

**IC 23-14-44**

Chapter 44. Prohibition on Road and Utility Construction in Cemeteries

**IC 23-14-44-1**

**Restrictions on road or utility construction**

Sec. 1. (a) This section applies to a cemetery from the time interment, entombment, or inurnment spaces in the cemetery are ready for immediate use and bona fide sales have been made.

(b) A railroad, street, road, alley, pipeline, pole line, or other public thoroughfare or utility shall not be laid out through, over, or across any part of the cemetery within one hundred (100) feet of:

- (1) a space in which burial rights have been transferred;
- (2) a mausoleum in the cemetery;
- (3) a garden crypt in the cemetery; or
- (4) a columbarium in a cemetery;

without the consent of the owner of the cemetery.

*As added by P.L.52-1997, SEC.18.*

**IC 23-14-44-2**

**Injunctions**

Sec. 2. Upon the complaint of any person, a permanent injunction shall be issued to prevent any other person from locating or constructing a railroad, street, road, alley, pipeline, pole line, or other public thoroughfare or utility on any ground that is:

- (1) held, used, or occupied as a cemetery; or
- (2) held for cemetery purposes.

*As added by P.L.52-1997, SEC.18.*

**IC 23-14-44-3**

**Violation of chapter; Class B misdemeanor**

Sec. 3. A person who knowingly violates this chapter commits a Class B misdemeanor.

*As added by P.L.52-1997, SEC.18.*