

CITY OF PRINCE GEORGE
BYLAW NO. 9071, 2019

A Bylaw of the City of Prince George to amend “City of Prince George Cemetery Bylaw No. 8046, 2008”.

WHEREAS “City of Prince George Cemetery Bylaw No. 8046, 2008” has been adopted to establish and provide Cemetery services and to regulate and impose requirements in relation to the service;

AND WHEREAS Council deems it desirable to amend “City of Prince George Cemetery Bylaw No. 8046, 2008”, to prioritize sustainable fiscal management of the Cemetery and Mausoleum;

NOW THEREFORE, Council of the City of Prince George in open meeting assembled, **ENACTS AS FOLLOWS:**

1. That “City of Prince George Cemetery Bylaw No. 8046, 2008”, be amended as follows:
 - a. that Section 2.1 be amended by deleting the definition of “Authorized Person” in its entirety and replacing it with the following:

“**Authorized Person**” means the person appointed by the City Manager as head of the Public Works Department, or a person designated in writing by the head of the Public Works Department during his/her absence to carry out any act or function under this bylaw.”
 - b. that Section 2.1 be amended by deleting the definition of “Caretaker” in its entirety and replacing it with the following:

“**Caretaker**” means the person or persons duly appointed or employed as such by Authorized Person as Caretaker of the Cemetery.”
 - c. that Section 2.1 be amended by adding the following definition:

“**CIFSA**” means the *Cremation, Interment and Funeral Services Act* of the Province of British Columbia, as may currently exist or as may be amended or superseded from time to time by new legislation and all regulations made thereunder.”
 - d. that Section 2.1 be amended by adding the following definition:

“**Columbaria/Private Estate**” means a structure, building or an area in a structure or building that contains, as an integral part of the structure or building or a freestanding sections, niches for the inurnment of cremated human remains.”
 - e. that Section 2.1 be amended by adding the following definition:

“**Cremated Remains**” means human bone fragments left after human remains are cremated.”
 - f. that Section 2.1 be amended by adding the following definition:

“**Dis-interment**” means the removal, for the purpose of permanent relocation, of

 - (a) Human remains; or

- (b) The container, or any of the remaining container, holding the human remains, from the lot in which the human remains are interred.”
- g. that Section 2.1 be amended by adding the following definition:
- “**Exhumation**” means the exposure and removal of interred human remains for the purposes of viewing or examination.”
- h. that Section 2.1 be amended by adding the following definition:
- “**Memorial Wall**” means a monument consisting of plaques to commemorate deceased persons.”
- i. that Section 2.1 be amended by adding the following definition:
- “**Memorial Wall Plaque**” means a plaque stating the deceased information to be permanently attached to the Memorial Wall.”
- j. that Section 2.1 be amended by adding the following definition:
- “**Scattering**” means the non-recoverable dispersal of cremated remains in a body of land within a defined area of the Cemetery.”
- k. that Section 2.1 be amended by adding the following definition:
- “**Temporary Memorial**” means a plastic plot memorial supplied by a Funeral Home at the time of interment.”
- l. that Section 5.1 be amended by adding the following:
- “(f) Shall have control and management over the land, buildings, plantings, roads, utilities, books and records of the Cemetery and shall have the authority to amend, establish, administer and enforce the bylaws and schedule of rates of the Cemetery.”
- m. that the heading of Section 11 be deleted in its entirety and replaced with the following:
- “11. Permit to Dis-inter/Exhume”
- n. that Section 11.1 be deleted in its entirety and replaced with the following:
- “11.1 No human remains or cremated remains shall be dis-interred or exhumed from the Cemetery unless:”
- o. that Section 11.1(b) be deleted in its entirety and replaced with the following:
- “(b) the Authorized Person issues a Dis-interment / Exhumation Permit;”
- p. that Section 11.1(e) be deleted in its entirety and replaced with the following:

