

# CITY OF KELOWNA

## Kelowna Memorial Park Cemetery Bylaw No. 12856

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WHEREAS the *Community Charter*, Section 8, allows a municipality by bylaw to regulate, prohibit, or impose requirements in relation to a municipal service, public space, or cemetery;

WHEREAS the *Community Charter*, Section 194, allows a municipality by bylaw to impose a fee payable in respect of all or part of a service of the municipality or the use of municipal property;

WHEREAS the *Cremation Interment and Funeral Services Act* and Consumer Protection British Columbia require the operator of a cemetery to obtain authorization and follow regulations in the Act prior to disposition of human or cremated remains;

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

### 1. Definitions

#### 1.1. In this bylaw:

"Cemetery" means the Kelowna Memorial Park Cemetery and includes any other parcel or tract of land owned, used or maintained by the City as cemetery.

"Cemetery Manager" means the person employed as such by the City.

"City" means the City of Kelowna

"City Staff" means an employee of the City while engaged in work activities on behalf of the City, it does not include a contractor, visitor or other agent working at the Cemetery.

"Concurrent Interment" means the second and additional interment scheduled at the same interment time, in the same plot location as another Interment.

"Council" means the Municipal Council of the City of Kelowna.

"Cremated Remains" means human bone fragments as a result of human remains cremation.

"Disinterment" means the act of removing human remains or cremated remains from a location identified on and issued Interment Permit. This includes human and cremated remains interred in ground, above ground in niche or mausoleum.

"Immediate Family" means a grandparent, parent, spouse, sibling, child, or grandchild, including step relations listed in this definition.

"Interment" means the act of placing human remains or cremated remains in a location in perpetuity identified on an issued Interment Permit. This includes human and cremated remains interred in ground or above ground in niche or mausoleum or cremated remains in an ossuary or a registered scattering area.

"Memorial Plaque" means a personalized product meeting the requirement of the Monument Permit that is not associated with a Right of Interment.

"Memorial Product" means an object made of granite, marble, hard natural stone, or bronze with the appropriate base to secure to grade for the purpose of securing a Memorial Plaque.

"Monument" means a personalized product meeting the requirement of the Monument Permit for an issued Right of Interment.

"Parks Services Manager" means the person employed as such by the City.

"Permit" means a permit issued by the City.

"Person in Control of Disposition" means the individual with legal right to control the disposition of human remains or cremated remains by the Cremation Interment and Funeral Services Act.

"Plot" means a space in the Cemetery legally designated for the interment of human remains and cremated remains.

"Permit Holder" means the individual or individuals in a spouse relationship with control over the issued Permit.

"Resident" means 'Resident' as defined by Council Policy No. 395 Fees and Charges. Resident in Schedule A applies to the Permit Holder.

"Right of Interment" means a right, issued to an individual for the interment of human remains or cremated remains in a Plot.

## 2. Board of Trustees

- 2.1. Pursuant to Section 37(2) of the *Cremation, Interment and Funeral Services Act* (CIFS Act), Council establishes itself as a board of trustees to own or operate the place of interment or crematorium.

## 3. Fees and Charges

- 3.1. A fee or charge for Cemetery goods and services is set out in Schedule A, attached to and forming part of this bylaw.
  - 3.1.1. A fee or charge does not include relevant Provincial and Federal taxes.
  - 3.1.2. A permit application that is made for the purpose of rectifying or resolving a Bylaw infraction is subject to double the usual fee or charge.

## 4. Cemetery Boundaries

- 4.1. The following lands as shown on Schedule B, attached to and forming part of this bylaw, are registered as a place of interment (Cemetery) in perpetuity.
  - 4.1.1. Lot 1 District Lot 140 ODYD Plan KAP69306.
  - 4.1.2. Lot 2 District Lot 140 ODYD Plan KAP69306.
  - 4.1.3. Amended Lot 3 (DD 252160F) District Lot 140 ODYD Plan KAP1476.
  - 4.1.4. Lot B District Lot 140 ODYD Plan KAP62742.
  - 4.1.5. Lot 1 Sections 28 and 29 Township 26 and of District Lots 531 and 125 ODYD Plan 16707.
  - 4.1.6. Parcel B (DD 244966F) of the South East ¼ Section 29 Township 26 ODYD.
  - 4.1.7. That part of Lot 18 shown on Plan B3723 Sections 28 and 29 Township 26 and of District Lot 531 ODYD Plan 1476.
  - 4.1.8. That part of Lot 37 shown on Plan B3764 District Lot 140 ODYD Plan 415.

