§ 4146. Deaths; burial permits; interments in certain cemeteries prohibited. 1. Whenever the legislative authority of any municipality shall deem that further interments in any cemetery in such municipality would be detrimental to the public health, it may by resolution direct its clerk to cause a notice to be served upon the person or corporation owning or controlling such cemetery, and to publish said notice once a week for three successive weeks in two papers published in such city, stating a time and place not less than thirty days after service and first publication of such notice, at which any person interested may show cause to the legislative authority why further interments in such cemetery should not be prohibited.

2. At the time and place specified in such notice the legislative authority of such municipality shall hear all persons desiring to be heard, and if upon such hearing it appears that further interments in such cemetery will be detrimental to public health, it may by resolution prohibit further interments therein.

3. If such resolution is adopted a certified copy thereof shall be filed with the board of health of the municipality in which the cemetery is located, and thereafter permits for interments in such cemetery shall not be issued. The action of the legislative authority in passing such resolution may be reviewed within thirty days thereafter under and pursuant to article seventy-eight of the civil practice act.

4. A burial permit issued by any registrar of vital statistics authorizing burial in such cemetery shall be deemed null and void and of no legal effect after a copy of the resolution has been filed with the board of health of the municipality.