“(e) the City is not responsible for damage to any casket, urn or other container sustained during dis-interment or exhumation.”

q. that Section 11.1 be amended by adding the following:

“(f) The City will not reinter dis-interred or exhumed human remains in a damaged or deteriorated casket or grave liner. The purchase of a new casket is the responsibility of the person requesting the disinterment or exhumation.”

r. that the following Section 11.2 be added:

“11.2 In accordance with Section 18 of the CIFSA, the City’s responsibility will end at the point where the soil is sufficiently excavated to permit safe access to the remains for removal by the attending Funeral Director. The physical removal of the exposed human remains and their transfer into a container that fully encloses the disinterred or exhumed human remains shall be performed by a Funeral Director authorized by and employed at the expense of the person requesting the exhumation or dis-interment. No employee of the City shall be required to handle or participate in the removal of exposed human remains opened for exhumation or dis-interment.”

s. that the following Section 12.1(a) be added:

“12.1(a) it shall be unlawful for any person to scatter cremated remains within the confines of the Cemetery except within the designated areas. All scattering remains are considered non-recoverable from the date of interment.”

t. that Section 12.8 be deleted in its entirety and replaced with the following:

“12.8 Each Adult Grave Space may be used for the interment of the cremated remains of a maximum of four (4) persons over the casket interment(s). All Adult Grave Spaces sold prior to the adoption of this Bylaw 8046, 2008 may be used for the interment of the cremated remains to the previous limit of six (6) persons over the casket interment(s). The Interment Rights Holder of a previously interred child or baby is permitted to inter up to 2 family members cremated remains in the same plot as the child or baby. The burial of the cremated remains shall conform to the requirements of subsection 12.5.”

u. that the following Section 12.16 be added:

“12.16 The Authorized Person may deny or postpone an interment due to weather conditions, which may impede the safety of workers, the potential of disturbing other interments in proximity or the inability to reasonably prepare the site for interment.”

v. that Section 15. be deleted in its entirety and replaced with the following:

“15. Memorials

15.1 All Grave Space memorials shall be supplied by the Interment Permit holder;

15.2 All the memorials (flat or upright) are the property of the purchaser and required care or repair is the responsibility of the purchaser;

- 15.3 No memorial shall be placed or installed in the Cemetery unless the memorial conforms to the requirements set out in this Bylaw. Only the Caretaker shall place memorials, any memorial that is illegally placed will be removed;
- 15.4 Temporary memorials shall be removed after 12 months of the interment;
- 15.5 Should any memorial or grave cover be in a state of disrepair such that it might be hazardous to the public or detrimental to the maintenance of the Cemetery, the Caretaker may, after 30 days' notice in writing to the interment rights holder, at their last known address, have the memorial or grave cover removed from the Cemetery, if it has not been repaired in accordance with the notice;
- 15.6 Memorials that were installed prior to the adoption of this Bylaw No. 8046, 2008 that do not conform to this Bylaw No. 8046, 2008 may remain as installed, until such time as replacement of the Memorial is required. Any replacement Memorial must conform to this Bylaw No. 8046, 2008 and be installed in accordance with this Bylaw No. 8046, 2008 including the payment of the applicable Memorial fees and charges;
- 15.7 No Grave Space in the Cemetery shall be defined by a fence, bench, hedge, curbing, railing, loose rock or any other material;
- 15.8 A person must receive confirmation in writing that a memorial conforms to the requirements of this Bylaw by the Authorized Person prior to delivering the memorial to the Cemetery. Memorials delivered to the Cemetery without the appropriate confirmation shall be returned to the sender at owner's expense;
- 15.9 Due to weather conditions, installation of memorials may not occur from October 1 to April 30. No person shall deliver memorials to the Cemetery without prior approval between October 1 and April 30;
- 15.10 A flat memorial may be installed on a Grave Space in the Cemetery provided the flat memorial conforms to the requirements set out in this Bylaw;
- 15.11 Each Flat Memorial:
- (a) Shall be made of granite or bronze;
 - (b) Shall be installed in a centered position at the head of the Grave Space with the top surface of the memorial set level and flush with the surface of the surrounding ground;
 - (c) Installation of granite memorials are permitted without concrete wash;
 - (d) Should a concrete wash be requested the concrete wash will be installed with a 7cm (3") border and 7cm (3") thickness supplied by a memorial dealer;
 - (e) If supplied with sawn sides, the memorial shall have 1.2cm x 5cm (1/2" x 2") drilled holes, on all four sides for a concrete border base wash and stainless steel pins supplied by the Interment Permit holder;

