

CITY OF SURREY
BYLAW NO. 19452

A bylaw to amend the provisions of "City of Surrey Cemetery Management
By-law No. 16174"

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The Council of the City of Surrey ENACTS AS FOLLOWS:

1. "City of Surrey Cemetery Management By-law No. 16174", as amended, is hereby further amended as follows:
 - a. DEFINITIONS, is amended as follows:
 - i. Section 2. under "DEFINITIONS" is amended by deleting the quotation (") immediately after the word "Act" and by replacing the word "by-law" with the word "By-law".
 - ii. In the definition of "ADMINISTRATION FEE", capitalize the word "fees".
 - iii. Insert a new definition of "BURIAL CASKET" immediately after the definition of "Applicant" with the following:

"BURIAL CASKET means a container to enclose Human Remains for Interment that:

 - a) has a rigid base and sides and is of sufficient strength to contain and move Human Remains;
 - b) is capable of being closed so that the public is not able to see the Human Remains; and
 - c) is constructed so that it does not leak or otherwise cause a hazard to any person's health."
 - iv. Delete the definition of "BURIAL VAULT" in its entirety and replace it with the following:

"BURIAL VAULT means an outer receptacle with a lid into which a burial container is placed, and which may or may not have a bottom."

- v. Delete the definition of "CHILD" in its entirety and replace it with the following:

"CHILD means a person between two (2) years of age and twelve (12) years of age."

- vi. Delete the definition of "CIFSA" in its entirety and replace it with the following:

"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and Funeral Services Act, S.B.C. 2004, c.35* administered by the Administrative Authority, as may be amended or superseded from time to time and all regulations made thereunder."

- vii. In the definition of "COLUMBARIUM", delete the word "Inurnment" and replace it with the word "Interment".

- viii. Delete the definition of "CREMATION LINER" in its entirety and replace it with a new definition of "CREMATION VAULT" as follows:

"CREMATION VAULT means a receptacle made of durable material placed in a ground cremation/burial Lot to encase an Urn, or Urns, holding Cremated Remains. A Cremation Vault has a lid and is placed in the ground during the Interment process."

- ix. Delete the definition of "DISINTERMENT" in its entirety and replace it with the following:

"DISINTERMENT means the removal of Human Remains/Cremated Remains, along with the Burial Casket or container, or any remaining portion of the Burial Casket or container holding the Human Remains/Cremated Remains, from the Lot in which the Human Remains/Cremated Remains had been interred."

- x. Insert a new definition "DOUBLE-DEPTH LOT" immediately after the definition of "DISINTERMENT" as follows:

"DOUBLE-DEPTH LOT means a Lot approved by the Administrative Authority for the interment of two Burial Caskets, one on top of the other. The first Burial Casket in the Lot will be interred at double the standard depth below ground."

xi. In the definition of "FAMILY ESTATE COLUMBARIUM", insert a comma "," immediately after the word "monument".

xii. Delete the definition of "FAMILY MEMBER" in its entirety and replace it with the following:

"FAMILY MEMBER means a parent or step-parent, a grandparent or step-grandparent, a sibling (natural, adopted or step), a Spouse, a Child (natural, adopted or step) or a grandchild (natural, adopted or step).".

xiii. In the definition of "FEES" capitalize the word "fees".

xiv. Insert a new definition of "FUNERAL DIRECTOR" immediately after the definition of "FEES" as follows:

"FUNERAL DIRECTOR means an individual licensed in BC that is qualified to:

- a) arrange, conduct or direct bereavement rites and ceremonies;
- b) arrange for the Interment or cremation of Human Remains;
- c) arrange, direct or supervise the transfer of Human Remains."

xv. Delete the definition of "FUNERAL PROVIDER" in its entirety and replace it with the following:

"FUNERAL PROVIDER means a person licensed to arrange, conduct or direct funerals or the transfer or disposition of Human Remains or Cremated Remains, or to arrange burials."

xvi. Delete the definition of "GRAVE LINER" in its entirety.

xvii. In the definition of "HOLIDAY" insert the words "Family Day," immediately after the words "New Year's Day,".

xviii. Insert a new definition "INFANT" immediately after the definition of "HUMAN REMAINS" as follows:

"INFANT means a person up to and including one (1) year of age."

