

**MUNICIPALITY: PENN TOWNSHIP
SNYDER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2010- 02**

HOME BURIAL ORDINANCE

PRESENTED ON: _____

ADOPTED ON: 6/1/10

AN ORDINANCE providing for the health, safety, and welfare of Penn Township by regulating Home Burial within the Township. .

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained, as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known and may be cited as the "Penn Township Home Burial Ordinance" or "Ordinance".

SECTION 2. DEFINITIONS

Definition – Home Burial – The interment of a deceased person on private property which has not otherwise been designated as a cemetery.

SECTION 3. HOME BURIAL

Subject to the terms of this Section/Ordinance, Penn Township shall permit private home burial. For any such home burial, the following shall apply:

- A. Home Burial shall be permitted only for blood relatives and/or immediate family members of the property owner.
- B. A permanent gravesite marker shall be installed within 60 days following burial;
- C. A written easement shall be made a covenant which shall run with the land providing for the burial location and any necessary gravesite visitation rights; Such easement shall be submitted to the Zoning Officer for approval, and following burial, shall be recorded in the records of the Office of the Recorder of Deeds in and for Snyder County, Pennsylvania, within 60 days of burial;
- D. No burial shall be made within one hundred feet (100') of any adjoining property line;
- E. A minimum lot size of 3 acres shall be required for any traditional (i.e. non-cremation) home burial;
- F. A minimum lot size of 2 acres shall be required for any cremation home burial;

- G. The home burial site shall not be located to in any way interfere with, or affect, any public water shed, or any other property owner's water supply;
- H. Home burial shall not be permitted if the deceased body died of, or at or near the time of death was infected with, any contagious disease;
- I. All state and other regulations/laws/statutes, etc., governing the handling and preparation of a dead body shall apply and be followed;
- J. In addition to all other regulations contained herein, any home burial shall comply with all other applicable state regulations/laws/statutes, etc., including but not limited to: A burial, regardless of whether in an established cemetery, the backyard, or the family farm must comply with the state's "depth-of-grave" requirements. If there is an outer case around the coffin, the uppermost part of the outer case must be deeper than 1.5 feet from the natural surface. [28 Pa. Code 1.21 (a).] If there is not an outer case, and there is just a coffin or just the body with no coffin, then the remains must be buried deeper than 2 feet from the natural surface of the ground [28 Pa. Code 1.21 (b).] There is no "depth-of-grave" for burial in a crypt [28 Pa. Code 1.21 (c).] Proper maintenance shall be maintained by the family such as filling in any depression that may be created at any time due to nature.

SECTION 4. PROCEDURE

For any such home burial, a Permit shall be required. In order to obtain a Permit, the following shall be submitted to the Zoning Officer for review, consideration, and issuance or denial of the issuance of a Permit according to the terms herein:

- A. Certificate of Death;
- B. Written Plan of Burial Disposition, including date of interment, approximate time, and any other appropriate details;
- C. Plot Plan of lot upon which burial shall be placed. Plot Plan shall include property lines, buildings/improvements, location of burial, water/well and septic system;
- D. Written permission of land owner;

SECTION 5. ENACTMENT

This Ordinance is hereby duly executed and ordered into law this 1st day of June, 2010.

PENN TOWNSHIP
SNYDER COUNTY, PA

By: *William J. Meyer*
Supervisor

By: *[Signature]*
[Signature]

