



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

“North Vancouver Cemetery Bylaw, 2011, No. 8109”

CONSOLIDATED FOR CONVENIENCE – DECEMBER 9, 2019

Amendment Bylaw, 2012, No. 8263	Schedules A and B
Amendment Bylaw, 2014, No. 8349	Schedules A and B
Amendment Bylaw, 2015, No. 8446	Schedules A and B
Amendment Bylaw, 2017, No. 8587	Schedules A and B
Amendment Bylaw, 2019, No. 8721	Schedules A and B

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8109

A Bylaw for the operation of the North Vancouver Cemetery

WHEREAS:

- A. Pursuant to the provisions of the *Community Charter* S.B.C. 2003, as amended, including but not limited to section 8(f) thereof, and subject to the provisions of the *Crematorium, Interment and Funeral Services Act*, S.B.C. 2004, c. 35 (the "CIFSA"), Council may, by bylaw, regulate and impose requirements in relation to cemeteries, crematoriums, columbariums and mausoleums and the Interment or other disposition of the dead;
- B. The Corporation of the City of North Vancouver owns and operates the North Vancouver Cemetery and Council in this Bylaw establishes itself as a Board of Cemetery Trustees in accordance with section 37(2)(b) of the CIFSA;
- C. Pursuant to section 39(1) of the CIFSA, an operator of a cemetery must adopt bylaws for:
 - a) the organization, operation and management of the cemetery;
 - b) the rights, privileges and responsibilities of the operator, persons who visit the place of interment and suppliers in respect of the place of interment;
 - c) the rights, privileges and responsibility of right holders in respect of the place of Interment; and
 - d) the size, class and kind of memorials permitted in a cemetery and materials to be used for memorials.

Council of the Corporation of the City of North Vancouver, lawfully assembled, enacts as follows:

PART 1 – INTERPRETATION

1.1 Name of Bylaw

This Bylaw shall be known and cited for all purposes as the "**North Vancouver Cemetery Bylaw, 2011, No.8109**".

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SCHEDULE A – NORTH VANCOUVER CEMETERY FEES

SCHEDULE B – NORTH VANCOUVER CEMETERY MEMORIALS

1.3 Definitions

In this Bylaw, unless the context otherwise requires:

ADMINISTRATION FEE means fees levied to cover additional administration costs associated with the surrender or the transfer of a right of interment for an unoccupied grave space;

ADMINISTRATIVE AUTHORITY means the Business Practices and Consumer Protection Authority established under the Business Practices and Consumer Protection Authority Act;

CARE FUND means a fund for the perpetual care and maintenance of the Cemetery as required by the CIFSA;

CARETAKER means a person duly authorized to perform Interments and to care for and maintain the Cemetery;

CASKET means a rigid container usually constructed of wood, metal, or similar materials, ornamented and lined with fabric, designed for the encasement of human remains;

CEMETERY means “North Vancouver Cemetery”, being the civic lands set apart or used as a place of interment and memorialization, together with any incidental or ancillary buildings;

CIFSA means the Cremation, Interment and Funeral Services Act, S.B.C. 2004 C.35 administered by the Administrative Authority, as may be amended or superseded from time to time and all regulations made there under;

CITY means The Corporation of the City of North Vancouver;

COLUMBARIUM means an above ground structure specifically designed to hold containers of cremated remains;

COUNCIL means the Council of the City acting in its capacity as the Board of Cemetery Trustees established pursuant to Part 4.1 of this Bylaw;

CREMATED REMAINS means human bone fragments that remain after cremation of a deceased human body;

DEPENDENT means a son or daughter that can be natural, adopted, or step;

DISINTERMENT means removal of cremated remains or human remains, along with the casket or any of the remaining casket holding the human remains, from the lot in which they had been interred;

EXHUMATION means the exposure of interred human remains for viewing or for examination, whether in or removed from the lot in which the human remains had been interred;

FAMILY MEMBER means a parent, step parent, grandparent, step grandparent, spouse, common law spouse, same sex spouse, or natural, adopted or step sibling, child, or grandchild;

FEES means the amount to be paid to the City as specified in Schedule “A” of the North Vancouver Cemetery Bylaw, 2011, No. 8109 as amended from time to time (resident and non-resident fees);

FUNERAL PROVIDER means an individual licensed to arrange, conduct or direct funerals or the transfer or disposition of human remains, or to arrange burials;

GRAVE GARDEN (Family Care & City Care) means a defined area excavated adjacent to the marker and on the top of the grave for the purpose of planting a garden;

GRAVE LINER means a concrete vault in which a casket is placed for an in-ground interment, to provide reinforcement to the lot;

HERITAGE SECTION refers to the portion of the Cemetery that lies west of Lillooet Lane with Blocks numbered 1 – 118, inclusive and Blocks A, B, C and D;

HUMAN REMAINS means a dead human body in any stage of decomposition, but does not include cremated remains;

INTERMENT means the burial of human remains or cremated remains in a grave or crypt, or the placing of cremated remains in a niche; *[Bylaw 8446, December 7, 2015]*

INTERMENT AUTHORIZATION means a document completed at time of need that may include statistical, executor and next of kin information that authorizes Interment of the deceased by the representative;

INTERMENT RIGHT CONTRACT means a contract that provides for a right of interment for human remains or cremated remains in a lot;

LAWN CRYPT means interment space in the Cemetery which contains a pre-constructed and pre-buried concrete vault capable of holding a casket; *[Bylaw 8446, December 7, 2015]*

LOT means a space used or intended to be used for the interment of human remains or cremated remains under a right of interment and includes a grave, crypt or niche; *[Bylaw 8446, December 7, 2015]*

MEMORIAL means all memorial work (monument, plaque, tablet, pillow, headstone or other marker) that is set on a lot and used to memorialize a deceased person; or a columbarium niche front engraving for the same purpose;

