

**Funeral, Burial, and Cremation Services Act 2002, Ontario Regulation
30/11, Section 151 Re: Cemetery by-laws**

NO CEMETERY BY-LAW OR BY-LAW AMENDMENT IS EFFECTIVE UNTIL THE REGISTRAR HAS APPROVED IT. THE EXCEPTION TO OBTAINING THE REGISTRAR'S APPROVAL APPLIES TO A STANDARDIZED BY-LAW PREVIOUSLY APPROVED BY THE REGISTRAR. HOWEVER THE NOTICE PROVISIONS STILL APPLY.

Submission Procedures for the Approval of Cemetery & Crematorium By-laws (Rules & Regulations) by the Registrar of Cemeteries and Crematoriums

Notice of filing must be:

- a) Published **once** in a newspaper with general circulation in the locality in which the cemetery is located.
 - b) Conspicuously posted on a sign (for 4 weeks) at the cemetery entrance.
 - c) Delivered to each supplier of markers who has delivered a marker to the cemeteries during the previous twelve-month period.
- The notice shall state that the owner will allow interested parties access to the proposed by-law in order to make copies of it and that all proposed by-laws are subject to the Registrar's approval.
 - The owner shall allow interested persons to inspect and make copies of the proposed by-law.

The Cemeteries Regulation Unit will therefore require the following:

- 1) A copy of the newspaper notice.
- 2) A photo of the sign that was posted at the cemetery entrance for 4 weeks (Please indicate the beginning and end dates of posting on the back of the photo).
- 3) A list of the monument dealers and their addresses that the cemetery by-laws were delivered to.
- 4) Two copies of the proposed by-laws to be approved by the Ministry.

Upon approval a Ministry of Consumer Services endorsed copy will be returned.

SAMPLE NEWSPAPER NOTICE FOR THE BY-LAWS
(Note: The sign and newspaper notice should be identical in content)

Notice

(Name of Cemetery)

(Name of Operator) has submitted by-laws to the Registrar of the *Funeral, Burial, and Cremation Services Act 2002*. Any interested parties may contact **(Name of Operator's Representative)** at Tel: (XXX) XXX-XXX for information, or to make copies. By-laws or amendments may be reviewed or copied at **(enter address location)**.

These by-laws are subject to the approval of the Registrar, *Funeral, Burial, and Cremation Services Act 2002*. [Tel: Cemeteries Regulation Unit (416) 326-8399]

Submission procedures for the filing of a previously approved “standardized” Cemetery &/or Crematorium by-laws to be adopted by the operator

Standardized by-laws submitted by a recognised organization and previously approved by the Registrar are not required to be submitted. However, the above-mentioned notice provisions must be followed.

Submission procedures for the approval of a “standardized” Cemetery &/or Crematorium by-laws with minor deletions and/or amendments or addendums

If a cemetery operator intends to adopt a previously approved standardized by-law that includes a few by-laws that are unsuitable/un-applicable to the operation of their particular cemetery, or requires additional by-laws the operator may:

- Submit the standardized by-laws with an addendum of additional by-laws, or
- Submit the standardized by-laws with the unsuitable/un-applicable stroked out and initialled by the operator.
- Submit the standardized by-laws with the unsuitable/un-applicable stroked out and initialled by the operator along with an addendum of any additional by-laws required to reflect the particular requirement. The Registrar will then only review and approve the additional by-laws included in the addendum/schedule.

Note: The above-mentioned notice provisions must be followed.