## 5. Right of Interment

- 5.1. The Cemetery Manager is authorized to grant an individual, paying the fees as set out in Schedule A and subject to term of this Bylaw, a Right of Interment Permit for a plot within the cemetery. The Right of Interment Permit is for exclusive use by the holder of the permit, following regulations in the Act. A Right of Interment may have two individuals identified as Permit Holder, only if the two individuals meet the criteria of spouse.
- 5.2. Right of Refusal. The Cemetery Manager may limit Right of Interment Permit sales for individuals residing outside of the City of Kelowna.
- 5.3. Non-Transferable. The holder of an unused Right of Interment Permit is not permitted to transfer their permit to

another individual. The holder of an unused Right of Interment Permit may apply to transfer their permit to an immediate family member through the Cemetery Manager. The transfer application is at the discretion of and is subject to conditions set forth by the Cemetery Manager.

5.4. Cancellation. Upon receiving written request by all individuals identified as Permit Holders of an unused Right of Interment Permit or person in control of disposition of a Right of Interment Permit, to surrender such right,; the Cemetery Manager will cancel the Right of Interment Permit and refund the holders a sum equalling the original purchase price, minus the amount deposited to the Perpetual Care Fund.

5.4.1. If goods have been pre-ordered as part of the permit, the City will deduct the cost of those goods from the refund amount.

5.4.2. If a modification, improvement, or material has been placed on the physical land of the plot associated with the Right of Interment Permit, the Permit Holder must remove and make good the land of the plot prior to the permit surrender. Alternatively, the City may remove all improvements and make good the land of the plot and deduct the amount to provide the service from the refund.

## 6. Interment and Disinterment

6.1. Only human remains and human cremated remains may be interred in the cemetery.

6.2. Interment of human remains or cremated remains must only occur when

6.2.1. A person identified as person in control of disposition of the deceased person's human remains or cremated remains has completed the authorization and provided documents required by the cemetery and the CIFS Act; and

6.2.2. Applicable fees are paid in full in accordance with the required permit, signatures are fulfilled where required by the person in control of disposition, and the City has issued an Interment Permit.

6.3. The City reserves the right to require a permit be issued and paid in full two business days prior to a scheduled interment date. Interment scheduling is subject to availability.

6.4. Casket Interments of Human Remains. A Consumer Protection BC licenced funeral director must be present and in control of the human remains and container until the City staff arrives to the plot to close the interment.

6.5. Mausolea interments. An interment permit for cremated remains will only be permitted in an above ground mausoleum if the plot is vacant. If a casket is interred in the mausoleum plot, no further interment permits are permitted.

6.6. In ground cremation interment. All in ground cremation interments must be placed in a cremation liner supplied by the City.

6.7. Scattering of cremated remains. It is unlawful for cremated remains to be scattered on City of Kelowna lands including the cemetery without an Interment Permit. Scattering of cremated remains by means of placement in ossuary or scattering in a designated area are non-recoverable. Disinterment of scattered cremated remains are not possible.

6.8. Containers for human remains. Human remains must be interred in a container intended for interment of human remains, does not leak fluids, will support the weight of the human remains, and the container must have handles that support the full weight of the container and human remains. The container must not exceed 64 cm high, 76 cm wide, and 221 cm long. All human remains interred in ground must be placed in a concrete crypt or covered with a casket liner. Casket liner to be pre-cast fibreglass or concrete.

6.9. Containers for cremated remains. Cremated remains interred in above ground niche plots must be manufactured for the purpose of cremated remains and be made of ceramic, metal or stone. A container for cremated remains must fit within the allotted volume of space for the niche.

6.9.1. Niche plots have a volume of space for two urns measuring:

6.9.1.1. Bennett Memorial: 27 cm high , 27 cm wide, 36 cm depth.

6.9.1.2. Promontory Green: 27 cm high, 27 cm wide, 27 cm depth.

6.9.1.3. Legacy Gardens: 26.5 cm high, 29 cm wide, 29 cm depth.

6.10. Interment of cremated remains in a casket plot

6.10.1. For Right of Interment Permits of a casket plot issued prior to this bylaw coming into force; Cremated remains being interred within a casket plot where no casket is currently interred, must be subject to casket interment fees. This includes but is no limited to: Interment Permit – Open/Close Casket Plot.

6.10.2. For Right of Interment Permits of a casket plot issued after March 1, 2026; the first interment must be a casket. Cremated remains must not be interred in a vacant casket plot.

