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ADMINISTRATIVE REPORT

Report Date: January 18, 2011
Contact: Brenda Prosken
Contact No.: 604.873.7437
RTS No.: 08968
VanRIMS No.: 08-2000-20
Meeting Date: February 15, 2011

TO: Vancouver City Council
FROM: Deputy General Manager, Community Services
SUBJECT: Mountain View Cemetery (MVC) New Services, Fees and Bylaw Amendments

RECOMMENDATION

- A. THAT Council approve amendments to the Cemetery (MVC) By-Law by adding new services and establishing fees for these new services, in accordance with Appendix D.
- B. THAT Council authorize a sealed-bid process for the sale of 40 casket interment sites consistent with relevant procurement policies.
- C. THAT Council approve amendments for clarity to the Mountain View Cemetery By-Law in accordance with Appendix E.
- D. THAT Council request the Director of Legal Services to bring forward for enactment the necessary amendments to the Mountain View Cemetery By-Law, in accordance with Appendix D and E, with new fees to take effect the date that Council approval is received.

GENERAL MANAGER'S COMMENTS

The provision of casket interment space has not been available at Mountain View Cemetery since 1986. Our reinvestment in this important civic facility is now at a stage which will allow us to offer this service. This initiative is critical to achieving the full potential of the customer focus and other financial goals in the business plan for this operation as approved by Council. The General Manager recommends approval of A, B, C and D.

COUNCIL POLICY

On January 17, 1991, Council resolved that every department/board review services for which fees are charged to ensure full cost recovery, or those fees be set equivalent to market rates where applicable.

On June 18, 1998, Council adopted in principle, the Vision Plan for MVC and appointed a consulting team to develop and report back with a detailed Master Plan and other supporting documents.

On March 7, 2000, Council adopted, in principle, the Master Plan for MVC (and accompanying reports) to guide redevelopment of the MVC.

On July 8, 2004, Council approved the implementation of Phase 1 of the MVC Master Plan and the supporting Financial Plan based upon fees set at market rates.

SUMMARY

The operation of MVC aligns with many of the City of Vancouver's long-term strategic goals including excellence in customer service responding to community needs, maintaining extraordinary amenities, and providing green and sustainable practices. MVC is one of the few cemeteries in Canada recognized by the Green Burial Council for providing eco-friendly and environmentally sustainable options.

The recommendations within this report support these goals and focus on optimizing the return on the significant investment by City taxpayers; providing the financial framework for continuing the revitalization of an important civic asset.

As one of the first services provided by the City of Vancouver, Mountain View Cemetery celebrates 125 years of compassionate, caring service in 2011; providing a place to remember for individuals, families and community. From the infant's garden that memorializes infants lost at birth or through miscarriage; to the area set aside for Canada's veterans who served in both World Wars; to the flowering cherry trees honouring the Japanese workers who died in the 1910 Rogers Pass disaster, and who are buried at the Cemetery; to the bright red burners where Buddhists honour their loved ones who have passed - Mountain View Cemetery reflects and embraces the rich cultural history of Vancouver.

In 1986 faced with a declining supply of readily saleable in-ground burial sites, the Cemetery came close to closing; it was the strong community support in the mid 1990's that inspired a plan to revitalize the Cemetery "Where Vancouver Remembers". With a community Vision Plan in 1998, a Master Plan in 2000, and a Financial Plan in 2004, an ambitious revitalization process was initiated.

The recommendations in this report provide a solid financial base to support the re-initiation of the sale of in-ground graves. The increased revenue will be used to provide a return on the investment by taxpayers in the Cemetery infrastructure and, as the revitalization continues, to reduce the ongoing subsidy to the Cemetery from the tax base.

PURPOSE

The purpose of this report is to seek Council's approval to amend the MVC By-Law to establish fees for new MVC services, and to modify the bylaw language for increased clarity. The report also seeks Council's approval to proceed with a sealed bid process on a limited number of casket interment sites to establish a market value and sales strategy for future sales of similar sites.

