reasonably request.
28. Where the District receives the information and fees referred to in Section 27, the District shall cancel the original Right of Interment, issue a revised Right of Interment in the name of the transferee and record the transfer in the records of the Cemetery.
29. No holder of a Right of Interment for a Grave Space shall transfer the Grave Space to another person unless such transfer is made pursuant to this Bylaw.

#### **INTERMENT IN THE CEMETERY**

30. No body, other than a deceased human body, or the cremated remains or other remains of a deceased human body shall be interred in a cemetery and all interments shall be subject to and comply with the provisions of this bylaw.
31. Where the body of a person who died while suffering a communicable disease is to be buried in a cemetery, any instruction given by the Health Officer respecting the interment shall be fully and carefully followed by those who perform the interment.

32. Where the body delivered to a 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 Supervisor.
33. A reinforced fibreglass grave liner/vault shall be used for each interment, supplied only by the District.
34. No person shall inter any human remains or cremated remains in a cemetery except between the hours of 0800 hours (8:00 a.m.) and 1600 hours (4:00 p.m.), except where previous special arrangements have been made with the Supervisor, and the additional fees as outlined in Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended have been paid.
35. No person shall inter any human remains or cremated remains in a cemetery on Saturday, Sunday or on any Statutory Holiday unless the written permission of the District is first obtained and the additional fees as outlined in Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended have been paid, except in the emergency conditions as specified in Section 22.
36. No grave shall be dug or opened by any person other than the Supervisor or a person duly authorized by the Supervisor or by the Chief Administrative Officer or Financial Officer.

#### **NUMBER OF INTERMENTS**

37. A maximum of three interments of cremated remains shall be permitted over the casket interment(s) which are to conform to Section 38 (2). They will be subject to the opening and closing fees outlined in Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended attached hereto.

#### **SUPERVISOR**

38. A Supervisor may be appointed and the duties and responsibilities of a Supervisor so appointed shall be to carry out or cause to be carried out by cemetery staff placed under this supervision:
  - (1) The digging, preparation, opening and closing of graves as ordered by the Supervisor
  - (2) The direction of all funerals in a cemetery to the correct grave site.
  - (3) The installation of memorial tablets, markers and monuments on graves and construction of their foundations or bases.
  - (4) 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.
  - (5) The provisions for care and purchase of the cemetery tools and equipment.
39. The Supervisor shall submit reports as required and shall do such other work as the District requires from time to time in relation to the operation of the cemeteries.

#### **ADMINISTRATION**

40. The District shall maintain records as necessary to the administration and management of the Barriere Memorial Cemetery and as required by the Regulations under the *Cremation, Interment, and Funeral Services Act* as amended from time to time.
41. Subject to the provisions of this bylaw, the District may grant a licence in respect of any unoccupied and unlicensed grave space, in the cemetery and charge a fee, according to the scale of fees and charges specified in said Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended.
42. Upon issuing any licences or permits for interment, or upon receiving an order for exhumation from the proper authority as required by Section 22, either the Chief Administrative Officer or the Finance Officer shall confirm the time of the intended interment or exhumation, assuring the name of the deceased, the number and location of the grave space concerned, and any instruction of the Health Officer, relative to the interment or exhumation be completed as documented, and shall notify the Supervisor of all relevant information.

### **CEMETERY FUND ACCOUNTS**

43. The Cemetery Perpetual Care Fund is established and administered in accordance with the requirements of the Regulations made under the *Cremation, Interment, and Funeral Services Act* and the *Community Charter*.
44. Accounts shall be established to be known as the “Cemetery Perpetual Care Fund” into which the Finance Officer shall pay the separate amounts received for each aforesaid respective Fund purpose, and such funds shall be held in the respective account pending investment as hereinafter provided.
45. On all the Right of Interment fees for the use of Cemetery grave spaces, and Reservation Fees for Cemetery grave spaces the Finance Officer shall pay into the “Cemetery Perpetual Care Fund”, 25% of the fees specified in Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended.
46. On all Right of Interment for the use of or reservation of cemetery spaces, and on all contracts or agreements for the sale of such Right of Interment, the amount required to be used for “Cemetery Perpetual Care Fund” purposes shall be specified.
47. Any owner of a memorial marker or memorial desiring to install, or modify, same in the Cemetery shall pay to the District prior to installation or modification of same, the fee specified in Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended, 25% of which is a contribution to the “Cemetery Perpetual Care Fund” for investment as hereinafter provided.
48. All monies received and deposited by the Finance Officer in the “Cemetery Perpetual Care Fund” account shall be held and invested as trust funds to be devoted solely to the purposes for which they were received.

