

# The Corporation of The Municipality of Hastings Highlands

## Bylaw 2026-026

### To Update the Established Rules and Regulations for Cemeteries Owned, Operated or Managed by The Municipality of Hastings Highlands

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**Whereas** Section 10 of the *Municipal Act, 2001* provides that a municipality may provide any service that the municipality considered necessary or desirable for the public;

**Whereas** the *Funeral, Burial and Cremation Services Act, 2002* (FBCSA) and *Ontario Regulation 30/11* (O.Reg.30/11) authorizes the owner of a cemetery to make regulations for laying out and selling lots and managing cemetery for regulating burials therein and otherwise generally respecting the use of the grounds and for the execution of conveyances of lots or plots in the cemetery;

**And Whereas** the FBCSA requires that a cemetery is to be operated in accordance with the Act and any applicable regulations;

**And Whereas** Section 151 of O.Reg 30/11 provides that no cemetery bylaw is effective until it is filed with and approved by the Registrar of the Bereavement Authority of Ontario (BAO);

**And Whereas** the Municipality of Hastings Highlands holds a licence for both active and in-active cemeteries within the municipality;

**And Whereas** the Council of the Corporation of the Municipality of Hastings Highlands deems it expedient to repeal and replace Bylaw 2020-028 in order to update its rules and regulations to cemeteries;

**Now Therefore** the Council of The Corporation of The Municipality of Hastings Highlands enacts as follows:

1. **That** the operation of all Cemeteries under the licence of the Municipality of Hastings Highlands shall, in addition to the *Funeral, Burial and Cremation Services Act, 2002* (FBCSA) and Regulations thereto, be governed by the terms and conditions as set out in Schedule 'A' as attached to, and which forms part of this Bylaw.
2. **That** the fees for all Cemeteries under the operating licence of the Municipality of Hastings Highlands are set out in the Municipal User Fee Bylaw and may be amended by Council from time to time.
3. **That** the Council of the Corporation of the Municipality of Hastings Highlands hereby authorizes and directs the Mayor and Municipal Clerk to execute this Bylaw which sets rules and regulations for the care and control of all cemeteries under the operating licence of the Municipality of Hastings Highlands
4. **That** this Bylaw shall come into full force and effect on and after the written approval of the Registrar of the Bereavement Authority of Ontario.
5. **That** all other Bylaws or parts of Bylaws dealing with the care and control of all cemeteries under

the operating licence of the Municipality of Hastings Highlands including Bylaw 2020-028 are hereby repealed.

Read a first time on the 20<sup>th</sup> day of May, 2026.

**Enacted And Passed** in Council this 20<sup>th</sup> day of May, 2026.

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Tony Fitzgerald, Mayor

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Suzanne Huschilt, Municipal Clerk