BACKGROUND

Mountain View Cemetery Services and Products

MVC has historically provided basic services to prepare grave sites and maintain the records related to the interment of caskets and cremated remains.

The new office building, works yard and the Celebration Hall and Courtyard have all led to various service improvements: appropriate space to meet with families, proper concealment of the working operations of the MVC and a modern and sacred space for families and others to gather indoors at the MVC. Creation of columbaria and the acquisition of sandblasting equipment for inscription created an opportunity for the MVC to add to its service offerings.

A market comparison of interment and related fees across the region was used to inform the new rates proposed in this bylaw amendment and is included in Appendix C.

A partial list of MVC services and products can be found in Appendix D.

MVC Space - Right of Interment

The most important element in the operation of any cemetery is the "right of interment". The *Cremation, Interment and Funeral Services Act* of B.C. legally defines this as "a right, in perpetuity, for the interment of human remains or cremated remains, in a lot."

Prior to 1986, the MVC offered casket or cremation lots at one price, for each type, and with limited options. Casket lots sold since 1964 allowed flat markers only and cremation graves were restricted to flat markers.

In 2008 MVC began selling the newly created above ground (columbaria) niche spaces for a range of price points. In-ground lots for cremated remains will become available in 2011 and will have a range of price points and memorial options including upright markers. A further step in the redevelopment of MVC is the pending release of interment rights for casket graves that will accommodate full body (casket) burial.

DISCUSSION

MVC continues to build capacity and expand customer service by adding new products and service options for the residents of Vancouver and the region. Annual market surveys of other municipal operators' fees and comparisons to core market rates will continue to inform annual fee analysis in the future.

Casket Grave Sales

While cremation is the predominant choice of disposition (75%) in the lower mainland, with more than 75% of deaths resulting in cremation, there remains a strong demand in Vancouver and surrounding area for casket space. The supply of this type of interment space in Metro Vancouver is shrinking. Many municipal cemeteries have little or no remaining space to develop casket graves. A casket grave requires approximately 3m² of area. Alternatively, if this same area is used for cremation interments it can accommodate more than 10 interments of cremated remains in-ground or more than 40 interments above ground in columbaria.

Similar space pressures exist in the privately operated cemeteries which are land-locked within residential and urban development and do not have capacity to acquire land for developing new casket spaces. The limited and shrinking supply of casket space is contributing to higher market values; allowing upright markers may increase this value.

Approval has been granted by Consumer Protection BC, under the Cremation, Interment and Funeral Services Act for 153 casket graves to be sold at MVC; however not all of these sites are suitable for resale, e.g., some are encumbered with trees or monuments. Throughout the entire 106 acre MVC site, there may be as few as 1,500 sites ultimately suitable for resale. When combined with Mountain View's unique status as the only cemetery in Vancouver, these casket spaces are responding to significant demand from the community.

Rationale for Sealed Bid

The potential value of these limited interment spaces was a significant component of the Financial Plan that supported the extensive investment in revitalizing and reopening the MVC. The anticipated revenue formed the basis for the majority of the repayment of those funds.

Council policy indicates that the prices should be competitive with market rates. In order to establish a market rate for these specific grave sites the MVC Committee recommends that a limited number of reclaimed sites be offered to the public via a sealed-bid process. The process would be managed through the City of Vancouver Supply Management group consistent with the general principles of the Procurement Policy. The process would be appropriately modified to reflect the social, demographic and unique nature of the MVC environment and the potential clientele.

Results from this limited sealed-bid process would form the basis of an additional report to Council along with recommendations for how to proceed on future releases of interment rights for casket graves.

The MVC By-Law was extensively revised in 2003 in preparation for implementation of the redevelopment proposed in the Master Plan. There are a few areas where the current language is either incomplete or not consistent with existing and accepted practices of the MVC, or where changes are required to accommodate new products or services. Amendments proposed to address these situations are listed in Appendix E.

FINANCIAL IMPLICATIONS

Establishing fees for new in-ground cremation spaces is expected to contribute \$50,000 in additional annual revenue.

