

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number ____ - 2021

A by-law to amend Cemeteries By-law 83-2016, as amended

WHEREAS pursuant to the provisions of subsection 150(1) of O. Reg. 30/11 made under the *Funeral, Burial and Cremation Services Act, 2002*, a cemetery operator may make by-laws governing the operation of the cemetery and, in particular, governing rights, entitlements and restrictions with respect to interment and scattering rights;

AND WHEREAS By-law 83-2016, as amended, provides for the governance of the operation of Brampton Cemetery and other Cemeteries owned or operated by the City of Brampton;

AND WHEREAS pursuant to O.Reg. 30/11 the cemetery care and maintenance funds charges managed by the City will increase as of January 1, 2022;

AND WHEREAS Council wishes to increase the cemetery care and maintenance funds charges and to update By-law 83-2016, as amended, with certain housekeeping amendments;

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS AS FOLLOWS:**

1. That By-law 83-2016, as amended, is amended by the following:
 - (1) by deleting the definition of “Repurchase Price”;
 - (2) by deleting section 2.7 in its entirety;
 - (3) by renumbering sections the following sections:
 - (a) section 3.16 to 3.15;
 - (b) section 3.17 to 3.16; and
 - (c) section 3.18 to 3.17.

- (4) by deleting section 3.15 in its entirety and replacing it with the following:

“Care and Maintenance Fund Contributions

3.15 The amount required to be deposited to the Care and Maintenance Fund shall be determined as follows:

- (i) In the case of an in-ground Lot greater than 2.23 square metres (24 square feet) for the Interment of an adult, the greater of 50% of the Interment Rights price as set out on the Price List or \$290.00;
- (ii) In the case of an in-ground Lot smaller than 2.23 square metres (24 square feet) for the burial of a child or of cremated human remains, the greater of 50% of the Interment Rights price as set out on the Price List or \$175.00;
- (iii) In the case of a niche or compartment in a Columbarium, the greater of 15% of the Interment Rights price as set out on the Price List or \$165.00;
- (iv) In the case of a Scattering Ground for only one Scattering Rights Holder, the greater of 40% of the Scattering Rights price as set out on the Price List or \$115.00;
- (v) In the case of a Scattering Ground for more than one Scattering Rights Holder, the greater of 15% of the Scattering Rights price as set out on the Price List or \$30.00; and
- (vi) In the case of a Scattering Ground for which there is no Scattering Rights Holders, \$30.00.”

- (5) By deleting section 5.20 in its entirety and replacing it with the following:

“Care and Maintenance Fund Marker Contributions

5.20 Unless provided in the Price List every person, before installing a Marker in a Cemetery, shall pay to the City not less than the following amounts:

- (i) No charge for Care and Maintenance Fund - Markers for the installation of a Flat Marker measuring less than 1, 116.13 square centimetres (173 square inches);

- (ii) One Hundred dollars (\$100.00) for Care and Maintenance Fund – Markers for the installation of a Flat Marker measuring at least 1,116.13 square centimetres (173 square inches);
- (iii) Two hundred dollar (\$200.00) for Care and Maintenance Fund – Markers for the installation of an upright Monument measuring 1.22 metres (4 feet) or less in height and 1.22 metres (4 feet) or less in length, including the base; and
- (iv) Four hundred dollars (\$400.00) for Care and Maintenance Fund – Markers for the installation of an upright Monument measuring more than 1.22 metres (4 feet) in either height or length, including the base.”

Effective Date

2. This By-law becomes effective on January 1, 2022.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS day of, 2021.

Approved as to
form.

yyyy/mm/dd

[insert name]

Patrick Brown, Mayor

Approved as to
content.

yyyy/mm/dd

[insert name]

Peter Fay, City Clerk