

FCO-2013-XI

Floyd County Plan Commission  
Ordinance Pertaining to the Creation of Development Plan for Public Works within a 100 feet of a  
known cemetery or burial ground

Whereas, the Floyd County Commissioners met on August 6, 2013 on this matter pursuant to IC 14-21-1-25; and

Whereas, the Floyd County County Commissioners have developed a development plan in accordance with the guidelines set out by the Indiana Department of Natural Resources – State Historic Preservation Office regarding the safeguarding and care of construction near a known cemetery or burial grounds.

NOW, THEREFORE,

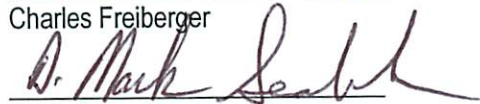
BE IT Ordained that the Floyd County Commissioners have approved the Development Plan guidelines for public works projects that are within 100 feet of a known cemetery or burial ground as described in Exhibit A.

SO RESOLVED this 6<sup>th</sup> day of August 2013.

FLOYD COUNTY COMMISSIONERS

  
Stephen A. Bush, President

  
Charles Freiberger

  
D. Mark Seabrook

ATTEST

  
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Scott Clark, County Auditor

## Exhibit A

### Floyd County Development Plan Guidelines for Public Works Construction within 100 feet of a known cemetery or burial ground

1. The Development Plan will consist of the following elements:
  - a. Description of the nature of the public works project
  - b. Estimated time frame for construction of project
  - c. Description of the location by Section- Township – Range
  - d. Construction plans for proposed area
    - i. Depth of construction, excavating, grading or filling
    - ii. Description of soils that are present
    - iii. Description of type of construction to take place
  - e. Location of cemetery or known burial grounds using a USGS 7.5 quadrangle map
  - f. Name of the cemetery
  - g. Deed Reference if available for cemetery or burial ground
  - h. Photos of current condition of cemetery or burial ground
2. If a project discovers or disturbs a cemetery or burial ground, the unit will follow the guidelines set forth in Indiana code IC 14-21-1-29 which is stated in subsection 3.
3. The person who discovers, uncovers, or moves an artifact or burial object while disturbing the ground for a purpose other than the discovery, uncovering, or moving of artifacts or burial objects shall do the following:
  - a. Immediately cease disturbing the ground and the area within one hundred (100) feet of the artifact or burial object.
  - b. Notify the Indiana Department of Natural Resources Department within two (2) business days after the time of the disturbance.
4. The County will follow Indiana Code 23-14-57 in regards to the treatment of any discovered, uncovered or disturbed remains found in the course of project.