

AUTHORIZING CEMETERY OWNERS TO IMPROVE NEGLECTED CEMETERIES
Act of Feb. 28, (1956) 1955, P.L. 1187, No. 366

Cl. 09

AN ACT

Authorizing the owners of cemeteries, with the approval of the court of quarter sessions, to improve neglected cemeteries without the removal of the dead therefrom in certain cases, and conferring jurisdiction on courts of quarter sessions for such purposes.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Whenever any cemetery, or any part or section thereof, owned by any incorporated or unincorporated church, cemetery or burial association, shall become so neglected as, in the opinion of the court of quarter sessions of the county wherein such cemetery is situated, to become a public nuisance, such court, upon petition of the incorporated or unincorporated church, cemetery or burial association managing and conducting such cemetery and after such notice as is required in section four of this act, may authorize the management thereof at its cost and expense to improve the cemetery or any part or section thereof, without the removal of any dead therefrom, by the restoration, improvement or removal of some or all of the gravestones, posts, railings, fences or other structures or improvements thereon.

Section 2. If the court authorized the removal of gravestones, it shall direct the petitioner to erect and maintain at a prominent location in the cemetery a suitable memorial stone, bronze or similar material, having inscribed thereon the available names and dates of all persons buried in the cemetery or part or section thereof, the gravestones for whom have been authorized to be removed.

Section 3. The petition filed by the church, cemetery or burial association, shall set forth the proposed plans of petitioner for the improvements of the cemetery, part or section thereof, including, if it proposes to remove the gravestones, a description of the memorial it intends to erect, the known names and dates of the dead buried therein and the known names and addresses of the person or persons having rights of interment therein.

Accompanying the petition shall be a scale drawing of the area to be improved, which shall show and designate the location of the graves from which the gravestones are to be removed. The drawing shall be filed and preserved by the court of quarter sessions, and a copy thereof shall be filed and preserved by the church, cemetery or burial association.

Section 4. Whenever a church, cemetery or burial association shall file a petition as hereinbefore provided, the court shall direct such notice of the filing of the petition and of a date fixed for hearing thereon to be given to the owners of rights of interment therein, and to the known descendants of the dead

buried therein, in such manner as it shall deem appropriate. An opportunity to be heard shall be afforded to all such persons, if any appear, before the court shall make an order authorizing the petitioner to improve such cemetery, part or section thereof.

Section 5. This act shall take effect immediately.