NICHE means an individual compartment in a columbarium for placing an urn that contains cremated remains;

NON-RESIDENT means a person who does not qualify as a resident;

PREPARATION AND PLACEMENT means the process of completing an interment including, but not limited to, administrative, legal, labour and equipment resources provided to facilitate the opening of a lot, interment of human remains or cremated remains and the subsequent closing of a lot;

REPRESENTATIVE means the person or agency as defined in Section 5 of the CIFSA who has the authority to control the disposition of the human remains or cremated remains;

RESIDENT refers to the residency of the deceased person or person for whom the lot is being purchased. Proof of residence shall be produced to the satisfaction of the City at the time of purchase. Resident means a person who was:

- a) A registered owner of a property in the City or District of North Vancouver for a minimum of twelve (12) months immediately preceding the date of death; or
- b) A tenant or occupier of real property within the City or District of North Vancouver for a minimum of twelve (12) months immediately preceding the date of death.

[Bylaw 8721, December 9, 2019]

RIGHT HOLDER means a person to whom a right of interment has been issued;

RIGHT OF INTERMENT means a right, for the interment of human remains or cremated remains, in a designated lot;

URN means a receptacle for the encasement of cremated remains;

URN VAULT means a receptacle to hold and protect an urn while buried in the ground.

1.4 Schedules

The attached schedules form part of this Bylaw.

PART 2 – LEGAL DESCRIPTION OF THE NORTH VANCOUVER CEMETERY

The following lands have been set aside, operated, used or maintained as a Cemetery by the City:

- a) North Vancouver Cemetery, legally described as being District Lot 1620, Group 1, New Westminster District.

PART 3 – CEMETERY PLAN

- a) All areas of the Cemetery shall be divided into blocks and lots or niches.
- b) A copy of the Cemetery Plan shall be filed with the Administrative Authority and copies shall be kept available for public inspection at North Vancouver City Hall.

PART 4 – CEMETERY OPERATION

4.1 Board of Trustees

In accordance with the provisions of Part 8, Section 37(2) of the Cremation, Interment and Funeral Services Act, Council hereby establishes itself as a Board of Cemetery Trustees to own and operate the Cemetery.

4.2 The City:

- a) is responsible for the general administration and enforcement of this Bylaw;
- b) has general care and custody of the Cemetery, and control and direction of all the workers employed therein;
- c) shall establish and maintain all records for the administration and management of the Cemetery as is required by the Administrative Authority under the CIFSA;
- d) may issue right of interments and memorial permits authorized by this Bylaw;
- e) shall enforce all rules and regulations relating to the Cemetery;
- f) may keep, or cause to be kept, the Cemetery well maintained, the grass cut, the graves well kept, and the roads in good condition; and prevent heavy loads from entering the Cemetery when the roads are in unfit condition.

PART 5 – RIGHT OF INTERMENT

5.1 Issuance of Right of Interment

The City may, subject to payment of fees, grant to any person a right of interment for a vacant, unreserved lot. A right of interment does not vest in the holder any title or interest in the land or lot but instead allows for the exclusive use of the lot designated in the interment right contract for the purpose only of interment. All right of interments shall be subject to the provisions of this Bylaw and all Bylaws now or hereafter to be passed by the Council.

5.2 Transfer of Right of Interment

A right of interment for any unused lots may be transferred to a family member at the discretion of the City. The right holder or executor must submit this request in writing and the original right of interment must be surrendered to the City. An administration fee as specified in Schedule "A" may be applicable to cover the additional administrative costs associated with the transfer of a right of interment.

5.3 Cancellation of Right of Interment

The right holder must give written notice to the City for intent to cancel the right of interment for an unoccupied lot. The person requesting the refund is required to produce the original license or right of interment and proof satisfactory to the City of their right to claim a refund. A right of interment can only be surrendered back to the City. It cannot be sold privately.

If the purchaser cancels the right of interment within 30 days of entering into an interment right contract, they will be refunded the full amount paid less the cost of specially ordered goods or services rendered.

After 30 days from the date of entering into an interment right contract no refund shall be made of any care fund contribution collected. Fees associated with the removal of any memorial on the lot, must be paid before a refund is issued.

The refund is calculated as follows:

- a) If the lot was purchased on or before June 18, 2006:
The amount refunded will equal 75% of the fees set out in North Vancouver Cemetery Bylaw No. 7667 for the resident lot fee (lot license) and less the administration fee as specified in Schedule 'A' of North Vancouver Cemetery Bylaw, 2011, No. 8109, as amended from time to time.
- b) If the lot was purchased on or after June 19, 2006:
The amount refunded will equal the amount paid for the lot fee (lot license) less the administration fee as specified in Schedule "A" of North Vancouver Cemetery Bylaw, 2011, No. 8109, as amended from time to time.

[Bylaw 8446, December 7, 2015]

5.4 Prohibition on Advertising

A right holder or other person must not advertise or publicize that a lot is available for purchase.

5.5 Reclamation of Unused Right of Interment

With prior approval of the Administrative Authority, the City may reclaim a right of interment for a vacant lot for which a right of interment had previously been issued.

PART 6 – INTERMENTS

6.1 General Interment Information

- a) Only human remains, or cremated remains of a human body, shall be interred and memorialized in the Cemetery.
- b) An Interment may be made within the Cemetery after:
 - i. the representative has completed and duly signed an interment authorization;
 - ii. the required information as deemed necessary by the CIFSA has been provided to the City; and
 - iii. all applicable fees have been paid as specified in Schedule "A".
- c) All interments shall be subject to and comply with the provisions of this Bylaw and all Bylaws now or thereafter passed by the Council.
- d) The interment of cremated remains must be completed within 30 days of all fees being paid.
- e) All Interments shall:
 - i. be performed within the Cemetery by the caretaker; and
 - ii. be conducted in predefined lots approved by the City.
- f) The representative must apply to the City for permission to inter human remains or cremated remains at least two business days prior to the interment.

