

IC 23-14-62

Chapter 62. Conveyance of County Cemeteries to Private Corporations

IC 23-14-62-1

Application of chapter

Sec. 1. This chapter applies whenever a majority of the heads of families of a county whose dead are buried in a cemetery owned by the county, either by themselves or with others, organize a corporation for the burial of the dead and the maintenance of a cemetery.

As added by P.L.52-1997, SEC.36.

IC 23-14-62-2

Petition for conveyance of cemetery

Sec. 2. The persons referred to in section 1 of this chapter may file with the board of commissioners of the county in which the cemetery is located a petition asking for the conveyance of the cemetery to the corporation.

As added by P.L.52-1997, SEC.36.

IC 23-14-62-3

Notice of filing of petition; agreement to care and manage cemetery

Sec. 3. (a) The persons filing the petition under section 2 of this chapter must give notice of the filing in accordance with IC 5-3-1-2 at least three (3) weeks before the filing by publishing a notice concerning the filing of the petition in a weekly newspaper published in the county in which the cemetery is located.

(b) The persons filing the petition under section 2 of this chapter must also file an agreement, with security to be approved by the board, that the corporation will keep the cemetery in good order and honestly and faithfully manage it.

As added by P.L.52-1997, SEC.36.

IC 23-14-62-4

Powers of board of commissioners

Sec. 4. The board of commissioners presented with a petition under section 2 of this chapter, if satisfied:

- (1) as to the propriety of granting the request;
- (2) as to the sufficiency of the surety;
- (3) as to the good faith of the petitioners; and
- (4) that a majority of the heads of families of the county are taking part;

may convey the cemetery to the cemetery corporation.

As added by P.L.52-1997, SEC.36.

IC 23-14-62-5

Powers of cemetery corporation

Sec. 5. After a petition is granted under section 4 of this chapter,

the cemetery corporation formed by the petitioners may:

- (1) control the cemetery;
- (2) ornament, beautify, and improve the cemetery;
- (3) purchase additions and sell lots in the cemetery;
- (4) assess all lots for the care, improvement, and beautification of the cemetery; and
- (5) exercise all the powers of a corporation organized under any statute for the purpose of maintaining or managing cemeteries.

As added by P.L.52-1997, SEC.36.