# CEMETERIES/BURIAL GROUNDS (1)

AN ORDINANCE OF THE TOWNSHIP OF \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, PENNSYLVANIA RELATING TO BURIAL OF DECEASED PERSONS

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

Section 1 – Definitions. A place or area of ground set apart for the burial of the dead.

Section 2 - Establishing Cemeteries. It shall be unlawful for any person, firm, or corporation to establish a cemetery or to bury any person within the Township except in an established cemetery, presently in existence.

Section 3 – Provisions. All cemeteries, whether private or public, are subject to the following provisions and other pertinent provisions of this ordinance.

Section 4 – Standards. Tombstones, crypts, monuments and mausoleums shall be located at least twenty-five (25) feet from any exterior side or rear lot lines, and at least forty (40) feet from a street right of way line.

Section 5 - Structures on Property. Buildings for the maintenance and/or management of cemetery lots shall be located at least one hundred (I 00) feet from any lot lines.

Section 6. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of \_\_\_\_\_\_\_\_\_\_\_\_ Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

Section 8. This Ordinance shall become effective five (5) days from the date

of enactment.

DULY ENACTED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_\_\_\_, 2\_\_\_\_\_\_\_,

CEMETERIES/BURIAL GROUNDS (2)

AN ORDINANCE OF THE TOWNSHIP OF \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, PENNSYLVANIA RELATING TO BURIAL OF DECEASED PERSONS

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_ County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. Burial of Deceased Persons. No person, firm, corporation or other entity owning or occupying any property within the Township of \_\_\_\_\_\_\_\_\_ shall permit the burial or interment of a deceased person within the Township of \_\_\_\_\_\_\_\_\_\_\_\_ unless:

(a) said burial or interment shall be within a cemetery established and in use for such purpose prior to the effective date of this Ordinance, or

(b) it was heretofore or is hereafter specifically authorized by ordinance of the Township.

Section 2. Penalties. Any person who violates any provision of this Part shall be guilty of an offense and, upon conviction, shall pay a fine to the Township of not less than Twenty-five Dollars ($25.00) nor more than One Thousand Dollars ($1,000.00) plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison for a period not to exceed ten (10) days. Each day during which any violation of this Ordinance continues shall constitute a separate offense. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or noncompliance with, this Ordinance shall not excuse the violation or noncompliance or permit it to continue and all such persons shall be

required to correct or remedy such violations and non-compliances within a reasonable period of time."

Section 3. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of \_\_\_\_\_\_\_\_\_\_\_\_ Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 4. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

Section 5. This Ordinance shall become effective five (5) days from the date of enactment.

**The PSATS Ordinance Database includes examples that townships can use when developing their own ordinances, job descriptions, and personnel regulations. Please keep in mind that these examples are merely an informational resource for you to use in developing your own ordinance, job description, or personnel regulation. PSATS does not guarantee the legal effectiveness of any of these examples, nor their appropriateness to any particular situation. These are for your judgment in consultation with your legal representative. PSATS encourages township officials to review and discuss all proposed ordinances, job descriptions, or personnel regulations with their township solicitor.**