

ATTACHMENT 3

Dec. 17, 2019 Email Requesting Feedback from Local Funeral Homes

From: Derek Blais

Sent: December 17, 2019 12:14 PM

Cc: Cory Oakes; Kendra Watterson; Raelynn Mechelse

Subject: Feedback Required - Proposed Cemetery Bylaw and Monument Regulations

Good Afternoon,

The Parks and Recreation Department is currently finalizing amendments to the existing Cemetery Bylaw and Monument Regulations for the Moose Jaw and Rosedale Cemeteries. The City of Moose Jaw Cemetery Bylaw was last updated in 1987 and the Monument Regulations were last updated in 2013.

As part of the process, City Council has asked that we request feedback from our local funeral homes therefore I have attached both the existing and proposed Cemetery Bylaw & Monument Regulations for your review and feedback. A summary of the changes is also provided below.

The intent of the amendments is to update the wording to reflect our current practices and to improve the formatting of the documents.

We are required to submit the final reports to City Council on January 3rd for discussion at the January 13th meeting therefore we ask that all feedback be provided by email to dblais@moosejaw.ca by the end of the business day on January 2nd, 2020. The feedback will either be incorporated into the final drafts or provided to City Council as information when discussing the Bylaw and Regulations. We may also follow-up on any items that require clarification. If nothing is received by the deadline, we will assume that there is no feedback.

The following is a summary of the changes to the Cemetery Bylaw:

General Administration

- Existing Bylaw has winter & summer burial hours while the proposed Bylaw has daily burial hours which apply year-round. **(New)**
- Public hours of the cemetery are included. **(New)**
- Clause added regarding "events" in the cemetery at the discretion of the Director. **(New)**

Fees and Charges

- The Cemetery no longer allows payment plans on any cemetery services. **(Updated to reflect current practice)**
- The proposed Bylaw specifies that all fees are payable prior to a burial taking place. **(Updated to reflect current practice)**

Sale of Interment Rights

- No person can purchase more than 8 graves without Director's approval. **(New)**

Sale of Niche Interment Rights

- This section has been added to reference the columbaria which were installed in 2002, 2009 and 2018. **(Updated to reflect current practice)**

Perpetual Care of Graves

- The reference in the existing Bylaw section 4(4)(a) to perpetual care being paid annually is no longer applicable. Perpetual care is currently included in the fee paid when purchasing a grave. **(Updated to reflect current practice)**

Refund of Interment Rights

- Section 5. (2) of the existing Bylaw states the City shall refund the original purchase price for a returned grave but the cemeteries have been operating with a fee set on the Cemetery Rates sheet that states refunds are 75% of the current license fee. This was implemented as an incentive to return unused graves. With cemetery rates increasing annually, refunds were much higher than the amount of the original purchase price. The Department will delete this fee from the cemetery rates and have incorporated a new clause in the Bylaw whereby 85% of the original grave or niche licence fee will be refunded when returning a grave/niche to the City. The 15% holdback is the administration fee. **(New)**

Casket Interments

- Section 6. (6) of the existing Bylaw refers to double depth burials and only allowing 2 burials within one grave. 2 caskets are no longer permitted in a single grave but up to 7 burials are permitted within 1 regular grave (1 casket and up to 6 cremations). **(Updated to reflect current practice)**

Cremated Remains Interments

- Section 7. (2) of the existing Bylaw refers to scattering ashes on a grave which is no longer permitted. Scattering of ashes is only permitted in the Scattering Garden. **(Updated to reflect current practice)**
- Regular graves now allow up to 6 cremated remains to be interred into the grave. **(Updated to reflect current practice)**

Disinterment's

- Section 10. (1) of the existing Bylaw indicates plot owner permission is required while the proposed Bylaw requires the Authorized Decision Maker's permission to disinter. **(New)**
- Section 10. (2) of the existing Bylaw indicates that grave ownership reverts to the City after disinterment. This is not applicable as the owner would have to transfer ownership back to the City. **(Updated to reflect current practice)**
- Added wording in proposed Bylaw stating that disinterment's from double depth grave or burials more than 50 years ago are not permitted. **(Updated to reflect current practice)**

Indigent Interments

- Removed all references to the term "indigent" in the proposed Bylaw as the definition of "indigent" can be construed as offensive to many people. Indigent interments are referred to as Social Services Interments in the proposed Bylaw. **(New)**

Community Graves

- Section 9. (1) of the existing Bylaw refers to children's community graves. As of 1999 burials in community graves were no longer permitted. **(Updated to reflect current practice)**
- Section 9. (3) of the existing Bylaw which restricts monuments or markers on special graves is no longer applicable as memorialization on community graves is now permitted. **(Updated to reflect current practice)**

Other

- Section 14. (b) of the existing Bylaw is no longer applicable as the current practice allows monuments on graves in which perpetual care is not paid, such as indigent graves. **(Updated to reflect current practice)**
- Sections 14 and 15 of the existing Bylaw will now be covered in the Monument Regulations, not in the Cemetery Bylaw. **(New)**

The following is a summary of the changes to the Monument Regulations:

- Monuments on community graves are now permitted.
- Maximum total height restriction is now 36" for base, sub-base (if applicable) and monument.
- A permit is now required for any alteration to a monument including inscriptions of additional names. Previously inscriptions didn't require a permit.
- Permits can only be submitted by monument companies, not families.
- The Monument Permit Application is now attached to the regulations.
- Now allow for an urn inside of a monument.
- Added clauses regarding the process and regulations for Columbarium and Scattering Garden memorialization.
- Updated risk management practices as monument companies now require to hold a City of Moose Jaw business license and must provide a letter of good standing with the Worker's Compensation Board and a minimum of \$5 million in commercial liability insurance coverage with the City of Moose Jaw named as additional insured. This is consistent with the practice used for other contracted work at City parks & facilities.

Thank you in advance for your cooperation and we look forward to maintaining our positive working relationships into the future.

Happy Holidays.

Derek



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