

Village of Queen Charlotte

April 4, 2011

Minutes of the Council Meeting of the Village of Queen Charlotte held at 7.30 p.m. on Monday, April 4, 2011 at the Queen Charlotte Village Office, Queen Charlotte, B.C.

Prior to Adoption

PRESENT:

Council:

Mayor C. Kulesha
Councillor G. Martin
Councillor G. Noddin

Staff:

B. Beamish, Chief Administrative Officer
D. Uliana, Chief Financial Officer

Regrets:

Councillor L. Johnson
Councillor K. Olsen

Public- 1

Media -1

1. CALL TO ORDER:

Mayor Kulesha called the meeting to order at 7.30 pm

2. Agenda Addition and/or Deletions:

11.2 Report to Council, Official Community Plan Bylaw No. 50, 2011

3. Approval of the Agenda:

R2011/13/03 MOVED by Councillor Martin, seconded by Councillor Noddin that the agenda be adopted as amended.

CARRIED

4. Adoption of the Minutes:

4.1 Village of Queen Charlotte Council Minutes March 21, 2011
R2011/13/04 MOVED by Councillor Martin, seconded by Councillor Noddin that the Village of Queen Charlotte Council Minutes March 21, 2011 be adopted as amended.

CARRIED

5. Business Arising from the Minutes:

6. Proclamations:

7. Delegates and Petitions:

8. Inquiries from the Public Regarding the Approved Agenda Items:

nothing at this time

9. Correspondence:

For Information:

- 9.1** Northern Development Initiative Trust (NDIT) - Re: Meeting Summary First Quarter 2011
R2011/13/05 MOVED by Councillor Martin, seconded by Councillor Noddin that Northern Development Initiative Trust (NDIT) - Re: Meeting Summary First Quarter 2011 be received and filed. CARRIED

- 9.2** University of BC (UBC) – Re: UBC in your Community
R2011/13/06 MOVED by Councillor Martin, seconded by Councillor Noddin that University of BC (UBC) – Re: UBC in your Community be received and filed. CARRIED

For Action:

- 9.3** Pallant Creek Hatchery – Re: Request letter of support for proposal for restoring DFO funding for Pallant Creek Hatchery
R2011/13/07 MOVED by Councillor Martin, seconded by Councillor Noddin that a letter of support be sent to Pallant Creek Hatchery for their proposal for restoring DFO funding for Pallant Creek Hatchery. CARRIED

10. Reports of Committee, COTW and Commissions:

11. Bylaws:

- 11.1** Village of Queen Charlotte Bylaw No. 48-2011 – A Bylaw for Noise Regulation for 3rd reading on April 4, 2011
R2011/13/08 MOVED by Councillor Martin, seconded by Councillor Noddin to give 3rd reading to Village of Queen Charlotte Bylaw No. 48-2011 – A Bylaw for Noise Regulation. CARRIED

- 11.2** Report to Council, Official Community Plan Bylaw No. 50, 2011
R2011/13/09 MOVED by Councillor Noddin, seconded by Councillor Martin that the CAO's report of April 1, 2011, Official Community Plan Bylaw No. 50, 2011 be received. CARRIED

- 11.2.1** Village of Queen Charlotte Bylaw No. 50-2011 – Official Community Plan for 1st reading on April 4, 2011
R2011/13/10 MOVED by Councillor Noddin, seconded by Councillor Martin to give 1st reading to the Village of Queen Charlotte Bylaw No. 50-2011 – Official Community Plan. CARRIED

- R2011/13/11 MOVED by Councillor Martin, seconded by Councillor Noddin that the dates set for Public Consultation for the Official Community Plan will be Wednesday April 27, 2011 5.00pm–9.00pm and Saturday May 7, 2011 1.00pm–5.00pm. CARRIED

R2011/13/12 MOVED by Councillor Martin, seconded by Councillor Noddin that pursuant to Section 890 of the Local Government Act, the Official Community Plan Bylaw 50, 2011 be referred to the following organizations for consultation:

- i. School District 50
- ii. Skeena Queen Charlotte Regional District
- iii. Skidegate Band Council
- iv. Council of Haida Nations
- v. Department of Fisheries and Oceans
- vi. Ministry of Forests, Lands and Natural Resource Operations
- vii. Ministry of Transportation and Infrastructure

CARRIED

12. Unfinished Business:

13. New Business:

14. Notice of Motion:

15. Reports of Mayor, Council Members and Staff:

Mayor Kulesha:

- Attended meeting with NWHRD – the Canadian Cancer Society is raising money to build a lodge in Prince George
- Minister of Health, Honourable Minister de Jong invited to visit the area
- Attended Regional District meeting – passed 5 year plan. MLA Gary Coons was a delegate and was asked to assist with a strategy for BC Ferries
- Met with Federal representative who was part of a group on island to see how Gwaii Tel is utilizing their funding. Gwaii Tel is putting fibre optic lines to the Village Office in each community

Councillor Martin:

- Attended Committee of the Whole meeting March 28, 2011

Councillor Noddin:

- Attended the Community Coordinated Response to Violence Against Women meeting March 22, 2011. Attended Committee of the Whole meeting March 28, 2011
- Attended Vancouver Island Regional Library meeting In Nanaimo April 2, 2011. Copy of the Board Meeting of April 2, 2011 is available for viewing at the Queen Charlotte Village Office

Councillor Johnson:

written report submitted

- Attended the Community Coordinated Response to Violence Against Women meeting March 22, 2011. April 10-16 is National Victims of Crime Awareness Week. The Islands Women Society has funding to raise awareness around this issue
- Skidegate Health is planning to bring Headlines Theatre back to Haida Gwaii in January 2012

CAO:

- Spirit Square update
 - Working with Province on the deadline on Spirit Square, \$2,000.00 out of \$100,000.00 not spent – Re: signage.
 - Final report sent to Parks Canada which was well received and the picnic table is in place on the site.
 - Plant order is done for Spirit Square with the help of Brian Eccles, Marlene Specht and Benita Saunders.
 - Submitted application to BC Hydro for approximately \$2,000.00 value for plants for Spirit Square, BC Hydro receives the Green House Gas Emissions on this.
 - 7,000 feet of pavers have been ordered, bike racks and gravel and top soil.
- Debra is back – working on the budget
- Climate Action report received – extended grant deadline as there is more work to do. Talking with Port Clements and Masset on this project. Link is available for HGH levels, offsets
- On Island Protocol meeting April 6, 2011 in Port Clements
- Finance Committee of the Whole meeting set for April 11, 2011, public meeting
- Met with another bench designer
- 2011 Election Process meeting today

CFO:

- Working on time lines – budget
- Presentation by Elizabeth Baird to the Water shed Committee – Wednesday May 4, 2011 at 7.00pm
- Stanley Lake Tender will go out this week

16. Inquiries from the Public:

- Will the Advisory Planning Committee (APC) be dissolved?
 - They have completed the task and no new APC appointed in 2010
- How did discussions go, was Michael Roesen helpful?
 - Yes, good for overview and council met numerous times. Michael reviewed changes as it went.
- Make sure key elements were kept. Were you able to accommodate information from focus groups?
 - Yes, we think so

Observer

- How much smaller is this document than the APC's document?
 - Smaller, the repetition was taken out
- Time line - OCP?
 - Moving now – public hearing before summer and election
- Writing something about Control Structure for Stanley Lake
 - Call Mr. Beamish

17. Motion to Exclude the Public and move In Camera under the Community Charter Section 90(1)(g) Legal

R2011/13/13 MOVED by Councillor Martin, seconded by Councillor Noddin that the Motion to Exclude the Public and move In Camera under the Community Charter Section 90(1)(g) Legal

CARRIED

18. Report from In Camera

from In Camera February 21, 2011

R2011/06/09 MOVED by Councillor Olsen, seconded by Councillor Martin That the Village of Queen Charlotte apply to the Province of BC for a lease and then for a free crown grant for the boat launch and helipad areas.