6.2 Interment Hours

Interments shall be scheduled within the following hours, or at other times approved by the City.

- a) In-ground casket burial shall be scheduled Monday to Friday from 9:30 am - 1:00 pm
- b) Interment of cremated remains shall be scheduled Monday to Friday from 9:00 am - 2:00 pm

[Bylaw 8349, June 16, 2014]

6.3 In-Ground Interments

- a) The right of interment for an in-ground lot may be purchased when scheduling an interment in the lot. At that time, the City may allow the purchase of the right of interment for a second adjacent in-ground cremation or single depth casket lot. To reserve a second single depth casket lot the interment in the originating lot must be a casket burial. *[Bylaw 8587, December 4, 2017]*
- b) If the interment of cremated remains in an adult size lot precedes the casket burial, disinterment and re-interment fees for the cremated remains may be applicable at the time of the casket interment. An urn vault is required for each cremation interment in a full size lot that precedes the casket interment in the lot. The urn vaults shall be purchased from the City. *[Bylaw 8446, December 7, 2015]*
- c) An adult single depth lot may hold:
 - i. one interment of adult human remains and a maximum of four interments of cremated remains; or
 - ii. one interment of adult human remains and the human remains of a child less than two years of age and a maximum of two interment of cremated remains.
- d) An adult double depth lot may hold two interments of human remains and a maximum of four interments of cremated remains. The first interment of human remains will be at the lower level. *[Bylaw 8587, December 4, 2017]*
- e) A cremation lot may hold a maximum of two interments of cremated remains.
- f) An infant/child lot may hold an infant/child casket and a maximum of two interments of cremated remains. The right of interment for an infant/child lot may be purchased when scheduling an interment of a child twelve years and under. *[Bylaw 8446, December 7, 2015]*
- g) The positioning of the cremated remains within the grave is subject to approval by the City.
- h) A casket is required for the interment of human remains.
- i) A precast concrete grave liner, which is supplied by the City, must be used for the interment of human remains in an adult size lot. No grave liner is required for the interment of a child less than twelve years of age being interred in an infant/child lot.
- j) Each grave liner used in an adult single lot or adult double depth lot shall be made of reinforced concrete and shall consist of side walls, end walls, a base for each casket and a cover for each casket that is sufficient to bridge the caskets over their entire lengths.
- k) Families may request permission to witness the casket lowered to ground level subject to the following criteria:
 - i. a request to witness the casket lowered to ground level must be communicated to the City when confirming Interment date and time;
 - ii. a liability waiver must be signed by the representative;
 - iii. all persons must stand back twenty five feet from the grave side while the casket is lowered to ground level;
 - iv. the City will not be held liable for any injury to members of the public that are attending or witnessing the casket being lowered;
 - v. all proceedings at the interment site shall be under the sole direction of the caretaker; and
 - vi. the caretaker may request, within a reasonable time frame, that all persons vacate the interment area to allow for the completion of the interment.

6.4 Columbarium Interments

- a) Subject to the requirements of this Bylaw, the City will grant a right of interment for up to four columbarium niches which may be used for the immediate interment of cremated remains or for future use providing that all applicable fees have been paid as specified in Schedule "A".
- b) Each columbarium niche may hold a maximum of two interments of cremated remains.
- c) Cremated remains placed in a columbarium niche must be enclosed in a sealed container or urn constructed of permanent, durable material approved by the City.

- d) The right holder is responsible for ensuring that the urns used for interment in the columbarium will fit within the niche. *[Bylaw 8349, June 16, 2014]*

6.5 Veteran Section

- a) The Veteran Section is an area in the Cemetery that Council set aside for the interment of members or ex-members of Her Majesty's Naval, Military, or Air Forces, or Merchant Seamen who had served in the Merchant Navy during World Wars One or Two.
- b) The Veteran Section is described as Blocks 406 to 409 inclusive; 422 to 425 inclusive; 437 to 441 inclusive; 447 to 457 inclusive; 648 to 651 inclusive; and Block 914, Lots 41 to 54 inclusive.
- c) Council has set aside an area for the interment of dependents of veterans interred in the North Vancouver Cemetery. The area is described as Blocks 405, 410, 421, 426, 436, and 442.
- d) Lots in the Veteran Section may hold no more interments than:
- i. that of the initial member or veteran and the cremated remains of the legal spouse, and/or the dependents of the veteran; and
 - ii. as permitted within the total interment limits set out in Part 6.3 of this Bylaw.

[Bylaw 8349, June 16, 2014]

6.6 Heritage Section

(Blocks numbered 1-118, inclusive and Blocks A, B, C and D)

- a) See Part 6.3 of this Bylaw for the number of allowable interments in these lots.
- b) Installation of concrete curbing shall only be allowed in the Heritage Section around the perimeter of family blocks. All curbing is subject to the approval of the City and shall be installed to the satisfaction of the City. Families will be responsible for all costs incurred.

[Bylaw 8349, June 16, 2014]

PART 7 – EXHUMATION AND DISINTERMENT

7.1 No exhumation or disinterment will occur until:

- a) the City receives a written request to do so from the representative of the deceased;
- b) the City receives approval from the Administrative Authority for an exhumations or disinterment requiring such approval;
- c) the City gives written notice to, and receives permission from, a Medical Health Officer for the area of the health region in which the Cemetery is located when the human remains are those of a person who, at the time of death, was known to have had an infectious or contagious disease or other disease dangerous to public health; and
- d) the applicable fees have been paid to the City as specified in Schedule "A".

7.2 The City shall exercise all due care and attention in making an exhumation or disinterment but is not responsible for damage to any casket, urn or other container sustained during exhumation or disinterment.