- (f) A bronze memorial shall be:
- i) provided by a memorial dealer and must arrive at the Cemetery adhered to a granite or concrete base that provides a 7cm (3") border and has a 7cm (3") base thickness; and
 - ii) set with four (4) threaded rods anchored to the underside of the granite or concrete base. The threaded rods shall be drilled to receive washers and bolts and shall be constructed of non-corroding material.

15.12 The top surface of each flat memorial shall conform to one of the following measurements:

- (a) For one adult Grave Space or Companion Grave Space –
1.52m x 2.7m (5' x 9' lot)
 - 46cm (width) x 76cm (length) [18" (width) x 30" (length)]
 - 40cm (width) x 71cm (length) [16" (width) x 28" (length)]
 - 30cm (width) x 50cm (length) [12" (width) x 20" (length)]
 - 20cm (width) x 30cm (length) [8" (width) x 12" (length)]
- (b) For two adult Grave Spaces (in case of side by side adult size Grave Spaces)-
3.0m x 2.7m (10' x 9' lot)
 - 46cm (width) x 110cm (length) [18" (width) x 44" (length)]
 - 46cm (width) x 76cm (length) [18" (width) x 30" (length)]
 - 40cm (width) x 71cm (length) [16" (width) x 28" (length)]
 - 30cm (width) x 50cm (length) [12" (width) x 20" (length)]
 - 20cm (width) x 30cm (length) [8" (width) x 12" (length)]
- (c) For Child Grave Spaces- 1.07m x 2.13m (3' ½" x 7' lot)
 - 30cm (width) x 50cm (length) [12" (width) x 20" (length)]
 - 20cm (width) x 30cm (length) [8" (width) x 12" (length)]
- (d) For Infant Grave Spaces- 0.9 m x 1.5 m (3' x 5' lot)
 - 30cm (width) x 50cm (length) [12" (width) x 20" (length)]
 - 20cm (width) x 30cm (length) [8" (width) x 12" (length)]
- (e) For Cremated Remains Grave Spaces (Single)- 0.6m x 0.76m (2' x 2' ½" lot)
 - 30cm (width) x 50cm (length) [12" (width) x 20" (length)]
 - 20cm (width) x 30cm (length) [8" (width) x 12" (length)]
- (f) For Cremated Remains Grave Spaces (Companion side by side)-
0.6m x 1.52m (2' x 5' lot)
 - 40cm (width) x 71cm (length) [16" (width) x 28" (length)]

30cm (width) x 50cm (length) [12" (width) x 20" (length)]

20cm (width) x 30cm (length) [8" (width) x 12" (length)]

15.13 One flat memorial only may be installed on each Adult Grave Space, but where two related persons are buried side by side in adjacent Adult Grave Spaces, one 46cm x 110cm (18" x 44" excluding wash) maximum flat memorial which provides for the memorialization of both persons may be used instead of two separate flats, provided the single flat so used is set to embrace evenly the two Grave Spaces concerned.

15.14 One upright memorial may be installed on each Adult Grave Space in the Cemetery provided the upright memorial conforms to the requirements of this Bylaw.

