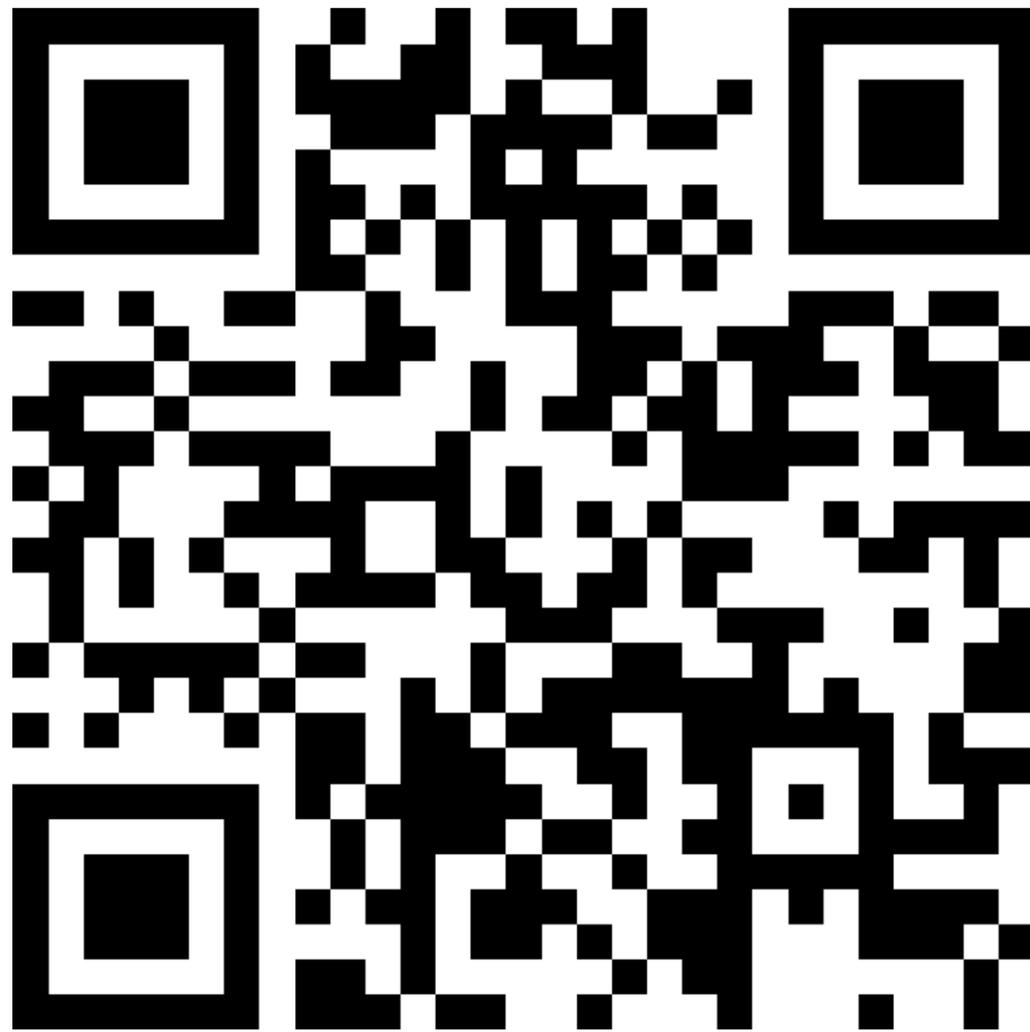


The Dirt on Cemeteries

January 16, 2026 1-2:15pm

Dominion Ballroom South





**Join at slido.com
#3114273**

2



What is your role in your municipality?

3



How many cemeteries is your municipality responsible for?



What do you hope to learn from this session about municipal responsibilities for cemeteries?

Cemeteries Management for Municipalities



6

Crystal Forrest

Chief Compliance Officer / Deputy Registrar

January 18, 2025

About the Bereavement Authority of Ontario

- Government delegated administrative authority and not-for-profit corporation administering provisions of *the Funeral, Burial and Cremation Services Act, 2002* (FBCSA)
 - Overseen by the Ontario Ministry of Public and Business Service Delivery and Procurement
 - Separate from the Office of the Chief Coroner, Ministry of the Environment, Ministry of Citizenship and Multiculturalism, the OACFP, OPGT etc.
- Licenses and regulates:
 - Funeral establishment operators, directors and preplanners
 - Cemetery, crematorium and alternative⁷ disposition operators
 - Transfer service operators
 - Bereavement sector sales representatives across Ontario
- Wholly funded by licensee fees (not tax dollars)

Objectives

In this session, we will discuss:

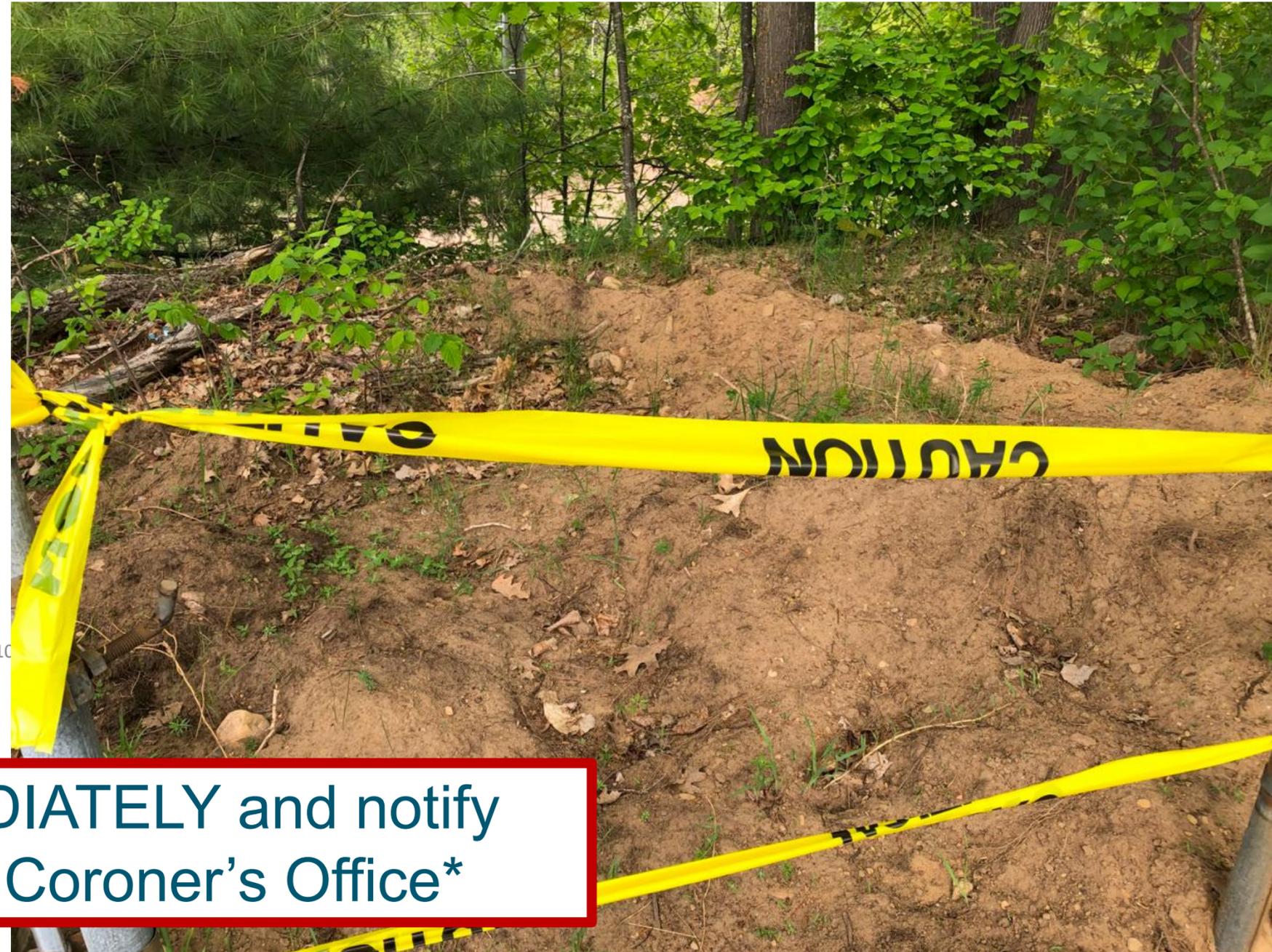
1. The role of the municipality under the FBCSA
2. Transferring cemetery ownership and operation
3. Implementing best practices for cemeteries management in compliance with the *Funeral, Burial and Cremation Services Act, 2002*
4. Evaluating the financial compliance and financial well-being of a cemetery

