

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 57-36 of the Code of Virginia, relating to condemnation of abandoned*
3 *graveyards by localities; continued use of property as a graveyard.*

4 [S 676]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 57-36 of the Code of Virginia is amended and reenacted as follows:**

8 § 57-36. Abandoned graveyards may be condemned; removal of bodies.

9 A. When a graveyard, wholly or partly within any county, city or town, has been abandoned, or is
10 unused and neglected by the owners, and such graveyard is necessary, in whole or in part, for public
11 purposes, authorized by the charter of such city or town, or by the general statutes providing for the
12 government of counties, cities and towns, such county, city or town may acquire title to such burying
13 ground by condemnation proceedings, to be instituted and conducted in the manner and mode prescribed
14 in the statutes providing for the exercise of the power of eminent domain by counties, cities and towns.
15 *The locality may continue to maintain all or a portion of the burying ground as a graveyard.*

16 B. The court taking jurisdiction of ~~such~~ the case may, in its discretion, require the county, city or
17 town to acquire the whole burying ground, in which event the county, city or town may use such part
18 thereof as may be necessary for its purposes and sell the residue. The court, however, shall direct that
19 the remains interred in such graveyard, if possible so to do, be removed to some repository used and
20 maintained as a cemetery.

ENROLLED

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