



TOWNSHIP OF NORTH HURON

REPORT

Item No.

REPORT TO: Reeve Vincent and Members of Council
PREPARED BY: Sean McGhee, Director of Public Works
DATE: 13/08/2018
SUBJECT: Cemetery By-law Amendments
ATTACHMENTS: Draft North Huron Cemetery By-Law

RECOMMENDATION:

THAT the Council of the Township of North Huron hereby receive the report of the Director of Public Works, dated August 13th, 2018 regarding proposed amendments to the North Huron Cemetery By-Law;

AND FURTHER, that Council pass a motion supporting the proposed amendments;

AND FURTHER, that staff be directed to post and provide notice of the cemetery by-law, as amended, pursuant to Section 151 of Ontario Regulation 30/11.

AND FURTHER, that staff be directed to forward the cemetery by-Law, as amended, to the Bereavement Authority of Ontario (the BAO) for approval, prior to Council's adoption.

EXECUTIVE SUMMARY

North Huron Cemetery By-Law 09-2015 was reviewed by staff to ensure consistency with current operation and compliance with regulatory requirements. The review involved meetings with all staff members involved in cemetery operation and consultation with local funeral homes. As a result of the review, the following changes and amendments are recommended for Council's consideration:

- Change the identified time for interments. - This change is proposed to minimize municipally incurred costs associated with after hour interments and to provide a mechanism to recoup costs when these events do occur.
- Removal of Winter Interment scheduling and associated fees. – There are risks associated with winter interments. The changes incorporated into the proposed By-Law move this practice to be entirely at the discretion of the municipality thereby allowing the practice only when weather and grounds conditions permit.
- Strict guidelines has been introduced into the proposed By-law surrounding the practice of disinterment. A limit of 25 years was incorporated to ensure that a grave cannot be opened after that time period has elapsed.
- Clarification on permissible interment practices including maximum number of interments per plot and allowable monument dimensions have been incorporated into the document.
- Clauses were amended to remove Vendor Advantage.
- A section was added which identifies acceptable behaviour within the Cemetery Boundaries.
- Administrative changes recommended by the BAO have been incorporated into the document to ensure that the bylaw is compliant with regulatory requirements.

The revised By-Law, as presented has been reviewed by representatives of the BAO and confirmed to be compliant under the Act.

DISCUSSION

There are clearly defined submission procedures before the proposed By-Law can be adopted. Under the Funeral, Burial and Cremation Services Act, 2002, the proposed by-law must be approved by the Registrar (The BAO) prior to adoption. In order to receive this approval, the following steps must be taken:

- a) Publish a notice **once** in a newspaper with general circulation in the locality in which the cemetery is located.
- b) Conspicuously post a copy of the notice on a sign (for 4 weeks) at the cemetery entrance.
- c) Deliver a copy of the notice to each supplier of markers. Suppliers of markers are those who have delivered a marker to the cemetery during the previous twelve-month period.

Subject to Council's approval of this report, staff will submit the Cemetery By-Law, as amended, to the Bereavement Authority of Ontario for approval. The submission will include evidence that the Township has complied with the notification requirements of the Funeral, Burial and Cremation Services Act, 2002. Once approval of the Bereavement Authority of Ontario has been given, an endorsed copy of the By-Law will be returned to the Township. The endorsed copy of the By-law will be placed on a future meeting agenda for Council's consideration and adoption.

FINANCIAL IMPACT

Adoption of the proposed By-Law will limit unfunded overtime incurred by municipal employees in the provision of interment services.

FUTURE CONSIDERATIONS

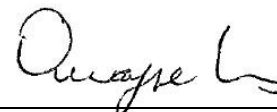
None at this time.

RELATIONSHIP TO STRATEGIC PLAN

This project relates to **Goal No. 4** of the Strategic Plan in that the administration is fiscally responsible and strives for operational excellence,



Sean McGhee, Director of Public Works



Dwayne Evans, CAO