### **ADORNMENT**

49. All artificial or cut flowers, wreaths, floral offerings or adornments may be placed on graves, but will be removed by the Supervisor when their condition is considered by him/her to be

detrimental to the attractiveness of the cemetery. The District of Barriere shall not be responsible for adornments left in the Cemetery.

- 50.** No person shall plant any trees, shrubs, plants, flowers, bulbs or rocks in the cemeteries, except as authorized by the District.

## **FLUSH MEMORIALS**

- 51.** No person shall install on any grave space in a cemetery a memorial marker until the required fee has been paid to the District in respect to each memorial marker to be placed.

- 52.** No grave or grave space in a cemetery shall be defined by a fence, hedge, curbing or railing.

- 53.** A memorial marker may be installed on a grave in a cemetery provided the installation fee, as set out in said Schedule 10 – Cemetery Fees & Charges’ of District of Barriere Fees & Charges Bylaw No. 73, as amended, is paid and the memorial marker is made of stone or bronze and conforms to the following:

- (1) Each memorial marker shall be installed, by the Supervisor, in a position on the grave according to that established by the District for memorials on graves in the cemeteries and shall have its top surface set level and flush with the surface of the surrounding ground.
- (2) Each bronze memorial marker shall be attached to a concrete or granite base not less than 7.6 cm (3") with side surfaces perpendicular with the top surface of the attached marker.
- (3) Each memorial marker shall be not less than 7.6 cm (3") thick and shall have its side surfaces perpendicular with its top surface.
- (4) The District shall not be responsible for any damage to pictures on memorial markers, except where it can be determined to be a result of maintenance operations.

- 54.** Memorial markers including borders shall not exceed the following measurements, except as provided herein:

- a) On Adult Graves - Memorialization of adult grave spaces  
Width 60 cm (24") Length 76 cm (32")
- b) On Child/Infant Grave  
Width 46 cm (18") Length 60 cm (24")
- c) On Cremated Remains Grave Spaces  
Width 36 cm (20") Length 51 cm (28")
- d) Sizes exceeding those as listed in a), b) and c) require approval by CAO or by Council resolution

- 55.** Where cremation memorial tablets are placed on a full-size adult plot the first cremation tablet shall be centered and set directly below the full size memorial. Each of the following cremation memorials shall, in turn, be centered directly below each other.

- 56.** All installed memorials that require date and name additions must be removed and reset by the District. Beginning each October 1st the installation of monuments will be subject to weather conditions. After October 1st, monument installations are not guaranteed.

- 57.** No memorials may be placed on unoccupied grave spaces without special permission.



**GENERAL**

- 58. No person shall enter a cemetery in a vehicle after dusk, or drive a vehicle in a cemetery at any time at a speed of more than 20 km/h. All vehicles and their drivers, while on cemetery grounds, shall be subject to the directions and orders of the Supervisor.
- 59. No person shall solicit orders for markers or memorials or like works within the limits of a cemetery.
- 60. All persons and funeral processions in a cemetery shall obey the reasonable instructions of the Supervisor, but any person not behaving with proper decorum within a cemetery, or disturbing the quiet and good order of a cemetery, may be evicted by the Supervisor or designate.
- 61. Any person who willfully destroys, mutilates, defaces, injures, or removes any tomb, monument, memorial, or other structure placed in a cemetery, or any fence railing or other work for the protection or ornament of a cemetery, or any tomb, monument, memorial, or other structure aforesaid, or lot within a cemetery, or willfully destroys, cuts, breaks or injures any shrub or plant, or plays at any game or sport, or discharges firearms (except at an authorized 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 or 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.
- 62. The cemetery shall be deemed open at 8:00 a.m. every morning and closed every evening at dusk. Any person in a cemetery between dusk and 8:00 a.m. without special permission of the Supervisor, or other person authorized by the District to grant such permission, shall be deemed guilty of an infraction of this bylaw and liable to the penalties hereof.
- 63. Every person who commits an offence against this bylaw is liable to a fine and penalty of not less than Fifty Dollars (\$50.00) and not more than Two Thousand Dollars (\$2,000.00). Any further action will be in accordance with the Offence Act of BC.
- 64. Notwithstanding anything herein contained, the administration and operation of the cemeteries shall be carried out at all times in accordance with the said *Cremation, Interment, and Funeral Services Act* and Regulations made thereunder.

**SEVERABILITY**

- 65. If any provision of this bylaw is held to be invalid, it shall be severed and the remainder of the bylaw shall remain in effect.