Role of the Municipality under the FBCSA



Dealing with Neglected Cemeteries in your Municipality (not owned by the Municipality)

- Municipalities can...
 - Order that an operator restore a cemetery to good order/repair
 - Complete the repair, and charge the operator
- When working in old, poorly-managed, or neglected cemeteries, what do you do if you encounter unmarked, unexpected human remains?



**STOP IMMEDIATELY and notify
the BAO and Coroner's Office***

Cemetery Abandonments

- Municipalities can be *ordered* by the Ontario Superior Court to take on operation of a cemetery under certain circumstances*
 - Certain parties, including the land owner and the ministry's Registrar can apply to the court to have the cemetery declared to be abandoned
 - Municipality must take on the operation of the cemetery, and can seek title transfer of the cemetery
 - Costly and time-consuming



How can you make the process easier for YOU?

- Consider a *voluntary transfer* of operations to avoid the court process
- Consider **negotiating** for:
 - Severance of cemetery lands from non-cemetery lands on the same property (create separate parcels) where feasible
 - If non-cemetery lands are to be sold, negotiate a percentage of the sale to go to the municipality taking on the cemetery lands
 - Demolition of aging buildings where possible in advance of taking on the cemetery
- Ensure that **title** transfer for the property takes place
 - Defunct landowner? – seek title transfer once abandonment application is resolved

12

Cemetery “Transfers”: Licensing

- If a municipality is already an operator licensed by the BAO, the cemetery site can be added to their licence
- If the site is “inactive” (i.e. there are no unexercised interment rights), you may be able to complete a short-form licensing application with no fee

13



Licensing: Delegation and Collaboration

- Under the FBCSA, the land owner can be licensed as the operator, or delegate operations to a licensed third party
- Consider **delegation** of some aspects of operations to a volunteer board
 - Work with your community advocacy/volunteer groups to create a volunteer program
 - Example: Municipality executes contracts for interment rights, but obtains help from a volunteer with knowledge of the¹⁴ cemetery to meet with family to select a grave
 - Work with local heritage groups to better tell the story of the cemetery within the municipality

Selling a Cemetery Property: Basics

When **selling** lands that **contain** a cemetery, consider:

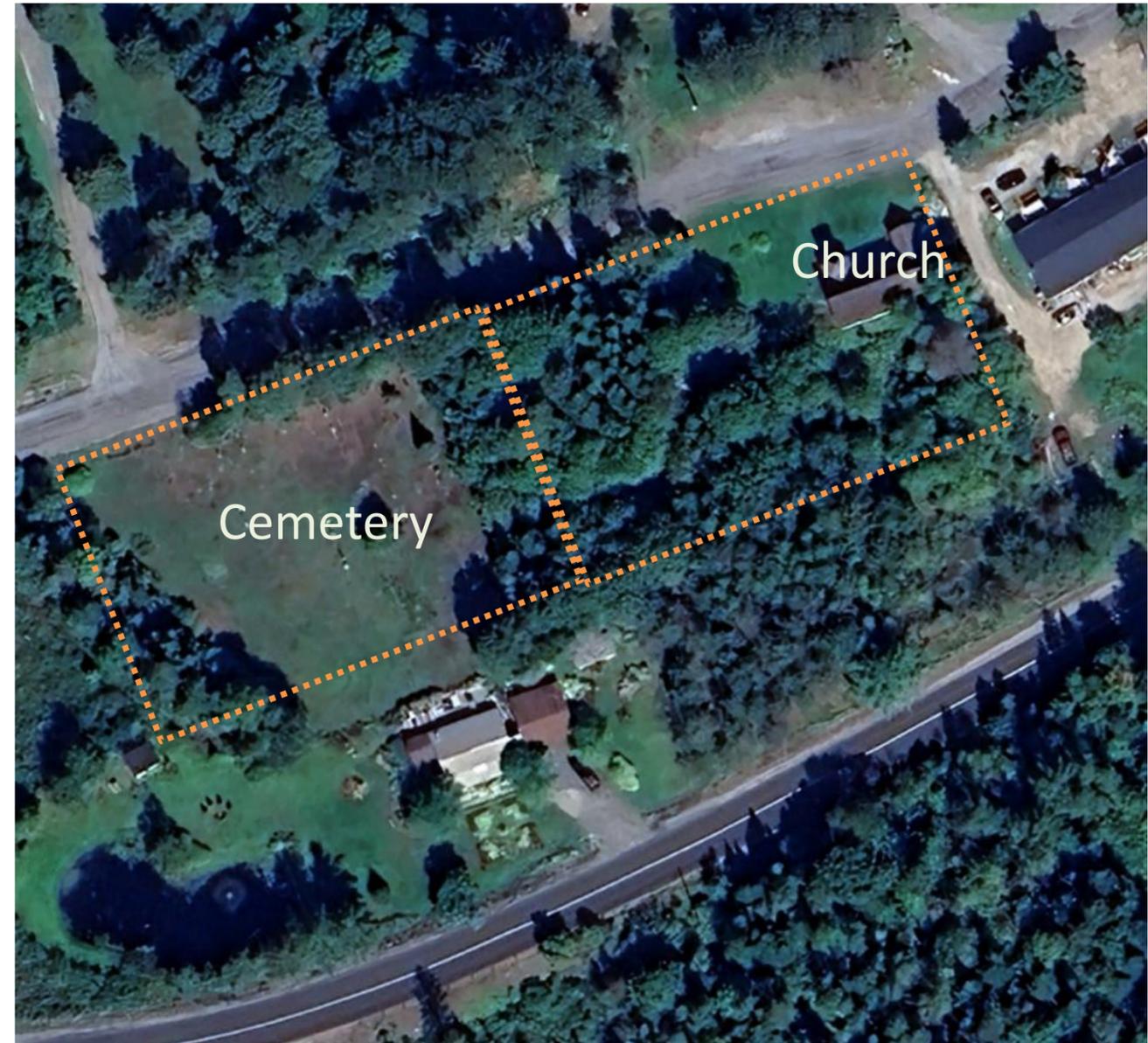


- Explicitly **communicating** to buyer that these are cemetery lands with restricted land use
- **Tax*** implications for cemetery lands
- All lands on the property should be treated as cemetery unless **severed** from the balance of the property *after* the boundaries are *confirmed*
- Older cemetery **boundaries** are notoriously unreliable:
 - Movement of headstones, cairn creation, loss of records, clandestine activities, paupers' graves etc.
- Partial **closure**⁺ of cemetery lands is costly, complex, and difficult to achieve if there are interments present

15

Candidates for Severance and Sale

- ✓ Cemetery and church portions of parcel are distinct
- ✓ Record-keeping has been clear and consistent
- ✓ Surveyed property boundaries have not changed



16

Receiving (or taking over) a Cemetery

- When buying, vesting, or completing title transfer of lands that contain a cemetery, consider:
 - **Taxation** challenges: cemetery lands have restricted use
 - **Licensing** records
 - Active or inactive? – are there unexercised interment rights?
 - Records of layout, boundaries?
 - **Condition** of the cemetery
 - Public safety risks?
 - **Finances** of the cemetery
 - Care and maintenance (C&M) funds? Operating funds?

