



## STAFF REPORT

**Title:** Bylaw No. 677-AD-20 - Cemetery Management Bylaw

**Meeting Date:** September 22, 2020

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### **Executive Summary:**

Bylaw No. 646-AD-19, Cemetery Management Bylaw was passed on June 25, 2019. With the completion of the new cemetery features at the Lakeview Cemetery, administration proposes bylaw amendments to operationalize the new columbarium and memorial wall features. The City has already received interest from members of the public to begin presale and interment into the columbarium niches.

In conjunction with the significant capital investment into the cemetery, administration has reviewed the current cemetery business processes and service levels and proposed bylaw amendments to implement some of the operational and business model improvements recommended in the Cemetery Master Plan (2006).

On September 8, 2020, Council gave first reading to Bylaw No. 677-AD-20, a rewrite of Bylaw No. 646-AD-19, Cemetery Management Bylaw with recommendations for several amendments. Administration has prepared Bylaw No. 677-AD-20, for Council's consideration of second and third reading.

### **Background:**

#### **Capital Improvements at Lakeview Cemetery**

At the Lakeview Cemetery, columbarium construction is now complete, with 5 columbarium, having a total of 234 niche units available for purchase as follows:

- 3 large columbarium structures (each with 62 units which hold up to 2 urns, and 4 larger units which can hold up to 4 urns)
- 2 small columbarium structures (each with 16 units which can hold up to 2 urns, and 2 units which can hold up to 4 urns)

The City has received numerous inquiries from the public as to when the columbarium niches will be available for sale and interment.

Near the columbarium, a large memorial wall was also built. Memorial wall plaques can be purchased and inscribed to memorialize loved ones. This option is available to memorialize individuals who may not be interred in the City's cemetery.



**Information considered by Council on September 8, 2020**

Administration has undertaken a thorough review of Bylaw No. 646-AD-19, Cemetery Management Bylaw. Several amendments are recommended:

- Remove reference to plot options which the City has not implemented until such time that they are implemented. This will reduce confusion and simplify the bylaw.
  - Reference to the following types of plots has been removed: infant/child plots (the City does not have smaller sized plots available for children), Field of Honour Plots, Green Burial Plots, Standard/Green Burial Cremation Only (smaller sized) plots, Green Burial (cremation only) plots, scatter plots and Standard Double Depth Plots (given the high water table in Cold Lake placing caskets on top of one another in a plot is not recommended).
  - At this time, the City offers three plot options:
    1. Standard in Ground Plot
    2. Single Columbarium Niche – holds 2 urns
    3. Double Columbarium Niche – holds 4 urns
- Remove a portion of section 5.8: *The City shall not sell, on a reserve basis, more than fifty percent (50%) of the developed plots available at any given time in a City cemetery.*
- Section for “Disinterment and Exhumation” separated, to make the document clearer and user friendly.
- Section 7.9 – clarified, that only the City or a person authorized by the City may excavate, prepare and close a plot in a City cemetery (removed the ability of a funeral home to authorize someone to excavate, open or close a City plot). Added clarification that a plot must not be opened prior to being marked by the City.
- Correction of minor administrative errors: section 5.3, section 6.2.3, section 6.4, section 7.3.4 section 2.41
- Section 7.10 – amended to clarify that interment services for casket burials must be conducted by a licensed funeral service provider, but interment services for urns (in ground or into columbarium niches) do not have this requirement. This is consistent with municipally run cemeteries across the province and is permitted under cemetery legislation and regulations as long as the City has record of an individual taking responsibility for the interment.



