



BY-LAW 2013-17

A by-law to amend Markham Cemetery By-Law 2012-178

WHEREAS on July 1, 2012 the *Cemeteries Act*, R.S.O. 1990, c.4 was repealed and replaced by the *Funeral, Burial and Cremation Services Act* (the "Act"), 2002 S.O. 2002, c.33;

AND WHEREAS on September 12, 2013, Council passed By-law 2012-178, a by-law to establish rules and regulations for City of Markham Cemeteries;

AND WHEREAS in accordance with Section 151 of Ontario Regulation 30/11, By-law 2012-178 was submitted for approval to the Registrar appointed under the Act;

AND WHEREAS the Registrar requires the City to amend the definition of 'Repurchase Price' in section 2.1 of By-law 2012-178;

AND WHEREAS the Registrar requires the City to amend section 4.5(b) of By-law 2012-178 to incorporate the full definition of 'Repurchase Price';

AND WHEREAS the amendments required by the Registrar do not change the intent of the sections to be amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. That the following definition contained in section 2.1 of By-law 2012-178 be deleted in its entirety:

"**Repurchase Price**" means the price set out in the Price List applicable at the time of repurchase less the amount paid by the Interment Rights Holder into the Care and Maintenance Fund, or the predecessor of such fund, in respect of Interment Rights, all in accordance with the Act.

2. That the following revised definition be inserted into section 2.1 of By-law 2012-178

"**Repurchase Price**" means the price set out in the Price List applicable at the time of repurchase less the original amount paid by the Interment Rights Holder into the Care and Maintenance Fund, or the predecessor of such fund, in respect of Interment Rights, all in accordance with the Act.

3. That the following section 4.5 (b) of By-law 2012-178 be deleted in its entirety:

4.5 RESALE OF INTERMENT RIGHTS:

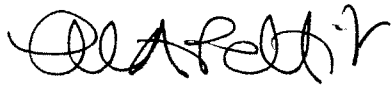
- (b) An Interment Rights Holder intending to sell their Interment Rights to a Third Party Purchaser must first allow the City to repurchase the Interment Rights at the Repurchase Price.

4. That the following revised section 4.5 (b) be inserted into By-law 2012-178:

4.5 RESALE OF INTERMENT RIGHTS:

- (b) An Interment Rights Holder intending to sell their Interment Rights to a Third Party Purchaser must first allow the City to repurchase the Interment Rights at the current Price shown on the most recent Price List less the original amount paid by the Interment Rights Holder into the Care and Maintenance Fund, or the predecessor of such fund, in respect of Interment Rights.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
12TH AND 13TH DAY OF FEBRUARY, 2013.



MARTHA PETTIT
ACTING CITY CLERK



FRANK SCARPITTI
MAYOR