

SECONDARY USE OF LOT – AUTHORIZATION

ORIGINAL LOT HOLDER (complete this section if you **ARE** the original lot holder)

I, _____, residing at _____
(print full legal name) (residential address: number, street, city, province, postal code)

certify that I am the lot holder of record at Ross Bay Cemetery for a lot described on License No. _____ and as located within Block ____, Plot _____, _____ of Road ____ (Segment __) and by my signature below authorize the City of Victoria to re-open this lot to permit the interment of the human remains or cremated remains of:

name _____, who died on _____ at _____
(print full legal name of deceased) (m/d/y) (city/prov)

name _____, who died on _____ at _____
(print full legal name of deceased) (m/d/y) (city/prov)

APPLICANT OTHER THAN ORIGINAL LOT HOLDER (complete this section if you **ARE NOT** the original lot holder)

I, _____, residing at _____
(print full legal name) (residential address: number, street, city, province, postal code)

certify that I am the legally authorized representative, rightful heir or successor of the original lot holder , _____ and as such am legally entitled to exercise the rights of interment for the lot at (print name of original lot holder)

Ross Bay Cemetery described on License No. _____ located within Block ____, Plot _____, _____ of Road ____ (Segment __) and hereby authorize the City of Victoria to re-open this lot to permit the interment of the human remains or cremated remains of:

name _____, who died on _____ at _____
(print full legal name of deceased) (m/d/y) (city/prov)

name _____, who died on _____ at _____
(print full legal name of deceased) (m/d/y) (city/prov)

AUTHORIZATION

I am the ORIGINAL LOT HOLDER _____(int.), or

I am the LEGAL REPRESENTATIVE, RIGHTFUL HEIR OR SUCCESSOR OF THE ORIGINAL LOT HOLDER _____(int.),

and as such authorize and hereby instruct the City of Victoria to re-open the lot described herein for the interment of the human remains or cremated remains identified and I accept all responsibility for costs and fees arising from this authorization. I have satisfied the conditions as applicable of the 'Secondary Use Policy' on the reverse of this form and further certify there is no other person or persons who are entitled to claim the rights of interment for the lot identified in this authorization.

I agree to indemnify and hold harmless the City of Victoria, its officers, employees and agents from any liability, costs, expenses or claims resulting from this authorization.

Signed in the presence of my witness on this the _____ day of _____, _____.

Signature _____ Witness Signature _____

Name (print) _____ Witness Name (print) _____

SECONDARY USE POLICY - INTERMENT RIGHTS

The City of Victoria as operator of Ross Bay Cemetery has a responsibility to ensure that any interment into a lot at the cemetery is being authorized either by the original lot holder or their rightful heir(s) or successor(s). Lot holders are required to provide proof of their interment rights prior to an interment being permitted. This policy is in place to protect rightful lot holders from fraudulent use of their lot by unauthorized persons.

The secondary use of the rights of interment for a lot in Ross Bay Cemetery shall be addressed in the following manner;

1. A "lot holder" is defined in the *Cemetery and Funeral Services Act (B.C.)* as a person who owns a right of interment. An original lot holder shall until their death retain the sole and exclusive authority to exercise the interment rights assigned to a lot registered in their name at Ross Bay Cemetery;
2. A person who wishes to authorize secondary use of a right of interment for a lot of which they are not the original 'lot holder', shall make application for such use in a form approved by the City of Victoria;
3. A person who is not the original holder of a license conveying a right of interment in a lot at Ross Bay Cemetery and who wishes to authorize secondary use of a lot so that other interments may be made into the lot (*hereafter 'the applicant'*) must provide certified true copies of the following documentation;
 - a) A Will of the lawful holder of the lot (and Letters Probate where applicable) showing the applicant as the recipient of the lot under the Will, or as the person entitled to the residue of the estate after all obligations and specific bequests under the Will have been settled;
 - b) If there is no Will, copies of the Letters of Administration showing the applicant as the person entitled to the portion of the estate which includes the right of interment (usually the residue, as above);
 - c) If no specific request of the lot is documented in a Will and if there is more than one party potentially entitled to claim the interment rights in the lot or a share of the rights, whether under a Will or otherwise, it will be necessary for the applicant to provide to the City of Victoria with a Release from any other party who may have a claim to the lot.
4. The above documents shall be attached as exhibits to an affidavit sworn by the applicant that they are entitled to authorize secondary use of the lot and setting out the facts that support this assertion.
5. Upon delivery of these documents to Ross Bay Cemetery and payment in full of any applicable fees the secondary use requested shall be permitted to proceed subject to all bylaws, rules and regulations of Ross Bay Cemetery.

RELEASE OF INTERMENT RIGHTS ENTITLEMENT

I, _____,
(print full legal name)

residing at _____
(residential address: number, street, city, province, postal code)

certify that I am a descendant of the original lot holder of record at Ross Bay Cemetery for a lot described on

License No. _____ and as located within Block ____, Plot _____, _____ of Road ____ (Segment __) and by my signature

below waive and release any interment rights I may be entitled to in this lot and hereby consent to the use of the

lot for the interment of the human remains or cremated remains of:

name _____, who died on _____ at _____
(print full legal name of deceased) (m/d/y) (city/prov)

name _____, who died on _____ at _____
(print full legal name of deceased) (m/d/y) (city/prov)

I agree to release, discharge, indemnify and hold harmless the City of Victoria, its officers, employees and agents from any liability, costs, expenses or claims resulting from this authorization.

Signed in the presence of my witness on this the _____ day of _____, _____.

Signature _____

Witness Signature _____

Name (print) _____

Witness Name (print) _____