

**523I.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. a. Inadequate care and maintenance of a cemetery includes but is not limited to the following:

(1) Failure to adequately mow grass.

(2) Failure to adequately edge and trim bushes, trees, and memorials.

(3) Failure to keep walkways and sidewalks free of obstructions.

(4) Failure to adequately maintain the cemetery's equipment and fixtures.

b. [This subsection](#) is not intended to prevent the establishment of a cemetery as a nature park or preserve.

[2005 Acts, ch 128, §67; 2012 Acts, ch 1023, §157](#)