

**CEMETERIES BYLAW # 93-16**

**(CONSOLIDATED)**

**As amended by Bylaw #13-05**

All fee schedules attached to and forming part of this bylaw are hereby repealed,  
and all references to fees and charges in the this bylaw are replaced by  
references to the Fees and Charges Bylaw

THE TOWN OF THE CITY OF DAWSON

BYLAW #93-16

A Bylaw to establish and provide for the regulation of cemeteries plus the collection of cemetery fees.

WHEREAS Section 273 of the Municipal Act provides that Council may lay out, develop, improve, regulate, maintain and operate cemeteries; and

WHEREAS Section 222 of the Municipal Act provides that Council may by bylaw establish and collect fees;

NOW THEREFORE the Council of the Town of the City of Dawson, in open meeting assembled, hereby ENACTS AS FOLLOWS:

SECTION 1 - SHORT TITLE

1. This Bylaw may be cited as the "Cemeteries Bylaw".

SECTION 2 - DEFINITIONS

1. a) "attendant" means the attendant in the cemetery and, unless the context otherwise implies, any person authorized to carry out his/her duties.  
b) "cemetery" means those areas of land within the municipality boundaries of the City that are set aside for the burial of human bodies or ashes, as described in Appendix "A" to this bylaw.  
c) "City" means the Town of the City of Dawson.  
d) "Council" means the duly elected Council of the City of Dawson.  
e) "holiday" means a statutory or declared holiday.  
f) "immediate family" is defined as spouse, mother, father, sister, brother, son, daughter, grandparents, and may also include common-law relationships.  
g) "interment" means the digging and preparation of the grave, placing of the casket or urn, filling the grave, levelling the ground, and re-establishing the grass.  
h) "Manager" means the Chief Administrative Officer of the City of Dawson or designate.  
i) "memorial tablet" means a structure of bronze, marble or granite or other material for memorial purposes placed on any grave or plot level with the surrounding surface.  
j) "monument" means a memorial of stone or other material which projects above the level of surrounding ground.  
k) "plot" means a piece of ground used as a grave.  
l) "Recreation Department" means the Recreation Department of the City of Dawson.

SECTION 3 - PUBLIC ACCESS

1. Cemeteries shall be open to public access from 8:00 a.m. to 9:00 p.m.
2. No person shall enter or remain in a cemetery between the hours of 9:00 p.m. and 8:00 a.m. without the permission of the Manager.
3. No person shall drive an automobile or other vehicle anywhere in a cemetery other than on a designated road or lane, with the exception of vehicles or equipment necessary for the operation and maintenance of the cemetery.

SECTION 4 - ADMINISTRATION

1. The cemeteries of the City shall be under the general supervision and control of the Director of Recreation.
2. The maintenance of established Burial Plots shall not be deemed to be the responsibility of the City.
3. The City may make agreements for the operation and maintenance of private cemeteries.
4. The records, plans, documents and instruments relating to the cemeteries shall be under the supervision, charge and control of the Manager.

5. The Manager shall:

- a) on application and payment of fees, make all sales of plots;
- b) on application and payment of fees, make all reservations of plots;
- c) on application by the holder, make all cancellations of reserved plots and then refund the fees paid therefor;
- d) on application and payment of fees, issue interment permits;
- e) keep book or records of the name, plot location, and date of all persons buried in a cemetery, and such other books and records as she may deem necessary from time to time; and
- f) ensure that documentation required for statistical purposes is sent to the City Clerk's office for retention.

**SECTION 5 - PLOTS**

1. A grave in a cemetery shall be dug to a minimum depth of:

- a) six (6) feet for the body of any person;
- b) three (3) feet for the interment of ashes; or
- c) ten (10) feet for the first body in a double tier burial.

2. Ashes may be interred in a plot which:

- a) contains the body or ashes of a member of the deceased's immediate family; or
- b) when sold was designated by the purchaser to be used for the interment of the ashes of specified individuals in addition to the body or ashes of the person for whom the first plot was purchased.

3. No body or ashes shall be interred in a cemetery unless it be that of a human for which interment permit has been issued pursuant to this bylaw.

4. No body or ashes shall be interred in a cemetery except by employees of the City.

5. Except as otherwise provided in this bylaw, no body shall be interred within twenty-four (24) hours after the issuance of an interment permit.

6. Only the Medical Health Officer may order the immediate interment of a body.

7. Interments shall take place between the hours of 8:00 a.m. and 5:00 p.m. on a regular work day.

8. Fees charged for interments approved by the Manager to take place at a time other than a regular work day shall be subject to overtime rates.

9. Two (2) bodies may be interred in a plot, in separate caskets and with two (2) feet of soil between the top and the bottom casket.

10. Ashes may be interred in a plot together with a body or other ashes.

11. On application and payment of fees, a body buried in a cemetery may, with the written permission of the Manager be disinterred and reinterred, subject to the terms of the Yukon Burial Sites Ordinance Act.

12. Double tier burial will only be allowed by prior written request or at the request of the family of the deceased.

**SECTION 6 - MEMORIALS**

1. Any memorial installed shall be acceptable to the soil conditions within the cemetery.

2. The City shall be advised of any memorial placement prior to installation.

**SECTION 7 - GENERAL PROVISIONS**

1. All applications for all acts contemplated in this bylaw shall be made in the forms prescribed and attached as Appendix "B" to this bylaw.