15.15 Each Upright Memorial:

- (a) Shall be made of granite or bronze;
- (b) Shall not exceed 61 cm (length) x 20 cm (thickness) x 91cm (height) (32"x 8"x 36") for a single Adult Grave Space and 121.9 cm (length) x 20 cm (thickness) x 91.5 cm (height) (48"x 8"x 36") for two (2) side by side Adult Grave Spaces;
- (c) Shall be on a Granite Base which shall not exceed 91cm (length) x 20cm (height) x 30cm (width) (36"x 8"x 12") for an upright memorial on a Single Adult Grave Space. Two side by side Adult Grave Spaces shall not exceed 153cm (length) x 20cm (height) x 30cm (width) (60" x 8" x 12");
- (d) shall be glued and pinned (stainless steel pins) to the Base;
- (e) shall have all accessories physically attached to the memorial with a permanent adhesive and using a minimum pin size of 1.3cm (1/2") diameter, extending a minimum of two inches into the accessory as well as a minimum of two inches into the memorial;
- (f) shall not exceed a maximum height of 91.2cm (36"); and
- (g) shall not exceed 81cm (length) x 20cm (thickness) x 91.5cm (height) (32" x 8" x 36") for installation on a Grave Cover that complies with the specifications in this Bylaw under section 14.3.

15.16 Each Pillow Upright Memorial:

- (a) shall be made of granite or bronze;
- (b) shall not exceed 91cm (length) x 15cm (thickness) x 61cm (width) (36" x 6" x 24") for a single Pillow Adult Grave Space and 152cm (length) x 15cm (thickness) x 91.5cm (width) (60" x 6" x 36") for two (2) side by side Pillow Adult Grave Spaces;
- (c) shall be on a Granite Base which shall not exceed 91cm (length) x 15cm (height) x 61 cm (width) (36" x 6" x 24") for a single Pillow Adult Grave Space.

Two side by side Pillow Adult Grave Spaces shall not exceed 153cm (length) x 15cm (height) x 91cm (width) (60" x 6" x 36");

- (d) shall have all accessories physically attached to the memorial with a permanent adhesive and using a minimum pin size of 1.3cm (1/2") diameter, extending a minimum of two inches into the accessory as well as a minimum of two inches into the memorial; and
- (e) shall have a slope of
 - i) height back maximum of 15cm (6"); and
 - ii) height front minimum of 7cm (3").

15.17 Notwithstanding section 15.15, upright memorials in historic sites designated on the Cemetery plot plan may be replaced based on the dimensions of the original memorial.

15.18 The Caretaker may arrange for the temporary removal of a memorial without permission of the interment rights holder if, during the excavation of an adjoining grave space, the memorial is found to be a hazard to the safety of workers in the excavation or to gain access to a plot for grave site preparation, provided the memorial is replaced in its original position on the grave from which it was removed as soon as possible.

15.19 Memorial Wall

- (a) only one (1) individual may be memorialized on a memorial space;
- (b) a memorial plaque shall:
 - i) have an inscription that will denote given names, year of birth and death;
 - ii) denote a sentiment no longer than twenty-five (25) letters and spaces; and
 - iii) be supplied and installed by the City to ensure uniform quality and consistency is maintained."

w. that Section 16.1 be deleted in its entirety and replaced with the following:

"16.1 Each interment in the Cemetery above ground shall be in a Crypt or Niche in the Mausoleum or Columbaria/Private Estate in the Cemetery."

x. that Section 16.4 be deleted in its entirety and replaced with the following:

"16.4 An urn made of wood or a temporary cremation container shall only be placed in marble front niches of the Mausoleum or Columbaria/Private Estates."

y. that Section 16.8(b) be deleted in its entirety and replaced with the following:

“(b) For Niche lettering in the Mausoleum - Surname and given names and/or initials plate no more than 28cm (11”) in length each, cast in bronze alloy. The Niche lettering of the Columbaria/Private Estate must be cast in bronze alloy or stainless steel. Surname lettering to be 1.9cm (3/4”) in height, and given name and initial lettering to be 1.3cm (1/2”) in height in Times Roman font. Letters and numerals to be hand chased and polished. Castings to be true and free from defects and roughness and colour finish to be secured by chemical means.”

