

BY-LAW 2022-81

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

BEING a By-Law to establish a Cemetery Grant Program.

WHEREAS Section 5 of the *Municipal Act S.O. 2001*, S.O. 2001, c. 25 as amended, states that the powers of a municipal corporation are to be exercised by its Council;

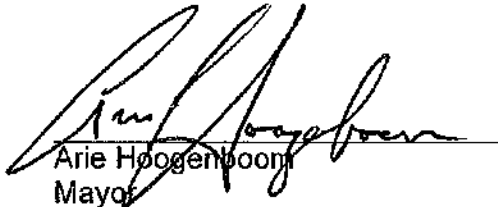
AND WHEREAS the Council of The Corporation of the Township of Rideau Lakes deem it beneficial to the Municipality, Elected Officials, Staff and the Residents of the Township of Rideau Lakes to establish a Cemetery Grant Program;

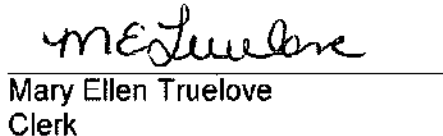
NOW THEREFORE the Council of The Corporation of the Township of Rideau Lakes enacts as follows:

1. That the Cemetery Grant Program is hereby established.
2. That the Cemetery Grant Program shall operate in accordance with the Policy, attached as Schedule 'A' and forming part of this By-Law.
3. That Schedules 'A' and 'B' may be changed from time to time as deemed necessary by a Resolution of Council.
4. That any By-Laws, Resolutions or Motions that contravene this By-Law are hereby repealed.

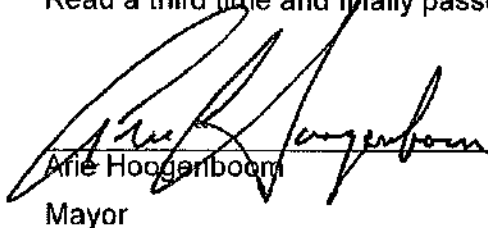
AND FURTHER that this By-Law shall take force and effect on the date of passing.

Read a first and second time this 5th day of December 2022.


Arie Hoogenboom
Mayor


Mary Ellen Truelove
Clerk

Read a third time and finally passed this 5th day of December 2022.


Arie Hoogenboom
Mayor


Mary Ellen Truelove
Clerk

Schedule 'A'



Rideau Lakes

Corporate Services
Department

Policy Name: Cemetery Grant Program Policy

Developed By: Marie White, Economic Development and Cultural Heritage Coordinator

Date: October 25, 2022

Reviewed By: Council Res 126-2022

Date: October 25, 2022

Approved By: By-Law #2022-81

Date: December 5, 2022

Policy Statement and Rational:

To establish the process and criteria for the awarding of Cemetery Grants which are to be used to help offset costs for capital improvements and maintenance of non-municipally owned Cemeteries within the Township of Rideau Lakes.

Scope:

All non-municipally owned Cemeteries in the Township of Rideau Lakes.

Definitions:

Administrative Costs: Overhead costs associated with the operations of the cemetery, e.g., insurance, office supplies, salaries (if any) and similar types of costs. Expenses not directly related to headstone restoration, capital improvements or maintenance.

By-Law Breach: Includes, but is not limited to, incorrect or misleading information on the application, use of the funds by the cemetery in a manner inconsistent with this policy; knowingly issuing a false attestation on the application.

Capital Improvements: Expenditures made on the cemetery property to improve the structures, where the improvement lasts longer than one year, e.g., headstone/monument/mausoleum repair and/or restoration, retaining wall repair and/or restoration, gravel and parking area improvements, grading and hardscaping.

Cemetery: A burial ground; a graveyard, which has not been assumed by the Township for maintenance purposes.

Executive of Cemetery: President, Secretary, Treasurer

Maintenance: Grass cutting, landscaping, snow plowing, ditching, laneway maintenance, etc. Costs directly for the maintenance of the cemetery property.

Policy, Procedure, and Implementation:

1. Responsibilities:

a. Municipal Council

Municipal Council shall:

- i. Approve the amount of funds available each year for Cemetery Grants during budget deliberation;
- ii. Review all suspected breaches of By-Law to determine if breach and set penalty in accordance with Policy;
- iii. Approve the Cemetery Policy, By-Law and any future revisions.

b. Clerk

The Clerk shall:

- i. Receive all applications before February 15th of the year in which the payments are to be made;
- ii. Determine if all documentation required has been received;
- iii. Bring any suspected breaches of By-Law to Council for determination of breach and penalty;
- iv. Determine eligibility for a cemetery grant based on this policy;
- v. Confirm the size/total maintained land area (i.e. 2 acres) for each application received;
- vi. Determine if the cemetery is registered with the Bereavement Authority of Ontario (BAO);
- vii. Determine the amount to be paid to each applicant;
- viii. Issue payments to each eligible applicant following budget approvals.

