

THE CORPORATION OF THE TOWN OF IQALUIT

BY-LAW 328

Being a By-law of the Town of Iqaluit to Establish and Operate a Cemetery.

Whereas pursuant to the Cities, Towns and Villages Act R.S.N.W.T., 1988, C.8 Section 103, a Council may, by by-law, provide for the establishment and operation of cemeteries; and regulate the disposal of the dead.

Now, Therefore Be It Resolved the Municipal Administrator of the Town of Iqaluit enacts as follows:


1. This By-law shall be known as the Cemetery By-law.
2. Definitions in this By-law:
  - a) "Body" means the remains of a human corpse and includes ashes.
  - b) "Burial Plot" means the parcel of land surveyed for interment purposes and designated as a municipal cemetery.
  - c) "Cemetery" means the area designated within the surveyed boundaries and under the control of the Town of Iqaluit.
  - d) "Cemetery Advisory Committee" means a committee established by the Council of the Town of Iqaluit for the purposes of carrying out the day-to-day management of a cemetery.
  - e) "Funeral Director" means the individual or company authorized by the Council to undertake making funeral arrangements for the interment of a deceased person.
  - h) "Town Manager" means the Senior Administrative Officer of the Town of Iqaluit or a person designated by the Town Manager to act with full authority under this By-law.
3. The Council of the Town of Iqaluit may appoint by resolution a Cemetery Advisory Committee of no fewer than three people; one representing the Elders of the Town of Iqaluit; one representing the Religious leaders and one member of Council who shall function as Chairperson.
4. Any lot, portion of a lot, or group of lots set aside under the General Plan for Iqaluit for cemetery purposes shall be deemed a cemetery for the purposes of this By-law.
5. The Town Manager or designate shall enforce the regulations.
6. Cemetery plots shall not be used for any other purpose than for the burial of human remains including ashes.
7. The Town Manager or designate shall maintain a cemetery register indicating particulars of the following:
  - a) distinct identification number to locate each interment site.
  - b) burials (stating the date of burial, name, age and gender of body buried).

8. a) No person shall bury remains in the cemetery without the authorization of the Town Manager or designate.  
b) Upon receipt of the burial application and a burial permit for Vital Statistics, the Town Manager or a designate shall allocate a burial plot for each body in accordance with an approved system.
9. Not more than one body shall be buried in any plot except with the approval by the Town Manager or designate.
10. No person shall remove a body from a burial plot unless permission has first been obtained from the Town Manager or designate.
11. The opening and closing of the grave, and any required site restoration, shall be completed only by persons authorized by the Town Manager or designate.
12. It is the responsibility of the Funeral Director to ensure a white wooden cross bearing a name plate be used as a monument marking each burial plot following interment.
13. No person shall walk upon graves, remove any monument, decorative material or deface or damage any grave or monument.
14. No person shall play any games or sport within the cemetery; or wilfully disturb persons assembled to conduct a burial ceremony; or disturb the quiet of the cemetery.
15. No person shall discharge a firearm in the cemetery except at an authorized military style funeral.
16. No vehicle, ATV, snowmobile or bicycle shall drive within the cemetery except on a designated roadway.
17. The Town, its agents, or employees, shall not be responsible for any injury resulting to any person who enters the cemetery or any damage to any plot, memorial tablet, monument or other structure located within the cemetery unless such injury or damage is shown to be caused by the negligence of the Town, its agents, or employees.
18. The Town will enter into a Service Contract with the Funeral Director for each funeral setting out the fee to be paid for services rendered in interment of a deceased person.
19. The Town may invoice the estate of the deceased to recover the fee paid to the Funeral Director.
20. Any person found guilty of an offence under this by-law shall be subject to a fine of no more than \$1,000 or imprisonment for a term not exceeding one month in default of payment of a fine.

Read a First and Second time this 23<sup>rd</sup> day of September  
1994 A.D.

  
Municipal Administrator

Approved by the Minister of Municipal and Community Affairs the  
27<sup>th</sup> day of 24<sup>th</sup> September, 1994.  
PM

  
Minister of Municipal and  
Community Affairs

This By-law Read a Third and Final time this 29<sup>th</sup> day of  
September, 1994.

  
Municipal Administrator