19. Adjournment:

Meeting Adjourned at 8.40 pm

Next meeting Monday April 18, 2011

C. Kulesha, Chair

D. Uliana, Recording

Cumberland to get new, larger library

The Board has awarded the Request for Proposal (RFP) to Steam Engine Estates to build a new, 2,865 sq. ft. library in Cumberland at 2727 Dunsmuir Avenue, across from the current branch. Last year, the Village of Cumberland requested VIRL to undertake a RFP process for a larger branch to be located in the downtown core on Dunsmuir Avenue and to be accessible by bicycle.

The present 840 sq. ft. Cumberland branch would have required extensive upgrades to bring it up to an acceptable level; however, it still would not meet the standards of a 21st Century library.

The proposed new library has been designed by architects Chow Low Hammond, who have extensive experience in library design. Construction is expected to start soon after Steam Engine Estates completes the permit application process with the Village of Cumberland.

New, larger library for Quadra Island

The Board has approved the lease agreement for a new, larger library facility for Quadra Island at the Cove Centre at Quathiaski Cove.

The Consolidated Facility Master Plan, commissioned in 2009 and approved by the Board in June 2010, established a new minimum target size of 2,750 sq. ft. and identified many deficiencies in VIRL's library branches, including Quadra Island. The consultants also established, and the Board endorsed, site selection criteria that were used when selecting sites for new library branches. The 20 point site selection criteria are as follows:

Physical Site: (1) Site accommodates facility which meets area standard for catchment area; (2) central to catchment area; (3) site is in future growth area; (4) high visibility within community; (5) close to commercial node/activity; (6) close to other community facilities; (7) site restrictions [i.e., flood plain or restrictive covenants]; (8) library use permitted by existing zoning.

Site Access: (9) Accessible by public transit; (10) vehicle parking is maximum permitted by zoning; (11) bicycle parking is provided [as per zoning if applicable]; (12) access for service and delivery vehicles.

Building: (13) Meets minimum area requirement (for branch size); (14) meets building code standards; (15) barrier free access; (16) access to telephone, Internet, cable, communication infrastructure; (17) overall premise/building is in good condition; (18) available for long term period [20 years]; (19) affordable; (20) separate entrance.

The current 1,024 sq. ft. branch has been at its present location at Heriot Bay since 1990, and the building lease expired on December 31, 2010. In January 2010 Strathcona Regional District requested that the Quadra Island library be included in VIRL's capital plan as the branch was deemed to be nearing the end of its useful life.

The new library will be more than double the size of the present branch and be in a prime location.

In the coming months, VIRL's architect will work with the Cove Centre landlord on space allocation and design. The library is slated to be operational in its new location in early 2012.

Building ownership vs. rent or lease

The Board has established the following preferences for library buildings: (1) VIRL owns the building through a process of borrowing by municipalities or regional districts; (2) rent or lease from public bodies (member jurisdictions); and (3) rent or lease from a private owner.

Impact of minimum wage legislation on VIRL

The Board received a report about the government's pending minimum wage increase and the implications for VIRL, which employs 20 FTE pages (ranging between 102 and 186 pages, annually) who are paid the minimum rate.

The current minimum wage of \$8 will increase to \$8.75 on May 1, to \$9.50 on November 1, and to \$10.25 on May 1, 2011. The increased rate represents a \$27,826 expenditure increase in 2010, and a \$76,522 increase in 2011. Board members spoke in support of the increase in minimum wage and plan to request additional funding from the Ministry to cover the increased expenditures.

Performance indicators

Board members received a first look at a new initiative of branch performance indicators comprising numbers of membership, visitors, reference consultations, circulation, Internet use, customer assistance, children's literacy stations, database usage, number of programs offered, and attendance at programs.

The initiative, which was well received by Trustees, will be further refined in the coming months.

Horizon upgrade requires closure of 5 branches

The automated system that supports VIRL's operations will be upgraded over the Victoria Day weekend. This will require closure on May 22 of five branches (Harbourfront, Cowichan, Sidney, Parksville, Courtenay), in addition to the statutory holiday closure on May 23. Staff regularly scheduled to work that day will not lose any pay. During the system upgrade the following functions will be inoperable: catalogue, check-in/out, email, telephone notification, public computing and wireless access.

Branch activities report

The Board received a report on activities and programs offered at various library branches. The report received a round of applause and many accolades from Trustees, who wish to "Thank staff for a job well done".

Neighbourhood Learning Centres

Rod Allen, Superintendent of Student Achievement, Ministry of Education, gave a guest presentation on the Ministry's new initiative of Neighbourhood Learning Centres and the role that libraries could play in the government's initiative. He used Port Clements as an example of a successful Neighbourhood Learning Centre. Board members expressed the need for adequate provincial funding to participate in initiatives such as these.

2011 Board Meeting Dates

June 11

September 24

November 26



2011
2011
2011

MAR 3 1 2011

865713

Her Worship Carol Kulesha
Village of Queen Charlotte
PO Box 580
903A Oceanview Dr
Queen Charlotte BC V0T 1S0

Dear Mayor Kulesha:

Thank you for your letter of December 14, 2010, regarding the Queen Charlotte General Hospital (QCGH). I apologize for not responding sooner.

I appreciate your making the time to speak with me at the UBCM meeting in Whistler last September. The background information provided on the history and condition of your hospital is useful information as we review the condition of the various facilities in need of upgrading.

The support of the NWRHD funding of \$2.7 million to develop the project business case is also appreciated. I am advised that Northern Health Authority expects to submit the project business case to the Ministry of Health (the Ministry) for capital funding consideration by mid-2011.

Though I cannot provide a guarantee of capital funding at this time, I can assure you that the replacement of your hospital is among the higher priority capital issues for the Ministry.

Thank you again for your letter and we look forward to reviewing the completed business case later this year.

Yours sincerely,

Kevin Brewster
Executive Director

pc: Mr. Michael Hoefler, Executive Director, Capital Planning and Support Services,
Northern Health Authority

Village of Queen Charlotte

We have included an explanation of 2 events to be held locally to celebrate World Move for Health Day

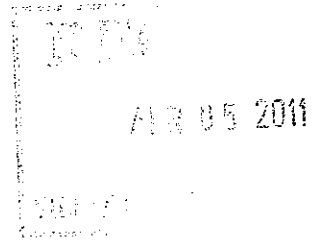
We are hopeful that you can provide a few prizes for our event ... if we could suggest possibly for 2 adults and 4 children plus some pens!

While we were given a small grant we are trying to save money, as we explained to the funder, any monies not used will go into the Tarundl Trails.

Perhaps if a Village Voice is coming out in the near-ish future it could be mentioned there ... and of course we are hopeful that staff and Council will attend as well.

We are hopeful that you will support us in what ever way works best.

Over the Hill Hikers
c/o Fran Fowler 250-559-4691



Queen Charlotte honours World Move for Health Day 2011 on May 7th

With the support of two successful grants from the BCRPA, the Over the Hill Hikers and Queen Charlotte Visitor Centre are excited to be supporting the 2011 World Move for Health Day with two organized events for the community taking place in Queen Charlotte on Sunday May 7th.....

The Over the Hill Hikers are hosting a **Weiner Roast and Trail Walks at the Tarundl**, complete with games and prizes ... this is an all-ages event with some easy hikes in a beautiful area close to town. Dogs [and cats] with their owners on leashes are also welcome!

Saturday May 7 between 11:00 and 1:00 we'll be there to welcome you and get you started on either a new trail system or enjoying a familiar one.

The bonfire/meeting area is the first turn off towards the water, past the Honna Bridge [5k from town]. Car pooling or biking is encouraged.

We'll have games, wieners, buns and punch and maybe some desserts too! Come on out, bring your family it will be fun ... Some new geocaches will be hidden just for the day.