17

Making the most of your cemetery lands

- ✓ No visible markers, but... archaeological assessment for road
- ✓ Dignified, respectful use for the community
- ✓ Possibility to remonetize: columbariums, scattering gardens etc.

18



Examining the Financial Health of a Cemetery

- ✓ Confirm compliance with BAO financial **reporting** requirements
- ✓ Assess **revenue** streams and cost drivers (interments, maintenance, sales, etc.)
- ✓ Evaluate cash flow **sustainability** and reserve adequacy
- ✓ Inspect **recordkeeping** systems
- ✓ Review historical and projected **expenditures** for grounds, equipment, and staff
- ✓ Confirm all funds are held in eligible financial institutions and **segregated** appropriately

19

Forward-Looking Planning

- **Financial Sustainability and Trust Fund Growth**
 - **Project** care & maintenance fund growth and disbursements over 25–50 years using conservative investment assumptions
 - Stress-test trust **fund adequacy** under different inflation and interest rate scenarios
 - Conduct **pricing reviews** every 1-2 years to reflect real maintenance costs
 - **Price** products / lots in a manner that will enable a higher C&M
 - Explore **new revenue streams**, diversify revenue (columbaria, mausoleums, scattering gardens)
- **Monument & Marker Preservation**
 - Do not remove monuments or markers from graves
 - Repair, stabilize, or lay flat using available C&M resources

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Recap: Today we discussed...



1. The role of the municipality under the FBCSA
2. Transferring cemetery ownership and operation
3. Implementing best practices for cemeteries management in compliance with the *Funeral, Burial and Cremation Services Act, 2002*
4. Evaluating the financial compliance and financial well-being of a cemetery



[TheBAO.ca](https://thebao.ca)



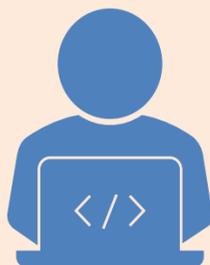
LifeLine licensee newsletter <https://thebao.ca/lifeline/>

Beyond consumer magazine <https://thebao.ca/beyond-bao-magazine/>



Consumer Information Guide

<https://thebao.ca/for-consumers/consumer-information-guide/>



General Inquiries

Info@TheBAO.ca

647-483-2645

Toll-Free: +1 844-493-6356



Cemetery Resources

| Finance | Licensing | Operations |
|--|---|--|
| <p>General:</p> <ul style="list-style-type: none">• Financial Compliance FAQs <p>Trust funds:</p> <ul style="list-style-type: none">• List of Loan and trust companies registered in Ontario: http://loanandtrust.fsco.gov.on.ca/• Ontario Credit Unions and Caisses Populaires Listing: http://creditunion.fsco.gov.on.ca/english/ <p>Audit Reports:</p> <ul style="list-style-type: none">• To determine if your accountant has a public accounting license, you may view the public accounting license directory at: https://myportal.cpaontario.ca/s/pal-directory• Read our detailed Notice to the Profession <p>Report on Care and Maintenance Fund/Account (Form 2)</p> <ul style="list-style-type: none">• Submit your renewal and C&M report(s) online at www.thebao.ca <p>Care and Maintenance Fund Calculator</p> <ul style="list-style-type: none">• https://thebao.ca/calculator/ | <p>Licensing Compliance Checklists</p> <ul style="list-style-type: none">• https://thebao.ca/checklists-cemetery-crematorium-funeral-transfer-services/ | <p>By-laws</p> <ul style="list-style-type: none">• https://thebao.ca/for-professionals/cemeteries-crematoriums/bylaws/ <p>Sample Price lists, contract & interment rights certificates</p> <ul style="list-style-type: none">• https://thebao.ca/for-professionals/cemeteries-crematoriums/forms/ |

Beyond the Dirt: Who Supports Cemetery Operators When the Municipality Becomes the Caretaker?



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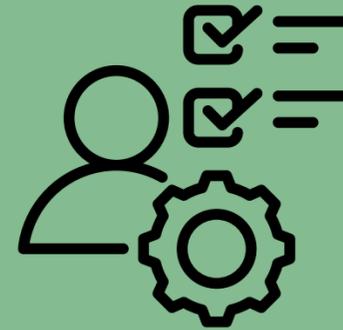
ROMA Conference
January 18, 2026



Agenda



**Who We Are -
A Brief History of OACFP**



OACFP vs. BAO - Who is who?



**How OACFP Supports
Municipal & Small Cemetery
Operators**



**Why This Matters for Rural &
Upper-Tier Municipalities**

TAKEAWAY

Take Aways



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History of the Association In the Beginning



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Originally known as the Ontario Association of Cemetery Officials of Canada, then the Ontario Association of Cemeteries (OAC).

In 1912, twenty-one cemetery operators representing 16 cities in Ontario founded the Association of Cemetery Officials in Canada.

The association was initially created as a vehicle for Ontario's ceterierians to exchange ideas and information ensuring high professional operations standards and customer service levels.

Adapting to a Changing Sector



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- In 2004 the association became the **OACFP** to further reflect our goal of sector unification.
- A unified industry would lead to improved communications amongst industry professionals and higher standards of consumer service.



“Pride in his profession and aim for improvement will cause every ...official to reach out for knowledge and we trust this Association will be the school to furnish such to them”