6.11. Disinterment of human remains or cremated remains may only occur when

6.11.1. A person identified as person in control of disposition of the deceased person's human remains or cremated remains has completed the authorization and provided documents required by the cemetery, CIFS Act, and Consumer Protection BC; and

6.11.2. Applicable fees are paid in full in accordance with the required permit, signatures are fulfilled where required by the person in control of disposition, and the City has issued a Disinterment Permit.

6.12. Disinterment of human remains in an in ground plot. The City responsibility for the disinterment ends at the point where the soil is sufficiently excavated to permit access to the remains for removal by the attending licenced funeral provider. The City is not responsible for damage to a liner, casket, urn or other items within the plot during excavation and disinterment.

6.13. Disinterment of human remains in an above ground mausoleum. The City responsibility for the disinterment ends at the point where the casket and remains are lowered to a suitable height for the funeral director to take charge of the casket or remains. The City is not responsible for damage to the casket during disinterment.

7. Administration

7.1. Cemetery Perpetual Care Fund. A fund will be established to be known as the Cemetery Perpetual Care Fund and administered in accordance with the CIFS Act, and the Community Charter.

7.2. Cemetery Strategic Development Fund. A fund will be established to be known as the Cemetery Strategic Development Fund. This fund will be administered as a reserve fund for exclusive use by the City in accordance with the Community Charter. The principal and interest of this fund shall be used for development, replacement, or repair of cemetery infrastructure, or purchase and development of land for cemetery purposes.

7.3. Payments to reserve accounts. The City will pay into the Cemetery Perpetual Care Fund the amount allocated to the fund identified on each point-of-sale invoice generated by the Cemetery. The City will deposit once at the end of each fiscal year into the two cemetery funds any surplus remaining of cemetery receipts over the expenditures. The percentage of surplus to be deposited into each of the two funds is to be determined by the Cemetery Manager. If a deficit occurs at the end of a fiscal year, the Cemetery Manager will request a transfer of funds from one of the two funds to balance the operating statement.

8. Monument memorialization and adornment

8.1. Permit Required. Installation, replacement, or modification of a memorial requires an issued Monument Permit, or Plot Modification Permit, issued by the City. Material or monument placed without a permit or in contravention to an issued permit will be removed.

8.2. The City is not liable for damage or theft to private adornment or monuments, except as the result of direct damage by City staff.

8.3. Monument, adornment, or plot improvements in a state of disrepair such that it may be harmful to the public or City staff may be removed from the City.

8.4. Temporary removal of monument. The City may arrange for the temporary removal of a monument without the Plot Owner's permission if during the excavation of an adjoining plot requires the removal of surrounding monuments for the safe excavation and plot preparation. The monument will be placed back in the original location by the City.

9. General

9.1. If opening of a plot for interment of cremated remains or human remains in the Pioneer Sections A or B, or

Sections E3 or E4, identified in Schedule 'B', requires the removal of concrete or hard surface placed by the Permit Holder, the removal of the concrete or hard surface is the responsibility of the Permit Holder.

9.2. An interment may occur Monday through Friday. An interment may occur on a Saturday and is subject to the identified Weekend Interment fee. An interment is not permitted on a Sunday or Statutory holiday.

9.3. Memorial Plaque Program within Cemetery.

9.3.1. A memorial product and the location of the product must be approved by the Cemetery Manager. The memorial product is owned by the City.

9.3.2. A memorial plaque is placed for a term of 20 years. The permit holder has an option to renew a maximum of one time.

9.4. Memorial Plaque Amenity Program.

9.4.1. The program applies to City of Kelowna parks excluding the Cemetery. The memorial product and location must be approved by the Parks Services Manager. The memorial product is owned by the City.

9.4.2. A memorial plaque is placed for a term of 10 years. The permit holder has an option to renew a maximum of one time.

9.4.3. Locations: In accordance with the City of Kelowna Parks Master Plan, Premier location applies to a park classified as "City Wide" or is located adjacent to Okanagan Lake. Classic location applies to a park classified as a category other than "City Wide" and are not located adjacent to Okanagan Lake.

10. Penalty

10.1. Every person who violates a provision of this bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars (\$50,000.00) and the costs of prosecution.

10.2. Each day a violation of the provision of this bylaw exists or is permitted to exist will constitute a separate offence.