The most significant factor to the MVC meeting its revenue targets lies with the anticipated revenue from casket space. The initial limited release of casket space proposed in this report, and the subsequent strategy that will be presented to Council, is expected to result in more than \$600,000 of revenue plus an additional \$200,000 in contributions to the Care and Maintenance Fund. This revenue is critical to the MVC achieving the targets set in the Financial Plan as mentioned in Appendix A - Redeveloping MVC.

PERSONNEL IMPLICATIONS

There are no personnel implications.

ENVIRONMENTAL IMPLICATIONS

MVC is recognized by the Green Burial Council as a "Hybrid Burial Grounds". This designation recognizes that no liner or vault is required for interment, the MVC does not require the use of embalming fluids and that eco-friendly burial containers are permitted. MVC is one of only two cemeteries in Canada registered and recognized by the Green Burial Council. The release of new casket spaces continues this green practice.

COMMUNICATIONS PLAN

MVC is in the process of completing a communications plan that is updated annually. This communication will also include reference to the new spaces, products and services resulting from these By-law amendments. In addition MVC communicates directly with people who have expressed interest in general updates or specific products or services.

The limited release of casket spaces through a sealed bid process will be the focus of communications including the use of photos and text on pamphlets, bid packages and the MVC website. People who have expressed interest in the future availability of casket will receive direct notification.

It is anticipated that this process will receive attention from local and regional media. Through the assistance of Corporate Communications this attention will be leveraged to maximize the opportunity to promote the sale of new space, the renewal of MVC and the importance of this space within the community.

CONCLUSION

The implementation of the first phase of the Master Plan and the redevelopment of MVC has seen the development of award winning architecture, creation of an efficient works yard, expanded capacity and services, as well as the creation of important community focal points for remembering. The recommendations proposed in this report provide an important next step in moving forward to meet the needs of the community and the commitments identified in the 2004 Financial Plan. The offering of new products and services will provide the core MVC revenues necessary to support the community based Master Plan for MVC. The measured approach to entering the market for casket grave space will position MVC to propose an appropriate release strategy for these limited resources. The intention is to ensure that the needs of the community are met and that the return to the taxpayer - the owners of MVC and investors in its redevelopment - will be optimized without need for ongoing subsidy.

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Background

Mountain View Cemetery has been owned and operated by the City of Vancouver since 1886 with an initial acquisition of 6.9 hectares south west of what is currently 33rd Avenue and Fraser Street which was then expanded to its current size of 42.9 hectares. One of the oldest services provided to the citizens of Vancouver, the first interment took place in February 1887.

Early History

For the first four decades, MVC operating costs were paid by citizens in the form of a tax subsidy provided by the City through fees charged for services and grave purchases with maintenance costs shared by grave owners and the City.

By the 1930's, more than 37,000 interments had already taken place and MVC was actively using portions of the entire 42 hectare site however, many grave owners were not able to commit to maintaining their graves. Non-maintained graves detracted from the aesthetic of MVC, and the annual cost for the City to perform basic grounds maintenance continued to increase.

Inception of Perpetual Care

As a solution to inconsistent maintenance and long term cost concerns, the City began offering "Perpetual Care" contracts to grave owners whereby the City would assume the grave maintenance responsibilities in consideration of a one-time fee. The first payment under a perpetual care contract was received on Dec. 27, 1933 at a rate of \$75 for two graves.

In the 1960's, as MVC entered its eighth decade of operation, more than 85,000 remains had been interred and almost the entire original inventory of grave sites had been sold. With MVC running out of space, existing pathways were covered up and some roadways were closed to convert them to saleable grave spaces. This conversion created approximately 12,400 new graves available for purchase. These new graves were sold with a mandatory contribution to the perpetual care fund included in the fee. In 1965 the price of a new grave was \$75 and of this amount, \$40 was deposited as the perpetual care contribution.

Expansion of Perpetual Care

In 1965 the City to begin assuming responsibility for maintaining all graves and made perpetual care contributions mandatory on all new graves purchased, while continuing to offer optional perpetual care contracts until March 29, 1972. The cost of providing perpetual care maintenance in 1965 required a \$120,000 subsidy from the Vancouver rate payers.