2. The fees payable for all acts contemplated in this bylaw shall be in the amounts prescribed and attached as Appendix "C" to this bylaw.

3. The City shall provide care and maintenance for all cemetery land governed by this bylaw.

4. The City of Dawson shall establish a perpetual care reserve account whereby one third (1/3) of the plot price shown in Appendix "C", Section 1 would be set aside in an interest-generating general ledger account, and the interest generated each year would be used to offset the cemetery maintenance costs.

5. If a grave site is required to be prepared, a minimum of two (2) working days notice shall be given to the City on a work request prior to the time set for the burial. A working day shall mean those days for Monday to Friday inclusive, but shall not include a holiday.
6. No person shall at any time, except as specified in Section 3, Clause 3, take into a cemetery a motorcycle, snow machine or all-terrain vehicle.
7. No picnic, parties, or gatherings, except for funerals or some ceremony or observance permitted by the Manager shall be held or allowed within a cemetery.
8. No person shall play any game, recreational, sporting or play activity in any cemetery.
9. The City of Dawson shall have full authority to remove any unsightly works, adornments, stand, holder, vase or plants, artificial or otherwise, which is deemed to be unsuitable for such purposes or unsightly in appearance.
10. No person shall damage any tree, shrub or plant growing in a cemetery, nor pick or destroy any flower growing therein, or write upon, mark or scratch or deface any tablet, memorial, plaque, cross, building or structure within or around a cemetery.
11. No owner of an animal shall permit such animal anywhere in a cemetery other than on a designated road, lane or walkway. The animal shall be on a leash which is not longer than six (6) feet and which is held at all times by a person able to control the animal. The exception is animals used by visually impaired individuals as guide dogs.

**SECTION 8 - ENFORCEMENT**

1. Every person who violates any provision of this bylaw is guilty of an offence and is liable to a fine not exceeding Five Hundred Dollars (\$500.00) or to imprisonment for a term not exceeding six (6) months, or to both fine and imprisonment as set out in the Summary Convictions Act of the Yukon.

**SECTION 9 - REPEAL**

1. Bylaw 269 is hereby repealed.

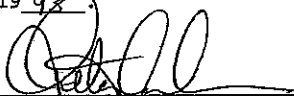
**SECTION 10 - COMING INTO FORCE**

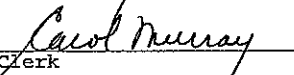
1. This bylaw shall come into full force and effect on the final passing thereof.

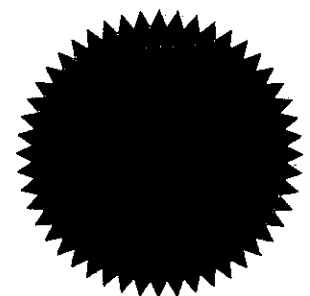
READ A FIRST TIME THIS 8<sup>th</sup> DAY OF JULY, 19 93.

READ A SECOND TIME THIS 19<sup>th</sup> DAY OF AUGUST, 19 93.

READ A THIRD TIME AND FINALLY PASSED THIS 19<sup>th</sup> DAY OF AUGUST,  
19 93.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



APPENDIX "B"

APPLICATION FOR CEMETERY LICENCE

Date: \_\_\_\_\_

A licence is hereby granted, permitting the use of the below mentioned plot in the Cemetery, subject to all bylaws, policies, rules and regulations lawfully in force in the said cemetery.

INVOICE TO: Executor/Administrator of Estate

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

FUNERAL INFORMATION:

Name of Deceased: \_\_\_\_\_

Date of Death: \_\_\_\_\_ Date of Interment: \_\_\_\_\_

Church Service/Mortician: \_\_\_\_\_

BURIAL IN:

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Plot: \_\_\_\_\_

Cemetery: \_\_\_\_\_

TOTAL COST: \_\_\_\_\_

Requested by \_\_\_\_\_ Manager \_\_\_\_\_

APPLICATION FOR A RESERVED PLOT

Date: \_\_\_\_\_

Exclusive future use is hereby granted to: \_\_\_\_\_

for Section: \_\_\_\_\_ Block: \_\_\_\_\_ Plot: \_\_\_\_\_

subject to the provisions of the Cemeteries Bylaw.

INVOICE TO: Executor/Administrator of Estate

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

TOTAL COST: \_\_\_\_\_

Requested by \_\_\_\_\_ Manager \_\_\_\_\_

APPENDIX "C"  
SCHEDULE OF CEMETERY FEES

|    |     |  |                              |
|----|-----|--|------------------------------|
| 1. | (1) | Purchase of a plot and perpetual care:       |                              |
|    |     | a) for a cadaver                             | \$400.00                     |
|    |     | b) for ashes                                 | \$200.00                     |
| 2. | (1) | Interment of a cadaver:                      |                              |
|    |     | a) during normal business hours              | \$285.00                     |
|    |     | b) after normal business hours               | Actual Cost                  |
|    | (2) | Interment of ashes:                          |                              |
|    |     | a) during normal business hours              | \$135.00                     |
|    |     | b) after normal business hours               | Actual Cost                  |
| 3. | (1) | Disinterment and reinterment of any cadaver: | \$210.00 plus<br>Actual Cost |