

NARAMATA CEMETERY
3315 Bartlett Rd. Naramata

101 Martin Street, Penticton, British Columbia V2A 5J9
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RIGHT OF INTERMENT (PLOT RESERVATION LICENSE)

PLOT HOLDER/PURCHASER:

Name: _____
Address: _____
City/Province: _____
Email Address: _____
Telephone: _____

EXECUTOR/NEXT OF KIN

Name: _____
Address: _____
City/Province: _____
Email Address: _____
Telephone: _____
Relationship to Deceased: _____

INTERMENT INFORMATION

Name of Person: _____
Date of Interment: _____ Time: _____
Cemetery Plot No. _____

FORM OF BURIAL

Human Remains
Cremated Remains
Scattering of Cremated Remains

IN CONSIDERATION of payment by the Applicant to the RDOS of applicable fees and charges provided for in the RDOS's Fees & Charges Bylaw, and set out below, the RDOS hereby grants a license to the Applicant to use the plot space for the purpose of interment of the human remains or cremated remains of the individual names about the (the License), such License being subject to the terms and conditions contained in this License and to the provisions of the Bylaw and the "Cremation, Interment and Funeral Services Act".

The Applicant acknowledges and agrees to the terms and conditions as follows:

The permit is conditional upon the Applicant complying in all aspects with the terms and conditions of the Bylaw and conditions of the Bylaw and the *Cremation, Interment and Funeral Services Act*.

1. Failure by the applicant to so comply will entitle the RDOS to either correct the failure at the Applicant's cost or, where interment in the plot has not yet occurred, revoke this permit upon repayment to the Applicant of the Total Fees and Charges paid pursuant to the Permit.
2. This permit may not be transferred or assigned and changes to the same may only be made with the prior written authorization of the Finance Manager.
3. Terms and Conditions of Right of Interment Contract are listed on the reverse of contract, and form part of this contract.
4. Cemetery Reserve Fund Bylaw allocation details listed on the reverse of contract.
5. Control of disposition as outlined within the *Cremation, Interment and Funeral Services Act*, listed on the reverse of contract.

FEE AMOUNTS:

Right of Interment Naramata Resident:

	Burial Plot	Cremation Plot
Plot Fee	\$ 371.00	\$ 123.00
Cemetery Reserve Fund allocation	\$ 124.00	\$ 42.00
Total:	\$ 495.00	\$ 165.00

FEES:

\$ -
\$ -
Total:

Right of Interment Non-Naramata Resident:

Plot Fee	\$ 420.00	\$ 140.00
Cemetery Reserve Fund allocation	\$ 240.00	\$ 80.00
Total:	\$ 660.00	\$ 220.00

Total:

Opening/Closing fee:

\$ 660.00 \$ 110.00

\$ -

Memorial Marker Installation:

Installation fee	\$ 84.00	\$ 84.00
Cemetery Reserve Fund allocation	\$ 10.00	\$ 10.00
Total:	\$ 94.00	\$ 94.00

Total:

Grave Liner fee: (not optional)

\$ 275.00

\$ -

Urn Vault fee: (optional)

Small \$80 Regular \$100 Large \$125

\$ -

Other fee: (Interment outside Regular Business Hours)

\$ 220.00

\$ -

Text or Photo Fee for Internet Mapping:

\$ 50.00 \$ 50.00

\$ -

Scattering Garden fees:

Scattering Garden Reserve Fund allocation	\$ 50.00
Scattering Garden Memorial Plaque (optional)	\$200 - \$400 (price will depend on market value of bronze at time of order)

\$ -

Total:

Full payment is due and payable immediately.

Cash Cheque Debit

Visa MasterCard

Sub Total \$ -

GST(5%) \$ -

TOTAL \$ -

OFFICE USE ONLY:

Transfer reserve fund:
allocation from
1-1-8950-4330
to Cemetery Reserve Fund

1-4-0000-7770.

Date Completed: _____

Require Prior to Interment:

Notification of Disposition
(Burial/Cremation Permit)

Receipt Number(s) _____

Dated the ___ day of _____, _____

Issued By _____

Signature of Applicant _____

TERMS AND CONDITIONS OF RIGHT OF INTERMENT CONTRACT

Pursuant to Part 10 of Bylaw No. 2877, 2020 and any amendments to that bylaw, the following terms and conditions apply:

