

## **Guthrie County Board of Health Regulations**

### **Chapter V Regulations Pertaining to the Burial of Humans**

Chapter 137 of the 2005 Code of Iowa specifies in Section 137.7 the following powers of the County Board of Health to include:

1. May provide such personal and environmental health services as may be deemed necessary for the protection and improvement of the public health
2. May charge reasonable fees for personal health services.
3. May issue licenses and permits and charge reasonable fees therefore in relation to the collection or disposal of solid waste and the construction of private water supplies or sewage disposal facilities.

Under the authority granted by Chapter 137 therefore the following regulations of the Guthrie County Board of Health have been promulgated and shall become effective. These regulations shall supersede and replace other regulations of the Guthrie County Board of Health which have been in effect to date.

**Section 1** Burial of the dead within legally established cemeteries of Guthrie County shall be regulated by the Code of Iowa, the Iowa Dept. of Public Health, and the rules and covenants of the individual cemeteries.

**Section 2** Burial outside of legally established cemeteries shall conform to the following requirements:

1. No burial shall be made at any site without prior written approval of the Guthrie County Board of Health (Board).
2. Approval shall not be given for burial within the city limits of any incorporated municipality nor within the boundaries of any platted development without the written approval of the governing body of that city or development in addition to the approval of the Board.
3. In granting burial approval, the Board shall consider the topography, water table, rock formations, proximity to adjacent property owners, and the projected future use of an area in determining the approval of a site as well as any other pertinent factors unique to that site.
4. Within ten days after burial at a site a recording with the Guthrie County Recorder shall be placed so that the abstract of that property will show the burial site. The recording shall include a registered survey of the burial plot site, the name or names of the deceased and the date of death.
5. Burial shall be at least 3' below the natural surface to the top of the vault, or casket if no vault is used. The body must be entombed in a rigid containment and burial must be done to minimize any erosion.
6. Any future disinterment shall comply with the Code of Iowa and the rules of the Iowa Dept. of Public Health.

**Section 3** Should any section of these rules be adjudged invalid for any reason it shall not affect the validity of the rules as a whole or any section, or part thereof not adjudged invalid.

**Section 4** Any person violating these rules or any provisions thereof after an order of the Board, or who interferes or obstructs the Board in its duties, shall be guilty of a misdemeanor and may be charged.

These regulations were submitted to the Guthrie County Board of Health at the December 21, 2005 meeting.

The Guthrie County Board of Health held a public meeting on these regulations at its January 18, 2006 meeting. The regulations were re-affirmed at this meeting.

The regulations received final approval at the January 26, 2006 meeting of the Guthrie County Board of Supervisors.