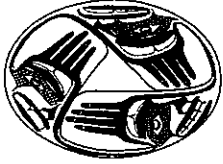
We are going to suggest that you monitor the website ... Over the Hill Hikers group FaceBook site or the Queen Charlotte Visitor Centre for any updates affecting weather etc.

The next event is **Walking the History of Queen Charlotte** ... for this meet at the Visitor Centre and pick up your Walking Tour booklet [for free] and join the walk around town visiting historic places in town today and comparing them to the photos of yesteryear.

This Move Day activity is broken into 2 walks 2:00 and 4:00 with "goodies" available back at the Visitors Centre ... all are on Saturday May 7 in celebration on World Move for Health Day ... this event is suitable for all ages, terrain is quite flat, paved and wheelchair accessible.

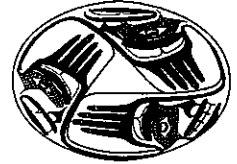
You can do both events ... everyone is invited, neighbours and visitors alike.

No matter which event you go to, you can enter the **Move Day Photo Contest** ... just by sending your best photos of Move Day activities to gcmovesday@gmail.com Even if you can't attend these activities and you do something special involving "moving for health" on the 7th there will be a category for your photos too... deadline will be May 10th.



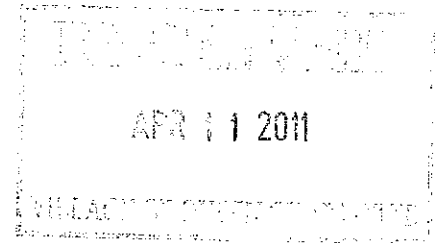
Xaaynangaa Naay (House of Life)
Skidegate Health Centre

Box 1348, Skidegate, BC V0T 1S1 Ph: (250) 559-4610 Fax: (250) 559-4619



April 6, 2011

Queen Charlotte Village Council
Box 580
Queen Charlotte, BC, V0T1S0



Re: Support Letter

Dear Village Council;

We are writing to ask for written support for our project titled 'Fire Pit'. The Health Centre with the permission from Kaay are going to construct a longhouse like structure to be used by the communities for a range of purposes. Our primary goal is to construct this so that we can continue to have both winter and summer solstice ceremonies, in a more localized and maintained space.

The Health Centre had a winter solstice fire ceremony along with our remembering their light celebration on Dec 21, 2010 at the Kaay. Remembering their light is when community members make Christmas tree ornaments with photos of their loved ones who have passed on. We have been doing this for many years, and this year, the lighting of the tree moved from the Health Centre to the Kaay as this program has outgrown our space. Included in the ceremony we had a candlelight walk to the fire, the Gwaii Singers choir singing Christmas Carols, Vern Williams singing Haida Songs. We had over 90 people attend the ceremony, and all gave positive feedback.

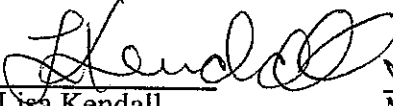
Kaay contacted us and asked if we could make a permanent fire pit so that we could continue to hold ceremony there. From that request it grew into a covered structure, longhouse style. This building will be open to the public of any community to use, and the Kaay Centre and Health Centre will collaborate on the maintenance. This building will also be built in top quality construction, be made up to standard with the fire code which will enable it to be in place for many years to come. It will include bench seating, for up to 100 people.

We plan to hold both summer and winter solstice celebrations, possible spring and fall equinox and full moon ceremonies as well. We for see it being used by various people

and groups in the future for many other things as well. It is important to note that there are no limitations on whom or what it can be used for.

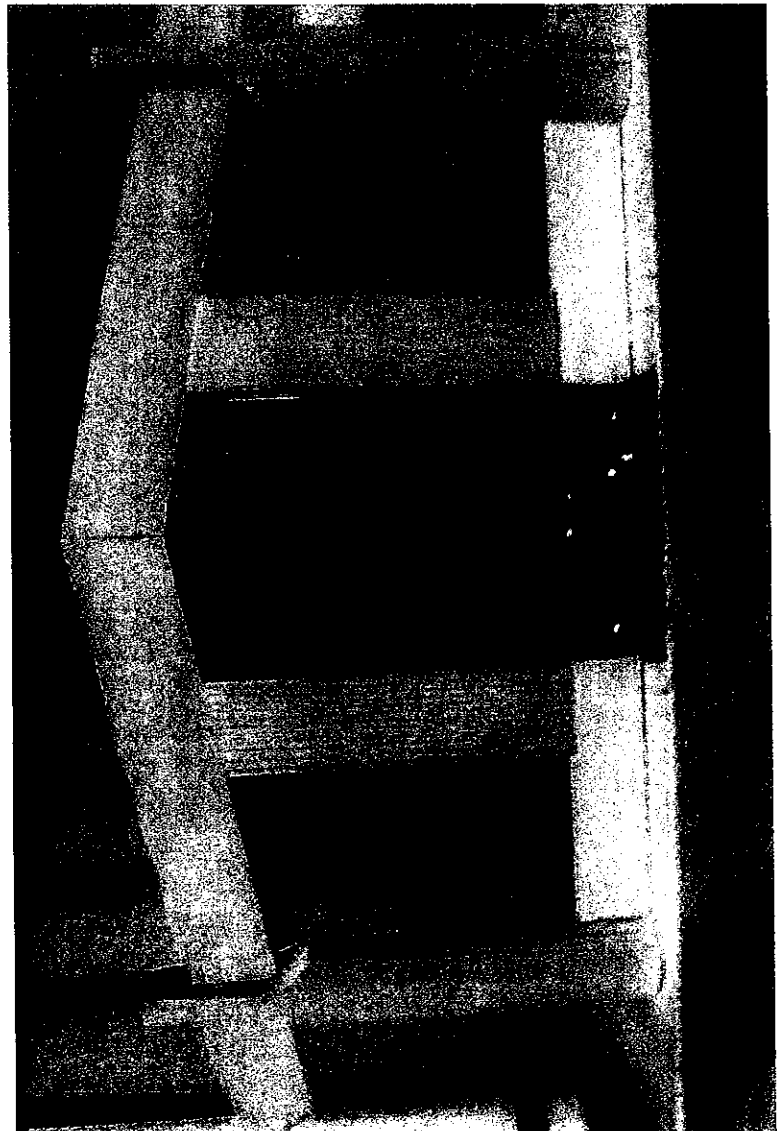
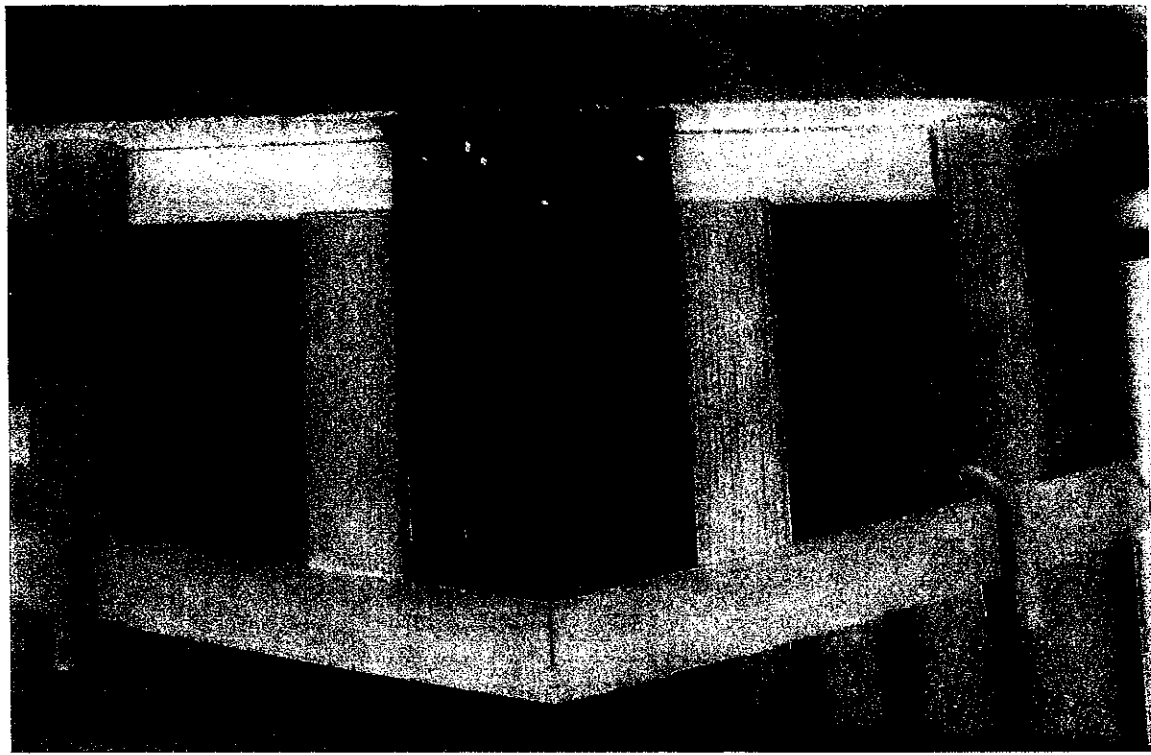
We are asking for a support letter in order to gain funding for this opportunity. We are pursuing several avenue's of funding over the next 3 months. We have attached pictures of the model. If you have any questions please contact; Lisa Kendall, Michelle Prouty, or Pete Thompson at the Skidegate Health Centre.