- 3.1 A person may apply to the Regional District for reservation of a Plot within the Naramata Cemetery, and upon payment of the fee prescribed in RDOS Fees & Charges Bylaw No. 2848, 2019 shall be issued a Right of Interment for the use of a Plot, provided that an unallocated subdivided Plot is available. This reservation will be limited to a maximum of three (3).
- 3.2 A Right of Interment shall be issued pursuant to this Part shall be a contract of sale in the form of Right of Interment (Plot Reservation License), and no Right of Interment may be issued or interment in the Naramata Cemetery occur, prior to the issuance of a Right of Interment or other existing reservation made pursuant to a previously applicable bylaw or regulation.
- 3.3 The Issuance of a Right of Interment does not grant Plot Holder any rights regarding the Plot, beyond the right to be interred in the Plot, subject to the requirements of this Bylaw.
- 3.4 The issuance of a Right of Interment does not grant any Plot Holder the right or interest in any roads, paths or common areas of the Cemetery other than as a means of access to his or her Plot, nor any right or interest in the gardens, structures, buildings or other property or improvements of the Cemetery.
- 3.5 A Plot Holder shall not allow or permit any interment in the reserved Plot, and shall not transfer or dispose of the right to use the Plot to another person, group or organization unless that interment, transfer or disposal is made pursuant to this Bylaw and all other applicable legislation.
- 3.6 Where a particular Plot has been reserved, and the Plot Holder wishes to transfer the reservation to a different Plot in the Naramata Cemetery, the Regional District may transfer the reservation upon receipt of the difference, if any, between the fee paid to reserve the original Plot, and the fee due as of the date of transfer to reserve the new plot through the issuance of a new Right of Interment.
- 3.7 A Plot Holder may request a transfer of the right of interment in a Plot to a spouse or other family member, and shall submit the request in writing to the Regional District.
- 3.8 Where a Plot Holder wishes to cancel a reservation for a Plot that has not yet been used for interment, without transfer of rights to another Plot or another person as provided for in Section 3.6 or 3.7, he shall notify the Regional District in writing requesting such cancellation.
- 3.9 Where a person has requested cancellation of a Plot pursuant to section 3.8, the person shall be entitled to 80% refund of the amount paid, without interest, as evidenced in the Regional District's records, for the reservation.
- 3.10 In the event that an error on the part of the Regional District is discovered in a Plot reservation prior to the use of the Plot for interment, and that Plot is no longer available, the Regional District shall:
- (1) amend the affected Right of Interment or other reservation made prior to the enactment of this Bylaw, so as to provide a Plot of equal or greater value and similar location acceptable to the Plot Holder; or
 - (2) cancel the Right of Interment and refund the full amount paid, as evidenced in the Regional District's records, for the reservation plus interest at the rate prescribed by the Act or its regulations.
- The Plot Holder shall notify the Regional District of the Plot Holder's preference within 30 days of the notification of the error, otherwise the Regional District shall be entitled to make the decision.

According to the Cremation, Interment and Funeral Services Regulation (Section 25(1)), the following terms and conditions must also be met:

Reclamation of right of interment previously sold:

Withy 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 year 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.

On receipt of an application from an operator, the director may approve or reject the application for a sale of the right of interment with or without conditions.

if the director refuses the application, the director must give the applicant written reasons for the decision.

if a right of interment for a lot is sold in the circumstances described in subsection (1), and the right of interment is subsequently required for use by the original interment right holder, the operator must provide another right of interment of equal or greater value that is acceptalbe to the original interment right holder of the person who has authority under section 5 of the Act with respect to the deceased interment rights holder.

Naramata Cemetery Reserve Fund Bylaw No. 2419, 2007 - established as a capital works reserve fund for the purposes of maintaining and upgrading the Naramata Cemetery. Cemetery Reserve Fund allocation break down within Regional District of Okanagan-Similkameen Fees and Charges Bylaw No. 2771, 2017:

Right of Interment for Naramata Resident Burial Plot \$495 (reserve fund breakdown):	Plot price \$375	Allocated to Reserve Fund \$120
Right of Interment for Naramata Resident Cremation Plot \$165 (reserve fund breakdown):	Plot price \$125	Allocated to Reserve Fund \$40
Right of Interment for Non-Naramata Resident Burial Plot \$660 (reserve fund breakdown):	Plot price \$420	Allocated to Reserve Fund \$240
Right of Interment for Non-Naramata Resident Cremation Plot \$220 (reserve fund breakdown):	Plot price \$140	Allocated to Reserve Fund \$80
Memorial Marker Installation Fee (Cremation and Burial) \$94 (reserve fund breakdown):	Installation price \$84	Allocated to Reserve Fund \$10

Control of disposition of human remains or cremated remains, Section 5, the *Cremation, Interment and Funeral Services Act* (excerpt):

(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 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 the 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 (j).