

## PAGE COUNTY CEMETERY PERMIT APPLICATION INSTRUCTIONS

1. **Chapter 125-4 of the Code of Page County** defines **cemetery** as land used for the burial of the dead, and dedicated for cemetery purposes, including a columbarium and/or mausoleum when operated in conjunction and within the boundaries of such burial grounds
2. **Chapter 125-30.9** of the Code of Page County states:  
Because there are citizens of Page County who desire to maintain the remains of their loved ones on their own property, it is a public benefit to provide a method to create and document the location of each family/private burial ground.
3. The owner of the lot or parcel of land must submit an application for a family/private burial ground.
4. The owner will stake the corners of the proposed site to prepare for a site visit by county personnel. The site must be staked off on all corners AND the property lines must be flagged. When flagging the property lines, please flag the lines as they pass by the proposed structure. Please use markings that are clearly identifiable.
5. The property owner shall record the approximate burial site on the county land records within **ninety (90) days** and the County will establish a GPS location.
6. A site diagram will be **required** including the location of property boundaries, water supplies, residential structures, and the burial area. Attach either a survey plat OR a hand drawn sketch of the property
7. A copy of the process for appeal will be provided if an application is denied.
8. All proposed family/burial grounds *shall* meet the following setback requirements:
  - a. No family burial ground shall be established within **50 feet** of a boundary of any lot or parcel nor within **70 feet** of any dwelling structure (residence.)
  - b. No family burial ground shall be established within **50 feet** of a public road or right of way, nor within **5 feet** of a non-residential structure.
  - c. No family burial ground shall be established within **100 feet** of any existing drinking water source or within **100 feet** of the high water mark of any spring, stream, lake, reservoir, or other sources of water.
  - d. No family burial ground shall be established within **300 yards** of any property owned by any town or water company upon which is located a water source from which water is pumped or drawn from the ground in connection with public water supply.
9. In addition to zoning approval, you **will** need health approval from the Page County Health Department, unless you are constructing a farm building. They can be reached at (540) 743-6528.
10. Additional information may be required if the Zoning Administrator determines it necessary to ensure conformance with, and to provide enforcement of the Page County Zoning Ordinance.
11. Access to burial grounds in Page County will be governed by VA State Code § 57-27.1 (see below).
  - a. Owners of private property on which a cemetery or graves are located shall have duty to allow ingress and egress to the cemetery or graves by (i) family members and descendants of deceased persons buried there; (ii) any cemetery plot owner; and (iii) any person engaging in genealogy research, who have given reasonable notice to the owner of record or to the occupant of the property or both. No landowner shall erect a wall, fence, or other structure or device that prevents ingress and egress to the cemetery or grave, unless the wall, fence or other structure or device has a gate or other means by which ingress and egress can be accomplished by persons specified in this subsection. The landowner may designate the frequency of access, hours and duration of the access and the access route if no traditional access route is obviously visible by a view of the property. The landowner, in the

absence of gross negligence or willful misconduct, shall be immune from liability in any civil suit, claim, action or cause of action arising out of the access granted pursuant to this section.

- b.** The right of ingress and egress granted to persons specified in subsection A shall be reasonable and limited to the purposes of visiting graves, maintaining the gravesite or cemetery, or conducting genealogy research. The right of ingress and egress shall not be construed to provide a right to operate motor vehicles on the property for the purpose of accessing a cemetery or gravesite unless there is a road or adequate right-of-way that permits access by a motor vehicle and the owner has given written permission to use the road or right-of-way of necessity.
  - c.** Any person entering onto private property to access a gravesite or cemetery shall be responsible for conducting himself in a manner that does not damage the private lands, the cemetery or gravesites and shall be liable to the owner of the property for any damage caused as a result of his access.
  - d.** Any person denied reasonable access under the provisions of this section may bring an action in the circuit court where the property is located to enjoin the owner of the property from denying the person reasonable ingress and egress to the cemetery or gravesite. In granting such relieve, the court may (i) set the frequency of access, hours and duration of the access and (ii) award reasonable attorney fees and costs to the person denied such access.
- 12.** If you have any questions, please call our office at (540) 743-1324 or (540) 743-6674, Monday through Friday, between the hours of 8:00 a.m. to 4:00 p.m.

## PAGE COUNTY CEMETERY PERMIT APPLICATION

1) Owner: \_\_\_\_\_ 2) Site Address: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Email (Optional): \_\_\_\_\_

3) Please provide detailed directions to the site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4) Tax Map Number (Office staff can provide): \_\_\_\_\_ 5) Size of Property: \_\_\_\_\_

6) Water and sewage source for the property:  
 Private Well    Private Septic    Public Water    Public Sewer    None

7) Current use of property (Ex: Vacant, Residence, Farming, etc.): \_\_\_\_\_

8) List existing structures that are currently on the property:  
 \_\_\_\_\_

9) Refer to the Cemetery Setback Requirements (first page) and fill in the proposed setbacks for the property.

Distance from:	Required	Proposed
Boundary of any lot or parcel	50 feet	Front: _____ Back: _____ Left: _____ Right: _____
Any dwelling structure	70 feet	
Public road or right of way	50 feet	
Non-residential structure	5 feet	
Existing drinking water source	100 feet	
Public water	300 yards	

10) Is the site staked off AND have the property lines been flagged as described on the instruction sheet?  
 Yes    No   If no, indicate date it will be ready for inspection: \_\_\_\_\_

***I certify that the information contained in this application is correct to the best of my knowledge. I understand as the property owner that I shall record the approximate burial site on the county land records within ninety (90) days and that the county will establish a GPS location.***

\_\_\_\_\_  
**Signature of Owner**

\_\_\_\_\_  
**Date**

<b>OFFICE USE ONLY</b>	
Date Received: _____	Date Approved: _____

If you do not have a recorded survey plat of the property, draw a site plan below. The following items shall be included on the site plan:

- Roads/Right-of-Ways/Driveways/Easements/Water Sources
- Existing structures currently on the property
- Proposed site INCLUDING distance from all property lines, existing structures, AND any right-of-ways/driveways/easements/roads/water sources.

A large dashed rectangular box intended for drawing a site plan. The box is empty and occupies most of the page below the instructions.