In order to facilitate maintenance of the graves it was necessary to renovate the MVC section by section. Consistent with the renovation work to lay flush many of the upright monuments, the MVC bylaw was also amended to no longer permit the installation of new upright monuments. Starting in 1965, only markers installed flush with the ground were permitted.

The cost of operating and maintaining MVC continued to increase. In 1985 the perpetual care fund generated approximately \$167,000 in interest revenue however an additional \$303,000 was required to cover the annual operating and maintenance expenses; a subsidy of more than 40% of the annual operating budget for the MVC and an increase of more than 150% from 1965 subsidy levels.

Cessation of Grave Sales

The new graves created in the 1960's had almost all been sold by the mid 1980's so Council decided to end the sale of grave space in MVC effective April 1, 1986; continuing burial services to those plots already sold, and the sale of graves for the burial of indigents. The sale of graves for indigents continued into 1999 when the local health authority outsourced this service to private operators.

In 1994 a group approached the City expressing interest in taking over management and control of the MVC. Council solicited other proposals in 1995 but ultimately decided in 1996 to retain ownership and operation of the MVC. Concurrent with this decision staff were directed to study and report back on the potential for re-opening and revitalizing the MVC. This work resulted in the 1998 Vision Plan and the 2000 Master Plan for MVC.

Redeveloping MVC

The Master Plan provided a framework for redeveloping MVC over the next 100 years. Implementation of the Master Plan resulted in a development project with an accompanying MVC Financial Plan. The Financial Plan supported an internal lending strategy to fund the construction of new facilities, landscape improvements and the creation of new interment spaces to enable MVC to reopen to the sale of graves. The Financial Plan showed that increases in revenues, based on fees at market rates, would lead to the eventual elimination of the subsidy. When the Financial Plan was approved by Council in 2004 the annual subsidy for MVC was capped at \$820,000.

Construction of the first phase of redevelopment for MVC was completed in 2008 and the first new interment sites became available for purchase in December of that year.

The construction resulted in the replacement of two existing facilities (the MVC office and the works yard) and the construction of a new building - the Celebration Hall and Courtyard. The primary purpose of the Celebration Hall is to provide an onsite venue where families can hold memorial services. This amenity enables MVC to host a variety of public events to raise awareness of the new services, to re-establish its role within the community, and additionally to raise revenue from rental of the space.

The project also resulted in the creation of more than 2,200 new spaces for cremated remains and related landscape improvements. All of these new spaces (or 'niches') are located in above ground structures called columbaria. These new spaces allowed MVC to reopen to the sale of space in December 2008 and represent more than \$7 million in potential revenue. As required by provincial legislation, 10% of all proceeds from the sale of each space or niche must be deposited in the perpetual care fund.

The MVC Committee

When the MVC By-Law was revised in 2003 it included the creation of a MVC committee. The committee is delegated certain administrative authorities and responsibilities within the By-Law. In addition to establishing MVC rules for the more operational aspects of the MVC the committee also provides oversight to the continued implementation of the Master Plan and the Financial Plan.

The committee is currently comprised of the General Manager of Community Services, the Director of Support Services for Community Services, the General Manager of Business Planning and Services, the Assistant Director of Business Operations - Non Market Operations and the Manager of MVC.

Cemetery Market Analysis

Market Share

Local Health Area	Disposition Method		Market ¹	MVC	Interments	Core & Region Mkt Share
	Burial	Cremation				
Vancouver	1,123	2,555	2,145	Municipal	338	5%
Richmond	231	639	487	(none)		0%
Burnaby	350	968	737	O.View (<i>priv.</i>) F.Lawn (<i>priv.</i>)	1,500 ² 1,500 ²	24% 24%
North Vancouver	125	661	389	Municipal	103	2%
West Vancouver	69	394	227	Municipal	199	3%
New West.	85	391	241	Municipal	127	2%
Delta	84	562	309	Municipal	147	2%
Coquitlam	191	805	513	Municipal	177	3%
Port Coquitlam				Municipal	67	1%
Surrey	469	2,154	1,331	Municipal V.View (<i>priv.</i>) Victory (<i>priv.</i>)	209 500 ² 1,200 ²	3% 8% 19%
TOTAL	2,727	9,129	6,379		6,067	95%

