



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Steve Wills, Director

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**Land Use Compatibility Statement
Private Property Burials**

For Office Use Only: FILE # _____ FEE: \$75

Applicant (print name): _____
Mailing address: _____
Phone: _____ Email: _____
Applicant Signature: _____

Land Owner (print name): _____
Mailing address: _____
Phone: _____ Email: _____
Owner's Signature: _____

PROPERTY LOCATION

Township Range Section Tax Lot

Site address _____

Through applying for this application, as the owner of the property, I am requesting written consent from Linn County for the burial of human remains on my property in accordance with ORS (Oregon Revised Statutes) 97.460.

SUBMIT:

- A site plan indicating location of burial. The site plan shall show the entire property indicating location of burial, setbacks to property lines, structures, septic system(s), and well(s) located on the subject property. If there are multiple burial sites on the property, show all sites.
- Submit a copy of the recorded Private Burial Covenant with attached exhibits.

For information on private property burials contact the Oregon Mortuary & Cemetery Board staff directly by calling 971-673-1500, or visit their website at: www.oregon.gov/mortcem

Linn County recommends you **Call Before You Dig at 811 or 1-800-332-2344**. Calling before beginning any excavation prevents damage to underground facilities, service interruptions & bodily injury - See more at: <http://www.callbeforeyoudig.org>

**Please keep in mind if the property changes ownership at a later date you may want to record an easement agreement to provide you access to the site.

Q: How many people can be buried on my property?

A: As long as they are family members, there is no limit. This application is only for 1 person.

Name of Deceased Person: _____

Relationship of Deceased Person to Property Owner: _____
(must be a family member)

ORS 97.460 states:

(1) A person may not lay out, open up or use any property for cemetery or burial park purposes, unless the person:

(a) Is the owner of the property;

(b) Has the written consent of the planning commission of the county or city having jurisdiction under ORS 92.042 or, if there is no such commission in such county or city, the governing body of such county or city;

(c) Agrees to maintain records of the disposition of human remains on the property as required by the planning commission or governing body of the county or city having jurisdiction under ORS 92.042; and

(d) Agrees to disclose the disposition of human remains upon sale of the property. Failure to disclose the disposition of human remains does not invalidate the sale of the property.

(2) A planning commission of a county or city or, if there is no planning commission in a county or city, the governing body of the county or city, shall provide to the State Mortuary and Cemetery Board a list of the requirements for laying out, opening up or using property in the county or city for cemetery or burial park purposes.

I, the property owner or authorized agent agree to the above regulations related to the requirements of Private Property Burials.

Owner or Authorized Agent's Signature

Date

STAFF DETERMINATION:

- Site Plan indicating location of burial, setbacks to property lines, structures, septic system(s), water bodies, and well(s) located on the subject property.
- Recorded Private Burial Covenant
- Death Certificate, optional
- Recorded Access Easement, optional

Linn County Planning & Building Department Staff certifies that the property owner has consent to do a Private Property Burial in accordance with ORS 97.460. The Burial shall be consistent with the approved site plan.

Planning & Building Department Staff

Date