- xix. Delete the definition of "INTERMENT" in its entirety and replace it with the following:

"INTERMENT means the disposition by:

- a) burial of Human Remains or Cremated Remains in a Lot;
- b) inurnment of Cremated Remains in a Columbarium; or
- c) placement of Cremated Remains in a Scattering garden or Ossuary."

- xx. Delete the definition of "INURNMENT" in its entirety.

- xxi. Delete the definition of "LOT" in its entirety and replace it with the following:

"LOT means a discrete space used, or intended to be used in a Cemetery, for the Interment of Human Remains or Cremated Remains under a Right of Interment and includes a grave or Niche."

- xxii. Delete the definition of "MEMORIAL" in its entirety and replace it with the following:

"MEMORIAL means a structure installed at the Cemetery to identify and commemorate a deceased person that may, or may not, be interred at the Cemetery. This includes, but is not limited to, markers, tablets, monuments, including upright monuments, pillows and plaques, or any other products that may be approved for memorialization by the Administrator."

- xxiii. Insert a new definition of "MEMORIAL PERMIT" immediately after the definition of "MEMORIAL" as follows:

"MEMORIAL PERMIT means a document issued by the Administrator authorizing the installation of a Memorial in a Cemetery."

- xxiv. In the definition of "NICHE", delete the word "Inurnment" and replace it with the word "Interment".

- xxv. In the definition of "RIGHT OF INTERMENT", capitalize the word "fees".

- xxvi. Delete the definition of "URN" in its entirety and replace it with the following:

"URN means any permanent receptacle used for the encasement of Cremated Remains."

- b. APPLICATION OF BY-LAW is amended as follows:

- i. In Section 3, capitalize the word "fees".
- ii. In Section 4, delete the properties under "Surrey Centre Cemetery" in its entirety and replace with the following:

"PID: 013-224-590, Parcel 'A' (explanatory Plan 5618), south east quarter Section 12, Township 2, New Westminster District, and PID: 030-083-842, Lot 1 Section 12, Township 2 New Westminster District Plan EPP69865".

- iii. In Section 5, delete the words "time to time" and replace it with the words "time-to-time".

- c. ADMINISTRATION OF BY-LAW is amended as follows:

- i. In Section 6, add the word "and" immediately after the word "Authority".

- d. RIGHT OF INTERMENT is amended as follows:

- i. In Section 7, capitalize the word "fees".
- ii. Section 9 is deleted in its entirety and replaced with the following:

"9. A Right of Interment for any unused Lots may be transferred to a Family Member at the discretion of the Administrator. The Interment Right Holder or executor must supply this request in writing and the original Right of Interment must be surrendered to the City. Fees payable to the City associated with a Right of Interment transfer shall include an Administration Fee."

- iii. Section 10 is deleted in its entirety and replaced with the following:
 - "10. An Interment Right Holder shall either reserve the right to use that Lot for themselves or authorize another Family Member to be interred in the Lot to which the Right of Interment refers. An Interment Right Holder may only designate one Lot for their own use."
 - iv. In sub-section 11.b delete the words "or his executor" and replace the words with ", or the individual with Control of Disposition,".
 - v. Sub-section 11.e is deleted in its entirety and replaced with the following:
 - "e. any cost associated with the removal of any Memorial that is on, or embracing the surrendered Lot, is reimbursed to the City."
 - vi. Append the following sentence to Section 11 immediately after sub-section 11.e:

"Where the surrender occurs within 30 days of purchase, 100% of the Fees paid for the Right of Interment will be refunded."
 - vii. Section 12 is deleted in its entirety and replaced with the following:
 - "12. The City may, by agreement with a society, church or other organization, and upon payment of the agreed upon Fees, reserve Lots in a Cemetery to be used exclusively for the Interment of deceased members of the society, church or other organization concerned. Upon such an agreement being made, no person shall be interred in the reserved Lots without the written authorization of the society, church or other organization."
 - viii. In Section 13, delete the word "a" in front of the phrase "Right of Interment" and insert the words "an unused".
- e. INTERMENTS is amended as follows:
- i. In Section 17, delete the word "casket" and replace it with the words "Burial Casket".
 - ii. In Section 18, delete the word "observed" and capitalize the word "holidays".