7.3 The City's responsibility with respect to exhumation or disinterment is limited to:

- a) excavation of sufficient quantities of soil to permit access to the human remains or cremated remains;
- b) removal of intact burial containers (integrity of such containers to be determined by City staff); and
- c) closure of the lot.

7.4 A Funeral Provider employed at the expense of the right holder or their successors is required for the supervision of the disinterment or exhumation of human remains and handling of any human remains in the existing lot and/or any transfer of the remains to a new lot or location.

PART 8 – FINANCIAL MATTERS

8.1 Fees and Prices

Any person who applies for issuance, disposition, surrender, or cancellation of a right of interment or memorial permit or who requests or orders any product or service under this Bylaw set out in Schedule “A”, must pay the fee or price set out in Schedule “A” in advance, and in accordance with any requirements set out in Schedule “A”.

8.2 Proof of Residency

For the purpose of defining resident and non-resident, proof of residence shall be produced to the satisfaction of the City at the time of purchase. *[Bylaw 8721, December 9, 2019]*

8.3 Care Fund

- a) A care fund for the future maintenance and care of the Cemetery and the lots therein is hereby established, set aside and maintained. All monies in the care fund will be held and invested as trust funds by the City.
- b) The amount to be transferred to the care fund will be specified on all applicable receipts for right of interment and on the interment right contract as set out in Schedule “A”.
- c) The City may accept voluntary payments to the care fund from any person or organization.
- d) The principal sum of the care fund will not be reduced other than in accordance with an order from the Administrative Authority.
- e) After 30 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 purchase.

PART 9 – DELETED *[Bylaw 8587, December 4, 2017]*

PART 10 – LOT ADORNMENT REGULATIONS

10.1 Floral Tribute

- a) On the day of interment and for fourteen days after the day of interment, a person may adorn a lot with any floral tribute. The tribute may be removed by the City staff after 14 days.
- b) The following floral tributes may adorn a lot at any time and may be removed when their condition is considered to be detrimental to the appearance of the Cemetery. Cemetery staff may remove these items at any time during maintenance operations.
 - i. A maximum of two potted plants in a plastic or biodegradable container with a diameter measuring 8” or less will be allowed to sit on the surface of the memorial.
 - ii. Fresh cut flowers may be placed in a City installed in-ground vase or may be placed on the surface of the memorial.
 - iii. Artificial flowers may be placed in a City installed in-ground vase. *[Bylaw 8263, October 22, 2012]*
 - iv. Deleted *[Bylaw 8587, December 4, 2017]*

10.2 Grave Gardens – Family Care and City Care

- a) Grave gardens shall be permitted on adult casket lots in designated areas of the Cemetery.
- b) Gardens are not permitted in the Veteran Section, Heritage Section, and Blocks 643 to 647, Blocks 730 to 743 or on any cremation lots.
- c) Fees for grave gardens are specified in Schedule “A”.
- d) All grave gardens shall be installed by the caretaker. Installation will include excavation for the garden, soil preparation and perimeter edging material.
- e) Family Care Grave Gardens shall be planted and maintained by the family and the maintenance must be to a standard acceptable to the City with all plants confined to the space within the edging.

Family Care Grave Gardens:

- i. are 16" x 36", 32" x 36" or 48" x 36"; and
 - ii. may be planted with annuals, ground cover and perennials with a maximum height of two feet; and
 - iii. shall not have trees or invasive plants placed in them or any plant that matures to a height over two feet.
- f) City Care Grave Gardens shall be planted and maintained by the City. Maintenance will include replacement of plants when required, weeding, pruning, watering and application of environmentally friendly fertilizer. The annual maintenance fee as specified in Schedule "A" is due March 31 of each year.

City Care Grave Gardens:

- i. are 16" x 36"; and
 - ii. will be planted with a selection of plants available through the City which can be chosen by the family.
- g) The City reserves the right to remove a Family Care Grave Garden if there is neglect or abandonment. It is the responsibility of the purchaser to ensure that their contact information is current with the Cemetery office for notification purposes.
- h) The City reserves the right to remove a City Care Grave Garden if there is a failure to pay the annual maintenance fee."

[Bylaw 8587, December 4, 2017]

10.3 In-ground Flower Vases

- a) All in-ground vases must be purchased from the City and fees paid as specified in Schedule "A".
- b) In-ground vases shall be permitted in all areas of the Cemetery excluding the Veteran Section.
- c) A maximum of two in-ground vases shall be allowed and set in each lot.
- d) In-ground vases shall be installed flush to the ground by the caretaker.

[Bylaw 8349, June 16, 2014]

10.4 Adornment Restrictions

- a) Items such as candles, lanterns, solar lamps, glass vases, picture frames, toys and glass, ceramic or metal objects of any kind shall not be left to adorn any lot in the Cemetery.
- b) The burning of incense, candles or other flammable products is strictly prohibited within the Cemetery grounds. *[Bylaw 8349, June 16, 2014]*
- c) A person must not place, install, construct, or plant anything in or on a lot, alter a lot or remove anything from a lot, unless permitted in this Bylaw.
- d) No ground lot shall be defined by a fence, railing, coping, hedge, netting, loose rock or by any other marking except as permitted in the memorial provisions of this Bylaw.
- e) No person, other than the caretaker, shall plant, place, remove, cut down or destroy any tree, shrub, plant, flower, bulb, rocks or decorative feature within the Cemetery unless permitted in this Bylaw.
- f) No item shall be taped, glued or attached in any way to the columbaria. Items will be removed by Cemetery staff immediately. The columbaria remain the property of the City of North Vancouver and such actions will be considered vandalism of City property. *[Bylaw 8587, December 4, 2017]*
- g) Flowers or any other items shall not be placed on the top or at the base of columbaria. *[Bylaw 8587, December 4, 2017]*

10.5 Removal of Adornments and Other Personal Property

- a) The City has no responsibility for any lot adornment or for maintenance or preservation of any adornment.
- b) The caretaker may remove from any lot or from the Cemetery any adornment or other personal property that is detrimental to the operation or maintenance of the Cemetery,

constitutes a hazard to visitors, employees or machinery, is unsightly or abandoned, is inconsistent with the dignity of the Cemetery or general community standards or is placed in violation of this Bylaw. *[Bylaw 8263, October 22, 2012]*

- c) The caretaker has no obligation to give notice to any person that they have removed adornments or other personal property from the Cemetery, and the caretaker may destroy any perishable adornments or other personal property so removed.