Sincerely,


Lisa Kendall


Michelle Prouty


Pete Thompson



Sent: Tuesday, April 12, 2011 2:35 PM
To: Sandra Brown
Subject: FW: Community map project and letter of support request

For the agenda pls.

Bill

From: Jenn Dolen [<mailto:coordinator@mieds.ca>]
Sent: Tuesday, April 12, 2011 12:07 PM
To: Bill Beamish
Cc: manager@qcinfo.ca
Subject: Community map project and letter of support request

HAIDA GWAI

Tourism Advisory Committee

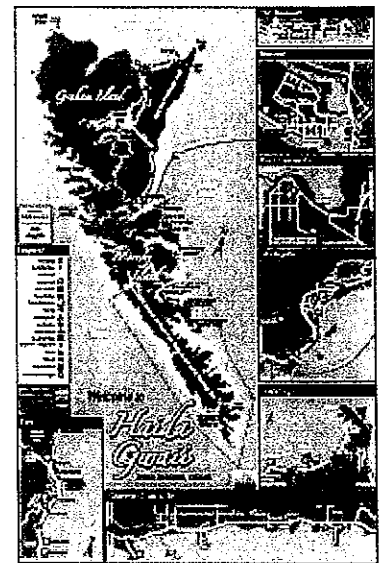
April 12, 2011
Village of Queen Charlotte
Re: Solicitation for support of a walking tour map in Queen Charlotte and subsequent letter of support for Gwaii Trust

Dear Village of Queen Charlotte,
The Haida Gwaii Tourism Advisory Committee (TAC) is looking at interest in creating a walking tour map in the communities around the islands. This project is intended to create additional events for visitors to our islands to engage in. Queen Charlotte is a unique community in that it is the only one with a walking tour already developed. We hope to either supplement the walking tour already established or create a new one or similar project by working together to find something that would benefit the community. The manager of the "Friends of Queen Charlotte" is cc'd on this email to keep all communication open.

Each walking tour will highlight the strengths in each community and will follow a path leading around the communities and to tourism businesses such as restaurants, coffee shops or bakeries. At this point, the idea is still forming and indeed information for contact people to help formulate this tour along with images is appreciated.

If you see that there is value in this project, please contact me for local people that might be interested in helping put this map together for a small stipend – pending grant approval. As well, a letter of support for the "Culture as it relates to Tourism" program under a Gwaii Trust application for approximately \$15,000 to produce 7 community maps and update and reprint the popular free visitor map of Haida Gwaii by April 20th would be appreciated.

Thank you for your time and consideration,
Jenn Dolen



Jenn Dolen - Project Coordinator

box 652, Queen Charlotte, BC V0T 1S0
tel: 250-559-8050 fax 250-559-8055

e-mail: coordinator@mieds.ca www.mieds.ca

VILLAGE OF QUEEN CHARLOTTE

NOISE BYLAW NO. 48, 2011

A Bylaw to regulate, prohibit, and impose requirements in relation to noise in the Village of Queen Charlotte

WHEREAS the Council of the Village of Queen Charlotte has the authority to regulate, prohibit, and impose requirements in relation to noise that is liable to unreasonably disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

NOW THEREFORE the Council of the Village of Queen Charlotte, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited for all purposes as the "Village of Queen Charlotte Noise Regulation Bylaw No.48, 2011."

Interpretation

2. In this Bylaw:
 - (a) "Council" means the Council of the Village of Queen Charlotte;
 - (b) "Bylaw Enforcement Officer" means the Chief Administrative Officer, member of the R.C.M.P. , or other person who may be appointed by Council;
 - (c) "Village" means the Village of Queen Charlotte;
 - (d) "Weekdays" means Sunday night to Friday morning;
 - (e) "Weekends" means Friday night to Sunday morning.

Prohibited Noise

3. No person shall make or cause, or permit to be made or caused, in or on a highway or public place in the Village, any noise which unreasonably disturbs or is liable to unreasonably disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public.
4. No owner or occupier of real property shall use such real property, or permit such real property to be used, so that a noise which originates from such real property unreasonably disturbs or is liable to disturb the quite, peace, rest, enjoyment, comfort, or convenience of individuals or the public.

5. Without limiting the generality of Section 3 or 4 of this Bylaw, no person shall cause or permit:
- (a) any amplified music or speech which is audible between the hours of 11:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 11:00 p.m. and 9:00 a.m. on weekends, outside the premises on the real property from where the music or speech originates or is reproduced and which unreasonably disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public;
 - (b) any calls, cries, barks, or other noises made by an animal which are audible between the hours of 11:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 11:00 p.m. and 9:00 a.m. on weekends, outside the premises where the animal is kept and which unreasonably disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public;
 - (c) any noise made by the operation of any machinery or equipment between the hours of 11:00 p.m. and 7:00 a.m. on weekdays or between the hours of 11:00 p.m. and 9:00 a.m. on weekends and which unreasonably disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public;
 - (d) any noise made in the construction, reconstruction, alteration, repair, or demolition of any building, structure, or thing, including the excavation or filling of land, between the hours of 11:00 p.m. and 7:00 a.m. on weekdays or between the hours of 11:00 p.m. and 9:00 a.m. on weekends and which unreasonably disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public.
 - (e) The provisions of this part shall not apply to or be enforced against the operation of machinery or equipment or any construction, building, demolition, excavation, grading or other kind of construction or destruction work undertaken outside of the prohibited hours with the written permission of the Chief Administrative Officer or by a resolution of Council.

Exemptions

6. This Bylaw does not apply to noise produced by:
- (a) emergency response vehicles and equipment proceeding upon or engaged in an emergency;

- (b) the excavation, filling, construction, reconstruction, alteration, or repair of streets, highways, public works, infrastructure, or lands by the Village's employees or agents, as required to respond to an emergency or to ensure the safety of the public.
- (c) snow removal or highway cleaning operations on a highway or public place;
- (d) the operation of a public address system, or alarm system, required under a building or fire code;
- (e) special events permitted by Council;
- (f) an animal impoundment facility or shelter;
- (g) activities associated with commercial fisheries operations and fish guides;
- (h) commercial delivery vehicles, or their operators, or any other noise associated with the regular course of the delivery or pickup of commercial goods;
- (i) BC Ferries operations in Skidegate Landing;
- (j) the landing and takeoff of helicopters from the heli-pad or float planes;
- (k) industrial activity on property zoned industrial and including the loading of the log barge in Bearskin Bay;

Inspection

7. Subject to requirements of the *BC Community Charter Act*, a bylaw enforcement officer may enter on any property at any reasonable time for the purpose of ascertaining whether the regulations and requirements of this Bylaw are being observed.

