

Burial Rights



When you purchase a grave space from the City of Rock Hill a permit is issued and recorded in the cemetery records giving the exclusive right of burial to the grave owners named on the permit. Ownership of the burial rights is therefore a very important matter. It is useful to note that before a grave can be opened, or a memorial stone placed or altered, permission needs to be given in writing by all named owners on the permit. All grave owners have a right to be buried in the grave providing there is sufficient space. If the permit holder passes away, the City recognizes the rights of the surviving spouse or next of kin.



Barber Memorial Cemetery
1272 Soulsville Road

Laurelwood Cemetery
143 Laurel Street

Forest Hills Cemetery
4290 Old York Road

**If you have any questions about
grave ownership, please contact:**

City of Rock Hill
Cemetery Division
P.O. Box 11706
Rock Hill, SC 29731-1706
803-329-5548

Grave Ownership & Burial Rights

*Guidance and
Information*



Burial Rights—What are they?

The exclusive right of burial gives a person(s) the right to say who can be buried in the grave. Burial rights also include the right to erect a memorial. If the owner of the exclusive right of burial dies, they have the automatic right to be buried or interred in the grave. After this, the rights become part of the deceased's estate. Ownership of the exclusive right of burial is therefore a very important matter. Ownership can be transferred either during the owner's lifetime or after their death. Be mindful that all owners must agree if a grave is to be opened for a burial, or a memorial placed or altered. Grave owners have a right to be buried in the grave. When one owner dies, the rights belong to the remaining surviving owners. The City should be promptly notified of the death of the permit holder and given a certificate designating the surviving spouse or next of kin to whom the right of burial have passed by descent, request or devise.

Who is entitled to the burial rights?

- ◇ Any person who at the time of death is the legal holder of a burial permit related to any plot or undivided part, and the surviving spouse or such person may be interred in the grave plot.
- ◇ Any member of the immediate family of any legal permit holder may be interred in that plot with the written permission of the legal holder of the permit relating to such lot.
- ◇ No other person may be interred in any plot without the legal written consent of both the legal holder of the plot permit and the City. The City reserves the right to refuse consent in any case when it deems such interment prejudicial to the best interests of the Cemetery and the other permit holders.
- ◇ Permit holders who desire to give the privileges for future interments to relatives, with consideration, may

file with the City such instructions in writing and duly notarized. These instructions will be recorded by the City upon payment of the current rate for the recording fee.

Can I transfer grave ownership to someone else?

Yes. Arranging ownership in advance has many benefits and may deter family disputes relevant to future burial rights.

- ◇ Living transfer—a permit holder can transfer ownership during their lifetime to another person or add more names to the ownership using a form of assignment.
- ◇ If the permit holder has passed away, the City may require documentation depending on whether the owner left a will. It is essential that the written agreement of all the next of kin of the deceased owner to the transfer of ownership also be obtained and recorded by the City.