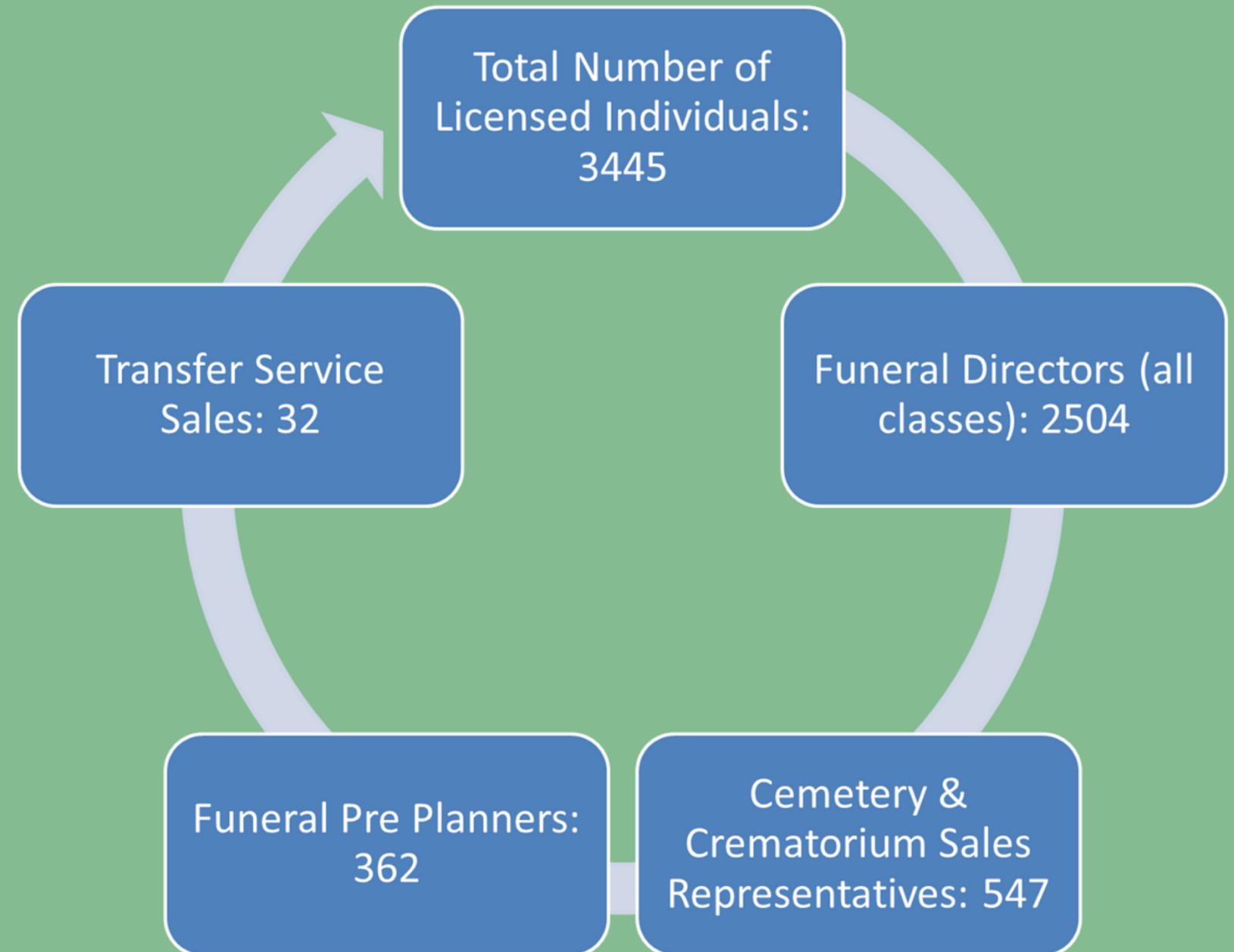
W.H. Foord, President, 1913

“Service to others is what cemetery and funeral professionals do while compassion and excellence is who we are”

Terry Eccles, President, 2013

Bereavement Sector 101

The Bereavement Sector by the Numbers: Licensed Individuals



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VS



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The Regulator

A Trade Association Representing All Members Of The Sector



THE OACFP IS A TRADE ASSOCIATION THAT LEADS A STRONG AND EVOLVING BEREAVEMENT SECTOR IN ONTARIO. IT DOES THIS BY PROVIDING THE SECTOR'S EMPLOYERS AND EMPLOYEES WITH UNIQUE BUSINESS RESOURCES, PROFESSIONAL DEVELOPMENT, AND ADVOCACY, DESIGNED TO ENABLE THE SECTOR TO UNDERSTAND AND RESPOND TO THE CHANGING SOCIETAL AND BUSINESS CONTEXTS WITHIN WHICH OACFP'S MEMBERS OPERATE.

OACFP is a unified Association of Bereavement Sector Professionals Providing a Support Network of Education and Resources.



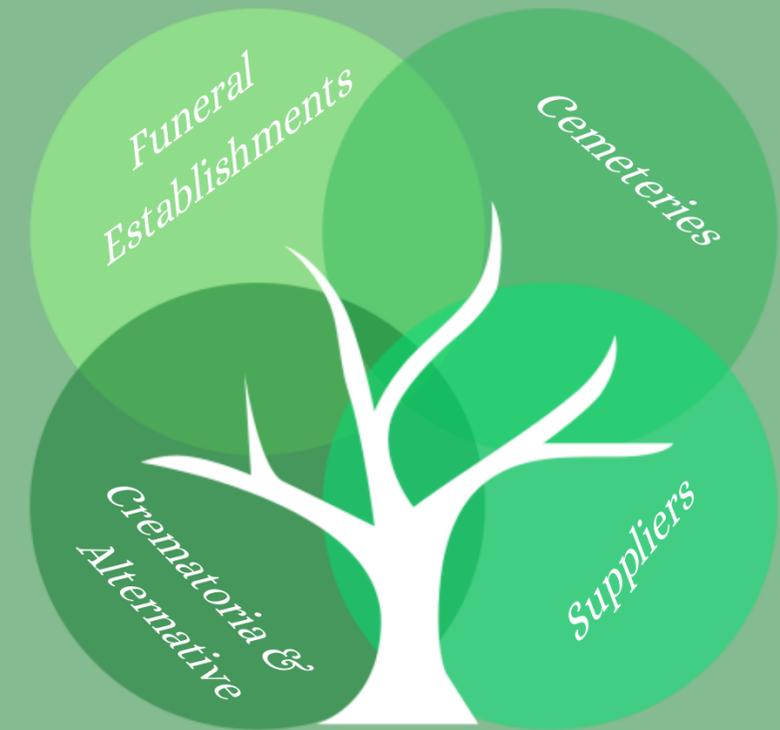
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Unified Bereavement Sector Education:

Sector Education:

Training better sector professionals



Understanding Each Segment of the Bereavement Sector.