READ A FIRST TIME this 7<sup>th</sup> day of November, 2011.

READ A SECOND TIME this 21<sup>st</sup> day of November, 2011.

READ A THIRD TIME this 21<sup>st</sup> day of November, 2011.

ADOPTED this 19th day of December, 2011.

Original signed by, \_\_\_\_\_  
Mayor Bill Humphreys

Original Signed by, \_\_\_\_\_  
Colleen Hannigan, CAO

## District of Barriere Cemetery Bylaw No. 83

PO BOX 219  
BARRIERE, BC V0E 1E0

### SCHEDULE 10 – CEMETERY FEES & CHARGES OF DISTRICT OF BARRIERE FEES & CHARGES BYLAW NO. 73, AS AMENDED **REPEALED BY BYLAW NO. 141** BARRIERE MEMORIAL CEMETERY FEES AND CHARGES

#### 1. GRAVE SPACE

|                                  | Size    | Perpetual Care** | Fee    | -5% GST | Total Cost |
|----------------------------------|---------|------------------|--------|---------|------------|
| a) Adult Resident                | 5'x10'  | 75.00            | 225.00 | 11.25   | 311.25     |
| b) Adult Non Resident            |         | 100.00           | 300.00 | 15.00   | 415.00     |
| e) Infant/Child                  |         | 15.00            | 45.00  | 2.25    | 62.25      |
| d) Cremated Remains Resident     | 2.5'x5' | 25.00            | 75.00  | 3.75    | 103.75     |
| e) Cremated Remains Non Resident |         | 37.50            | 112.50 | 5.63    | 155.63     |

**2.— SERVICES**

|  | Fee    | 5% GST | Total Cost |
|--|--------|--------|------------|
| a) Opening & Closing for Human Remains Burial*                           | 525.00 | 26.25  | 551.25     |
| b) Opening and Closing for Cremated Remains Burial *                     | 100.00 | 5.00   | 105.00     |
| e) Opening and Closing for Exhumation/Disinterment —by private agreement |        |        |            |
| d) Transfer of grave space deed  | 20.00  | 1.00   | 21.00      |

*\*includes in ground vase*

**— ADDITIONAL FEES WINTER MONTHS**

|  | Fee     | 5% GST | Total Cost |
|--|---------|--------|------------|
| a) Human Remains Burial in winter months Oct. 15 <sup>th</sup> -Apr 15 <sup>th</sup> | 250.00  | 12.50  | 262.50     |
| b) Cremated Remains Burial in winter Oct. 15 <sup>th</sup> -Apr. 15 <sup>th</sup>    | -150.00 | -7.50  | 157.50     |

**ADDITIONAL FEES AFTER HOURS SERVICE**

|   | Fee    | 5% GST | Total Cost |
|---|--------|--------|------------|
| a) Human Remains Burial after 4 pm Monday to Friday         | 200.00 | 10.00  | 210.00     |
| b) Human Remains Burial on Saturday or Statutory Holiday    | 250.00 | 12.50  | 262.50     |
| e) Cremated Remains Burial after 4pm Monday to Friday       | 75.00  | 3.95   | 78.75      |
| d) Cremated Remains Burial on Saturday or Statutory Holiday | 125.00 | 6.25   | 131.25     |

**3.— GOODS (Fees subject to change without notice)**

|  | Fee    | 5% GST | Total Cost |
|--|--------|--------|------------|
| 1) Grave Liner for Human Remains Burial    | 450.00 | 22.50  | 472.50     |
| 2) Grave Vault for Cremated Remains Burial | 99.00  | 4.95   | 103.95     |

**4.— MEMORIAL FEES**

| Installation of Memorial Marker made of stone, concrete or metal affixed to a suitable base no more than 3” thick | Perpetual Care** | Fee*   | 5% GST | Total Cost |
|---|------------------|--------|--------|------------|
| Marker: Finished size (infant) up to 18”x24”  | 25.00            | 75.00  | 3.75   | 103.75     |
| Marker: Finished size (cremated remains) up to 20”x28”  | 25.00            | 75.00  | 3.75   | 103.75     |
| Marker: Finished size up to 24”x32”   | 37.50            | 112.50 | 5.63   | 155.63     |
| Re-installing stone after additional engraving added  | 43.75            | 131.25 | 6.56   | 181.56     |

— Oversize Memorial markers will be subject to CAO/Council approval plus additional fees.

