

Fees & Charges from City of Nanaimo 2009 Bylaw 7084 Schedule A
Please select the appropriate column

Plot:	Full Plot		Half Plot		Cremation Plot		City Use
	City Resident	Non Resident	City Resident	Non Resident	City Resident	Non Resident	
Right of Interment	\$ 800.00	\$ 950.00	\$ 500.00	\$ 620.00	\$ 500.00	\$ 620.00	*145200-3127*
Care Fund	(\$ 320.00)	(\$ 420.00)	(\$ 250.00)	(\$ 290.00)	(\$ 250.00)	(\$ 290.00)	*282225-3197*
Care Fund	\$ 320.00	\$ 420.00	\$ 250.00	\$ 290.00	\$ 250.00	\$ 290.00	*193400-8250*
Subtotal Plot Costs:	\$ 800.00	\$ 950.00	\$ 500.00	\$ 620.00	\$ 500.00	\$ 620.00	
Preparation & Placement	Full Plot		Half Plot		Cremated Remains		
Opening & Closing	\$700.00		\$330.00		\$330.00		*145100-3133*
Care Fund	(\$ 50.00)		(\$ 30.00)		(\$ 30.00)		*282225-3197*
Care Fund	\$50.00		\$30.00		\$30.00		*193400-8250*
Total Preparation & Placement	\$700.00		\$330.00		\$330.00		
Liner:							
Install & Supply	\$550.00		\$125.00		\$100.00		
Oversize Liner	\$100.00		\$100.00		n/a		
Outside Source	\$200.00		\$200.00		\$50.00		
Total Liner:	\$850.00		\$425.00		\$150.00		*145100-3133*
Disinterment:							
Disinterment	\$800.00		\$400.00		\$300.00		*145100-3133*
Care Fund	(\$ 80.00)		(\$ 40.00)		(\$ 30.00)		*282225-3197*
Care Fund	\$80.00		\$40.00		\$30.00		*193400-8250*
Total Disinterment	\$800.00		\$400.00		\$300.00		
Additional Charges:							
Double Depth Burial	\$300.00		\$300.00		n/a		*145100-3133*
Care Fund	(\$ 30.00)		(\$ 30.00)		n/a		*282225-3197*
Care Fund	\$30.00		\$30.00		n/a		*193400-8250*
Saturday/Holiday Additional Charge	\$500.00		\$500.00		\$500.00		*145100-3133*
Late Arrival \$75.00 for every half hour	\$ _____		\$ _____		\$ _____		*145100-3133*
Total Additional Charges	\$ _____		\$ _____		\$ _____		
GST #R106930332	\$ _____		\$ _____		\$ _____		*421500-0010*
TOTAL	\$ _____		\$ _____		\$ _____		

THE CREMATION, INTERMENT AND FUNERAL SERVICES ACT



(excerpts);

CONTROL OF DISPOSITION – Section 5

- (1) The right of a person to control the disposition of the human remains or cremated remains vests 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 a legal guardian of the person of the deceased at the date of 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.

WRITTEN AUTHORIZATION – Section 8

- (3) An operator of a cemetery, mausoleum and crematorium must not dispose of human remains unless
 - (a) the operator is authorized to do so under the Vital Statistics Act, and
 - (b) the operator
 - (i) is ordered to do so by a medical health officer under the Health Act, or
 - (ii) has received the authorization from the person who, under section 5, has the right to control the disposition of the human remains.

PROTECTION FROM LIABILITY – Section 9

- If
- (a) there is an error or omission in an authorization provided under section 8 to an operator or a funeral provider, or
 - (b) the person who signed an authorization provided under section did not have the authority to give the directions set out in the authorization,
- the operator or funeral provider is not liable for acting on the authorization unless the operator or funeral provider knew, or ought to have known, that the facts stated in the authorization were not true or the person giving the authorization did not have the authority to do so.

DEFINITION OF SPOUSE

"spouse" means a person who

- (a) is married to another person,
- (b) is united to another person by a marriage that, although not a legal marriage, is valid at common law, or
- (c) has lived and cohabited with another person in a marriage-like relationship, including a marriage-like relationship between persons of the same gender, for a period of at least 2 years immediately before the other person's death;

RECLAMATION OF RIGHT OF INTERMENT PREVIOUSLY SOLD

The City of Nanaimo reserves the right to claim the interment rights for an unused plot where such reclamation shall be carried out in compliance with and subject to the reclamation requirements set out in Section 25 of the *Cremation, Interment, and Funeral Services Regulation of BC* as follows:

With prior approval of the director, an operator may sell a right of interment for a lot in a place of interment where the right of interment for the lot has been sold previously, but only if

- (a) the owner of the right of interment is at least 90 years of age or, if living, would be at least 90 years of age,
- (b) a period of at least 50 years has elapsed from the date the prior right of interment was sold,
- (c) at least 90 days have passed since the date the operator sent a notice of the operator's intention to resell the right of interment to the last known address of the interment right holder and the operator has not received a response from the interment right holder, and
- (d) the operator has made diligent attempts to contact the interment right holder but is not able to locate or contact the interment right holder.

Cemetery Management Bylaw 2009 No. 7084

The use of any lot, exercise of interment rights, installation of any memorial, visitation of any memorial site and performance of all services is subject to the bylaws, rules and regulations of the City of Nanaimo as may be currently in effect or from time-to-time amended.

City of Nanaimo, Cemetery Services Information Policy

The Cemetery collects and uses personal information solely for the purpose of providing client families with the products and services they request and, as required by law, to retain a permanent record of every interment within the City operated cemeteries, and is subject to Privacy Legislation and Cemetery policy.

Staff will be pleased to provide you with the location of a burial site. Staff are prohibited from providing any other personal information about deceased persons interred, or Rights Holders, at the City Cemeteries.

Terms of Payment

All licences issued and services rendered by the City under these conditions shall be subject to payment at the regular rates set out in Bylaw 7084 Schedule "A" prior to date of interment.

The City of Nanaimo will refund the original license fee paid less the Perpetual Reserve Care Fund fees and less the transfer fee as prescribed in the City of Nanaimo Cemetery Bylaw No. 7084. Charges for Preparation and Placement will be levied in accordance with the bylaw active at the time of interment.