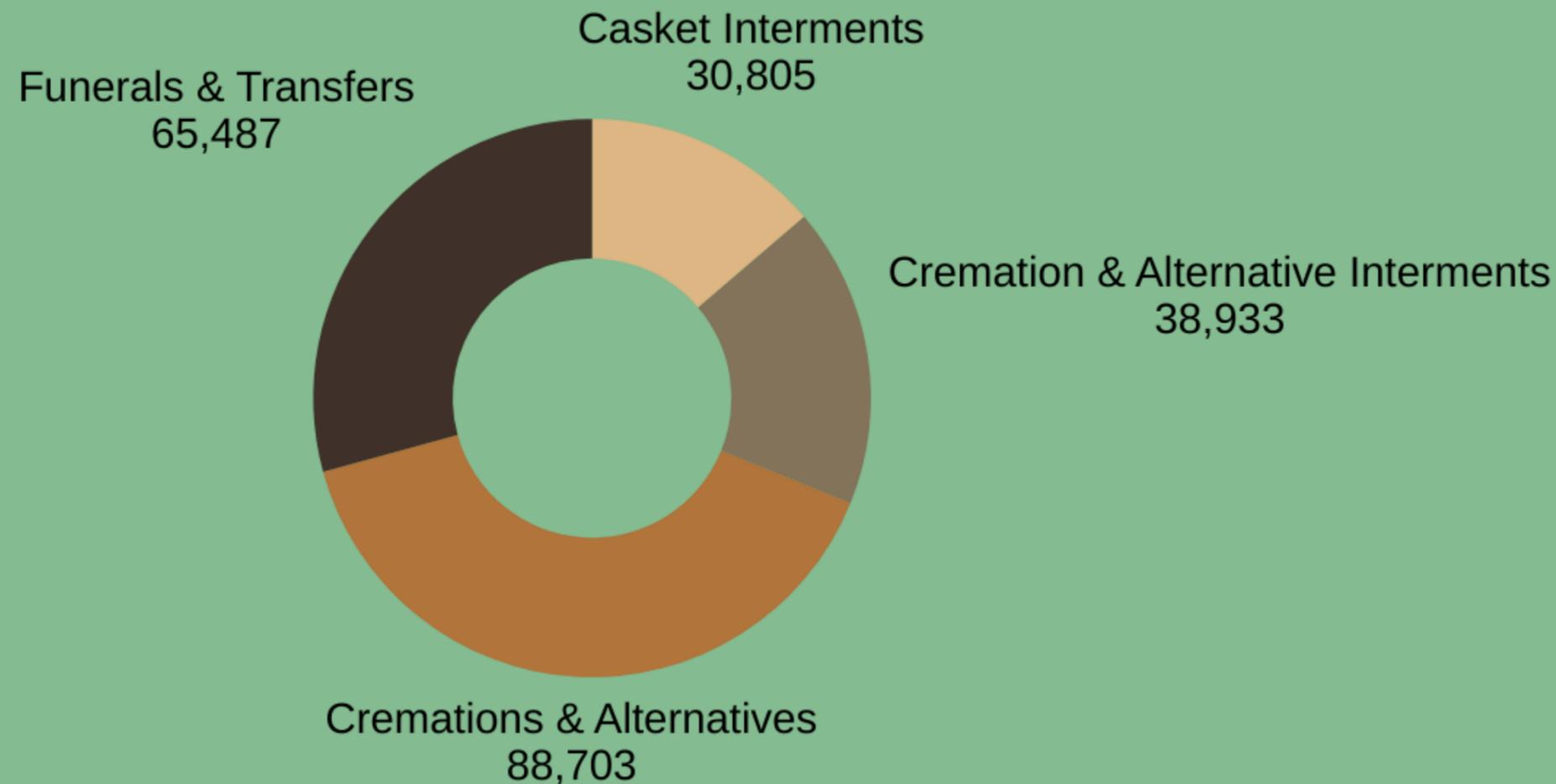


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Strength and Knowledge in Numbers

- Represent over 450 sector companies & organizations
- Have access to the knowledge of over 3,500 sector professionals
- Members performed 206,165 activities in 2024 - Interments, Funerals & Transfers, Cremations & Cremation Alternatives



Total Deaths in 2024
130,556

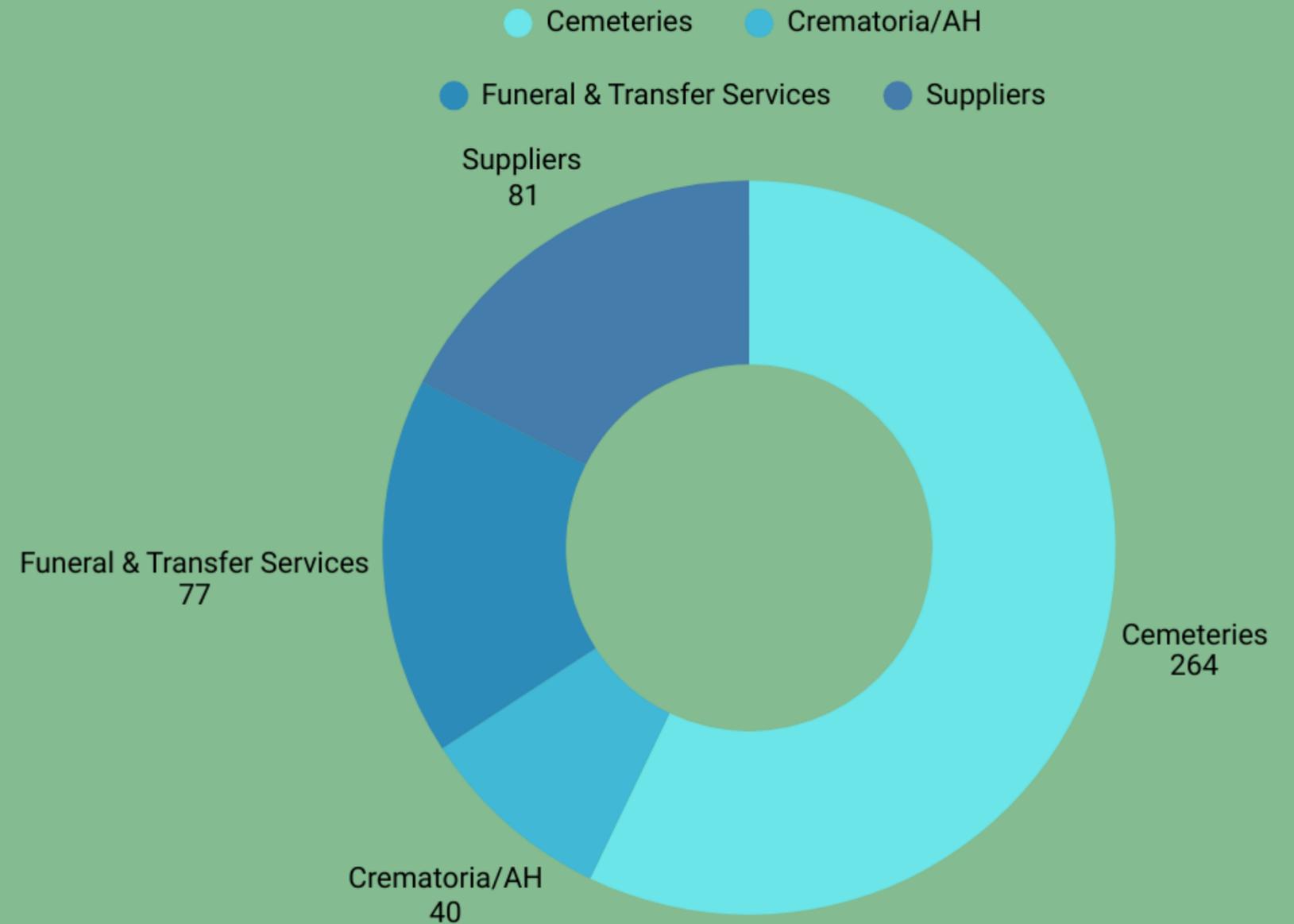


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Bereavement Sector Representation

