

## Big Lake Community Association

### Bylaws Governing the Operation of the Big Lake Cemetery

May 1, 2012

The Constitution of the Big Lake Community Association requires it to manage, maintain and operate a variety of services and facilities for the benefit of the community. One of those operations is Big Lake Cemetery, authorized by Licence number 43637 issued by the Business Practices and Consumer Protection Authority effective February 6, 2012. Accordingly, the Directors of the Association have approved the following bylaws to govern the operation of the Cemetery.

#### 1. Definitions

- “Act” means the *Cremation, Interment and Funeral Services Act*.
- “Association” means the Big Lake Community Association.
- “Burial area” means the area north of the esker portion of the cemetery site.
- “Cemetery site” means the north portion of Lot 9 [DL 170 Cariboo Regional District Plan BCP26474] extending from Pritchard Road to a line xxx metres south of the original Parker grave site.
- “Community” means all residents in the postal code area V0L 1G0.
- “Cremated remains” means human bone fragments and ashes resulting from the cremation of a deceased person. Also known as “cremains”
- “Directors” means the Board of Directors of the Big Lake Community Association
- “Plot” means a designated plot within the burial area for the interment of cremated remains.

#### 2. Governance and Organization

- 2.1 The Board of Directors of the Big Lake Community Association is the licence holder and the operator of the Big Lake Cemetery in accordance with the provisions of the *Cremation, Interment and Funeral Services Act* and *Regulations*.
- 2.2 In accordance with the provisions of the Association's *Policy on the Preservation and Maintenance of the Heritage Sites*, the Directors have delegated responsibility for the planning, operation and management of the Cemetery to the Cemetery Committee
- 2.3 In accordance with the Association's *Policy on the Preservation and Maintenance of the Heritage Sites*, the Cemetery Committee is responsible for all aspects of the day-to-day management of the cemetery site. Specifically the Committee:
  - 2.3.1 Recommends to the Directors of the Association a five-year plan for the management and development of the Cemetery. The Committee reviews (and if necessary modifies) this plan from time to time in consultation with the Association's Directors.
  - 2.3.2 Is responsible for ensuring that all required approvals and licences for the operation of a cemetery are obtained and maintained in the name of the Big Lake Community Association.
  - 2.3.3 Recommends to the Association bylaws for operation of the cemetery and these bylaws must be in accordance with relevant provincial statutes and regulations.
  - 2.3.4 Ensures that appropriate and adequate public consultation is undertaken in the development of the cemetery.
  - 2.3.5 Operates autonomously with respect to its meeting times and decision processes.
  - 2.3.6 Records its decisions and has its records kept by the Chair or his or her delegate.

2.3.7 Arranges such staffing for the site as it considers necessary.

2.3.8 Creates and updates as necessary a sustainable revenue plan which conforms to relevant provincial statutes and regulations.

### 3. Operation and Management

#### 3.1 Site and Plot Management

- 3.1.1 The Committee is responsible for ensuring that the cemetery site is kept tidy at all times with grass mown, pathways cleared and shrubs and other plants properly tended. No permanent memorial fixtures (trees, benches, etc.) are permitted on the cemetery site except for (1) memorial plaques in the burial area and (2) fixtures installed by the Committee for general site enhancement.
- 3.1.2 Within the burial area, the Committee designates numbered plots for the burial of cremated remains.
  - 3.1.3 Plots are 36" x 36".
- 3.1.4 Plots may be reserved by individuals. Applications to reserve a plot are to be made to the Committee using the form appended to these bylaws as Schedule B and accompanied by the appropriate fee.
- 3.1.5 The Committee makes rules to govern the acceptance of applications and these rules are to be printed on the application form.
- 3.1.6 The Committee Chair or his or her delegate has the authority to accept an application. If an application is to be refused, such refusal must be decided by the whole Committee and may be appealed to the Directors of the Community Association whose ruling on the case is final.
- 3.1.7 A person for whom a plot is reserved retains the sole right to that plot unless, before the plot is used for an interment, he or she renounces that right, thereby making the plot available to the Committee for reallocation.
- 3.1.8 A person renouncing a plot in accordance with bylaw 3.1.7 forfeits the reservation fee originally paid.

#### 3.2 Interments

- 3.2.1 Interments of cremated remains are to be in a cavity not less than 24" deep and within the boundaries of the burial plot
- 3.2.2 Cremated remains may be interred in a container. If the remains are interred without a container, they are considered commingled and are unrecoverable.
  - 3.2.3 No more than two interments of cremated remains are permitted in one burial plot.
- 3.2.4 Cremated remains must be interred so that at least three to five inches of earth lies above the remains or the top of their container
  - 3.2.5 Interments are restricted to the period 8:00 a.m. to 4:00 p.m. on any day of the week.
- 3.2.6 Requests for an interment must be made to the Committee chair or his or her delegate at least one week in advance and must be accompanied by the appropriate fee.

