

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 1472-83

BEING A BY-LAW TO PROVIDE FOR THE MAINTENANCE, MANAGEMENT, REGULATION AND CONTROL OF CERTAIN CEMETERIES IN THE TOWN OF WHITBY

WHEREAS, Section 62 of the Cemeteries Act, R.S.O. 1980, c. 59, provides that where the owner of a cemetery cannot be found or is unknown or is unable to maintain it, the Council of the municipality in which the cemetery is situate shall maintain it and the corporation of the municipality shall be deemed to be the owner of the cemetery;

AND WHEREAS, the Council of the Corporation of the Town of Whitby considers it desirable to provide for the maintenance, management, regulation and control of certain cemeteries which are deemed to be abandoned within the corporate limits of the said Corporation;

AND WHEREAS, Subsection 65(1) of the Cemeteries Act, R.S.O. 1980, c. 59, provides that the Council may pass by-laws for the maintenance, management, regulation and control of any cemetery that is owned by the Corporation;

AND WHEREAS, Section 69 of the Cemeteries Act, R.S.O. 1980, c. 59, provides that the Council may by by-law transfer the control and management of the cemetery to a Board;

NOW THEREFORE, the Council of the Corporation of the Town of Whitby enacts as follows:

1. The cemeteries listed hereunder shall be maintained, managed, regulated and controlled by the Corporation of the Town of Whitby:
 - (a) Hubbles Cemetery - Part of Lot 22, Concession 9, Town of Whitby;
 - (b) South Myrtle Cemetery - Part of Lot 20, Concession 8, Town of Whitby; and,
 - (c) Hemingway Cemetery - Part of Lot 20, Broken Front Concession, Town of Whitby.
2. Responsibility for the control and management of the cemeteries listed in Section 1 of this by-law is transferred to the Groveside Cemetery Board.
3. The provisions of this by-law shall come into force and take effect on the date the by-law is approved by the Ministry of Consumer and Commercial Relations.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 28TH DAY OF FEBRUARY, A.D., 1983.


CLERK


MAYOR



Ministry of
Consumer and
Commercial
Relations

Approval of Municipal By-Law

It is hereby certified that the Ministry of Consumer & Commercial Relations pursuant to the provisions of section 65 (1) (e) of The Cemeteries Act, R.S.O. 1980 c. 59, has approved of by-law No. 1472-83 of the municipal corporation of the Town of Whitby enacted by the council of the said municipal corporation on the 28th day of February 1983, being a by-law to provide for the maintenance, management, regulation and control of certain cemeteries in the Town of Whitby.



DATED AT TORONTO, THIS 26th DAY OF April 1983.

W. Ferguson
Director

By Delegation under Section 6a of
The Ministry of Consumer and Commercial
Relations Act

CERTIFICATE NO. 83-3-13