The OACFP by the
Numbers:
Businesses &
Organizations

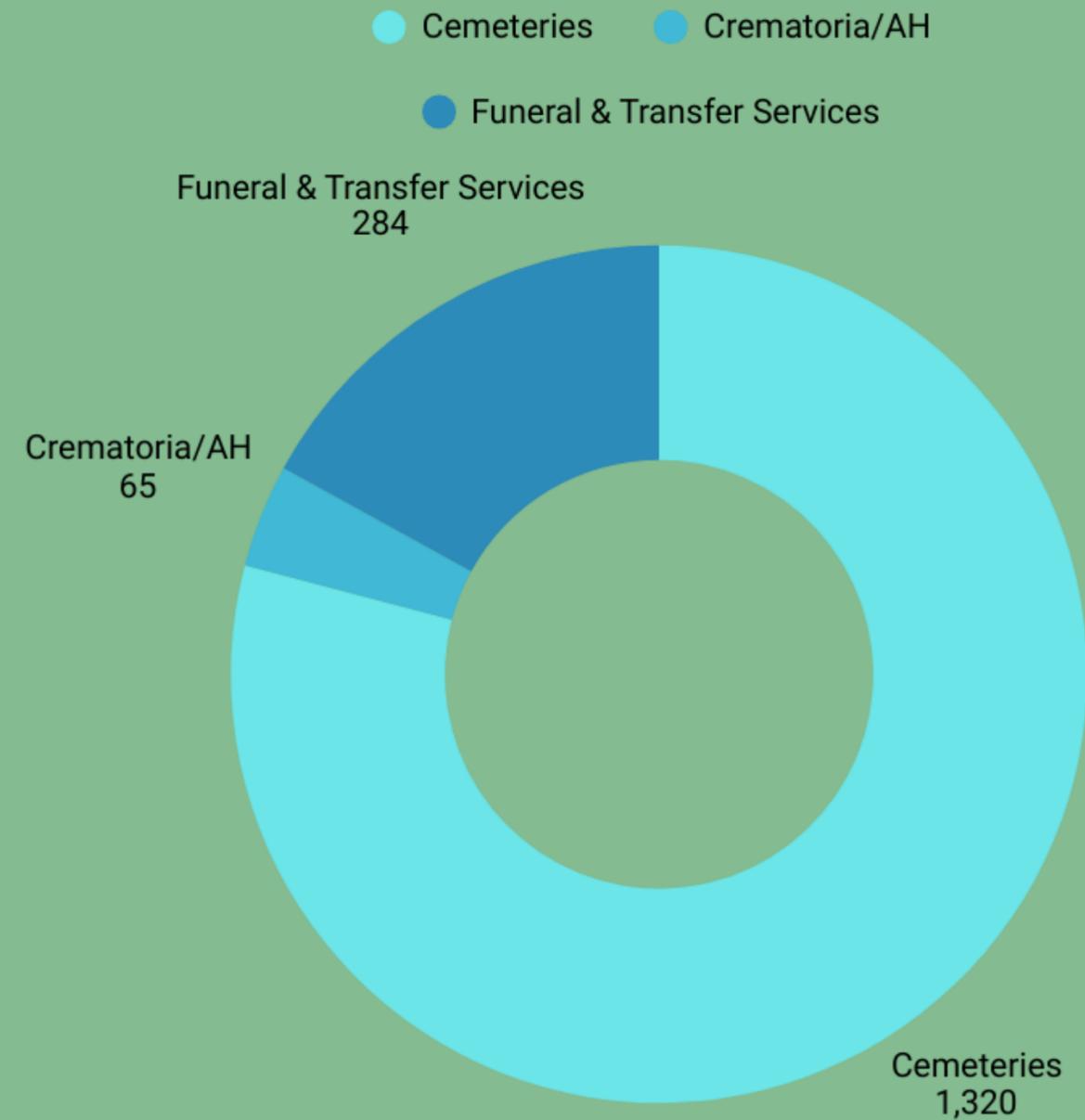


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Bereavement Sector Representation

The OACFP by the
Numbers:
Sites

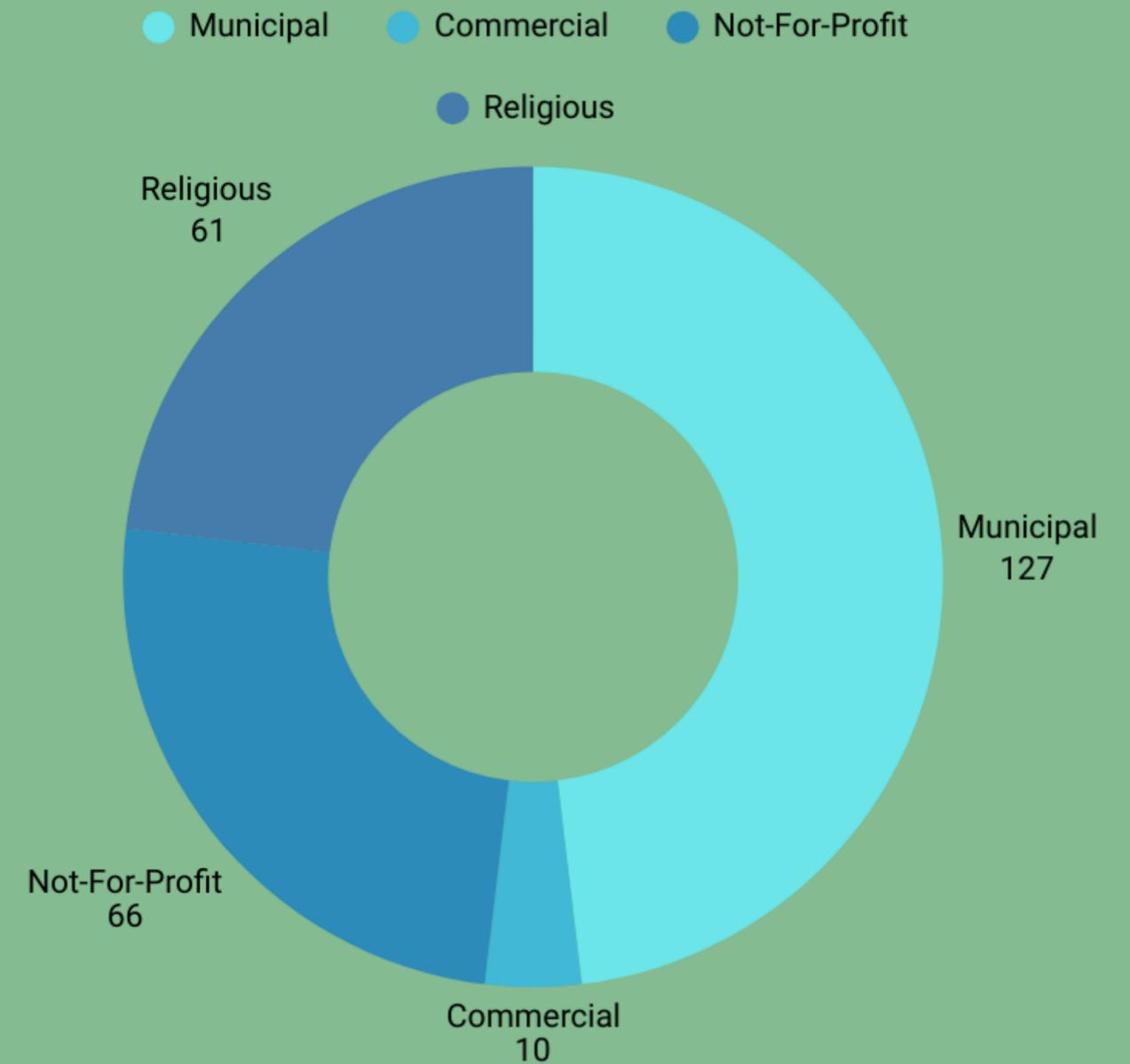


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Bereavement Sector Representation

The OACFP by the Numbers:
Cemetery Operators



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How OACFP Supports Municipal & Small Cemetery Operators

Education - Online

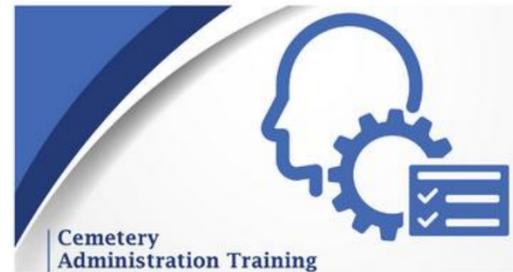
Cemetery Governance and Administration Overview for Small Cemeteries

CEMETERY GOVERNANCE AND ADMINISTRATION OVERVIEW FOR SMALL CEMETERIES:

A Quick Legislative Overview for Cemetery Custodians and Volunteer Board Members of Religious and Not-For-Profit Cemeteries



Cemetery Administration Training



Welcome!