PART 11 – CEMETERY REGULATIONS

11.1 Public Hours

- a) The Cemetery is open to the public daily. A caretaker is onsite from 8 am – 4 pm daily excluding statutory holidays. Visitors are welcome during the following hours:
 - September 7 to April 7 from 8 am – 4 pm
 - April 8 to September 6 from 8 am – 8 pm
- b) The Cemetery entrance gates are locked at closing times. Visitors are responsible for removing their vehicles from the Cemetery before closing.
- c) Any person found in the Cemetery outside of visiting hours without the special permission from the City, shall be guilty of an infraction of this Bylaw and subject to the penalties.

[Bylaw 8446, December 7, 2015]

11.2 Behaviour in Cemetery

- a) Every person, including those in funeral processions, when entering and while within the Cemetery, shall obey the instructions of the caretaker. Any person not behaving with proper decorum within the Cemetery or who disturbs the peace, quiet and good order of the Cemetery may be evicted by the caretaker, and in addition, shall be guilty of an infraction of this Bylaw.
- b) No person shall throw, deposit, or leave any rubbish, garbage, excrement, or other offensive matter.
- c) No person shall disturb the proceedings at a grave side service or gathering. *[Bylaw 8587, December 4, 2017]*
- d) No person shall discharge any firearm within the Cemetery, except at Military Funerals where the discharge of firearms is permitted only in regular volleys, under the command of the officer in charge, and only during the conduct of the burial service.
- e) No person shall damage, destroy or deface any lot, memorial, fence, vegetation, gate or any structure in the Cemetery or injure or destroy any Cemetery improvements.
- f) No person shall scatter or otherwise dispose of human remains or cremated remains within the boundaries of the Cemetery except in accordance with this Bylaw. *[Bylaw 8587, December 4, 2017]*

11.3 Motor Vehicle Regulations

- a) No person shall enter the Cemetery in a vehicle outside of Cemetery visiting hours, or drive a vehicle in the Cemetery at any time at a speed of more than 10 km per hour. All operators of vehicles shall at all times obey the directions and orders of the caretaker.
- b) No automobile or vehicles, with the exception of cemetery operation and maintenance vehicles, shall operate anywhere but on roads or other areas designated for the use of motor vehicles;
- c) Owners of automobiles will be held responsible for any damage done by them or their servants or agents in violation of the provisions of this Bylaw.
- d) Vehicles left after hours in the Cemetery may be retrieved the following day. *[Bylaw 8349, June 16, 2014]*

11.4 Solicitations and Advertisements

No person shall solicit orders for goods or services within the Cemetery or advertise within the Cemetery.

11.5 General Public Use of Cemetery

- a) The public may walk throughout the Cemetery during visiting hours.
- b) Only dogs on leash will be admitted within the Cemetery. Dogs and horses must be kept on the roadway. They are not allowed on the turf areas of the Cemetery. *[Bylaw 8721, December 9, 2019]*
- c) No person without first obtaining permission from the City shall make use of the Cemetery for any purpose other than that clearly established by this Bylaw.
- d) Any person receiving such permission shall, at all times, comply with the conditions thereby imposed, and the applicable provisions of this Bylaw; and shall be required to provide a Comprehensive General Liability Insurance Certificate which will indemnify and save the City harmless from and against any and all claims, demands, suits or compensations of whatsoever kind arising directly or indirectly out of the permission thereby granted.
- e) No person shall play at any game or sport within the Cemetery.

11.6 Enforcement

This Bylaw and its provisions shall be enforced by all persons designated as a Bylaw Enforcement Officer by the City of North Vancouver.

PART 12 – PENALTY FOR INFRACTIONS

- a) An individual who violates any of the provisions of this Bylaw, or who consents, allows or permits any act or thing to be done or who neglects or omits to do anything required to be done pursuant to a provision of this Bylaw is guilty of an offense and shall be liable on summary conviction to a fine of not less than One Hundred Dollars (\$100.00) and not more than Two Thousand Five Hundred Dollars (\$2,500.00). A corporation that violates any provision of this Bylaw is liable to a fine of not more than One Hundred Thousand Dollars \$100,000.

PART 13 – SEVERABILITY

If any Part, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

PART 14 – REPEAL OF BYLAW

“Cemetery Bylaw, 2005, No. 7667”, and all amendments thereto, are hereby repealed.

PART 15 – FORCE AND EFFECT

This Bylaw is to come into force and take effect on the date of its enactment.

READ a first time by the Council on the 4th day of April, 2011.

READ a second time by the Council on the 4th day of April, 2011.

READ a third time and passed by the Council on the 4th day of April, 2011.

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk and sealed with the Corporate Seal on the 9th day of May, 2011.