No Interference

8. No person shall obstruct or interfere with a bylaw enforcement officer in the performance of his or her duties under this Bylaw.

Offences and Penalties

9. Any person who contravenes this Bylaw is liable upon summary conviction to a fine and the cost of prosecution. Every day during which there is an infraction of this Bylaw shall constitute a separate offence.
10. This Bylaw is designated pursuant to s. 264(1)(a) of the *Community Charter*, S.B.C. 2003, c. 26 as a bylaw enforceable by means of a ticket in the form prescribed in the *Community Charter Bylaw Enforcement Ticket Regulation*, B.C. Reg. 425/2003.
11. All persons acting on behalf of the Village for the purpose of enforcement of the Village's bylaws and members of the R.C.M.P. are designated pursuant to s. 264(1)(b) of

the *Community Charter*, as bylaw enforcement officers for the purpose of enforcing this Bylaw.

12. The words or expressions set forth in Column 1 of Schedule "A" of the Bylaw are authorized pursuant to s. 264(1)(c) of the *Community Charter* to designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.
13. The amounts appearing in Column 3 of Schedule "A" of this Bylaw are the fines established by Council pursuant to s. 265(1)(a) of the *Community Charter* for the corresponding offence designated in Column 1.

Severability

14. If any section or lesser portion of this Bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

READ A FIRST TIME this 21st day of February, 2011.

READ A SECOND TIME this 21st day of March, 2011.

READ A THIRD TIME this 4th day of April, 2011.

APPROVED AND ADOPTED this ____ day of _____, ____.

Carol Kulesha, Mayor

William Beamish, Chief Administrative Officer

I hereby certify that the above is true and correct copy of "Village of Queen Charlotte Noise Regulation Bylaw No.48, 2011." as adopted by Council of the Village of Queen Charlotte on the _____ day of _____, 201 .

Corporate Officer

SCHEDULE "A" OF BYLAW NO. 48, 2011

Offence Committed	Bylaw Section No.	Fine
1. Noise on highway or public place contrary to bylaw	3	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
2. Noise on premises contrary to bylaw	4	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
3. Amplified music or speech during prohibited period	5(a)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
4. Noisy animal during prohibited period	5(b)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
5. Noise from machinery or equipment during prohibited period	5(c)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
6. Noise from construction during prohibited period	5(d)	1 st Offence \$50.00 Subsequent Fine \$100 per offence.
7. Interference with bylaw enforcement officer	8	\$250.00

**Village of Queen Charlotte
Bylaw # 49-2011**

**BEING A BYLAW TO REGULATE THE OPERATION AND MAINTENANCE
OF THE QUEEN CHARLOTTE CEMETERY**

The Council of the Village of Queen Charlotte, in open meeting assembled, enacts as follows:

1. In this bylaw, unless the context otherwise requires:

Administrator	shall mean the Chief Administrative Officer or other person duly appointed as such from time to time by the Council;
Caretaker	shall mean the person or persons duly appointed or employed by the Village from time to time as caretaker of the cemeteries of the Village of Queen Charlotte;
Cemetery	shall mean and include any parcel or tract of land set aside, used, maintained or operated as a cemetery by the Village of Queen Charlotte;
Child	shall mean any person one year old up to and including 12 years of age;
Council	shall mean the Council of the Village of Queen Charlotte;
Director	shall mean that person as defined under the <i>Business Practices and Consumer Protection Act</i> that is charged with administration of the <i>Crema-tion, Interment and Funeral Services Act</i> ;
Infant	shall mean any person up to the age of one year;
Mayor	shall include the Acting Mayor;
Medical Health Officer	shall mean the person duly appointed from time to time by the Ministry of Health or Interior Health Authority to act as Medical Health Officer for the Village of Queen Charlotte;
Treasurer	shall mean the Chief Financial Officer or other person duly appointed as such from time to time by the Council;
Village	shall mean the Village of Queen Charlotte.

The use of words signifying the masculine shall include the feminine. All other words and phrases in this bylaw shall be construed in accordance with the meaning assigned to them in the *Crema-tion, Interment, and Funeral Services Act*, SBC 2004, c.35 and the *Business Practices and Consumer Protection Act*, SBC 2004, c.2, and their associated regulations, all as amended or replaced from time to time.

2. The following land has been set aside, operated, used or maintained as a cemetery by the Village:
- a. Block A, District Lot 16, Queen Charlotte District
3. A copy of the cemetery plan shall be filed with the Director as defined under the *Business Practices and Consumer Protection Act* and copies shall also be kept available for public inspection in the Municipal Office and at such other places as may be deemed necessary.

PERMIT TO USE THE CEMETERY

4. The Council may grant to any person paying the interment right contract fee and the care fund contribution fee, according to the scale of fees prescribed in Schedule "C" to this bylaw, an interment right contract in the form of Schedule "A" attached hereto and forming part of this bylaw.
5. Council reserves to itself the right to refuse to sell the use of more than one grave space to any one individual.

6. (a) Where the holder of an interment right contract wishes to transfer his rights under that interment right contract to another person he shall first provide the Administrator with full particulars of the name, address and other description of the person to whom the transfer is to be made, the consideration to be paid therefore and such other information as the Administrator may reasonably request. The provision of such information shall not bind the Village to accept or permit the proposed transfer.
- (b) Upon acceptance by the Village of the transfer fee prescribed in Schedule "C" to this bylaw, and upon compliance with the requirements of this bylaw by the interment right contract holder and the person to whom the interment right contract is to be transferred, the Administrator shall effect the desired transfer by an endorsement upon the interment right contract and shall record the transfer in the books or other records kept by him for that purpose.
7. All interment right contracts issued for use of grave space in the cemetery shall be subject to the provisions of this bylaw and all bylaws now or thereafter to be passed by Council.

FEES AND CHARGES

8. (a) The fees for interment, use of grave space, and care of graves, and the charges for goods offered for sale by the Village for use in the cemetery, and any other cemetery fees shall be those set out in Schedule "C" attached hereto and forming part of this bylaw.
- (b) The fees set out in Schedule "C" to this bylaw shall be paid at the Village's offices at the time of purchasing an interment right contract or any goods or services sold by the Village in connection with the operation of the cemetery.

PERMISSION TO INTER, EXHUME AND CREMATE

9. No human remains or cremated remains shall be interred in the cemetery until a permit to inter the human remains or cremated remains has been obtained from the Village and the fee for the interment permit as specified in Schedule "C" hereof has been paid to the Village, except as may be permitted otherwise under the terms of Section 13.
10. All permits for interment of the human remains or cremated remains in the cemetery shall be in the form of Schedule "B" attached hereto and forming part of this bylaw.
11. All applications for a permit to inter in the cemetery must be made to the Administrator or the Village's offices during regular office hours, 8:30 am – 4:30 pm, Monday to Friday except Statutory Holidays, and in cases of emergency as described in Section 13.
12. Any person who makes application for an interment permit or who requires an interment to be made shall provide the Administrator with a statement of the name, age and date of the death of the deceased, whether or not the death was caused by a communicable disease as listed in the *Health Act Communicable Disease Regulation* (BC Reg. 4/83) made under the *Public Health Act*, the time and date of the funeral and any other information which it is reasonable for the Administrator to request.
13. (a) Where the Medical Health Officer directs that a body be buried in the cemetery during any period when the Village's offices are closed, permission to inter in the cemetery shall be obtained from the Administrator or the Mayor.
- (b) Where a burial in the cemetery is performed under the condition of sub-section (a) the person who permitted the burial and the person who performed the burial shall report the matter to the Administrator with full details of the deceased as required by Section 12 hereof together with such fees as may be required in accordance with Schedule "C" if such fees have not already been paid.
- (c) The information required to be given to the Administrator under the terms of sub-section (b) of this section shall be provided to the Administrator as soon after such interment as the Village's offices are opened.