#### 3.3 Floral Tributes and Memorials

- 3.3.1 Natural floral arrangements may be laid on the burial plot at the time of the interment or any time thereafter. They must be of a size no larger than the top surface of the burial plot and may not be contained in a vase or other receptacle.
- 3.3.2 Floral arrangements will be removed at the discretion of the Committee once they are withered.
- 3.3.3 Memorial plaques installed on a burial plot must be either of bronze or cut and polished stone. They are to be no larger than 15" x 25". Bronze plaques must be mounted on a cement block. The plaque must be centred on the burial plot and its top surface must be flush with the surface of the surrounding ground.

- 3.3.4 The installation of the plaque is the responsibility of the Committee in consultation with the family of the deceased. The maintenance of the plaque is the responsibility of the person in whose name the plot is reserved (or his or her family or recognized representatives).

#### **4. Records**

- 4.1 The Committee is to ensure that complete and accurate records are kept of the assignment and renunciations of burial plots, maintenance activities, interments, finances and complaints or infractions of these bylaws.
- 4.2 The Committee's records form part of the records of the Association.

#### **5. Finances and Charges**

- 5.1 All financial transactions relating to the Cemetery must conform to the provisions of the Association's policy on finances.
- 5.2 Separate fees are charged for plot reservations and interments respectively. These fees are set out in Schedule A which forms part of these bylaws and are non-refundable.
- 5.3 The fee schedule is to be reviewed annually and may be altered by the Association on the recommendation of the Committee.
- 5.4 The Committee must establish a Care Fund with a Canadian financial institution in accordance with the *Act* and must ensure that all payments to the Care Fund are promptly made. Withdrawals from the Care Fund may only be made for the purposes specified in the *Act* and relevant regulations.
- 5.5 All fees include a specified amount to be paid to the Care Fund and these amounts are to be identified separately in all invoices or statements of sums owing.

#### **6. Rights and Responsibilities of the Association, the Committee, Burial Plot Holders and Visitors**

- 6.1 The Association as the licence holder and the governing body for the Cemetery has the responsibility to ensure that the Cemetery is operated in accordance with the *Act* and its *Regulations*. It has the right and the responsibility to make and review relevant policies and monitor their implementation.
- 6.2 The Committee has the right and the responsibility to operate the Cemetery in accordance with the *Act*, the *Regulations*, the Association's policies and these bylaws.
- 6.3 Those who have reserved a burial plot have the right to exclusive use of that plot unless they have renounced their reservation in accordance with bylaw 3.1.7. They have a responsibility to observe these bylaws and to ensure that the plot is used only for the interment of cremated human remains. They have the right to visit the plot between sunrise and sundown and the responsibility to behave soberly and respectfully while at the cemetery site.
- 6.4 Visitors have the right to visit the plot between sunrise and sundown and the responsibility to behave soberly and respectfully while at the cemetery site.

Bylaws approved by the Directors on August 14, 2012.

SCHEDULE A

FEE SCHEDULE

This schedule of fees is effective from May 1, 2012, plus applicable taxes.

Item	Cemetery Fee \$	Care Fund Portion \$	Total Fee \$
Reservation of a burial plot	120.00	30.00	150.00
Interment fee	120.00	30.00	150.00

Payment is required within 30 days of reservation.

SCHEDULE B

APPLICATION TO RESERVE A BURIAL PLOT  
IN THE BIG LAKE CEMETERY

This application will be refused unless it is accompanied by the appropriate fee. It may be refused at the discretion of the Cemetery Committee, but in that case the Committee must give its reasons for refusal to the applicant. A refusal by the Committee may be appealed to the Directors of the Big Lake Community Association whose decision is final.

A separate application must be made for each plot requested

NAME(S): \_\_\_\_\_

ADDRESS \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE \_\_\_\_\_ E-MAIL \_\_\_\_\_

PLOT REQUESTED \_\_\_\_\_

I/we have received and read a copy of the bylaws governing the operation of the Big Lake Cemetery and if this application is accepted I/we undertake to abide by the bylaws. The fee for a plot reservation is enclosed.

Signed \_\_\_\_\_

Date \_\_\_\_\_

FOR COMMITTEE USE:

This application accepted.

PLOT NUMBER \_\_\_\_\_

Fee received \$ \_\_\_\_\_

Signed: \_\_\_\_\_

Date \_\_\_\_\_

for the Cemetery Committee

When complete one copy of this form is to be retained by the Committee and one copy by the applicant.