- iii. In Section 19, insert the words "Human Remains and" immediately after the words "The Interment of".
- iv. In Section 20, delete the capital "C." in front of "179" and replace it with a lower case "c." and delete the word "casket" and replace it with the words "Burial Casket".
- v. Section 21 is deleted in its entirety and replaced with the following:

"21. The following apply to all in-ground Interments:

- a. A Burial Vault is required for each in-ground burial Interment.
- b. A Cremation Vault is required for each in-ground cremation Interment.
- c. All Cremated Remains must be interred in a closed container constructed of permanent, durable material approved by the Administrator.
- d. The Administrator may allow for the Interment of up to six (6) Cremated Remains of Family Members on any full-size burial Lot provided there is approval from the Interment Right Holder of said Lot.
- e. No Interment of a Burial Casket is permitted in a Lot after Cremated Remains have been interred in that Lot. Cremated Remains placed on a full-size burial Lot are not Co-mingled.
- f. Each cremation Lot may hold up to two (2) Cremated Remains.
- g. The Administrator must supply permission for the purchase of any Burial Vault from a source other than the City, with permission from the City based on the item's size, design, material and construction. The installation of Burial Vaults will be subject to a handling Fee and must be paid in full prior to installation. The Administrator may request that Burial Vaults be installed by their supplier, under the supervision of the Caretaker, with the installation being at the Applicant's expense.
- h. Any charges incurred by the Cemetery above and beyond the standard scope of services in the handling of Burial Vaults not supplied by the City will be charged to the Applicant and paid prior to Interment.

- i. The Burial Casket for a Child Interment must be smaller in dimension than the standard Child Lot size of 4 feet by 4 feet otherwise an Adult Lot must be utilized for such interment. A Child may be interred in either a Child Lot or an Adult Lot.
 - j. The Burial Casket for an Infant Interment must be smaller in dimension than the standard Infant Lot size of 2 feet by 3 feet otherwise a Child Lot or Adult Lot must be utilized for such interment. An Infant may be interred in an Infant Lot, a Child Lot or an Adult Lot.
 - k. The Burial Casket for a stillborn Interment must be smaller in dimension than the standard stillborn Lot of 2 feet by 2 feet."
- vi. In Section 22, delete the word "sealed" and replace it with the word "closed" and delete the words "or Urn".
- vii. In Sub-section 25.a, delete the words "In-Ground casket burial" and replace it with the words "Interment of a Burial Casket".
- viii. In Sub-section 25.c, delete the word "Statutory".
- ix. In Section 27, insert the words ", or Family Member," immediately after the phrase "Spouse of a Veteran".
- f. EXHUMATIONS AND DISINTERMENTS is amended as follows:
 - i. In Sub-section 28.b, insert the words "or Disinterment" immediately after the word "Exhumation".
 - ii. In Section 29, delete the word "casket" and replace it with the words "Burial Casket".
- g. MEMORIALS is amended as follows:
 - i. In Section 32, insert a new sub-section "b" with the following and re-letter sub-sections "b and c" with "c and d":
 - "b. Memorial Permit has been issued by the Administrator confirming that the Memorial conforms to the specifications outlined in this By-law;"
 - ii. In Sub-section 32.d, capitalize the word "fees".
 - iii. In Section 33, delete the words "Schedule "A"" and replace it with the words "Schedules "A" and "B" of this By-law".

- iv. In Section 34, delete the words "as soon as possible" and replace it with the words "within 10 business days".
- v. Section 36 is deleted in its entirety and replaced with the following:
 - "36. The Interment Right Holder, or the deceased's descendants, is required to keep in proper repair, at their expense and to the satisfaction of the City, all Memorials upon their Lot. Should any Memorial erected in the Cemetery fall into a state of disrepair, then the Administrator will document the condition and have the Memorial or Lot adornment removed from the Cemetery, in each case at the expense of the Lot holder or their successors. All costs associated with the repairs will be borne by the Interment Right Holder or authorized representative."
- vi. Section 37 is deleted in its entirety and replaced with the following:
 - "37. Ground Interment Memorials, including those for cremation Lots, shall be installed flush with the ground except for Memorials installed in those sections of the Cemetery that are designated in the approved plan of the Cemetery for upright Memorials. All upright Memorials are subject to the following provisions:
 - a. All upright Memorials will be installed on a granite base as specified in Schedule "B" of this By-law;
 - b. Upright Memorials will not be permitted for second or additional Interments of Cremated Remains on a full-size burial Lot;
 - c. If an upright Memorial is approved for installation on a full-size burial Lot then such installation, including installation of the required Memorial base, must occur before the Interment of any Cremated Remains on the burial Lot."
- vii. Section 38 is deleted in its entirety and replaced with the following:
 - "38. Six (6) additional single flat cremation Memorials, or three (3) double flat cremation Memorials may be installed on any full-size burial Lot where additional Cremated Remains have been interred on such Lot."
- viii. In Section 39, delete the word "permit" in the first occurrence and replace it with the words "Memorial Permit".