14. No human remains or cremated remains interred in the cemetery shall be exhumed without a written order being first obtained from the proper authority in accordance with Part 4 of the *Cremation, Interment and Funeral Services Act*, and all exhumations must comply with the *Cremation, Interment and Funeral Services Act*.
15. It shall be unlawful to bury or cremate human remains or cremated remains within the boundary of the cemetery except pursuant to the terms of the *Cremation, Interment and Funeral Services Act* and Regulations thereunder.

INTERMENT IN THE CEMETERY

16. No body other than a deceased human body, or the cremated remains or other remains of a deceased human body shall be interred in the cemetery, and all interments shall be subject to and comply with the provisions of this bylaw.
17. The holder of an interment right contract shall not permit an interment to be made in the grave space to which the interment right contract refers nor transfer or dispose of the said grave space to another person, group or organization unless such interment, transfer or disposal is made pursuant to and subject to the provisions of this bylaw.
18. Where the body of a person who died while suffering a communicable disease is to be buried in the cemetery, any instruction given by the Medical Health Officer respecting the interment shall be fully and carefully followed by those who perform the interment.
19.
 - (a) Each interment in the cemetery, other than the interment of cremated remains, shall provide for not less than 1 meter of earth between the general surface level of the ground at the grave site and the upper surface of the vault, casket or grave liner enclosing the body resting in the grave.
 - (b) Each interment of cremated remains in the cemetery shall be made in a container encased in a non decomposing liner and shall be buried in the grave not less than 60 cm deep.
 - (c) Not more than one (1) set of human remains and four (4) sets of cremated remains, may be interred in each grave space provided the soil composition permits, and the holder of an interment right contract or heirs of the holder of an interment right contract grant written authority to the Administrator permitting the interment of all remains subsequent to the first interment.
 - (d) The second or any subsequent interment in a grave space shall not be permitted to disturb or disinter any remains previously interred in the same space.
 - (e) Placement of cremated remains interred in each grave space shall be set in the grave space as follows:
 - (i) the first interment is to be placed on the left-hand side of the grave space just below the main memorial;
 - (ii) the second interment is to be placed on the right-hand side of the grave space just below the main memorial; and,
 - (iii) the third and fourth interments are to continue to follow this formation alternating from left to right.
20. Interments shall be permitted to take place on any day between one hour after sunrise and one hour before sunset.
21. Graves shall be dug or opened only by persons authorized by the Administrator.
22. Persons who dig or open the graves must comply with WorkSafeBC Occupational Health and Safety Regulations, Policies and Guidelines as appropriate.

CEMETERY CARETAKER

23. (1) Council may authorize the appointment of a cemetery caretaker and the duties and responsibilities of a caretaker so appointed shall be, among other things, to carry out, or cause to be carried out by cemetery workforces placed under their supervision:
- (a) The digging, preparation, opening and closing of graves as ordered by the Administrator;
 - (b) The direction of all funerals in the cemetery to the correct gravesite;
 - (c) The general work of the cemetery, to maintain it in a neat, tidy condition, including maintenance of walls, fences, gates, paths and other cemetery improvements;
 - (d) The installation of memorial tablets, markers and monuments on graves, and general construction of their foundations or bases; and
 - (e) The provisions for care of the cemetery tools and equipment.
- (2) Until such time as a cemetery caretaker is appointed, a duly authorized employee shall complete such duties, responsibilities and work as may be directed by the Administrator.

ADMINISTRATION AND CARE FUND

24. The Administrator shall maintain records as necessary to the administration and management of the cemetery and as required by the *Cremation, Interment and Funeral Services Act* and Regulations.
25. The Administrator is hereby authorized on behalf of the Village and subject to the provisions of this bylaw to grant an interment rights contract in the form set out in Schedule "A" hereof in respect of any unoccupied and licensed grave spaces in the cemetery.
26. The Administrator shall issue all permits for interment and exhumation required by this bylaw except as otherwise provided herein.
27. Upon issuing any permits for interment in the cemetery, or upon viewing an order for exhumation from the proper authority as required by Section 14 hereof, the Administrator shall notify the Caretaker or the authorized employee before the time of the intended interment or exhumation.
28. (a) Council hereby establishes a care fund in the form of a trust account to be known as "The Cemetery Care Fund Account" into which the Treasurer shall pay all funds received for care fund purposes and all such funds shall be deposited in said account, and there held pending investment or expenditure as hereinafter provided.
- (b) From each interment right contract sold, the Treasurer shall pay into The Cemetery Care Fund Account, the fee specified in Schedule "C" hereof.
- (c) On all interment-right contracts, and on all agreements for the transfer of such interment right contracts, the amount required to be used for care fund purposes shall be specified, provided that the amount so specified shall not apply to grave space made available by the Village free of charge for indigent burial.
- (d) Any owner of a memorial marker desiring to install same in the cemetery, shall pay to the Administrator prior to the installation of such memorial marker, the fee specified in Schedule "C" hereof, and such amounts when received shall be paid by the Treasurer into The Cemetery Care Fund Account for investment as hereinafter provided.
- (e) Investment of funds received for care fund purposes shall be made as required by the *Cremation, Interment and Funeral Services Act* and its regulations.
- (f) The income from The Cemetery Care Fund Account including any appreciation thereof shall be used for the sole purpose of upkeep and maintenance of the property licensed and the cemetery of which it forms part.

- (g) The principal sum of the Cemetery Care Fund shall not be reduced otherwise than in accordance with the *Cremation, Interment and Funeral Services Act* and its regulations.
29. A separate account of all monies received under the provisions of this bylaw and of all monies expended hereunder shall be kept by the Treasurer and any surplus remaining or receipts over expenditure shall be paid at the end of each financial year into a fund to be known as "The Cemetery Fund" and same shall be invested by the Village in accordance with the provisions of the *Community Charter*.

MEMORIALS

30. Improvements made to a grave space are the responsibility of the family or friends of the deceased to maintain. The Village is not responsible for damage incurred to these improvements.
31. Memorials installed on a grave space shall not exceed one meter in height and shall be made of wood, concrete, rock, or other suitable material.
32. A refundable deposit specified in Schedule "C" hereof, will be paid at the time the Interment Permit is issued and will be applied to the cost of a memorial to be placed by the Village if no memorial is installed on a grave space within six (6) months of the interment. Temporary grave markers may be purchased from the Village at cost.

GENERAL

33. Council hereby establishes itself as a Board of Trustees to operate the cemetery.
34. Cut flowers, wreaths or floral offerings may be placed on graves, but may be removed by the caretaker or authorized employee when their condition is considered by him to be detrimental to the beauty of the cemetery.
35. Village employees or volunteers approved by the Superintendent of Public Works shall be responsible to plant, remove, cut down or destroy any trees, shrubs, plants, flowers, bulbs or rocks in the cemetery.
36. All persons are prohibited from damaging or defacing any memorial, monument, fence, gate or structure in the cemetery, or any improvements in the cemetery.
37. Any person not behaving with proper decorum within the cemetery, or disturbing the quiet and good order of the cemetery, may be evicted there from by the caretaker or authorized employee.
38. The discharging of firearms, other than in regular volleys at burial services, is prohibited in the cemetery.
39. Any person who willfully or unlawfully disturbs persons assembled for the purpose of burying a body therein, or who commits a nuisance, or at any time behaves in an indecent and unseemly manner, or deposits any rubbish or offensive matter or things in a cemetery, or in any way violates any grave, memorial or other structure within the same, shall be guilty of an infraction of this bylaw and liable to the penalties hereof.
40. The cemetery shall be deemed open one hour after sunrise and closed one hour after sunset.
41. Every person who commits an offence against this bylaw is liable to a fine and penalty not exceeding Five Hundred Dollars (\$500.00) and costs, or in default of payment thereof, or in the alternative, to imprisonment with or without hard labour for any period not exceeding six (6) months.
42. Notwithstanding anything herein contained, the administration and operation of the cemetery shall be carried out at all times in accordance with the *Cremation, Interment and Funeral Services Act* and regulations made thereunder.
43. If any section, subsection or clause of this bylaw is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the invalid and severed section, subsection or clause.

44. This bylaw shall be cited as "Cemetery Bylaw No. 49-2011", and shall come into full force and effect upon adoption by Council.

READ A FIRST TIME this 21st day of March, 2011

READ A SECOND TIME this day of

READ A THIRD TIME this day of

RECONSIDERED AND ADOPTED this day of

Mayor

Corporate Officer

Certified correct:

Corporate Officer

Schedule "A"

QUEEN CHARLOTTE CEMETERY
 Box 580 – 903 A Oceanview Drive, Queen Charlotte , B.C.
 Ph. 250-559-4765 & Fax 250-559-4742

INTERMENT RIGHT CONTRACT - SCHEDULE A

This **PURCHASE AGREEMENT** is entered into between **the Village of Queen Charlotte** and the undersigned **Purchaser** named herein.

DATE: _____

NAME OF PURCHASER:		
ADDRESS:		
Ph:	Cell:	Email:
NAME OF DECEASED:		Gender: M F
LAST ADDRESS OF DECEASED:		
Date of death:	Place of Death:	Resident: Yes No
Date of Birth:	Place of Birth:	AGE:

INTERMENT PARTICULARS

INTERMENT OF HUMAN REMAINS or INTERMENT OF CREMATED REMAINS

BLOCK:	PLOT:	CEMETERY:
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FEES

	TOTAL
PLOT:	
GRAVE FEE:	\$
CARE FUND CONTRIBUTION FEE:	\$
SUB-TOTAL	\$
MEMORIAL MARKER FEE (refundable):	\$
TEMPORARY GRAVE MARKER:	\$
HST:	\$
TOTAL	\$

PAYMENT TERMS: For the goods and services listed, payment in full is required at the time of entering into this agreement.

IN WITNESS WHEREOF the parties executed this agreement on the _____ day of

_____, 20_____.

Signature of Purchaser/Authorized Person

Relationship to Deceased

Print Name of Purchaser/Authorized Person

Signature for the Village of Queen Charlotte

TERMS AND CONDITIONS

CONTRACTUAL OBLIGATION

This Agreement is binding on the signatory parties, their heirs, successors, personal representatives and permitted assigns. The contract is subject to the *Business Practices and Consumer Protection Act; Cremation, Interment and Funeral Services Act* and related regulations.

INTERMENT RIGHTS

The sale of interment right is not the sale of a plot but the ***right to be interred in an assigned plot***. An interment right holder does not acquire any right or interests in the roads, paths and other areas that allows access to and from any lot at ***Queen Charlotte Cemetery***. The interment right holder also does not acquire any right or interest in any gardens, structures, buildings or other property at ***Queen Charlotte Cemetery***.

REQUIREMENTS PRIOR TO DISPOSITION

Pursuant to Section 8(3)(b)(ii) *Cremation, Interment and Funeral Services Act*, the ***Village of Queen Charlotte*** cannot proceed with or permit the interment of human remains at the cemetery unless a written authorization for disposition is received in advance from the person with the legal right to authorize the disposition of the deceased.

RECLAMATION of UNUSED INTERMENT RIGHTS

The ***Village of Queen Charlotte*** reserves the right to reclaim 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 Service Regulation* of B.C. as follows:

25 (1) 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.

(2) 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.

(3) If the director refuses the application, the director must give the applicant written reasons for the decision.

(4) 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 acceptable to the original interment right holder or the person who has authority under section 5 of the Act with respect to the deceased interment rights holder.

INFORMATION PRIVACY

The collection, use, disclosure and retention of personal information acquired by the cemetery in the process of providing goods and services is subject to the ***Village of Queen Charlotte Privacy Policy***.

BYLAWS, RULES & REGULATIONS

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 cemetery as may be currently in effect or from time-to-time amended by the Village of Queen Charlotte.

CANCELLATION & REFUNDS:

TO CANCEL, you must provide a written notice of cancellation. The notice must be forwarded to Box 580, Queen Charlotte B.C. VoT 1So.

- **INTERMENT RIGHTS FOR LOTS:** Refund payable shall be the original purchase price of the space identified LESS the amount of the Care Fund contribution for the space and LESS the current Cancellation Fee.
- **CARE FUND CONTRIBUTIONS:** If you cancel interment rights after funds have been deposited into the care fund, the amount deposited into the care fund shall not be refundable.
- Upon confirmation of the requesting party's or deceased's estate's legal right to receive any refund, the *Village of Queen Charlotte* =will provide any refund owing within 30 days from the confirmation date.

COLLECTION, USE AND PRIVACY OF PERSONAL INFORMATION

- The Purchaser, by signing this agreement, acknowledges that *the Village of Queen Charlotte*, in the course of providing the goods and services requested shall as required by law or as it deems necessary collect, retain and disclose such personal information as is necessary to fulfill the terms and conditions of this agreement. The use of personal information about the purchaser or a deceased person shall be strictly controlled and will never be provided to another party or organization unless required to provide a good or service under this agreement or is required by legislation, regulation or court order.
- The Purchaser, by signing this agreement, acknowledges and gives their permission to the Queen Charlotte Cemetery to, from time to time as requested, provide interment or memorial locations to cemetery visitors.
- The Purchaser, by signing this agreement, waives any responsibility or liability of the *Village of Queen Charlotte* to control, limit, restrict or prevent access to or disclosure of personal information that may be recorded on any monument, marker or memorial installed for display at the cemetery.

CEMETERY RULES AND REGULATIONS

- The Purchaser, by signing this agreement, acknowledges receipt of a copy of this agreement and acknowledges and agrees to observe that the provision, use and maintenance as applicable covered in this agreement together with the all of the facilities of the cemetery are subject without exception to the Bylaws, Rules & Regulations and Schedule of Rates for the cemetery in their entirety now or hereafter in effect.
- The Purchaser, by signing this agreement, acknowledges there are, without exception, restrictions and limitations on the exercise of interment rights and on the form, type and installation of memorial products in the cemetery and that it is the responsibility of the Purchaser to ensure the exercise of interment rights and that any memorial product is in compliance with the Bylaws, Rules and Regulations of the cemetery.
- The Village of Queen Charlotte reserves the right, without prior notice, to remove any memorial product, personal memento, decoration or floral tributes which do not comply with the cemetery Bylaws, Rules and Regulations.
- Subject to a request being made in advance and with the permission and at the sole discretion of the Cemetery Supervisor, *may* allow the display of normally unauthorized items on interment lots and memorial sites on holidays, anniversaries or other dates that were of significance to the deceased memorialized. Such displays will be permitted to remain on the site for no more than the number of days allowed by the Cemetery Supervisor and will be removed thereafter without prior notice.

By placing your signature, you agree and accept the above noted terms and conditions

PURCHASER'S INITIALS _____

Schedule "B"

QUEEN CHARLOTTE CEMETERY
Box 580- 903A Oceanview Drive , Queen Charlotte , B.C.
Ph. 250-559-4765 & Fax 250-559-4742

INTERMENT PERMIT - SCHEDULE B

Name of Deceased: _____ Gender: M F

Date of Birth: _____ Place of Birth: _____

Date of Death: _____ Place of Death: _____

Age: _____

Interment Particulars:

Interment Location:

Block _____ Plot _____ Cemetery: _____

Interment Date: _____ Time of Interment: _____

Authorization:

Under the 'Order of Priority' in Section 5(1) Cremation, Interment and Funeral Services Act, I _____ certify that I am the legally authorized representative to the above named deceased. Pursuant to Section 8(3)(b)(ii) Cremation, Interment and Funeral Services Act, I hereby authorize the interment of _____ at Queen Charlotte Cemetery.

