

WAC 308-52A-030 Allowing burials in an abandoned cemetery. The definitions found in chapters 68.04 and 68.60 RCW apply to this section.

(1) Human remains or reduced human remains may be buried in an abandoned cemetery under the following conditions:

(a) Ownership of the plot, right of interment or vested right of placement can be clearly established pursuant to chapter 68.32 RCW;

(b) The person(s) having the right to control disposition per RCW 68.50.160 has documentation issued by the cemetery authority prior to the date of abandonment establishing ownership of the plot, right of interment or vested right of placement for the human remains to be buried; or

(c) When a court of competent jurisdiction finds that there is sufficient evidence of ownership, right of interment or vested right of placement and issues a court order.

(2) The person(s) having the right to control disposition must follow the requirements found in RCW 70.58.230 through 70.58.260 prior to the burial of human remains.

(3) Human remains may be removed from an abandoned cemetery with the permission of the superior court of the county where the cemetery is situated and a disinterment permit per RCW 70.58.230.

(4) The person(s) having the right to control disposition may place a grave marker on the grave of human remains buried in an abandoned cemetery and may do all things commonly allowed on dedicated cemetery property.

(5) The person(s) having the right to control disposition must provide a record of the burial to the department of archaeology and historic preservation.

[Statutory Authority: RCW 68.05.105 and 18.39.175. WSR 20-09-031, § 308-52A-030, filed 4/6/20, effective 5/7/20.]