An Introduction to Cemetery Management

NEW!
E-LEARNING



OACFP Online Self-Study Course:

Introduction to Cemetery Management: An Education Program for Cemetery Managers & Municipal Cemetery Administrators

How OACFP Supports Municipal & Small Cemetery Operators

Education - In Person



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How OACFP Supports Municipal & Small Cemetery Operators

Networking - Municipal Small Cemetery Working Group



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Welcome!

**MUNICIPAL AND SMALL CEMETERY
OPERATORS WORKING GROUP**

April 24, 2025 – Regional Meetings



Questions for Municipal and Small Cemetery Working Group Session 2025

1. We have someone who wants a full burial in a grave that is about 8 feet from a 36" maple tree. It will be very difficult due to roots and we are concerned about killing the tree. There is already a burial in the adjacent grave (from 30 years ago) and a monument is in place.
2. What are people doing with the repair of old monuments / Foundations
3. Not-for-profit Cemetery that need more younger people to help out or how to find outside help to maintain and run the cemetery?
4. Ontario Works discretionary benefits do not cover the actual costs of a burial, especially when a plot needs to be purchased. While there's a recommended maximum amount for funeral and burial costs (e.g., \$2,250), administrators have the discretion to approve amounts exceeding this guideline. We are only reimbursed \$1,300+HST. What are other municipalities paying for these services?
5. By-laws: is there a repository that can be used as a resource?
6. BAO re: Archaeology – update
7. Statistics over the last 5 years to determine if interments are up or down as the sale of interment rights
8. Stolen metal markers and property
9. Church cemeteries that are full/not operating/Church is closed or close to being full. How does the Diocese dispose of these?
10. Recruitment of volunteers with specific skill sets needed to run a small cemetery
11. When an arms length cemetery board is appointed by municipal council, and the appointed board selects a member to be secretary, does the secretary have any voting rights?

**Agenda &
Discussion Topics**

| | | | | | |
|--|--|--|----------|----------------------------------|--------------------|
| 10:00 AM | 10:10 AM | 10:30 AM | 12:00 PM | 12:45 PM | 1:00 PM |
| Welcome •Mark Richardson OACFP President, City of Thorold | Introductions by your Host: •Rebecca Zinger, Woodlawn Memorial Park, Guelph | Break into Regional Groups •Group Discussion – Topics & Questions Provided by Attendees | Lunch | Group Discussion Continued | Closing Remarks |



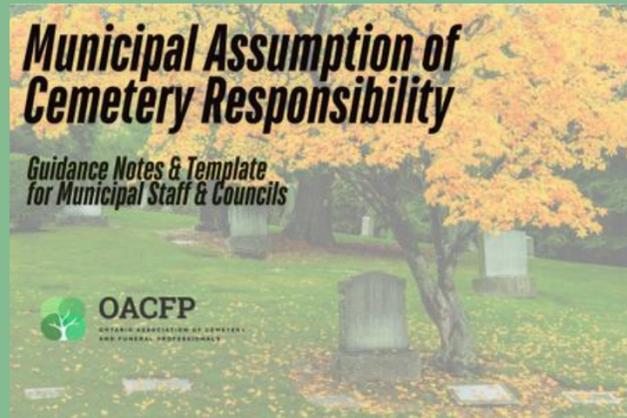
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How OACFP Supports Municipal & Small Cemetery Operators

Other Resources & Initiatives

Access to OACFP Guidance Documents and SOPS



Job Posting & Compensation Surveys



OACFP Podcast



OACFP Strategic Priorities

- Operations Challenges
- FBCSA Modernization
- Affordability
- Land Use Planning
- Cremation
- Emissions/MECP



Why This Matters....



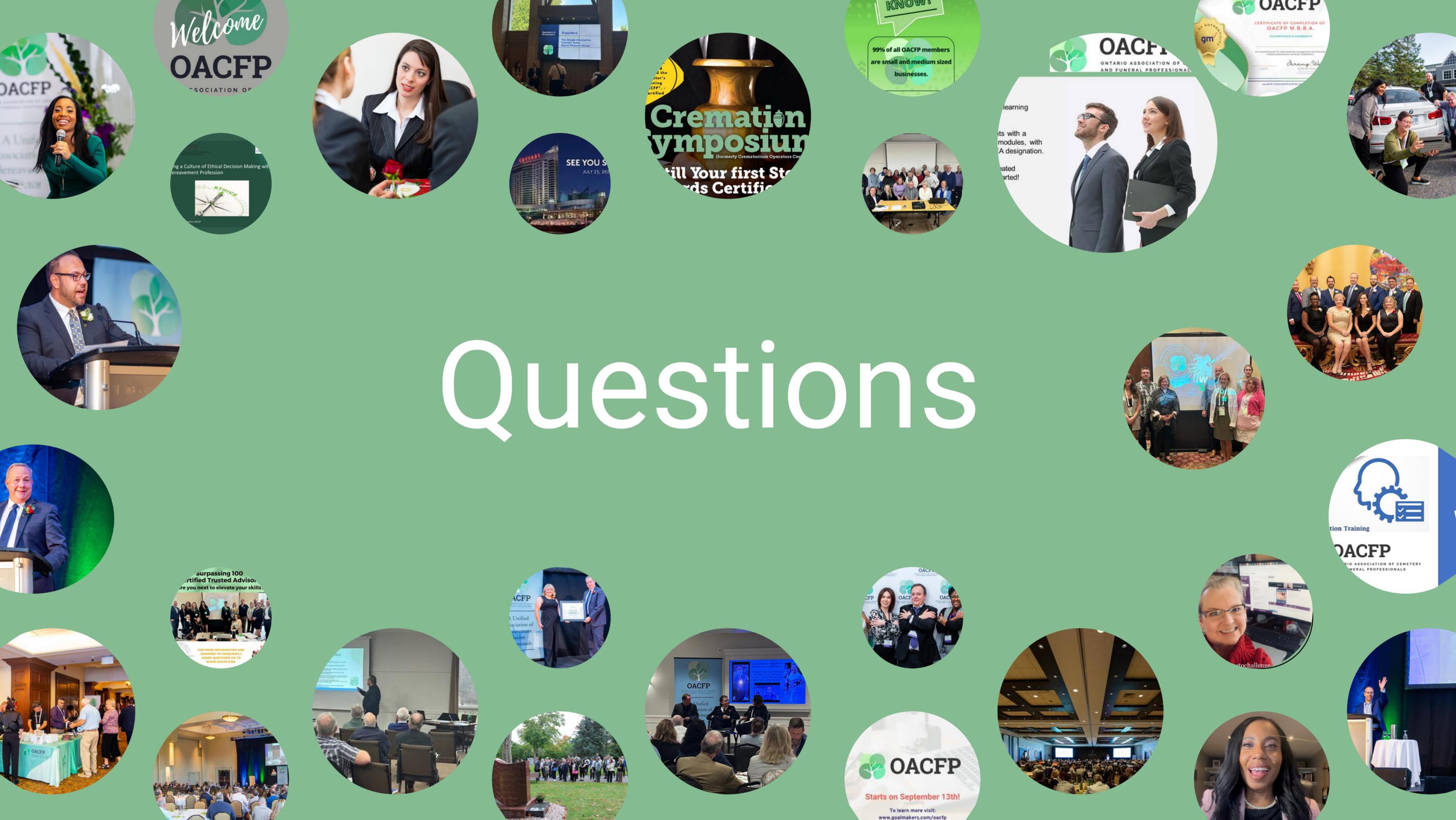
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- Cemeteries are increasingly inherited, not planned; Costs are unpredictable
- Boundaries are unclear; Records are incomplete
- Staff turnover is high

Municipalities should not have to navigate this alone – especially when responsibility arrives unexpectedly. A cemetery is not just another municipal property that must be maintained.