¹ Assuming that 40% of cremated remains are interred in a regional MVC

² Estimates only - no data available

Comparison of Core Cemetery Fees

MUNICIPAL Cemeteries	N. Van	West Van	Coq.	Port Coq	New West	Surrey	Victoria	AVG
	<i>Regional Market</i>							
<u>Interment Rights</u>								
Niche - 1 urn	\$3,780	\$3,620	\$2,606		\$3,056	\$1,925	\$735	\$2,620
Niche - 2 urns	\$5,040		\$4,532	\$2,000	n/a	\$2,475	\$3,050	\$3,419
In-ground - 1 urn	\$1,940		\$1,350	\$1,371	\$1,198	\$1,200	\$1,320	\$1,396
In-ground-2urns	\$1,940		\$1,350	\$1,371		\$1,500	\$2,745	\$1,781
<u>Interment</u>								
Cremated Remains In niche	\$240	\$385	\$358	\$290	\$300	\$350	\$410	\$333
Cremated Remains In ground	\$640	\$475	\$440	\$362	\$378	\$450	\$410	\$451
Casket	\$1,180	\$1,100	\$716	\$1,100	\$978	\$975	\$795	\$978
<u>Marker Installation</u>								
Small marker	\$170	\$250	\$120	\$72	\$80	\$180	\$170	\$149
Large marker	\$170	\$250	\$120	\$72	\$80	\$235	\$220	\$164

PRIVATE Cemeteries	F.Lawn & O.View	Valley View	AVG
	CORE Market	Regional Market	
<u>Interment Rights</u>			
Niche - 2 urns	\$5,775	\$2,800	\$4,288
In-ground-2urns	\$3,500+	\$1,900	\$2,700
<u>Interment</u>			
Cremated Remains In niche	\$335	\$475	\$405
Cremated Remains In ground	\$445+	\$475+	\$460
Casket	\$1,360	\$1,250	\$1,305

Proposed 2011 Cemetery Interment Fees

		2011 Proposed			2010 Current
		Interment Right	Care Fund	TOTAL Fee	TOTAL Fee
NICHES					
Customized	Use of all niche spaces in unit	\$36,000	\$4,000	\$40,000	-
IN-GROUND CREMATED REMAINS SITE					
Standard	Allowing 2 interments	\$1,500	\$500	\$2,000	-
Standard	Allowing 4 interments	\$2,400	\$800	\$3,200	-
Premium Area	Allowing 2 interments	\$1,875	\$625	\$2,500	-
Premium Area	Allowing 4 interments	\$3,000	\$1,000	\$4,000	-
Feature Area	Allowing 2 interments	\$2,625	\$875	\$3,500	-
Feature Area	Allowing 4 interments	\$4,200	\$1,400	\$5,600	-
Feature Area	Estate Lot - 10 interments	\$18,750	\$6,250	\$25,000	-

	2011 Proposed Fee	2010 Current Fee
INTERMENT of REMAINS		
Miscarried Remains or Cremated Remains of Infant/Stillborn	\$0	-
Commemoration Only - no interment (<i>for MVC memorials</i>)	\$150	-
Extra Niche interment (beyond original capacity)	\$1,500	-
OVERTIME (<i>in addition to INTERMENT Fee</i>)		
Cremated Remains	\$300	-
Casket	\$1,000	-
DISINTERMENT AND EXHUMATION		
Exhumation - Cremated Remains (<i>from niche</i>)	\$250	-
Concurrent Exhumation and Re-interment of Cremated Remains (<i>credit applied to exhume and inter fees</i>)	\$(150)	-