- ix. Section 40 is deleted in its entirety and replaced with the following:
 - "40. The finished dimensions of a granite Memorial, or a bronze Memorial attached to a granite base, shall be in accordance with Schedules "A" and "B" of this By-law. Concrete bases are not permitted."
- x. Section 41 is deleted in its entirety and replaced with the following:
 - "41. Cremation Memorials include any bronze plaque for use on a Columbarium, Memorial board or Memorial pillow but do not include Memorials for in-ground cremation Interments, which are considered ground Interment Memorials."
- xi. In Section 43, insert the word ", remade" immediately after the word "removed".
- xii. Section 44 is deleted in its entirety and replaced with the following:
 - "44. A Family Estate Columbarium, upon request, may be supplied and installed by the City to conform to the approved design and specifications of the applicable section of the Cemetery. The Family Estate Columbarium will accommodate a maximum of eight (8) sets of Cremated Remains."
- h. GENERAL PROVISIONS AND REGULATIONS is amended as follows:
 - i. In Section 52, capitalize the word "lots" after the words "Fencing around".
- i. PENALTY FOR INFRACTIONS is amended as follows:
 - i. In Section 63, capitalize the word "by-law" immediately after the words "imposed by this".
- j. COMMENCEMENT AND TRANSITIONAL PROVISIONS is amended as follows:
 - i. In Section 64, capitalize the word "by-law".
 - ii. In Section 65, capitalize the word "fees".

- k. SCHEDULE "A" – FLAT MEMORIALS is amended as follows:
 - i. In Section 1 delete the words "an acceptable ground burial or ground cremation burial granite" and replace it with the words "a flat-ground Interment".
 - ii. Sub-section 2.b is amended by inserting the words "at least" immediately after the words "a border of".
 - iii. Delete Sub-section 5 in its entirety.
 - l. Insert a new SCHEDULE "B" as attached hereto and forming part of this bylaw.
2. This Bylaw shall be cited for all purposes as "City of Surrey Cemetery Management Bylaw, 2007, No. 16174, Amendment Bylaw, 2017, No. 19452".

PASSED FIRST READING on the 20th day of November, 2017.

PASSED SECOND READING on the 20th day of November, 2017.

PASSED THIRD READING on the 20th day of November, 2017.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 4th day of December, 2017.



MAYOR



CLERK



SCHEDULE “B” – UPRIGHT MEMORIALS

1. The finished dimensions of an upright ground Interment Memorial shall be:

	Burial Single Lot Memorial	Burial Single Lot Base	Burial Double Lot Memorial (side by side burial lots)	Burial Double Lot Base (side by side burial lots)
Width Minimum	16" (40.64 cm)	24" (60.96 cm)	30" (76.2 cm)	36" (91.44 cm)
Width Maximum	30" (76.2 cm)	36" (91.44 cm)	58" (147.32 cm)	64" (162.56 cm)
Height Minimum	42"(106.68 cm)	6" (15.24 cm)	42" (106.68 cm)	6" (15.24 cm)
Height Maximum	40" (101.6 cm)	8" (20.32 cm)	40" (101.6 cm)	8" (20.32 cm)
Thickness Minimum	4" (10.16 cm)	10" (25.4 cm)	6" (15.24)	12" (30.48 cm)
Thickness Maximum	8" (20.32 cm)	14" (35.56 cm)	8" (20.32 cm)	14" (35.56 cm)

2. Only one (1) Memorial may be installed on a Lot, and the Memorial shall be installed only in the space designated for a Memorial on the Lot selected.
3. The bottom of the granite base for a Memorial shall be smooth sawn and unpolished.
4. The base must be wider and longer than the Memorial in order to provide a minimum border of 3".
5. Attachment of a Memorial to its base shall be with dowel pins and/or an adhesive epoxy compound approved by the City.
6. Secured granite vases are permitted on top of the Memorial base.