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Date: May 9, 2018
To: Mayor and Council
Author: Shaun Martinho, Manager of Public Works
RE: Cemetery By-law 90-2012 Amendment
Report No.: MS-2018-18

AIM

To update Cemetery By-law 90-2012 and incorporate changes passed by motion of council 463-2013.

BACKGROUND

In April 2013, a request was made by council for the Cemetery By-law to be brought forward together with a report outlining options for addressing concerns about items allowed in municipally owned cemeteries. At the regular meeting of Council on June 24th, 2013 the following Motion was passed:

463-2013 Moved by G. Queen, seconded by S. McIntyre Council amend By-law 90-2012 to include plastic vases, plastic flower pots and shepherd's hook; (between April.1-Oct.31) and provide provisions for Legion stones and supplementary vase stones.

Unfortunately, the amended By-law was not presented at the next regular meeting of Council for passage.

In addition, administration would like to take this opportunity to update several other outdated clauses in the Cemetery By-law. This includes provisions for the Notice of Resale and Transfer of Interment Rights and removal of the prohibited items list from the Regulations For Cemeteries, Lots and Plots.

DISCUSSION

A copy of the proposed By-law is attached for Council's Reference in Appendix A. The following changes are being proposed by administration:

Regulations for Interments and Disinterment's

3. No Interment or Disinterment will be performed on any Sunday or Statutory Holiday unless approved by The Manager of Public Works. All services performed outside of the times specified in Schedule "C" of the Cemetery Services Price List will be done at cost.

Notice of Resale and Transfer of Interment Rights

10. The Town prohibits the resale of interment rights to a third party and will repurchase these rights at the price set out in the Cemetery Services Price List, less any care and maintenance contribution amount previously paid. The Town is not required to repurchase unused interment rights in a plot if one of the interment rights in the plot has been exercised.
11. The Town permits the interment rights holder to transfer their interment rights to a third party, at the current price set out in the Cemetery Service Price List, so long as the transfer is conducted through the Town.

Supplementary Markers

27. Legion Stones and Supplementary Vase Stone War Memorial markers placed on veteran's graves by the Royal Canadian Legion will be permitted to remain as a permanent marker, in addition to other markers and monuments allowed. Only head stones consistent with those approved by Veterans Affairs Canada are permitted.

General Care and Maintenance

36. Nails, wires, wooden crosses, articles of glass or pottery are prohibited in the Cemeteries (Removed and incorporated into Section 41e of the new By-law)
- 39c. between April 1 and October 31 each year, plastic vases, plastic flower pots, potted plants and shepherd's hooks on top of the ground, but not buried, and placed as close to a Monument or Marker base as practical.

Rules for Contractors

- 44i. not remove any marker or monument without written permission of the Public Works Manager.

LINK TO STRATEGIC PLAN

Promote the betterment, self-image and attitude of the community.

FINANCIAL CONSIDERATIONS

It should be noted that our cemeteries are operated with the intention of full cost recovery. Any additional costs incurred due to the placement of objects around monuments or

markers should be accounted for in the Care and Maintenance portion of our price schedule.

CONSULTATIONS

Municipal Services Department
Corporate Services Department

RECOMMENDATION

That Council adopt the proposed Cemetery By-Law 67-2018 and repeal the existing by-law, By-law 90-2012.

Respectfully Submitted,

Shaun Martinho

Shaun Martinho, H.B.Sc., C.E.T.
Public Works Manager

G.A. Plancke

G.A. Plancke, Civil Eng. Tech (Env.)
Director of Municipal Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer