

EMBALMERS AND FUNERAL DIRECTORS LAW - LICENSING
ARKANSAS CODE ANNOTATED (A.C.A.) TITLE 17, SUBTITLE 2, CHAPTER 29, SUBCHAPTER 3
CREMATORIUM CONSTRUCTION AND OPERATION
UPDATED THROUGH THE 2017 ARKANSAS LEGISLATIVE SESSION

A.C.A. § 17-29-313

Current through all laws of the 2017 Regular Session and 2017 First Extraordinary Session

First of 2 versions of this section

A.C.A. § 17-29-313 Permit required – Crematorium construction – Operation of crematorium.
[Effective until July 1, 2018]

- (a)
- (1) A crematorium shall not be constructed in this state without a permit issued by the State Board of Embalmers and Funeral Directors.
 - (2) In order to receive a permit to construct a crematorium, a person shall:
 - (A)
 - (i) Publish a notice in a newspaper of general circulation in the county where the crematorium is proposed to be constructed stating that the applicant intends to construct a crematorium at a designated location.
 - (ii) The notice shall:
 - (a) Be published on the Sunday and Wednesday no more than fifteen (15) days nor less than seven (7) days before submitting an application to the board; and
 - (b) Invite members of the public to submit written protest to the construction of the proposed crematorium to the board at the address designated by the board; and
 - (B)
 - (i) Submit an application to the board for a permit to construct a crematorium.
 - (ii) The application for a permit to construct a crematorium shall include:
 - (a) Proof of publication of the notice required under subdivision (a)(2)(A) of this section;
 - (b) A copy of the permit issued by the Arkansas Department of Environmental Quality under § 8-4-203 to construct the crematorium; and
 - (c) The fee as prescribed in § 17-29-208.
- (b) (1) Upon receiving a written protest to an application for the construction of a crematorium, the board shall:
 - (A) Schedule a public hearing on the application; and
 - (B)
 - (i) Direct the applicant to publish in a newspaper having general circulation within the county where the crematorium is proposed to be constructed a notice of the date and time of a public hearing on the application.
 - (ii) The notice shall be published on the Sunday and Wednesday no more than fifteen (15) days nor less than seven (7) days before the public hearing.
- (2) The public hearing shall be held in the city or county in which the proposed crematorium is to be located.
- (c)
- (1) A crematorium shall not be operated in this state without a license issued by the board.
 - (2) A person that desires to operate a crematorium in this state shall:
 - (A) Make application to the board on forms furnished by the board;
 - (B) Provide the necessary information as determined by the board;
 - (C) Attach the fee as prescribed in § 17-29-208; and

EMBALMERS AND FUNERAL DIRECTORS LAW - LICENSING
ARKANSAS CODE ANNOTATED (A.C.A.) TITLE 17, SUBTITLE 2, CHAPTER 29, SUBCHAPTER 3
CREMATORIUM CONSTRUCTION AND OPERATION
UPDATED THROUGH THE 2017 ARKANSAS LEGISLATIVE SESSION

- (D) Satisfy the requirements of the board for the safe and sanitary operation of a crematorium as determined by the board.
- (3) The board shall grant the application if the board finds that the proposed crematorium:
 - (A) Complies with all state and federal laws concerning environmental and public health; and
 - (B) Will serve the public interest.

HISTORY: Acts 1993, No. 365, § 1; 2015, No. 1095, § 37.

Arkansas Code of 1987 Annotated Official Edition
© 2018 by the State of Arkansas All rights reserved.

A.C.A. § 17-29-313

Current through all laws of the 2017 Regular Session and 2017 First Extraordinary Session

Second of 2 versions of this section

A.C.A. § 17-29-313 Permit required – Crematorium construction – Operation of crematorium.
[Effective July 1, 2018]

- (a)
 - (1) A crematorium shall not be constructed in this state without a permit issued by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services.
 - (2) In order to receive a permit to construct a crematorium, a person shall:
 - (A)
 - (i) Publish a notice in a newspaper of general circulation in the county where the crematorium is proposed to be constructed stating that the applicant intends to construct a crematorium at a designated location.
 - (ii) The notice shall:
 - (a) Be published on the Sunday and Wednesday no more than fifteen (15) days nor less than seven (7) days before submitting an application to the board; and
 - (b) Invite members of the public to submit written protest to the construction of the proposed crematorium to the board at the address designated by the board; and
 - (B)
 - (i) Submit an application to the board for a permit to construct a crematorium.
 - (ii) The application for a permit to construct a crematorium shall include:
 - (a) Proof of publication of the notice required under subdivision (a)(2)(A) of this section;
 - (b) A copy of the permit issued by the Arkansas Department of Environmental Quality under § 8-4-203 to construct the crematorium; and
 - (c) The fee as prescribed in § 17-29-208.
- (b) (1) Upon receiving a written protest to an application for the construction of a crematorium, the board shall:
 - (A) Schedule a public hearing on the application; and
 - (B)
 - (i) Direct the applicant to publish in a newspaper having general circulation within the county where the crematorium is proposed to be constructed a notice of the date and time of a public hearing on the application.
 - (ii) The notice shall be published on the Sunday and Wednesday no more than fifteen (15) days nor less than seven (7) days before the public hearing.

EMBALMERS AND FUNERAL DIRECTORS LAW - LICENSING
ARKANSAS CODE ANNOTATED (A.C.A.) TITLE 17, SUBTITLE 2, CHAPTER 29, SUBCHAPTER 3
CREMATORIUM CONSTRUCTION AND OPERATION
UPDATED THROUGH THE 2017 ARKANSAS LEGISLATIVE SESSION

- (2) The public hearing shall be held in the city or county in which the proposed crematorium is to be located.
- (c)
 - (1) A crematorium shall not be operated in this state without a license issued by the board.
 - (2) A person who desires to operate a crematorium in this state shall:
 - (A) Make application to the board on forms furnished by the board;
 - (B) Provide the necessary information as determined by the board;
 - (C) Attach the fee as prescribed by the board;
 - (D) Satisfy the requirements of the board for the safe and sanitary operation of a crematorium as determined by the board; and
 - (E)
 - (i) Provide to the board proof of liability insurance.
 - (ii) The board shall develop and promulgate rules to establish minimum levels of general liability insurance coverage for licensed crematoriums.
 - (3) The board shall grant the application if the board finds that the proposed crematorium:
 - (A) Complies with all state and federal laws concerning environmental and public health; and
 - (B) Will serve the public interest.

HISTORY: Acts 1993, No. 365, § 1; 2015, No. 1095, § 37; 2017, No. 788, §§ 22, 23.

Arkansas Code of 1987 Annotated Official Edition
© 2018 by the State of Arkansas All rights reserved.