

A.C.A. § 20-17-903

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Title 20 Public Health And Welfare
Subtitle 2. Health And Safety
Chapter 17 Death and Disposition of the Dead
Subchapter 9 -- Cemeteries Generally

A.C.A. § 20-17-903 (2012)

20-17-903. Application to locate or extend boundaries.

(a) Whenever it is proposed to locate a cemetery or to extend the boundaries of an existing cemetery, the party so proposing shall make written application to the county judge or to the mayor of an incorporated city or town, according to whether the cemetery or extension of a cemetery is to be located in the jurisdiction of one (1) or the other of these authorities. The written description shall describe accurately the location and boundaries of the proposed cemetery or extension of a cemetery.

(b) Before acting upon the application, the county judge or the mayor, as the case may be, shall refer the application to the Division of Health of the Department of Health and Human Services for investigation from a sanitary standpoint. In making such an investigation the division shall take into consideration the proximity of the proposed cemetery or extension of a cemetery to human habitations, the nature of the soil, the drainage of the ground, the danger of pollution of valuable springs or streams of water, and such other conditions as would bear upon the situation.

(c) Having completed its investigation as promptly as can be done, the division shall submit a report to the judge or the mayor, as the case may be, and either approve or disapprove the application.

(d) Having received the report from the division, the judge or the mayor, as the case may be, as recommended by the division, shall either grant or deny the application.

(e) Should the application be granted, the judge or the mayor, as the case may be, shall issue to the party making the application in such form as may be prescribed by the division a permit to establish or extend the cemetery in question.

(f) The permit shall be recorded in the office of the county judge or the mayor and a copy forwarded to the division.

HISTORY: Acts 1929, No. 204, § 1; Pope's Dig., § 6446; Acts 1985, No. 1014, § 1; A.S.A. 1947, § 82-401.