11. Severability

11.1. If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

12. The Kelowna Memorial Park Cemetery Bylaw No. 11664 including all amendments is hereby repealed.

13. This bylaw may be cited as "Kelowna Memorial Park Cemetery Bylaw No. 12856".

14. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

## SCHEDULE 'A'

### Fees and Charges

1. The fees and charges as noted in Schedule 'A' will increase by five percent (5%) on January 1 each year, except where identified. A fee or charge increase will be rounded down to the nearest whole dollar.
  - 1.1. The increase in fees and charges will commence January 1, 2027.
2. 25% of the funds collected via Tables 1, 2, 3 and 5 are allocated to the Cemetery Perpetual Care Fund.
3. 10% of the funds collected via Tables 4 and 6 are allocated to the Cemetery Perpetual Care Fund.
4. Table 1, Upright Monument Plot applies to Pioneer Section A and B.

Table 1:

| Right of Interment – In Ground Casket Plot |                        |               |
|--|------------------------|---------------|
| Service                                    | Resident Fee or Charge | Fee or charge |
| Upright Monument Plot                      | \$7,326                | \$9,158       |
| Flat Monument Plot                         | \$5,281                | \$6,602       |
| Small Casket Plot (child plot)             | \$642                  | \$803         |

Table 2:

| Right of Interment –Estate Plot                         |                        |               |
|---|------------------------|---------------|
| Service   | Resident Fee or Charge | Fee or Charge |
| Private Estate, includes granite bench and arched fence | \$102,111              | \$127,639     |
| Semi-Private Estate, includes a shared granite bench    | \$75,314               | \$94,143      |

Table 3:

| Right of Interment – In Ground Cremation Plot                    |                        |               |
|--|------------------------|---------------|
| Service  | Resident Fee or Charge | Fee or charge |
| Companion Upright Monument Plot, includes two cremated remains   | \$3,055                | \$3,819       |
| Companion Flat Monument Plot, includes two cremated remains      | \$1,053                | \$1,317       |
| Family Plot, includes six cremated remains                       | \$2,111                | \$2,639       |
| Companion Garden Plot, Section G3, includes two cremated remains | \$1,374                | \$1,718       |
| Family Garden Plot, Section G3, includes six cremated remains    | \$2,530                | \$3,163       |

Table 4:

| <b>Right of Interment – Cremation Niche</b>   |                               |                      |
|---|-------------------------------|----------------------|
| <b>Service</b>  | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Companion Niche, Level One, includes two cremated remains                           | \$5,284                       | \$6,605              |
| Companion Niche, Level Two, includes two cremated remains                           | \$5,836                       | \$7,295              |
| Companion Niche, Levels Three, Four, Five or higher, includes four cremated remains | \$6,185                       | \$7,732              |
| Family, Levels Three, Four or Five, includes four cremated remains                  | \$12,989                      | \$16,237             |
| Family Urn, includes one family name engraved                                       | \$20,279                      | \$25,349             |

Table 5:

| <b>Right of Interment – Cremation Scattering</b>  |                               |                      |
|---|-------------------------------|----------------------|
| <b>Service</b>                                    | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Garden Ossuary, scattering only                   | \$260                         | \$325                |
| Garden Ossuary, scattering and personalized plate | \$959                         | \$1,199              |
| Garden Ossuary, personalized plate only           | \$959                         | \$1,199              |
| Mountain Trail, scattering only                   | \$260                         | \$325                |
| Mountain Trail, scattering and personalized plate | \$959                         | \$1,199              |
| Mountain Trail, personalized plate only           | \$959                         | \$1,199              |

Table 6:

| <b>Right of Interment - Mausolea</b>                   |                               |                      |
|--|-------------------------------|----------------------|
| <b>Service</b>   | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Level One, includes standard crypt plate               | \$27,812                      | \$34,765             |
| Level Two, includes standard crypt plate               | \$28,676                      | \$35,845             |
| Level Three, includes standard crypt plate             | \$28,996                      | \$36,245             |
| Couch Crypt, all levels, includes standard crypt plate | \$35,899                      | \$44,874             |

Table 7:

| <b>Interment – Open / Close</b>              |                               |                      |
|--|-------------------------------|----------------------|
| <b>Service</b>                               | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Casket, in ground plot                       | \$1,395                       | \$1,744              |
| Casket, mausoleum                            | \$1,450                       | \$1,813              |
| Cremated Remains, in ground plot             | \$609                         | \$762                |
| Cremated Remains, niche                      | \$609                         | \$762                |
| Child Plot, child aged 12 years or under     | \$0                           | \$0                  |
| Concurrent Interment, casket                 | \$695                         | \$869                |
| Concurrent Interment, cremated remains plot  | \$301                         | \$377                |
| Concurrent Interment, cremated remains niche | \$233                         | \$292                |