- Section 7.15 has been amended to restrict urn sizes to no larger than 11” tall by 10” diameter. This is to ensure the urns will fit within the columbarium niche and if being placed in the ground, the 12” diameter hole the City will auger.
- Section 7.18 has been amended to coincide with section 7.10.
- Section 8.11 has been added to clarify that placement of an urn into a columbarium is considered a permanent location for interment. As such removal of an urn from a columbarium niche shall be processed as a disinterment of remains. This is consistent with municipally run cemeteries across Alberta.
- Section 9.2 – has been amended to clarify that the City shall arrange for engraving of the columbarium niche plates and memorial wall plaques. This is consistent with municipally run cemeteries across Alberta, and will maintain the esthetics of the memorial features.
- Schedule “A” Prices has been amended to remove unavailable plots and interment options, several price amendments are proposed:
  - Standard Double Adult Plot price has been increased from \$500 to a proposed price of \$750. This plot can inter 1 casket plus 4 urns, or 6 urns. Administration is proposing that 6 urns be permitted as secondary interments above a casket in the recommended amendments to the accompanying Policy No. 207-AD-19.
  - The double columbarium niche (holds a maximum of 4 interments) is proposed at \$2,500 (double the price of the single niche which holds 2 urns)
  - Columbarium niche plate permit fee has been reduced from \$125 to \$75 so that all memorial permit fees are the same. Members of the public would also pay the cost of inscription on the columbarium niche plate at cost recovery.
  - The Communal Memorial Wall Inscription permit fee has been proposed at \$75. Members of the public would also pay the cost of inscription on the communal memorial wall at cost recovery.
  - The interment service fee for human remains (caskets) is reduced from \$125 to \$75. Members of the public would also pay the cost of opening and closing the plot. Fees have been added for opening and closing of plots, consistent with charges used by municipally owned cemeteries across Alberta. City staff would conduct opening and closing of in ground urn interments, while a contractor would be used to open and close the plot for casket interments.



- A note has been included to acknowledge that indigent persons and veterans (as defined by the *War Veterans Allowance Act* RSC 1985, c W-3) receive plots at 50% the amount that would ordinarily be charged in accordance with section 12 and 13 of the *Cemeteries Act* RSA 2000, c C-3. All other cemetery fees would be charged as usual.

The City's cemetery prices were last amended in 2012 when the price of a standard plot increased from \$300 to \$500. The Cemetery Master Plan prepared in 2016 recommended that the City's cemetery prices increase and stated that:

*The Canadian cemeteries best practice is to increase fees annually (at minimum) by the rate of inflation. This pricing policy is increasingly becoming the standard across Canada. The Bank of Canada's Consumer Price Index reports that inflation has ranged from 2% to 3% over the past decade.*

*Typically, non-residents are charged a premium of 25% to 50% on plots at municipal cemeteries. Currently, the City does not charge a premium to non-residents interred at its cemeteries. Cemetery pricing in most Canadian cemeteries tends to follow consistent market trends. These trends include:*

- *Larger communities often have higher rates due to the increased demand relative to local supply, and they often offer greater diversity of offerings than smaller communities;*
- *Cemeteries with a greater diversity of offerings often have greater market capture and charge higher rates than other sites. Families value a variety of interment options and are willing to pay a premium to accommodate their cultural, religious and personal preferences;*
- *Cemeteries typically charge 1.5 times the standard interment rate for "Double Depth" and "Burial after Hours" on Weekdays, Weekends and Statutory Holidays.*

Administration has also been advised by one of the local funeral home providers that residents of neighboring municipalities have shown interested in purchasing columbarium niches as the next closest columbarium at a municipal cemetery is Lac La Biche County or Lloydminster. There has a general trend towards cremation (and less interments for caskets) which is projected to continue increasing.

Administration seeks Council's feedback on whether Council would like to implement a resident and non-resident rate structure for cemetery services. Should Council wish to implement a resident and non-resident rate structure, Council may consider what



definition of resident and non-resident they wish to use. The Master Plan recommends defining resident as anyone who has lived in the City of Cold Lake for at least 5 years.

Administration has conducted research for comparison for municipally owned cemeteries (church run cemeteries were not included). Prices for the basic ground plot are included as well as the total number of interments possible into a plot. The total number of interments (often 1 casket, with 1 or more urns as secondary interments above the casket) varies considerably between municipalities.

	# of Interments into Plot	STANDARD PLOT (\$)	
		Resident	Non-Resident
<b>Whitecourt</b> (pop. 10,204)	4	400	550
<b>Cold Lake</b> (pop. 14,961)	5	500	
<b>Slave Lake</b> (pop. 6,651)	5	510	
<b>Lac La Biche</b> (pop. 8,330)	2	550	700
<b>Wainwright</b> (pop 6,270)	5	775	
<b>Camrose</b> (pop. 18,742)	5	878	1,596
<b>High River</b> (pop. 13,584)	7	970	
<b>Okotoks</b> (pop 28,881)	9	1,061-1,380*	2,502-3,107*
<b>Leduc</b> (pop. 29,993)	4	850	
<b>Lloydminster</b> (pop. 36,158)	3	1,519	
<b>Red Deer</b> (pop. 100,000)	6	1,580	1,880
<b>Rockyview County</b> (pop. 39,407)	6	3,107.92	
<b>AVERAGE</b>		<b>1,077-1,106</b>	<b>1,446-1,567</b>

\*Price varies by columbarium row.

