



Staff Report

Report To: Rebekah Msuya-Collison, Chief Administrative Officer/Deputy Clerk

From: **Alex Wolfe, Clerk**
Kendra Webster, Legislative and Licensing Coordinator

Date: June 3 2024

Report: CL11-2024

Subject: Municipal Assistance for Privately Owned/Operated Cemeteries

Recommendations:

That South Huron Council receives the report of Kendra Webster, Legislative and Licensing Coordinator and Alex Wolfe, Clerk re: Municipal Assistance for Privately owned/operated cemeteries; and

That South Huron Council direct staff to proceed with the drafting of a framework regarding assistance for privately owned/operated cemeteries to be brought back for Council consideration.

Purpose:

To provide South Huron Council with information and obtain direction.

Background and Analysis:

Staff have been approached by some privately run cemetery boards looking for municipal financial assistance or for the cemetery to be transferred to the Municipality for ownership/maintenance. In discussions with these board members, it was mentioned that several privately run cemeteries within the Municipality have been running into different constraints, including financial and aging cemetery board members. Staff have reached out to privately run cemeteries within Municipal boundaries to inquire whether they would be willing to share information on constraints they may be experiencing.

Comments received back from the boards focused on financial constraints for grounds maintenance, insurance costs, surveying cemetery boundaries, cemetery management software program, and memorialization. It was mentioned by several of the boards that provided comments that they are interested in continuing to maintain the ownership and operation of their cemeteries at this time.

Of note, the *Funeral, Burial and Cremation Services Act, 2002* requires cemetery operators collect Care and Maintenance when selling interment rights and place in a Trust Fund. The Trust Fund is used to generate income for the future care and maintenance of the cemetery. However, the capital portion of the trust fund can only be used to increase the capacity of the cemetery, on approval from the Registrar, and not for care and maintenance of the cemetery.

The Municipality of South Huron currently owns and operates seven (7) cemeteries, soon to be eight (8) (Kirkton-Methodist Cemetery), within South Huron. Out of these cemeteries, only one (1), the Exeter Public Cemetery, is active. All active and inactive cemeteries require grounds maintenance, monument restoration for health and safety and record searches for the public register. The Municipality is required to submit an annual report to the BAO for licensing purposes, which includes all cemeteries under municipal jurisdiction regardless of status.

Within the geographical borders of South Huron, there are an additional nine (9) cemeteries known that are privately owned and operated, eight (8) of which are currently classified with the BAO as active cemeteries. Details regarding these cemeteries can be found in the chart below.

Cemetery Name	Address	Status
Crediton Cemetery (Site 01588)	40 Victoria Avenue West, Crediton	Active
Elimville United Church Cemetery (Site 01602)	70359 Elimville Line, Exeter	Active
Kirkton Union Cemetery (Site 01604)	70411 Union Line, Kirkton	Active
McTaggart's Cemetery (Site 01605)	40921 Line 17, Hensall	Active
Our Lady of Mount Carmel Cemetery (Site 01589)	69219 Bronson Line, Parkhill	Active

St. Paul's Anglican Cemetery (Site 01607)	70369 Highway 23, Kirkton	Active
Thames Road United Church Cemetery (Site 01608)	71209 Elimville Line, Exeter	Inactive
Hensall Union Cemetery (Site 01603)	40219 Rodgerville Road, Hensall	Active
Zion Cemetery (Site 05063)	41587 Park Road, Centralia	Active

The cost of maintaining an active cemetery is expensive. Although burial costs and the installation of markers, etc. are cost recovery through the purchaser, grounds maintenance is not. Inactive cemeteries still require consistent grounds maintenance, which includes any monument restoration for health and safety, and record searches for the public register.

With the increase in costs and responsibilities that will fall on the Municipality as privately owned and operated cemeteries request to be transferred to the Municipality, it would be in the interest of the Municipality to consider providing financial assistance to these cemeteries to assist in the current boards continuing to operate and maintain the cemeteries. Staff have connected with other Ontario Municipalities to investigate different options available.

Options below are provided for Council consideration:

1. Requests as they are received

Council can deal with requests for financial assistance as they come in. These requests would be dealt with on an individual basis as they are brought forward to Council.

2. Municipal assistance program

Council could allocate a specific funding amount in the budget annually to be provided to the privately owned/operated cemeteries to provide some funding on an annual basis. A framework would be created to provide for the process of the distribution of the funds including an application process and setting out specific criteria.

Staff are recommending proceeding with option 2, with a framework to be brought back to Council for consideration. The framework would assist in providing consistency for considering requests for assistance.

Operational Considerations:

From an administrative and operational perspective, the management of active cemeteries is both time-consuming and complex. No interment is the same, and providing good customer service takes time, especially for those making arrangements while also dealing with grief. Administrative and operational tasks include but are not limited to interment right sales and mapping, burial contracts, scheduling, monument placement, historical record searches, plot and monument staking, fees and charges review, family transfers of interment rights, annual reporting to the Bereavement Authority of Ontario (BAO), site preparation for interments, and grounds maintenance.

As future requests are made for the transfer of cemeteries to the Municipality there are several administrative and operational impacts that would arise, including but not limited to:

- incomplete records (determining interment rights holders, location of burials and plots)
- lack of human resources
- increased regulatory processes (annual reporting requirements to the BAO)
- inconsistencies between cemetery rules and regulations (number of burials per grave, types of burials, and memorial options)
- maintenance costs
- cost of cemetery management software
- inadequate care and maintenance funds

Financial Impact:

There are no financial impacts resulting from the proposed recommendation at this time. Should Council proceed with the recommendation, the framework would be brought back for Council consideration, and if approved an amount would be included in the 2025 operational budget discussions.

Should Council proceed as status quo, requests for financial assistance will provide Council request as they are received.

Legal Impact:

There is no legal impact resulting from the proposed recommendation.

Staffing Impact:

Should Council proceed with the recommendation, staff will prepare a draft framework to be brought back for Council consideration.

Communication Actions:

Staff will continue to keep in touch with the privately run cemeteries to provide updates as received.

Policies/Legislation:

[Funeral, Burial and Cremation Service Act, 2002](#)

Consultation:

Rebekah Msuya-Collison, CAO/Deputy Clerk

Respectfully submitted,

Alex Wolfe, Clerk

Kendra Webster, Legislative & Licensing Coordinator

Report Approval Details

Document Title:	CL11-2024 - Municipal Assistance for Privately Owned-Operated Cemeteries .docx
Attachments:	
Final Approval Date:	Jun 13, 2024

This report and all of its attachments were approved and signed as outlined below:

Alex Wolfe - Jun 13, 2024 - 11:43 AM

Julia Warwick - Jun 13, 2024 - 1:44 PM

Rebekah Msuya-Collison - Jun 13, 2024 - 2:31 PM