



COUNCIL REPORT

To: Mayor and Council

Date: April 14, 2026

From: Ron Bowles, Chief Administrative Officer

Subject: **Cemetery Consequential Bylaw Amendments**

Prepared by: Lorraine Boles, Cemetery Coordinator

Reviewed by: Patrick Pulak, General Manager Operations

RECOMMENDATION:

THAT “City of West Kelowna Bylaw Notice Enforcement Amendment Bylaw No. 0093.55, 2026” be read a first, second and third time;

AND THAT “City of West Kelowna Ticket Information Utilization Amendment Bylaw No. 0095.53, 2026” be read a first second and third time.

STRATEGIC AREA(S) OF FOCUS

Foster Safety and Well-Being – We will pursue through direct action, advocacy, and collaboration with local and regional service providers, investments in community health, needs-based housing, emergency preparedness, policing, and other services that foster safety and well-being in West Kelowna.

BACKGROUND

The City of West Kelowna adopted its updated Cemetery Bylaw No.0318 in 2025.

Within that Bylaw, Section 13.11 (c) of the Cemetery Bylaw: “states the amount of the fine levied for contravention of this Bylaw shall be set out in the City of West Kelowna Bylaw Notice Enforcement Bylaw No. 0093, and the City of West Kelowna Municipal Ticket Information Utilization Bylaw No. 0095”.

This report recommends updating the schedule(s) for ticket offences at the Cemetery in Bylaw No.0093 and Bylaw No. 0095.

DISCUSSION

Ticketable offences within the Cemetery include items such as, but not limited to; placing non-conforming markers, modifying or replacing markers, entering the grounds when the Cemetery is closed, disposing of remains contrary to the Bylaw. While the likelihood of offenses such as these are low, it facilitates Bylaw Enforcement Officers to enforce the rules of the Cemetery with a ticket and an associated fine.

The fine amounts were chosen based on similar other ticketable offenses within the Bylaw Notice Enforcement (BNE) Bylaw No. 0093 and the Municipal Ticket Information (MTI) Utilization Bylaw No. 0095.

Fines are set out in two separate bylaws because enforcement can occur through either a BNE or a MTI, depending on the nature and seriousness of the violation. A BNE is the Province's preferred tool, with a maximum fine of \$500, and provides a simpler, lower-level enforcement process that is handled through the adjudication system rather than the courts. An MTI, by comparison, carries significantly higher fines of \$1,000–\$3,000 and is used at the Officer's or Manager's discretion for more severe or repeat offences, but it must be personally served to the offender and proceeds through the provincial court system if disputed. Maintaining both bylaws ensures the City has a flexible enforcement framework, allowing staff to apply appropriate and proportionate penalties, including daily fines for continuing offences.

FINANCIAL IMPLICATIONS

There are no financial implications.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
March 25, 2025	West Kelowna Cemetery Bylaw No. 318 – Consideration of Adoption <u>It was moved and seconded</u> THAT Council adopt "West Kelowna Cemetery Bylaw No. 318." <u>CARRIED UNANIMOUSLY</u>	C073/25

PowerPoint: Yes No

Attachments:

1. City of West Kelowna Bylaw Notice Enforcement Amendment Bylaw No. 0093.55, 2026
2. City of West Kelowna Ticket Information Utilization Amendment Bylaw No. 0095.53, 2026