LANDSCAPE RENOVATIONS		
Strip and Re-Seed Grave - cost per standard grave	\$200	-
Expose Existing Curbing - where <1" below sold	\$5/ft	-
Expose & Re-Level Existing Curbing - where >1" below sold	\$20/ft	-
OTHER PRODUCTS AND SERVICES		
Install Non-MVC Supplied Flower Container	\$25	-

Proposed Amendments to Cemetery By-Law Language

By-Law Section	Current Wording	Proposed Wording
Section 1.2 - Definitions	"working day" means every calendar day that is not Saturday, or a holiday.	"working day" means every calendar day that is not Saturday, Sunday or a holiday.
Section 2.5 - Functions of cemetery committee	(a) delegates to the cemetery committee the executive or administrative powers exercisable by Council under sections 331 and 332 of the <i>Vancouver Charter</i> to the extent the cemetery committee's exercise of such powers is not inconsistent with this By-law;	(a) delegates to the cemetery committee the executive or administrative powers exercisable by Council under section 331 of the <i>Vancouver Charter</i> and the <i>Cremation, Interment and Funeral Services Act</i> to the extent the cemetery committee's exercise of such powers is not inconsistent with this By-law;
Section 6.1 - Restrictions on Interment	A person may inter in the cemetery only human remains in a grave or crypt, cremated remains in a lot.	A person may inter in the cemetery only human remains in a grave or crypt, cremated remains in a lot, or miscarried remains in a lot.
Section 6.4 - Interment Regulations	An interment procession and interment service may take place only under the supervision of the MVC manager, on any working day during the hours prescribed by the MVC rules, and in a manner consistent with the dignity of the MVC and according to general community standards	An interment may take place only under the supervision of the MVC manager, on day <i>and</i> during the hours prescribed by the MVC rules, and in a manner consistent with the dignity of the MVC and according to general community standards
Section 7.2 - Number of interments permitted in a grave	A grave must hold no more than two interments of human remains in any 40 year period except that, despite anything to the contrary in this By-law, a grave containing human remains and measuring less than four feet by eight feet must not receive any more interments.	A grave must hold no more than two interments of human remains in any 40 year period except that, despite anything to the contrary in this By-law, a grave containing human remains and measuring less than four feet by four feet must not receive any more interments.
Section 8.7 - Restrictions in Fields of Honour	(a) a grave may contain only one memorial for the member or veteran interred in the grave, and the memorial must be at the head of the grave;	(a) a grave may contain one individual memorial for each member or veteran interred in the grave;

Proposed Amendments to Cemetery By-Law Language (cont'd)

By-Law Section	Current Wording	Proposed Wording
Section 9.2 - Surrender of Occupied Lot	9.2 A deceased licensee's representative, who wishes to surrender the lot for which the deceased licensee held the licence, and in which the last interment occurred more than 40 years ago, must apply to MVC manager, and must:	9.2 A deceased licensee's representative, who wishes to surrender <u>a</u> lot for which the deceased licensee held the licence, and in which the last interment occurred more than 40 years ago, must apply in writing to the MVC manager, and must:
	(a) give the MVC manager a statutory declaration, sworn by the applicant, declaring that the applicant is the deceased licensee's lawful representative;	(a)if the lot contains human remains or cremated remains, instruct the MVC manager to either disinter or not disturb the human remains or cremated remains;
	(b) give the MVC manager statutory declarations, sworn by each representative of a deceased individual interred in the lot, declaring that the applicant is the deceased individual's lawful representative;	(b) if human remains or cremated remains are to be disinterred from the lot, provide the required authorization for disinterment;
	(c) give the MVC manager an authorization signed by each representative irrevocably directing the MVC manager to disinter all human remains and cremated remains from the lot, to deal with those remains, to accept the surrender of the lot, and to pay the compensation under section 9.3, all according to the instructions of the deceased licensee's representative;	(c) delete
	(d) instruct the MVC manager how and where to dispose of all human remains and cremated remains disinterred from the lot and any memorial adorning the lot, and to whom to pay the compensation under section 9.3;	(c) instruct the MVC manager to either remove or retain any memorial adorning the lot including instructions on how and where to dispose of any memorial instructed to be removed;