“Darrell R. Mussatto”

MAYOR

“Robyn G. Anderson”

CITY CLERK

NORTH VANCOUVER CEMETERY
Schedule A – North Vancouver Cemetery Fees
North Vancouver Cemetery Bylaw, 2011, No. 8109,
Amendment Bylaw, 2019, No. 8721 – Effective January 1, 2020

City of North Vancouver
141 West 14th Street
North Vancouver, BC V7M 1H9

T 604 983 7351
F 604 985 9417
cemetery@cnv.org

In-ground Interments Resident Fees	Lot	Care Fund	Right of Interment	Preparation / Placement	Liner	Total
Adult Casket-Single Depth	(\$3,600 + \$2,000)	=	\$5,600	\$1,600	\$700	\$7,900
Adult Casket-Single Depth Crypt	(\$4,400 + \$2,000)	=	\$6,400	\$1,600		\$8,000
Adult Casket-Double Depth Crypt ◆ 1 st Casket at Lower Level	(\$6,200 + \$2,500)	=	\$8,700	\$1,600		\$10,300
Adult Casket-Double Depth Crypt ◆ 2 nd Casket at Upper Level		\$800		\$1,600		\$2,400
Infant/Child Casket (0-12 years)	(\$1,040 + \$1,000)	=	\$2,040	\$860		\$2,900
Cremation Lot with 1 st Interment	(\$2,000 + \$950)	=	\$2,950	\$350		\$3,300
Cremated Remains in Occupied Lot		\$500		\$350		\$850

In-ground Interments Non-resident Fees	Lot	Care Fund	Right of Interment	Preparation / Placement	Liner	Total
Adult Casket-Single Depth	(\$6,700 + \$4,000)	=	\$10,700	\$1,600	\$700	\$13,000
Adult Casket-Single Depth Crypt	(\$7,600 + \$4,000)	=	\$11,600	\$1,600		\$13,200
Adult Casket-Double Depth Crypt ◆ 1 st Casket at Lower Level	(\$11,600 + \$5,000)	=	\$16,600	\$1,600		\$18,200
Adult Casket-Double Depth Crypt ◆ 2 nd Casket at Upper Level		\$800		\$1,600		\$2,400
Infant/Child Casket (0-12 years)	(\$2,080 + \$2,000)	=	\$4,080	\$860		\$4,940
Cremation Lot with 1 st Interment	(\$3,200 + \$1,800)	=	\$5,000	\$350		\$5,350
Cremated Remains in Occupied Lot		\$500		\$350		\$850

Columbarium Niche Resident Fees	Lot	Care Fund	Right of Interment	Preparation / Placement	Total
Niche with 1 st Interment (top 2 rows)	(\$2,200 + \$1,000)	=	\$3,200	\$250	\$3,450
Niche with 1 st Interment (mid 2 rows)	(\$1,600 + \$1,000)	=	\$2,600	\$250	\$2,850
Niche with 1 st Interment (bottom row)	(\$1,100 + \$1,000)	=	\$2,100	\$250	\$2,350
2 nd Interment in niche		\$200		\$250	\$450

NORTH VANCOUVER CEMETERY
Schedule A – North Vancouver Cemetery Fees
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Columbarium Niche Non-resident Fees	Lot	Care Fund	Right of Interment	Preparation / Placement	Total
Niche with 1 st Interment (top 2 rows)	(\$2,860 + \$1,300)	=	\$4,160	\$250	\$4,410
Niche with 1 st Interment (mid 2 rows)	(\$2,080 + \$1,300)	=	\$3,380	\$250	\$3,630
Niche with 1 st Interment (bottom row)	(\$1,430 + \$1,300)	=	\$2,730	\$250	\$2,980
2 nd Interment in niche		\$200		\$250	\$450

Memorial Fees	Care Fund	Permit	Total
Memorial Permit	\$100	\$120	\$220
Memorial Resetting		\$120	\$120
City Concrete Foundation			\$800
Memorial Tablet Levelling			\$150

Lot Adornment Fees	Total
Installation of Small Family Care Garden 36" x 16"	\$240
Installation of Medium Family Care Garden 36" x 32"	\$360
Installation of Large Family Care Garden 36" x 48"	\$480
Installation of City Care Garden 36" x 16"	\$240
Annual City Care Garden Planting & Maintenance	\$590
In-ground Vase (includes installation)	\$90

NORTH VANCOUVER CEMETERY
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Disinterment & Exhumation Fees	Total
Adult Casket-Single Depth	\$2,100
Adult Casket-Lower Level of Double Depth Lot	\$2,600
Infant/Child Casket	\$1,200
Cremated Remains (in-ground)	\$450
Cremated Remains (in-ground) with re-interment	\$620
Cremated Remains (niche)	\$220
Additional Fees	Total
A surcharge is applicable for interments on weekends and after regular interment hours on weekdays. See 6.2 of this Bylaw.	
After Hours Surcharge for Adult Casket Burial	\$1,600
After Hours Surcharge for Infant/child Casket Burial	\$520
After Hours Surcharge for In-ground Cremation Interment	\$300
After Hours Surcharge for Niche Interment	\$200
Cremation Urn Vault – Single	\$100
Administration Fee	\$75
Lot Surrender Refund For Lots Purchased on or before June 18, 2006	Total
See 'Cancellation of Right of Interment' for complete details.	
Adult Single Depth Lot	\$1,163
Adult Double Depth Lot	\$1,845
Infant/Child Lot	\$608
Cremation Lot	\$405
Niche in Upper Two Rows	\$1,200
Niche in Lower Two Rows	\$885

NORTH VANCOUVER CEMETERY

Schedule A – North Vancouver Cemetery Fees

North Vancouver Cemetery Bylaw, 2011, No. 8109,
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RESIDENT refers to the residency of the deceased person or person for whom the lot is being purchased. Proof of residence shall be produced to the satisfaction of the City at the time of purchase.

Resident means a person who was:

- a) A registered owner of a property in the City or District of North Vancouver for a minimum of twelve (12) months immediately preceding the date of death, or
- b) A tenant or occupier of real property within the City or District of North Vancouver for a minimum of twelve (12) months immediately preceding the date of death.

NON-RESIDENT refers to a person who does not qualify as a resident.

