

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2021-037

### ESTABLISHMENT OF THE BOLINGBROKE CEMETERY BOARD

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**WHEREAS**, under the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended, a cemetery operator shall ensure that the cemetery is operated in accordance with the *Funeral, Burial and Cremation Services Act, 2002* and the regulations;

**AND WHEREAS**, Tay Valley Township is both the licensee and the operator for the Bolingbroke Cemetery;

**AND WHEREAS**, Section 11 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS**, Section 11 (2) 1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may pass by-laws respecting the governance of the municipality and its local boards;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

1.1 **THAT**, the Bolingbroke Cemetery Board be established.

1.2 **THAT**, the Bolingbroke Cemetery Board – Terms of Reference, attached hereto as Schedule “A”, be adopted.

#### 2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

#### 3. BY-LAWS RESCINDED

3.1 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-037**

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 24<sup>th</sup> day of August, 2021.

  
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**Brian Campbell, Reeve**



  
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**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-037**

**SCHEDULE "A"**

**BOLINGBROKE CEMETERY BOARD  
TERMS OF REFERENCE**

**MANDATE**

The purpose of the Board is to ensure the administration, operation, care and maintenance of the cemetery is in compliance with the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended.

To fulfill its mandate, it is anticipated the Board will, among other things:

- Develop and keep up to date any by-laws, policies, procedures, forms, records and information for the cemetery.
- Oversee the administration, operation, care and maintenance of the cemetery.

**REPORTING RESPONSIBILITY**

The Board, when required will make recommendations to the Committee of the Whole. Updates from the Board will be communicated to Committee of the Whole on a regular basis by the Council Member representatives, with the minutes of Board meetings being included on the next available Committee of the Whole agenda for information.

**MEMBERSHIP**

The Board shall be comprised of a maximum of six (6) members, preferably the land owner and up to three volunteers that look after the day-to-day operations. Replacement members can be appointed, if needed, during the course of the term. Two members shall be Council Members, one of which will serve as Chair. The Clerk or designates shall act as resource person to the Board.

**MEETINGS**

The Board shall meet as required throughout the year, with a minimum of two (2) meetings per year. Agendas will be posted on the Municipal website one week prior to the meeting. The Clerk or designate will serve as Recording Secretary. Meeting Minutes will be action-only and will record those members in attendance and any topics discussed. A quorum of members (majority) will be required for a meeting to take place. All meetings will be open to the public. Meetings will generally occur at the Municipal Office.

## **TERM**

The term of appointment shall be for the term of Council at the pleasure of Council and will continue until such time as new Board members are appointed by a new Council following a regular municipal election. Re-appointment is encouraged to facilitate continuity.

Resignations from the Board must be in writing. However, failure to attend three (3) successive meetings without being authorized to do so by resolution of the Board will result in the Members seat on the Board becoming vacant.

## **POLICIES AND PROCEDURES**

The Board will adhere to the policies and procedures of the Municipality, including but not limited to:

- Criminal record Check Policy;
- Code of Conduct for Council and Local Boards;
- Health and Safety Policy;
- Procedural By-Law;
- Respect in the Workplace Policy.
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