

Community Government of Whatì

BYLAW NUMBER 57-2015

A bylaw of the Community Government of Whatì in the Northwest Territories to establish and operate a cemetery pursuant to the provisions of the Tłı̨chǫ Community Government Act, S.N.W.T. . 2004.

WHEREAS the *Tłı̨chǫ Community Government Act*, S.N.W.T., 2004, Section 6 (1) provides authority for a community government to make bylaws Council considers appropriate;

AND WHEREAS Council deems it desirable and necessary to establish and determine the rules and regulations under which it is operated within the municipality;

NOW, THEREFORE, the Council of the Community Government of Whatì, in regular session, duly assembled, enacts as follows:

1.0 CITATION OF BYLAW

1.1 This Bylaw may be cited as the "Cemetery Bylaw".

2.0 DEFINITIONS

2.1. In this Bylaw,

2.1.1 "Cemetery" means any burial location designated by the Council of the Community Government;

2.1.2 "Community Government" means the Community Government of Whatì;

2.1.3 "Council" means the Council of the Community Government of Whatì;

2.1.4 "Grave" and "Plot" may be used interchangeably;

2.1.5 "Plot" means a clearly delineated parcel of land, numbered and marked on the Cemetery Plan, approximately 8 feet by 8 feet in size, that is set aside for the burial of human remains;

2.1.6 "Owner" means a person or executor of an estate of a person who registers the Lot in the cemetery;

3.0 CEMETERY REGULATIONS

3.1 The Community Government shall keep records of all Lots in the Cemetery, both interments and dis-interments.

- 3.2 Prior to interment of human remains at the Cemetery, the following information shall be provided to the Senior Administrative Officer or its designated officer in the format of a 'Burial Registration':
- a. Name of deceased;
 - b. Place of death;
 - c. Date of death;
 - d. Age of deceased;
 - e. Gender of deceased; and,
 - f. Name, mailing address, telephone number email of next of kin (*family member*)
- 3.3 No dis-interments shall be performed or allowed until valid approval is granted by either the Community Government or as may be directed by the GNWT or court of competent jurisdiction.
- 3.4 Cemetery records shall be a matter of public record and shall be readily shared with local churches and with GNWT Health and Vital Statistics.
- 3.5 An Owner can approach the Community Government about 'reserving' a plot either for themselves or for someone else, to a maximum of four (4) plots. Approval by Council is required for any larger number of plots to be kept or set aside.
- 3.6 The Cemetery is intended for use by residents and no one shall be denied the access to be buried in the Cemetery.
- 3.7 The Community Government shall permit corner stones, fences and railings around each occupied Lot, however it assumes no responsibility for any maintenance to those additions nor for any loss of or other damage to any monument, marker or any article of any type that may be placed on the plot.
- 3.8 The Community Government shall be responsible for any damages caused during the normal maintenance of the Cemetery, however it assumes no responsibility for loss of or other damage to any monument, marker or any article of any type that may be placed on the plot.
- 3.9 Grave site openings shall be the responsibility of the family or executor of the deceased estate.
- 3.10 A Burial Registration may be obtained from the Senior Administrative Officer or designate.
- 4.0 GENERAL**
- 4.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw shall remain in force.
- 4.2 This Bylaw shall come into effect upon Third and Final Reading.


Read a First time this 28th day of September, 2015.

Read a Second time this 14th day of December, 2015.

Read a Third and Final time, and passed this 25th day of January, 2016.



Chief Alfonz Nitsiza



Lisa Nitsiza, SAO

As per Section 71(1)(d) of the *Tłchq Community Government Act*, I hereby certify that this Bylaw has been made in accordance with the requirements of *Tłchq Community Government Act*, and the bylaws of the municipal corporation of the Community Government of Whatì.



Lisa Nitsiza, SAO