Administration has proposed that the City's standard ground plot price increase from \$500 to \$750. This is still significantly lower than the average price of plots canvased.

The following represents columbarium prices (for columbarium units which can intern two (2) urns). The City's current price of \$1,250 is on the lower end of the range of prices.

	COLUMBARIUM NICHE (\$)	
	Resident	Non-Resident
<b>Whitecourt</b> (pop. 10,204)	750	750
<b>Slave Lake</b> (pop. 6,651)	1,035	
<b>Camrose</b> (pop. 18,742)	1,060-1,273**	1,856-2,228**
<b>Cold Lake</b> (pop. 14,961)	1,250	
<b>Leduc</b> (pop. 29,993)	1,350-1,550**	
<b>Okotoks</b> (pop 28,881)	1,413-2,085**	2,332-3,441**
<b>Lac La Biche</b> (pop. 8,330)	1,500	



<b>Wainwright</b> (pop 6,270)	\$1,500	
<b>High River</b> (pop. 13,584)	1,500	
<b>Lloydminster</b> (pop. 36,158)	1,504	
<b>Red Deer</b> (pop. 100,000)	2,520-1,760**	2,065-2,825**
<b>Rockyview County</b> (pop. 39,407)	3,712	
<b>AVERAGE</b>	1,485-1,560	1,750-2,311

\*\* Prices vary by row of the columbarium with higher rows priced higher than rows that are lower.

### **Further Amendments following Council's Feedback on September 8, 2020**

At the September 8, 2020 Regular Meeting of Council, Council considered the proposed recommendations and directed Administration to implement a resident and non-resident rate structure for the columbarium with a 50% markup for non-residents. The definition of resident would be a person who lives within the jurisdiction of the City of Cold Lake at the time the cemetery service/produce was purchased.

Administration also proposes additional amendments:

- Section 4.1.2 removed the requirement that interment services be arranged through a licensed funeral service provider (this is consistent with the other amendments to the bylaw)
- Section 6.2 and section 6.3.2 of the Bylaw were adjusted in accordance with section 18 and 25 of the *Cemeteries Act*, RSA 2000 C c-3 and *General Regulation*, Alta Reg 249/98 section 2.
- Schedule "A" amendments –
  - Non-resident fee (an additional 50%) has been added for the columbarium niches. The non-resident rate for single columbarium is \$1,875 and double columbarium is \$3,750.
  - A fee has been added for the Communal Memorial Wall of \$600 (inclusive of engraving. The City's memorial wall uses 4" x 12" x 1" granite plates. The proposed fee is consistent with similar memorial plates
  - The dates utilized for winter and summer rates for open and closing interment fees for cremated remains be adjusted to limit the winter fees from January 1st to April 30th and the summer fees from May 1st to December 31st. This is consistent with other municipalities across Alberta to take into consideration higher fees when the ground is frozen.

All new amendments have been made in red on the Bylaw for ease of reference.

Administration requests Council's consideration to amend Bylaw No. 677-AD-20, give second reading as amended, and third & final reading.



**Alternatives:**

Council may consider the following options:

1. Council may pass a resolution to amend Bylaw No. 677-AD-20, Cemetery Management Bylaw as recommended; and to give Bylaw No. 677-AD-20, Cemetery Management Bylaw second reading as amended and to give Bylaw No. 677-AD-20, Cemetery Management Bylaw third and final reading.
2. Council may pass a resolution to amend Bylaw No. 677-AD-20, Cemetery Management Bylaw as recommended; and to give Bylaw No. 677-AD-20, Cemetery Management Bylaw second reading as amended, and request further amendments prior to Council considering the bylaw again for third reading.
3. Council may request Bylaw No 677-AD-20, Cemetery Management Bylaw be brought back to a Corporate Priorities Meeting for further consideration.

**Recommended Action:**

Administration recommends that Council amend Bylaw No. 677-AD-20, being a Bylaw to Provide for the Management, Regulation, Operation and Maintenance of the City of Cold Lake Cemeteries, as presented.

Administration recommends that Council give Bylaw No. 677-AD-20, being a Bylaw to Provide for the Management, Regulation, Operation and Maintenance of the City of Cold Lake Cemeteries, second reading as amended.

Administration recommends that Council give Bylaw No. 677-AD-20 third and final reading.

**Budget Implications (Yes or No):**

Yes

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer