



# Staff Report

## Community Services

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**Report To:** Committee of the Whole  
**Meeting Date:** April 21, 2020  
**Report Number:** CSOPS.20.024  
**Subject:** Temporary Relief of By-law 2011-28 Being a By-law to Maintain, Manage, Regulate and Control Cemeteries, Section D, Regulation 23  
**Prepared by:** Ryan Gibbons, Director of Community Services

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### A. Recommendations

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THAT Council receive Staff Report CSOPS.20.024, entitled "Temporary Relief of By-law 2011-28 Being a By-law to Maintain, Manage, Regulate and Control Cemeteries, Section D, Regulation 23";

AND THAT Council approve temporary relief of By-law 2011-28 Being a By-law to Maintain, Manage, Regulate and Control Cemeteries, Section D, Regulation 23, indicating "municipal cemeteries will not conduct interments on any Sunday, Good Friday or Christmas Day unless ordered to do so by a representative of the Ministry of Health", until the state of emergency in Ontario is lifted, or otherwise directed by the Bereavement Authority of Ontario.

### B. Overview

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Due to the COVID-19 Pandemic, the Bereavement Authority of Ontario has recommended that cemeteries waive any by-laws that would prevent interments from taking place. Currently the by-law does not permit interments to take place in the Thornbury Clarksburg Union Cemetery on any Sunday, Good Friday or Christmas Day. This report recommends temporary relief of this by-law.

### C. Background

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The Bereavement Authority of Ontario (BAO) is a not-for-profit corporation, responsible for administering provisions of the Funeral, Burial and Cremation Services Act, 2002, and associated regulations on behalf of the Ontario government. The BAO oversees the entire bereavement sector in Ontario, including funeral establishments, funeral directors, funeral preplanners, transfer service operators and transfer service sales representatives, and cemetery and crematorium operators and sales representatives.

The BAO was established as a delegated administrative authority (DAA) on January 16, 2016, under the Safety and Consumer Statutes Administration Act, 1996. The delegation to the BAO occurred as a result of the mutual desire of the Ontario government and the bereavement

industry to enhance professionalism, increase consumer protection and provide an effective, efficient and responsive regulatory framework.

The Thornbury Clarksburg Union Cemetery is the only active cemetery in The Town of The Blue Mountains. As a precautionary measure, staff are bringing forward this recommendation to provide an enhanced level of service if required. Steps have been taken to minimize cemetery staff contact ensuring social and physical distancing with each other to assist in providing redundancy in operations and administration of the cemetery.

Consideration was given to the noise by-law as well. By-law 2002-9 being a by-law to prohibit or regulate noises within the municipality likely to disturb, indicates that the by-law does not affect: 3. d) Noises or sounds authorized by the municipality.

## **D. Analysis**

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This recommendation is being put forward as one of the ways to reduce the amount of deceased people being left at hospitals, minimize the amount of times a deceased person is moved, and make sure that storage options are not exercised.

## **E. The Blue Mountains Strategic Plan**

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Goal #4: Promote a Culture of Organizational & Operational Excellence  
Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

## **F. Environmental Impacts**

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To be determined.

## **G. Financial Impact**

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To be determined.

## **H. In consultation with**

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By-law Enforcement Supervisor / Municipal Prosecutor

## **I. Public Engagement**

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The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Ryan Gibbons, [directorcs@thebluemountains.ca](mailto:directorcs@thebluemountains.ca)

Notification will be provided to neighbouring property owners.

**J. Attached**

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None.

Respectfully submitted,

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Director of Community Services

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