Table 8:

| <b>Interment - Liners</b> |                               |                      |
|---------------------------|-------------------------------|----------------------|
| <b>Service</b>            | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Casket, standard          | \$963                         | \$1,204              |
| Casket, child             | \$317                         | \$397                |
| Cremation                 | \$261                         | \$327                |

Table 9:

| <b>Disinterment</b> |                               |                      |
|---------------------|-------------------------------|----------------------|
| <b>Service</b>      | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Casket, in ground   | \$2,113                       | \$2,642              |
| Casket, mausoleum   | \$2,845                       | \$3,557              |
| Cremated Remains    | \$642                         | \$803                |

Table 10:

| <b>Additional Services</b>         |                               |                      |
|------------------------------------|-------------------------------|----------------------|
| <b>Service</b>                     | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Second Canopy Tent                 | \$155                         | \$194                |
| Pall Bearers, two                  | \$180                         | \$225                |
| Late Interment, 3:00 p.m. or later | \$784                         | \$980                |
| Weekend Interment                  | \$1,395                       | \$1,744              |

|   |         |         |
|---|---------|---------|
| Casket Plot, deepening  | \$1,784 | \$2,230 |
| Cremation Plot, deepening   | \$527   | \$659   |
| Additional Use Fee, three or more interments<br>* fee does not increase annually. | *\$479  | *\$599  |
| Open and close niche for corrective measures<br>* fee does not increase annually  | *\$186  | *\$233  |

Table 11:

| Permit Administration   |   |               |
|---|---|---------------|
| Service   | Resident Fee or Charge  | Fee or charge |
| Transfer or Surrender of Right of Interment                         | \$106   | \$133         |
| Add to Reservation of Right of Interment                            | \$86  | \$108         |
| Permit Re-Issue   | \$38  | \$48          |
| Consumer Protection BC fee, including disinterment of human remains | Full cost recovery as determined by Council Policy No. 395 Fees and Charges |               |

Table 12:

| Memorial Monuments                             |  |               |
|--|--|---------------|
| Service  | Resident Fee or Charge                                     | Fee or Charge |
| Monument Permit, installed by City             | \$543  | \$679         |
| Monument Permit, installed by monument company | \$317  | \$397         |
| Monument Modification Permit                   | \$106  | \$133         |
| Monument Disposal                              | \$130  | \$163         |
| Engraving of shutter, each occurrence          | \$567  | \$709         |
| Shutter, single, replacement                   | \$114  | \$143         |
| Shutter, double, replacement                   | \$226  | \$283         |
| Bronze Memorial Product, second year date      | Full cost recovery as determined by Council Policy No. 395 |               |
| Bronze Products, custom                        | Full cost recovery as determined by Council Policy No. 395 |               |
| Bud Vase, niche                                | Full cost recovery as determined by Council Policy No. 395 |               |
| Bud Vase, mausolea                             | Full cost recovery as determined by Council Policy No. 395 |               |
| Cameo, niche                                   | Full cost recovery as determined by Council Policy No. 395 |               |
| Flower Vase, in ground                         | \$100  | \$125         |

Table 13:

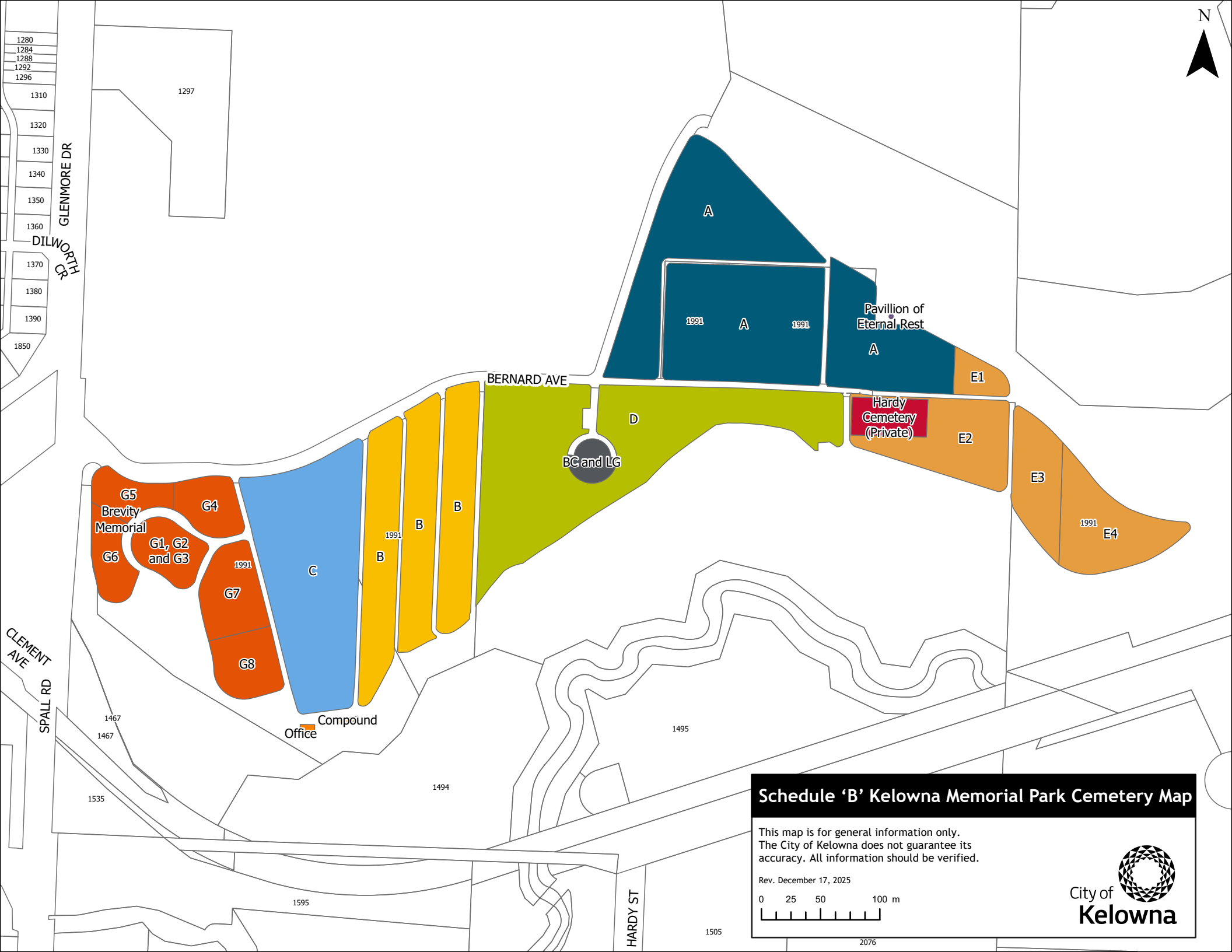
| <b>Memorial Plaque Program: Within Cemetery (no interment)</b> |  |                      |
|--|--|----------------------|
| <b>Service</b>   | <b>Residential Fee or Charge</b>                           | <b>Fee or charge</b> |
| Memorial Tree Plaque (20 year term)                            | \$1,919  | \$2399               |
| Memorial Product Plaque (20 year term)                         | Full cost recovery as determined by Council Policy No. 395 |                      |
| Renewal of Memorial Plaque Program. One renewal maximum.       | 50% of program fee at time of renewal                      |                      |

Table 14:

| <b>Memorial Plaque Amenity Program: Park Outside Cemetery (no interment)</b> |                                       |                      |
|--|---------------------------------------|----------------------|
| <b>Service</b>   | <b>Residential Fee or Charge</b>      | <b>Fee or charge</b> |
| Bench Premier Location (10 year term)  | \$6,750                               | \$8,437              |
| Bench Classic Location (10 year term)  | \$4,750                               | \$5,937              |
| Picnic Table (10 year term)  | \$12,000                              | \$15,000             |
| Renewal of existing (10 year term)   | 50% of program fee at time of renewal |                      |
| New Memorial on Existing Amenity (10 year term)                              | 70% of program fee at time of renewal |                      |

Table 15:

| <b>Handling Fees</b>                       |                               |                      |
|--|-------------------------------|----------------------|
| <b>Service</b>                             | <b>Resident Fee or Charge</b> | <b>Fee or charge</b> |
| Bronze Date Plate                          | \$128                         | \$160                |
| Bronze                                     | \$220                         | \$275                |
| Special Order                              | \$426                         | \$533                |
| Liners or vaults, supplied by funeral home | \$435                         | \$544                |



### Schedule 'B' Kelowna Memorial Park Cemetery Map

This map is for general information only.  
The City of Kelowna does not guarantee its  
accuracy. All information should be verified.

Rev. December 17, 2025