2. Eligibility for Application:

- a. A cemetery group or association assigned to represent the collective interests of the cemetery;
- b. A cemetery group or association can represent multiple cemeteries as long as all eligibility factors are met;
- c. The cemetery group or association must appoint executive officers; including a President, Secretary and Treasurer. These positions must be held by at least two people from different households. Positions can be combined, e.g., the Secretary role can be combined with one of the other executive roles;
- d. A bank account must be held for the exclusive use of the cemetery and must have two signing authorities, e.g., President and Treasurer. The

two signing authorities must be two different people from different households;

- e. The maintained land area should be provided to help determine the size of the cemetery for grant purposes;
- f. Completed applications should be addressed to the Clerk and must be received by February 15th of each year. Applications received after this date will not be processed. No application will be considered for previous year(s);
- g. Grants are dependent upon their inclusion in, and Council acceptance of, the annual Township budget; and payment will be made following final budget approvals.

3. Applications:

A completed Cemetery Grant Program Application Form must be provided. Please refer to Schedule 'B'.

4. Eligible and Ineligible Expenses:

All procurement shall ensure best value for each dollar spent.

Eligible Expenses:

- a. Property Maintenance
- b. Capital Improvements

Ineligible Expenses:

- a. Administrative costs;
- b. Any cost not directly associated with the maintenance or improvement of the cemetery.

5. Terms of Funding

- a. Funding shall be subject to the annual budget process
- b. Cemeteries will need to register with the Township of Rideau Lakes for the purposes of administering the grant program. Registration will only need to occur once; however, it is the responsibility of the Cemetery Group or Association to complete an application each year. A standard form may be established in this regard.
- c. The Township, at its sole discretion, may decline or rescind the registration of a cemetery for any reason, including but not limited to, improper use of funds, incomplete or late submission of data required to administer the grant program, dubious capacity or mandate etc.
- d. The following finding formula shall apply:
 - o Part 1 – Each registered Cemetery shall receive a base allocation

of \$300 annually;

- Part 2 – Plus \$200 per acre of land that requires maintenance as determined by the Township's GIS System.

For Part 2, the amount payable is limited to the area of the cemetery that is within the Township of Rideau Lakes. Further, where multiple groups or associations are involved with managing the same property, the proportionate share payable to each group or association will be determined by the Township, at its sole discretion.

- e. The Township shall endeavor to distribute the funds under the grant program following final budget approvals.

6. Penalty for Breach of By-Law

- a. All sanctions are determined by Council;
- b. Minor or first-time breach – cemetery may be excluded from receiving funds in the year following the breach and cemetery representatives cannot be the same in the next application year following breach if an application for funds is made;
- c. Serious breach and/or multiple breaches – may result in parties or cemeteries being completely excluded from any future Cemetery Grant process.



Rideau Lakes

Cemetery Grant Program Application Form:

Requirements and Guidelines

It is important to read the Cemetery Grant Program Policy before completing and submitting your Cemetery Grant Program Application to the Township. Applications that do not contain all the required documentation, as detailed below, will be considered incomplete and ineligible to receive a Cemetery Program Grant.

PLEASE COMPLETE THE FOLLOWING INFORMATION:

1. Name of Cemetery Group or Association: _____
2. Year of Application: _____
3. Is this the first year to request a Cemetery Grant? (Yes/No) _____
If yes, please include all documentation requested in item number 12 below.
4. Cemetery Representative Name/Phone#/email address:

5. Mailing Address for Cemetery Grant Payments:

6. Year cemetery established (optional): _____
7. Total Maintained Land Area: (Number of acres or lot size): _____
8. Is the cemetery registered with the Bereavement Authority of Ontario (BAO)? _____
Provide your BAO Registration Number: _____
9. **A member of the Executive is required to attest to the following:**
 - 9.1 A current bank account is held specifically for use by the cemetery group or association: Initials: _____
 - 9.2 Please provide the name of Financial Institution: _____
 - 9.3 There are two signing authorities on the bank account: Initials: _____
 - 9.4 There is a current list of a members of the association: Initials: _____
 - 9.5 All procurement was done to ensure best value for dollar spent: Initials: _____

10. If the previous years' cemetery grant has not been spent, provide proof that funds are still in the bank account by providing a copy of the December 31st bank statement, or a cemetery representative must attest to the fact that the funds are still in the bank account:

Initials: _____ And:

10.1 Identify what the unspent cemetery grant funds are being held for:

Name & Position of Person Making Attestations:

Signature:

Date:

11. Identify the proposed use of the cemetery grant requested:

12. If this is the first application for the Cemetery Grant Program from your cemetery group or association, the following items must be included with the application:

- (a) Copy of bank statement dated December 31 or if account only recently opened, copy most recent statement;
- (b) List of all members of the cemetery group or association, including positions;
- (c) A copy of the minutes creating the association or other appropriate establishing documentation such as constitution by-law, etc.

13. Executive:

President Name – Print

President Signature

Date

Treasurer Name – Print

Treasurer Signature

Date

Secretary Name – Print

Secretary Signature

Date