\*\*GST EXEMPT

*Updated April/14*

**District of Barriere Cemetery Bylaw No. 83  
Schedule “B”**

**Barriere Cemetery - Right of Interment**

**Number** \_\_\_\_\_  
(YY/00)



Original to File / Copy to Applicant

**I,** \_\_\_\_\_  
(Applicant)

**AS AGENT FOR** \_\_\_\_\_  
(Self or name of deceased)

**OF** \_\_\_\_\_

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

**TO USE OR OCCUPY:** Plan No. \_\_\_\_\_ Block No. \_\_\_\_\_ Lot No. \_\_\_\_\_

This Right of Interment is subject to District of Barriere Cemetery Bylaw, in force from time to time, and any other bylaw applicable thereto as being in force in the District of Barriere. In granting the Right of Interment, the District of Barriere undertakes to maintain a Perpetual Care Fund for the perpetual maintenance of the grave space specified herein and the Cemetery as part of the fee as specified below.

The Right of Interment hereby notes, in accordance with the *Cremation, Interment and Funeral Services Act*, that prior to the installation of any marker or monument on the grave site sold, the purchaser must pay to the District of Barriere the fee in effect, as specified by the Cemetery Bylaw in force at the time of payment, as a contribution to the Perpetual Care Fund

**NOTE:** This Right of Interment is not transferable except as per the Cemetery Bylaw in force from time to time.

**Dated:** \_\_\_\_\_

**Issued By:** \_\_\_\_\_

| <b>DESCRIPTION OF FEES</b> | <b>\$ AMOUNT</b> |
|----------------------------|------------------|
| Right of Interment Fee     | _____            |
| Perpetual Care Fund        | _____            |
| GST                        | _____            |
| <b>TOTAL DUE \$</b>        | _____            |

Receipt No. \_\_\_\_\_

\$25 service charge for returned cheque. A returned cheque invalidates this receipt.

**TERMS AND CONDITIONS OF RIGHT OF INTERMENT**

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 transfer fee.

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, disinterment or exhumation
  - b. provision of grave liners
  - c. provision of cremated remains vaults
  - d. permits for the installation of Memorial Markers
  - e. additional use fee for the 3<sup>rd</sup> 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 District 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 Perpetual Care Fund.

4. The District reserves the right to procure, store, or install goods covered by this agreement.

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

DATED AT BARRIERE, BC this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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**Signature of Applicant**

**District of Barriere Cemetery Bylaw No. 83  
Schedule "C"  
Barriere Cemetery Interment Permit**



Original to File / Copy to Applicant

In consideration of the sum as detailed in the receipt below being paid and upon presentation of "Burial Permit and notice of registration of death" or a "warrant to bury" issued by a coroner; permission is hereby given to:

\_\_\_\_\_  
(Applicant)

**OF** \_\_\_\_\_

(Mailing address)

**TO HAVE THE REMAINS / CREMATED REMAINS OF:**

\_\_\_\_\_  
(Name of deceased)

District of Barriere Cemetery Bylaw No.83 **COMPILED**

**INTERRED IN: PLAN NO.** \_\_\_\_\_ **BLOCK NO.** \_\_\_\_\_ **LOT NO.** \_\_\_\_\_

**AT A DEPTH OF APPROXIMATELY:** \_\_\_\_\_ **ON:** \_\_\_\_\_  
(Day, Date and Time)

**DATE OF BIRTH:** \_\_\_\_\_ **PLACE OF BIRTH:** \_\_\_\_\_

**NEXT OF KIN (Mandatory):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**NAME OF FUNERAL HOME or RELATIONSHIP TO DECEASED:**

Attached (1) Authorization required under section 8(1) of the CIFSA.  
(2) Burial permit.

**DATED** \_\_\_\_\_ **ISSUED BY:** \_\_\_\_\_

| <b>DESCRIPTION OF FEES</b>    | <b>\$ AMOUNT</b> |
|-------------------------------|------------------|
| Supply and Place Liner        | _____            |
| Open and Close Grave          | _____            |
| Weekend or Holiday Fee        | _____            |
| Weekday Funeral after 4:00 pm | _____            |
| Other (Specify)               | _____            |
| GST                           | _____            |
| <b>TOTAL DUE</b>              | _____            |

RECEIPT NO. \_\_\_\_\_

\$25 service charge for returned cheque. A returned cheque invalidates this receipt.