By authorizing this interment, I agree to indemnify and hold harmless the Village of Queen Charlotte, its officers and employees, from any liability, costs, expenses or claims resulting from this authorization.

Signature of Authorized Person

Relationship to Deceased

Print Name of Authorized Person

Dated Signed (YYYY/MM/DD)

Address of Authorized Person

Village Representative Signature

Bylaw Section 23: "Persons who dig or open the graves must comply with WorkSafeBC Occupational Health and Safety Regulations, Policies and Guidelines as appropriate."

Excerpt from *Cremation, Interment and Funeral Services Act*:

Control of disposition of human remains or cremated remains

5 (1) Subject to this section and section 8 (3) (b) (i) [*requirement for authorization before funeral services or disposition*], 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.

(4) A person claiming that he or she should be given the sole right to control the disposition of the human remains or cremated remains may apply to the Supreme Court for an order regarding that right.

(5) When hearing an application under subsection (4), the Supreme Court must have regard to the rights of all persons having an interest and, without limitation, give consideration to

- (a) the feelings of those related to, or associated with, the deceased, giving particular regard to the spouse of the deceased,
- (b) the rules, practice and beliefs respecting disposition of human remains and cremated remains followed or held by people of the religious faith of the deceased,
- (c) any reasonable directions given by the deceased respecting the disposition of his or her human remains or cremated remains, and
- (d) whether the dispute that is the subject of the application involves family hostility or a capricious change of mind respecting the disposition of the human remains or cremated remains.

(6) Despite subsections (1) to (3), if the Supreme Court makes an order in favour of a person who has applied to it under subsection (4), that person is deemed to be at the top of the order of priority set out in subsection (1).

Requirement for authorization before funeral services or disposition

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 *Public Health Act*, or

(ii) has received the authorization from the person who, under section 5 [*control of disposition of human remains or cremated remains*], has the right to control the disposition of the human remains.

Protection from liability

9 If

(a) there is an error or omission in an authorization provided under section 8 [*requirement for authorization before funeral services or disposition*] to an operator or a funeral provider, or

(b) the person who signed an authorization provided under section 8 [*requirement for authorization before funeral services or disposition*] 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.

VILLAGE OF QUEEN CHARLOTTE
 Box 580 – 903A Oceanview Drive , Queen Charlotte , B.C.
 Ph. 250-559-4765 & Fax 250-559-4742

TARIFF - SCHEDULE "C"

<u>GRAVE SPACE</u>	<u>INTERMENT RIGHT CONTRACT</u>	
(a) <u>Adult size:</u>	(Plus Care Fund Contribution of \$31.25)	\$125.00
(b) <u>Child Size:</u>	(1 to 12 years of age)(Plus Care Fund Contribution of \$25.00)	\$ 75.00
(c) <u>Infant Size</u>	(under 1 year of age)(Plus Care Fund Contribution of \$25.00)	\$ 50.00
Cremated Remains	Grave Spaces (all ages – Plus Cemetery Care Fund Contribution of \$25.00)	\$ 55.00

PERMITS

Interment Permit for Human Remains by Private Arrangement No Fee (Section 22 applies)

Interment or Exhumation Permit for Human Remains (Adult size) By Village of Queen Charlotte
 \$350.00 - workdays, M-F
 \$500.00 – Saturday or Stats

Interment or Exhumation Permit for Human Remains (Child or Infant) By Village of Queen Charlotte
 \$350.00 - workdays M-F
 \$500.00 – Saturday or Stats

Interment Permit for Cremated Remains By Private Arrangement No Fee (Section 22 applies)

Interment or Exhumation Permit for Cremated Remains By Village of Queen Charlotte
 \$150.00 – workdays M-F
 \$225.00 – Saturday or Stats

OTHER

Transfer of Interment Right Contract \$ 2.00

Care Fund Contribution Fee \$25.00 or 25% of interment right contract fee, whichever is greater

Memorial Marker Fee (refundable - Section 32) \$100.00
 Temporary Grave Marker at cost

VILLAGE OF QUEEN CHARLOTTE

REPORT TO COUNCIL

DATE: April 14, 2011
FILE:
AUTHOR: Debra Uliana, CFO
SUBJECT: Professional Development and Training

RECOMMENDATIONS:

That the CFO Debra Uliana be authorized to attend the GFOA conference May 30 to June 3 in Victoria and Public Works Utility Operator Mr. Parker be authorized to attend the Chlorine Handling Course May 16 to 20th in Vancouver.

REASON FOR REPORT:

Two of our professional development and training opportunities require registration before the date the 2011 Budget will be adopted.

BACKGROUND AND DISCUSSION:

A. Government Financial Officers Association of BC – 2011 Conference & Professional Development Week:

This year's preconference offers a full day on Taxation 301. Topics covered will include: Assessment appeals; Exemption programs; Tax Policy; Tax Calculation; Local service area taxes; Collection issues and Current topics, like Industrial taxation and farm assessments. The conference itself includes some of the following topics: Balanced Budgets: Dangerous in Isolation; Carbon Offsetting – What is your Organization's Plan for 2012?; Emergency Operations for Finance Officers; Legal Update; Pension Update and Planning; Infrastructure Management; Insurance – what can go wrong, will!; Key Principles for Investing; and Citizen Engagement Through Technology.

B. Chlorine Handling Course:

This is a basic course that all Public Works employees require because of their duties with the water treatment plant. Mr. Parker is our newest hire in the Public Works department and this is the first opportunity for him to attend this training.

FINANCIAL CONSIDERATIONS:

Both the GFOA and the Chlorine Handling Course are included in the draft budgets.

GFOA Conference & Professional Development Week: Cost: \$2,928 (budgeted at \$3,000)

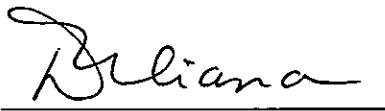
Chlorine Handling Course: Cost: \$2,688 less Gwaii Trust Grant \$1,344

ENVIRONMENTAL CONSIDERATIONS:

The best practices taught in this chlorine handling course are vital to the safety of our staff and our community. Several of the topics at the GFOA are also important to the environmental health of the municipality.

LEGAL CONSIDERATIONS:

Our municipal liability insurance requires a resolution of Council to authorize travel of Council or staff outside the municipal boundaries in order to be covered.

A handwritten signature in cursive script that reads "Debra Uliana". The signature is written in black ink and is positioned above a horizontal line.

Debra Uliana, CFO



Gwaii Trust Society

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www.gwaiitrust.com

March 14th 2011

Village of Queen Charlotte
PO Box 580
Queen Charlotte, Haida Gwaii
V0T 1S0

Attention: Sandra Brown

Re: Legacy Program
Project: Public Works Staff Training
File #: LEG 10-31

Congratulations, your Legacy program application, *Public Works Staff Training Project*, has been funded to a maximum of \$1,344.00. In order to access the approved funding, you and / or your organization, group or society must accept and abide by the **Standard Gwaii Trust Funding Conditions**.

Note: The Gwaii Trust Board of Directors has approved your application with the following conditions:

1. Before any funding disbursements please provide the following.
 - Please submit a cover letter indicating your funding request
 - Sign the attached Gwaii Trust Funding conditions Form confirming that you and / or your organization, group, or society agrees to these conditions and return it back to our office (As attached)
 - Please indicate you project name and file number on all correspondence
 - Approved subject to; as submitted.

I will be your project officer for this project, please submit all correspondence directly to the Skidegate office. If you have any questions or require further information please do not hesitate to contact me directly. We look forward to working with you.

Sincerely

Debbie Crosby
Gwaii Trust Society
Senior Executive Assistant
Project Officer, Skidegate
PO Box 1257
Skidegate, Haida Gwaii