CANCELLATION OF RIGHT OF INTERMENT

The right holder must give written notice to the City for intent to cancel the right of interment for an unoccupied lot. The person requesting the refund is required to produce the original license or right of interment and proof satisfactory to the City of their right to claim a refund. A right of interment can only be surrendered back to the City. It cannot be sold privately. No refund shall be made for the right of interment for a columbaria niche where the niche door has been engraved.

If the purchaser cancels the right of interment within 30 days of entering into an interment right contract, they will be refunded the full amount paid less the cost of specially ordered goods or services rendered.

After 30 days from the date of entering into an interment right contract no refund shall be made of any care fund contribution collected. Fees associated with the removal of any memorial on the lot, must be paid before a refund is issued.

The refund is calculated as follows:

- a) If the lot was purchased on or before June 18, 2006:
The amount refunded will equal 75% of the fees set out in North Vancouver Cemetery Bylaw No. 7667 for the resident lot fee (lot license) and less the administration fee as specified in Schedule ‘A’ of North Vancouver Cemetery Bylaw, 2011, No. 8109, as amended from time to time.
- b) If the lot was purchased on or after June 19, 2006:
The amount refunded will equal the amount paid for the lot fee (lot license) less the administration fee as specified in Schedule ‘A’ of North Vancouver Cemetery Bylaw, 2011, No. 8109, as amended from time to time.

All fees shall be paid at the time of application and are subject to applicable taxes.

General Memorial Information

- a) Memorials may only be installed, removed or modified in the Cemetery after a memorial permit has been issued by the City. The memorial permit fee as specified in Schedule 'A' must be paid before the permit is issued.
- b) Before obtaining a memorial permit, the right holder or authorized representative, or a person authorized by the City shall submit complete details of the proposed memorial and obtain approval from the City.
- c) All memorials shall conform to the specifications set out in Schedule "B". The City may refuse to issue a memorial permit to the applicant if the applicant has failed to comply with the requirements of this Bylaw and Schedule "B".
- d) A permit for a memorial marker to be placed on an in-ground lot for a deceased person, who is not to be interred in the Cemetery, will be issued with the understanding that the memorial must indicate 'in memoriam' within the inscription. In memoriam inscriptions placed on a memorial marker count towards the total number of allowable interments in such lot. See Part 6.3 of this Bylaw.
- e) The City reserves the right to reject any memorial marker which, in their opinion, is not in keeping with the dignity of the Cemetery.
- f) The name of the deceased on the memorial marker must be in the English alphabet to ensure accurate record keeping by the City. The name of the deceased may be duplicated in a second language within the inscription.
- g) The memorial shall be placed on a lot in the location designated by the City.
- h) All memorial markers shall be constructed of granite or bronze. The use of marble is prohibited.
- i) The design and lettering on granite memorials must be level with the surface of the marker.
- j) The design and lettering on bronze memorials may be raised to a maximum of 0.5" above the surface of the concrete or granite support.
- k) The City shall not be liable for any damage done to any memorial marker or tablet during the course of setting the same, or for damage resulting from any person, other than City staff, having interfered with the memorial marker or tablet after it has been installed.
- l) The City shall not be held liable for, or be obliged to repair, any breakage or damage to any memorial in the Cemetery, except as shall arise as the result of the negligence of the caretaker.
- m) All memorials are the property of the purchaser and required care or repair is the responsibility of the purchaser.
- n) Installation of memorials shall occur during the Cemetery's hours of staff operation.

Columbaria Niche Door Engraving

- a) Columbaria niche door inscriptions must be approved by the City with the engraving carried out by a company authorized by the City. To ensure readability and aesthetics, the City adheres to a professional engraving standard.
- b) Niche door engraving for a deceased person who is not to be interred in the niche shall count towards the total number of allowable interments in the lot. The niche door inscription does not have to indicate 'in memoriam'.

Memorial Definitions

- a) **Tablet Memorial** means a flat rectangular granite or bronze memorial.
- b) **Pillow Memorial** means a slightly sloping memorial with a low profile. These memorials sit above the ground and are installed on a foundation.
- c) **Upright Memorial** means a memorial that sits upright above the ground. These memorials are installed on a foundation. They do not include pillow or tablet markers.
- d) **Die** means the upper portion of an upright memorial usually placed above the base.
- e) **Base** means the lowest portion of a memorial set on a foundation.
- f) **Foundation** means a concrete or granite slab, set at grade to support a memorial.
- g) **Height** means the dimension as measured from the top to the bottom of the memorial, die, or base as applicable.
- h) **Depth** means the dimension as measured from the front edge to the back edge of the memorial, die, or base, as applicable.
- i) **Width** means the dimension as measured from the left edge to the right edge of the memorial, die, or base, as applicable.

Memorials for Cremation Lots

Upright memorials are not permitted in this section.

All memorial tablets shall be set level and flush with the surface of the surrounding ground.

- a) Main tablet memorial - 8" x 12", 12" x 20" or 16" x 28" where lot size allows
- b) Secondary tablet memorial - 8" x 12", 12" x 20" or 16" x 28" where lot size allows
- c) Secondary tablet memorial shall not be larger than the main tablet memorial

Memorials for Infant/Child Lots

Upright memorials are not permitted in this section.

All memorial tablets shall be set level and flush with the surface of the surrounding ground.

- a) Main tablet memorial - 12" x 20" or 16" x 28"
- b) Secondary tablet memorial – 8" x 12", 12" x 20" or 16" x 28"
- c) Secondary tablet memorial shall not be larger than the main tablet memorial

Memorials for Veteran Section

Upright memorials are not permitted in this section. A lot in the Veteran Section may contain only one memorial for the member or veteran interred in the lot and it shall meet the requirements of the Commonwealth War Graves Commission or Veterans Affairs Canada. One additional 12" x 20" flat tablet memorial shall be allowed to commemorate all other interments in the lot.