z. that Section 16.8(e) be added as follows:

“(e) Columbaria/Private Estate portraits will be supplied and affixed by a memorial dealer.”

aa. that Section 16.10 be deleted in its entirety and replaced with the following:

“16.10 No person shall alter, embellish or adorn any Crypt Niche, Private Estate/Columbaria or common area in the Mausoleum in the Cemetery without the prior written consent of the Authorized Person. Silk flowers and a single rosary may be placed in the flower holder of each crypt. No fresh flowers or plants are permitted in the Mausoleum.”

bb. That Section 17. be deleted in its entirety and replaced with the following:

“17. Green Burials

17.1 Green burial interment will take place only in the section designated for the purpose.

17.2 A right of interment for the Green Burial Section may be purchased on an at-need or pre-need basis.

17.3 Green Burial Grave Spaces shall be of the following size:

(a) Adult—not less than 1.52m (5 feet) in width x 2.74m (9 feet) in length;

(b) Cremated remains—not less than 0.76metres (2 1/2') in width x 0.61 metres (2') in length;

(c) Each interment other than cremated remains in a Grave Space shall provide for not less than 1.2m (4') of earth between the general surface level of the ground at the Grave Space and the upper surface of the shroud or biodegradable casket materials containing human remains; and

(d) Each interment in the Grave Space of cremated remains shall provide for not less than 0.6 metres (2') of earth between the general surface level of the ground at the Grave Space and the upper surface level of the biodegradable container or cremains.

17.4 Each Grave Space shall contain the full body interment of one individual and the secondary interment of the cremated remains up to a maximum of four individuals. Companion full burials will not be permitted.

- 17.5 Where right of interment is purchased in the Green Burial Section with the intent of having a secondary disposition burial of cremated remains in to the plot then the interment shall not be made until the full body interment has first been made into the plot.
- 17.6 Human remains proposed for interment in the Green Burial Section shall:
 - (a) not be embalmed; and
 - (b) be enclosed in a shroud, biodegradable casket or alternative biodegradable container with a rigid base that is approved by the Authorized Person.
- 17.7 The Cemetery shall install a Communal Memorial Stone for the purpose of making approved memorial inscriptions to commemorate interments and scatterings.
- 17.8 Other than the approved Communal Memorial Stone, no other memorial marker, monument or other stone, vase, ornament or any other structure shall be placed on, in or around any Grave Space in the Green Burial Section. Fresh flowers may be placed on the plot at the time of the interment.
- 17.9 The Authorized person shall have the authority to limit, restrict or prohibit vehicle access to the Green Burial Section.”

cc. that Section 18.13 be deleted in its entirety and replaced with the following:

“18.13 No person shall be in the Cemetery at any time other than the operating hours of 8:00 a.m. and 8:00 p.m., seven days a week, unless permission has been given by the Caretaker, or the Authorized Person.”

dd. that the title of Schedule “B” be deleted in its entirety and replaced with the following:

“INTERMENT PERMIT AND EXHUMATION OR DIS-INTERMENT PERMIT”

- 2. This Bylaw may be cited for all purposes as “City of Prince George Cemetery Bylaw No. 8046, 2008”, Amendment Bylaw No. 9071, 2019”.

READ A FIRST TIME THIS	9TH	DAY OF	SEPTEMBER	, 2019.
READ A SECOND TIME THIS	9TH	DAY OF	SEPTEMBER	, 2019.
READ A THIRD TIME THIS	9TH	DAY OF	SEPTEMBER	, 2019.

All three readings passed by a **UNANIMOUS** decision of Members of City Council present and eligible to vote.

ADOPTED THIS DAY OF , 2019,
BY A DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

MAYOR

CORPORATE OFFICER