**District of Barriere Cemetery Bylaw No. 83**  
**Schedule "C"**  
**Barriere Cemetery Interment Permit**

Original to File / Copy to Applicant



**Control of disposition of human remains or cremated remains Part 3, Section 5 of the Cremation, Interment and Funeral Services Act:**

1. "Subject to this section and section 8 (3)(b)(i) [requirement for authorization before funeral services or disposition], the right of a person to control the disposition of the human remains or cremated remains vested in, and devolves on, the following persons in order of priority:
  - a) The personal representative named in the will of the deceased;
  - b) The spouse of the deceased;
  - c) An adult child of the deceased;
  - d) An adult grandchild of the deceased;
  - e) If the deceased was a minor, a person who was the legal guardian of the person of the deceased at the date death;
  - f) A parent of the deceased;
  - g) An adult sibling of the deceased;
  - h) An adult nephew or niece of the deceased;

- i) An adult next of kin of the deceased, determined on the basis provided by sections 89 and 90 of the *Estate Administration Act*;
  - j) The minister under the *Employment and Assistance Act* or, if the official administrator under the *Estate Administration Act* is administering the estate of the deceased under that Act, the official administrator;
  - k) An adult person having a personal or kinship relationship with the deceased, other than those referred to in paragraphs (b) to (d) and (f) to (i).
2. If the person at the top of the order of priority set out in subsection (1) is unavailable or unwilling to give instructions, the right to give instructions passes to the person who is next in priority.
  3. If, under subsection (1), the right to control the disposition of human remains or cremated remains passes to persons of equal rank, the order of priority
    - a) Is determined in accordance with an agreement between or among them, or
    - b) In the absence of an agreement referred to in paragraph (a), begins with the eldest of the persons and descends in order of age.
  4. A person claiming that he or she should be given the sole right to control the disposition of the human remains or cremated remains may apply to the Supreme Court of Canada for an order regarding that right.
  5. When hearing an application under subsection (4), the Supreme Court must have regard to the rights of all persons having an interest and, without limitation, give consideration to
    - a) The feelings of those related to, or associated with, the deceased, giving particular regard to the spouse of the deceased,
    - b) The rules, practice and beliefs respecting disposition of human remains and cremated remains followed or held by people of the religious faith of the deceased,
    - c) Any reasonable directions given by the deceased respecting the disposition of his or her human remains or cremated remains, and
    - d) Whether the dispute that is the subject of the application involves family hostility or a capricious change of mind respecting the disposition of the human remains or cremated remains.
  6. Despite subsections (1) to (3), if the Supreme Court makes an order in favour of a person who has applied to it under subsection (4), that person is deemed to be at the top of the order of priority set out in subsection (1).

**District of Barriere Cemetery Bylaw No. 83  
Schedule "D"  
Surrender of Right of Interment**



**Plan No.:** \_\_\_\_\_ **Block No.:** \_\_\_\_\_ **Lot No.:** \_\_\_\_\_

I, \_\_\_\_\_ surrender to the District of Barriere the above as registered under the Right of Interment No. \_\_\_\_\_ (attach original).

Refund Requested Transfer Requested

Transfer To: \_\_\_\_\_  
(Name, address, daytime phone number of person Right of Interment is being transferred to, if applicable)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

|                       |
|-----------------------|
| <b>Original Cost:</b> |
| <b>Transfer Fee:</b>  |
|                       |
| <b>Total Due:</b>     |
| <b>Cheque No:</b>     |

\_\_\_\_\_  
**Signature**

**Dated:** \_\_\_\_\_

**District of Barriere Cemetery Bylaw No. 83  
Schedule "E"  
Barriere Cemetery - Memorial Installation Permit**



Original to File / Copy to Applicant

I, \_\_\_\_\_ of \_\_\_\_\_  
(Applicant) (Address)

shall pay the sum of \$ \_\_\_\_\_ (plus tax)

being the amount of the fees due therefore, is hereby granted a permit for the Installation Removal /  
Re-installation

of a \_\_\_\_\_ memorial tablet, in consideration of  
(Marker size)

\_\_\_\_\_, in  
(Occupant)

Plan No.: \_\_\_\_\_ Block No. : \_\_\_\_\_ Lot No. \_\_\_\_\_ in the Barriere Cemetery  
and in accordance with and subject to all bylaws, rules and regulations for the regulation of the Barriere  
Memorial Cemetery.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



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**Signature Approval**

District of Barriere

| <b>DESCRIPTION OF FEES</b> | <b>\$ AMOUNT</b> |
|----------------------------|------------------|
| Installation Fee           | _____            |
| Perpetual Care Fund        | _____            |
| GST                        | _____            |
| <b>TOTAL DUE \$</b>        | _____            |

Receipt No. \_\_\_\_\_

\$25 service charge for returned cheque. A returned cheque invalidates this receipt.

**NOTE:** NO memorial shall be installed or removed within the Cemetery by any Persons other than the Supervisor of the Cemetery or other person duly authorized to do so by the Supervisor.