

Adopted

HAINES BOROUGH, ALASKA
ORDINANCE No. 23-09-658

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Title 8.14 Custody and Removal of Dead Bodies.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Enactment of **Section 8.14 DEAD BODIES**. Section 8.14 Dead Bodies shall be added to Section 8.

Section 5. Section 8.14.010 shall be added as follows:

8.14.010 Burial Permits

(A) Burial at Jones Point Cemetery requires a Burial Permit which may be obtained from the Haines Borough.

(B) If a dead body is not claimed, or there is disagreement regarding burial, within 72 hours, the Haines Borough will inter the body at Jones Point Cemetery and bill the estate or next of kin for the costs incurred.

Section 6. Addition of Section 8.14.020. Section 8.14.020 shall be added as follows:

8.14.020 Persons who must obtain a burial-transit permit.

(A) The funeral director, or person acting as such, who assumes custody of a dead body for final disposition is responsible for obtaining the burial-transit permit. For the purpose of this section, the person who assumes custody includes a person moving, or causing to be moved, the body for the following purposes:


- (1) final disposition;
- (2) removal from the state;
- (3) storage or other holding for a period beyond 72 hours after death;
- (4) transportation by common carrier;
- (5) removal by any means from the registration district where death occurred.

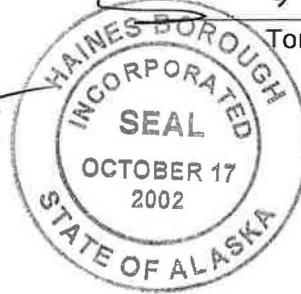
(B) A dead body may not be moved for the purpose described in (A) of this section without being accompanied by a burial-transit permit, unless the body is being transported to or

from the state medical examiner or the state medical examiner's designee, an emergency exists or the body is being moved by a funeral director licensed under State law for the purpose of preparation for final disposition, and then only in accordance with instructions of the State Registrar. However, a law enforcement officer or a court may order the removal of a body if necessary for an official investigation, with prior approval by the state medical examiner or the state medical examiner's designee and with a notice of the removal to the appropriate local registrar.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 24TH DAY OF OCTOBER, 2023.

ATTEST:


Alekka Fullerton, MMC, Borough Clerk




Tom Morphet, Mayor