Proposed Amendments to Cemetery By-Law Language (cont'd)

By-Law Section	Current Wording	Proposed Wording
Section 9.2 - Surrender of Occupied Lot	(e) if the lot is a reserved lot under an extant reserved area contract, give the MVC manager a consent to the disinterment and to surrender of the lot signed by the authorized signatory of the organization that is party to the contract; and	(d) if the lot is a reserved lot under an extant reserved area contract, give the MVC manager a consent to the surrender of the lot signed by the authorized signatory of the organization that is party to the contract;
	(f) if the lot is in a family mausoleum or columbarium, there is a surrender at the same time of all crypts or niches in the mausoleum or columbarium;	(e) if the lot is in a family mausoleum or columbarium, surrender at the same time all crypts or niches in the mausoleum or columbarium; and
	none	(f) pay all MVC fees required to carry out the instructions for disinterment and memorial removal.
Section 9.3 - Compensation for surrendered lot	If the MVC manager accepts the surrender of a lot under section 9.2 the city will pay, according to the deceased licensee's representative's instructions, an amount equal to the licence fee originally paid for the licence less the aggregate of:	If the MVC manager accepts the surrender of a lot under section 9.2 that contains no interments and no memorials adorning the lot, or includes instructions, authorization and payment of fees to remove all interments and memorials on the lot, the city will pay, to the licensee, an amount equal to the licence fee originally paid for the licence less the aggregate of:

Proposed Amendments to Cemetery By-Law Language (cont'd)

Proposed Amendments to Cemetery By	Law Language (cont'd)	Proposed Amendments to Cemetery By
Section 9.4 - Re-use of surrendered lot	Re-use of surrendered lot	Subsequent use of surrendered lot
	The MVC manager must not re-use a surrendered lot unless:	The MVC manager must not issue a new interment right license for a surrendered lot unless:
	(a) the MVC manager has disinterred all human remains and cremated remains from the lot, disposed of all human remains or cremated remains according to the instructions in section 9.2(d), and disposed of any memorial adorning the surrendered lot according to the instructions in section 9.2(d); and	(a) the MVC manager has disinterred and disposed of the human remains or cremated remains according to the instructions in section 9.2, and disposed of any memorial adorning the surrendered lot according to the instructions in section 9.2; and
	None	(b) if the lot still contains human remains or cremated remains or a memorial adorning the lot, the new interment right license includes provisions that the human remains or cremated remains cannot be disturbed and the memorial cannot be altered by the new licensee; and
	(b) if the lot is reserved under an extant reserved area contract, the applicant for a licence for the subsequent use of the lot complies with the requirements of the reserved area contract.	(c) if the lot is reserved under an extant reserved area contract, the applicant for a licence for the subsequent use of the lot complies with the requirements of the reserved area contract.

Proposed Amendments to Cemetery By-Law Language (cont'd)

By-Law Section	Current Wording	Proposed Wording
Section 10.1 Care Fund	Council consolidates and continues, under this By-law, the care fund known as the "Cemetery Care Fund" for the Mountain View Cemetery established under the Cemetery Perpetual Maintenance By-law and consolidated and continued under MVC By-law No. 4162.	Council consolidates and continues, under this By-law, the care fund known as the "Cemetery Care Fund" for the Mountain View Cemetery established under the Cemetery Perpetual Maintenance By-law and consolidated and continued under MVC By-law No. 4162. The income from the MVC Care Fund shall be used for the sole purpose of care and maintenance of the interment sites licensed within the MVC.
Definitions 1.2:	None	<p>"care and maintenance" means all work necessary to place any lot in a condition similar to and in keeping with surrounding lots and includes levelling, cutting, mowing, trimming and reconditioning as required from time to time to maintain such lots in accordance with the general standard of maintenance prevailing in the MVC;</p> <p>"miscarried remains" means a product of conception, resulting from complete expulsion or extraction from its mother, that does not meet the definition of a 'stillbirth' or 'birth' as defined in the Vital Statistics Act of British Columbia;</p>