

Ashe County

Staff Report

2/25/2026

RE: Cemetery Ordinance

Summary:

The Ashe County Planning Board voted unanimously with present members on February 19 to table the Cemetery Ordinance for a six-month period.

Planning Board Motion: *To table the ordinance for six month and instruct the cemetery committee to use state established procedures to enforce violations of state law and to collect information regarding violations and abatements using the state law and to present this information in six months.*

In the interim, I recommend authorizing staff to coordinate with the cemetery committee to develop a voluntary enforcement protocol that outlines expectations for property owners that have cemeteries on their property and encourages compliance, while stopping short of establishing any new legal mandate. Should a significant issue arise during this period, existing state laws remain available for enforcement by the Sheriff's Office when applicable and enforceable.

Implementing this voluntary protocol will allow staff and the Cemetery Committee to monitor outcomes over the next six months and provide a comprehensive report to both the Planning Board and the Board of Commissioners. Based on those results, a recommendation regarding the future of the ordinance can then be made.

While the Board of Commissioners could choose to advance the ordinance at this time, the current draft would require additional revisions before final adoption which can also be made during this six-month interitem.

Attachments: none



Ashe County Administration
150 Government Cir, Suite 2500
Jefferson, NC 28640