

523L.812 Suit by commissioner.

1. If the person or persons in control of a cemetery do not care for and maintain the cemetery, the district court of the county in which the cemetery is located may do the following:
 - a.* By injunction compel the cemetery to expend the net income of the care fund as required by this chapter.
 - b.* Appoint a receiver to take charge of the care fund and expend the net income of the care fund as required by this chapter.
 - c.* Grant relief on a petition for relief filed pursuant to this section by the commissioner.
2. Inadequate care and maintenance of a cemetery includes but is not limited to the following:
 - a.* Failure to adequately mow grass.
 - b.* Failure to adequately edge and trim bushes, trees, and memorials.
 - c.* Failure to keep walkways and sidewalks free of obstructions.
 - d.* Failure to adequately maintain the cemetery's equipment and fixtures.

This subsection is not intended to prevent the establishment of a cemetery as a nature park or preserve.

2005 Acts, ch 128, §67