

EXPLAINED: Removal of Abandoned Cemeteries South Carolina Law

Before an abandoned cemetery can be moved, SC Law Section 27-43-10 requires the following process:

Approval Requirement:

- Landowners may move graves from an abandoned cemetery to another suitable location if deemed necessary and expedient by the local governing body. The governing body must consider any objections before approving the removal.

Notice Requirement:

- A 30-day notice must be given to relatives of the deceased if known. If no relatives are known, the notice must be published in a local newspaper or posted in three prominent places, including the courthouse door.

Protection of Graves:

- During removal, due care must be taken to protect and properly replace tombstones, ensuring the graves are left in as good condition as before the removal.

<https://law.justia.com/codes/south-carolina/title-27/chapter-43/>

The process for selecting a new burial plot when graves are being relocated from an abandoned cemetery is as follows, according to SC Law Section 27-43-20:

Mutual Agreement on New Plot:

- The new location for the graves must be mutually agreed upon by the local governing body and the relatives of the deceased.

Resolution of Disagreements:

- If an agreement on a suitable plot cannot be reached, a board of three members will make the final decision. This board must convene within fifteen days after the disagreement.
- The board members are appointed as follows: one by the governing body, one by the relatives, and a third selected by the first two appointees.
- The decision made by this board is final.

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Supervision of removal work; expenses shall be covered as follows (SC Law Section 27-43-30):

Supervision:

- The removal of graves must be supervised by the county's governing body.
- A licensed funeral director in the state must be employed to carry out the removal.

Expenses:

- All costs associated with the grave removal must be paid by the person requesting the removal.

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