Cemeteries are permanent. The responsibility is long-term. But the support does not have to be temporary. OACFP exists so municipalities can protect dignity, history, and ensure compliance – with confidence. And...every single day we have an opportunity to do one last good thing for somebody, and we need to keep that in mind with every action we take when we run our cemeteries with purpose.



Welcome
OACFP
ASSOCIATION OF



KNOW'S
99% of all OACFP members are small and medium sized businesses.



Questions



Thank you!

Contact

OACFP Office:
info@oacfp.com
www.oacfp.com



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ROMA Conference
January 18, 2026





Greater Napanee

GREATER FOR MANY REASONS

THE DIRT ON CEMETERIES.....

....and Municipal responsibilities when the unexpected happens!

Navigating Unexpected Challenges

Municipalities have a responsibility to treat cemeteries with the utmost respect, even – and especially – when unexpected circumstances arise.

For the Town of Greater Napanee, 2025 proved to be an exceptionally eventful year in this regard. The Town discovered the existence of a cemetery for which it is the licensed operator, despite having no prior awareness of its presence. This discovery was followed by a request to re-inter human remains that had been exhumed decades earlier, in 1964, presenting both logistical and ethical considerations.

In addition, the Town faced challenges related to prolonged cemetery transfer processes. Working with third-party organizations added layers of complexity, contributing to delays and underscoring the sensitive and intricate nature of cemetery administration when multiple stakeholders are involved.

Finally, the Town has taken steps to assume greater oversight of cemeteries located on private lands. This includes entering into agreements with landowners to secure legal access across private property in order to appropriately manage and maintain these cemeteries.

Together, these experiences highlight the importance of diligence, collaboration, and respect in municipal cemetery management, particularly when unforeseen situations emerge.

Discovery of a 17th Century Cemetery

How it all started:

- Late fall of 2024, the Town of Greater Napanee was contacted by the Royal Ontario Museum (ROM) with a request for permission to re-inter 4 bodies that were exhumed from one of our cemeteries dating back to 1964.

Where did we start:

- Prior to responding to the ROM, the Town had to determine where this cemetery was, then reach out to the BAO for assistance.
- The BAO sent an inspector to the cemetery and following the inspection we were given a compliance letter, not only concerning the re-interments but the fact that this cemetery had no distinct boundaries and was subdivided into multiple properties.

The process:

- Seek approval from Council to increase the Cemetery budget to cover the upcoming costs for an Archaeology Assessment and Survey work.
- Prepare a plot with guidance from the Archaeologist, for the re-interment of the 4 bodies.

The result:

- Despite the hurdles along the way, the bodies were finally re-interred to their original/final resting place.

Complexity of Cemetery Transfers

At first glance, the cemetery transfer process may appear to be simple and straightforward; however, each transfer is unique and does not always proceed as smoothly as previous ones.

- When a municipality is approached to assume responsibility for a cemetery, it may either accept or decline the transfer in accordance with provincial legislation governing cemetery operations. In most cases, it is in the municipality's best interest to accept the transfer, as responsibility for abandoned or neglected cemeteries will ultimately rest with the municipality under the applicable legislative framework. Acceptance can also help avoid potential court proceedings and associated legal costs that may arise if a transfer is denied.
- Additional challenges often emerge when third parties are involved. These may include negotiating liability provisions, compliance with regulatory requirements, and addressing issues related not only to the transfer of the cemetery licence, but also the transfer of the land on which the cemetery is situated.
- Where land is being transferred along with the cemetery licence, questions can arise regarding responsibility for determining property boundaries – particularly when historical documentation, surveys, or mapping records lack sufficient detail. These uncertainties can lead to delays, additional costs, and increased complexity in completing the transfer in a manner that meets legislative and regulatory standards.

Ultimately, a thorough and legislatively compliant transfer process is essential to managing risk, protecting the municipality from future liability, and ensuring cemeteries are respectfully and responsibly maintained in accordance with provincial requirements.

Landowners Liability and Agreements

Although the cemetery is inactive, it remains a licensed/registered cemetery owned and operated under the Municipality. As the licensed operator, the Municipality is obligated to maintain, protect and preserve the cemeteries under our care.

Although the Municipality is not obligated to seek permission to cross private lands that lead to a cemetery, we still respect the property owner and strive to seek approval prior to doing so. Should the landowner deny the Municipality access to the cemetery, the Municipality would then advise the BAO, who will send an Inspector to the site. Should the BAO be denied entry, the BAO will place an Order on the landowner to access the lands.

Our engagement with landowners:

The Municipality has been working with the Bereavement Authority of Ontario (BAO) regarding our obligations as the owner/operator of the cemetery. Under the *Funeral, Burial and Cremation Services Act*, pursuant to clause 5(3)(c), and information provided by the BAO, it states that,

“Consideration should be given to the location of the cemetery within the property. If the cemetery is on a part of the property surrounded by areas used by the landowner for residential or other purposes, the landowners must provide reasonable access including a safe pathway to the cemetery.”

Any official from the BAO must be provided with access to the cemetery site, including the identified place of cemetery business, as provided for in the legislation.”

Landowners Liability and Agreements

There are many cemeteries located on private land that nobody knows exists, or they know that they exist, but they don't disclose that they are there.

Municipalities need to be aware of properties that are being severed, built on and sold to make sure that there are no existing cemeteries. There are property owners today who buy homes and don't have any idea that a cemetery exists on it. This is where Municipalities need to work with GIS mapping and utilize Cemetery Software to put a plan in place that labels all properties that contain a cemetery so that they don't disappear.

Property owners may lean on the Municipalities for support in some of the situations that occur, however, in most cases it becomes a civil matter and Municipalities only become involved when they are requested to licence the cemetery.

Key Takeaways for Municipalities

Municipal Responsibility

Under provincial legislation, municipalities are often the default authority for abandoned or neglected cemeteries; accepting transfers proactively can reduce legal risk and avoid court involvement.

Transfer Complexity

Cemetery transfers are rarely straightforward, with each site presenting unique challenges related to historical records, ownership and prior operations.

Licensing and Land Clarity

Clear alignment between cemetery licensing, land ownership, boundaries and access rights is essential to avoid future liability and operational issues.

Risk Management and Compliance

A structured, legislatively compliant approach to cemetery oversight is critical to managing liability, ensuring respectful care, and protecting the municipality's long-term interests.

Closing Remark

Municipalities are becoming the “caretakers of last resort” for cemeteries. Survival depends on diversifying funding, clarifying boundaries, and building community partnerships to manage the growing burden.

Our responsibility as the “caretaker of last resort” is not optional – it is a defining part of how we serve our communities. When every other steward has stepped away, it is the municipality that protects these burial places from neglect, uncertainty, and loss. We ensure dignity is preserved, history is honoured, and the people who built our communities are never forgotten.

Municipalities need to commit fully – to the policies, the resources, and the leadership needed to safeguard these sites with the respect they deserve. This is our chance to show what public stewardship truly looks like.

Because in the end, a community is judged not only by how it treats its living, but by how it cares for those who can no longer speak for themselves.