Memorials for Adult Size Lots in the Heritage Section

Blocks 1 to 118 and Blocks A, B, C and D

Permits for new upright memorials will not be issued for the Heritage Section.

The replacement and/or restoration of existing damaged memorials in the Heritage Section shall be at the discretion of the City.

- a) Main memorial:
 - i. Tablet memorial - 12" x 20" or 16" x 28" set flush to the ground or on a foundation which allows for a minimum 2" border of exposed foundation; or
 - ii. Pillow memorial - 12" x 20" x 6/4" or 16" x 28" x 6/4" set on a foundation which allows for a minimum 2" border of exposed foundation; or

- iii. Tablet memorial – 18” x 30” centered between adjacent side by side lots set flush to the ground or on a foundation which allows for a minimum 2” border of exposed foundation; or
- iv. Pillow memorial - 18” x 30” x 6/4” centered between adjacent side by side lots and set on a foundation which allows for a minimum 2” border of exposed foundation.
- b) Secondary memorial shall be a tablet memorial – 8” x 12”, 12” x 20” or 16” x 28” set flush to the ground and shall not be larger than the main memorial.

Memorials for Adult Size Lots in Blocks 643 to 647 and Blocks 730 to 743

Upright memorials are not permitted in these areas.

All memorial tablets shall be set level and flush with the surface of the surrounding ground.

- a) Main tablet memorial - 12” x 20” or 16” x 28”; or
- b) Main tablet memorial centered between adjacent side by side lots - 18” x 30”.
- c) Secondary tablet memorial – 8” x 12”, 12” x 20” or 16” x 28” and shall not be larger than the main tablet memorial.

Memorials for Adult Size Lots (in areas not indicated above)

Upright memorials are permitted as the main marker in these sections.

- a) Main memorial:
 - i. Upright memorial to a maximum height of 36”; or
 - ii. Tablet memorial - 12” x 20” or 16” x 28” set flush to the ground or on a foundation which allows for a minimum 2” border of exposed foundation; or
 - iii. Pillow memorial - 12” x 20” x 6/4” or 16” x 28” x 6/4” set on a foundation which allows for a minimum 2” border of exposed foundation; or
 - iv. Tablet memorial – 18” x 30” centered between adjacent side by side lots set flush to the ground or on a foundation which allows for a minimum 2” border of exposed foundation; or
 - v. Pillow memorial - 18” x 30” x 6/4” centered between adjacent side by side lots and set on a foundation which allows for a minimum 2” border of exposed foundation.
- b) Secondary memorial shall be a tablet memorial – 8” x 12”, 12” x 20” or 16” x 28” set flush to the ground and shall not be larger than the main tablet memorial.

Tablet Memorial Specifications

- a) Granite tablet memorials shall have a minimum thickness of 3”.
- b) All tablet memorials shall have sides and edges cut true and perpendicular with the top surface.
- c) The tablet shall not be pinned or affixed in any way to a foundation.
- d) All bronze plaques shall be securely affixed to a concrete or granite support of a uniform thickness between 3” and 5”. The bronze plaque shall not extend beyond the edges of the support.
- e) Bronze memorials with loose plates shall only be used on adult size lots for the main memorial and will require a foundation. This type of memorial shall only be installed in areas where foundations are permitted.
- f) No person shall attach any fixture or other thing to any memorial installed flush with the ground.

Pillow Memorial Specifications

- a) The standard height of a granite pillow memorial is 6” at the back sloping to 4” at the front.
- b) These memorials sit above the ground and are installed on a foundation.
- c) The pillow shall not be pinned or affixed in any way to the foundation.
- d) No inscription or lettering shall be placed on the back or any side of a pillow marker.

Upright Memorial Specifications

- a) The maximum total allowable height is 36”.
- b) All upright memorials shall be placed on a foundation as specified and shall allow for a minimum 2” border of exposed foundation.
- c) The casket interment must precede the placement of an upright memorial.
- d) Only one upright memorial is permitted on any lot or portion thereof, and it must be placed at the head of the lot as designated by the City.
- e) Upright memorials may include the addition of a granite vase or statue. These pieces shall be affixed to the granite base and not extend beyond the edges of the base.
- f) A Base:
 - i. must be placed on a foundation;
 - ii. shall have sides and edges cut true and perpendicular with the top surface;
 - iii. must have rock pitch finished sides (excluding the top and bottom);
 - iv. must have a height that is between 3” and 8”; and
 - v. must allow for a minimum 2” border of exposed foundation.
- g) A Die:
 - i. must have a minimum depth of 6” at the bottom;
 - ii. must be of a single piece;
 - iii. must not exceed the width and depth dimensions of the base; and
 - iv. must be securely attached to a base or foundation to the satisfaction of the City.

Memorial Foundation Specifications

- a) Shall support a maximum total memorial height of 36”
- b) Shall only be installed after the ground has had sufficient time to settle
- c) Shall have sides and edges cut true and perpendicular with the top surface
- d) Shall have a minimum 3” thickness
- e) A City Installed Concrete Foundation:
 - i. shall be 28” x 48”; and
 - ii. the location and elevation of the concrete foundation will be at the City’s discretion.
- f) A Granite Foundation:
 - i. Shall be installed by the memorial company;
 - ii. Shall have a maximum width of 48” and maximum depth of 28”; and
 - iii. Shall be installed flush to the surrounding ground.
- g) A Pre-Cast Concrete Foundation:
 - i. shall be installed by a memorial company;
 - ii. shall support a maximum total memorial height of 20”;
 - iii. depth shall be between 16” and 22”;
 - iv. width shall be between 24” and 36”;
 - v. shall be installed flush to the surrounding ground; and
 - vi. shall not have a tablet marker or pillow marker pinned or affixed to it.