

## Where can bodies be buried in North Carolina?

Most bodies are buried in established cemeteries, but there are no state laws in North Carolina that prohibit burial on private property. Local governments may have rules governing private burials, however. Before conducting a home burial, check with the town or county clerk and local health department for any rules you must follow. If you do bury a body on private land, you should draw a map of the property showing the burial ground and file it with the property deed so the location will be clear to others in the future.

## Where can we store or scatter ashes after cremation in North Carolina?

In North Carolina, there are few restrictions on scattering or storing cremated remains. (The rules are set out in [North Carolina General Statutes § 90-210.130](#).) According to state law, ashes may be placed in a crypt, niche, or grave—or kept at home. Ashes may also be scattered in any of the ways listed below. Generally, use common sense and refrain from scattering ashes in places where they would be obvious to others. If the remains are not claimed within 30 days after cremation, the crematory is authorized to scatter the ashes.

**Scattering ashes on federal land:** Officially, you should request permission before scattering ashes on federal land. As with local or state land, however, you will probably encounter no resistance if you conduct the scattering ceremony quietly and keep the ashes well away from trails, roads, facilities, developed areas, campsites, and waterways. You can find guidelines for scattering ashes on the websites for some national parks. For more information, begin your search at the website of the [National Park Service](#).

**Scattering ashes at sea:** The federal Clean Water Act requires that cremated remains be scattered at least three nautical miles from land. The EPA does not permit scattering at beaches or in wading pools by the sea. Finally, you must notify the EPA within 30 days of scattering ashes at sea. The Clean Water Act also governs scattering in inland waters such as rivers or lakes. For inland water burial, you may be legally required to obtain a permit from the state agency that manages the waterway. North Carolina law states that you must remove cremated remains from their container before scattering. For more information, including the contact information for the EPA representative in North Carolina, see the EPA's page on [Burial at Sea](#).

**Scattering ashes on uninhabited public land:** North Carolina law allows you to scatter ashes on "uninhabited public land." If you aren't sure whether a particular place qualifies as "uninhabited" under the law, you may wish to check city and county regulations and zoning rules before proceeding. However, many people simply proceed as they wish, letting their best judgment be their guide.

**Harnett County Environmental Health** requires a 50 foot setback from a well and a 10 foot setback from any septic system for graveyard boundaries or burial plot.

**Minimum burial depth** is when final disposition of a human body entails interment, the top of the uppermost part of the burial vault or other encasement shall be a minimum of 18 inches below the ground surface. This information is from the North Carolina General Statutes 65-77.

**Scattering ashes in an established scattering garden:** Many cemeteries provide gardens for scattering ashes. If you're interested, ask the cemetery for more information.

**Scattering ashes on private land:** You are allowed to scatter ashes on your own private property. If you want to scatter ashes on someone else's private land, North Carolina law requires that you obtain written permission from the landowner and give it to the crematory.

**Scattering ashes by air:** In North Carolina, ashes may be scattered from a plane. Federal aviation laws do prohibit dropping objects that might cause harm to people or property, but the U.S. government does not consider cremains to be hazardous material. All should be well so long as you remove the ashes from their container before scattering. G.S. Chapter 65, Article 9: North Carolina Cemetery Act. Applies to persons engaged in the business of operating a burial park, a mausoleum, or a columbarium, with some exceptions. Does not apply to cemeteries operated by governments or churches. [http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_65/Article\\_9.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_65/Article_9.html)

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**Zoning information for Harnett County:** Per the Harnett County Unified Development Ordinance:  
Cemetery, Commercial Use: Property used for the interment of the dead, generally with more than 10 burial plots, and intended for commercial purposes. This use requires a Special Use permit in Commercial & Residential zoned areas. Also, please see Article IV, Section 6 for more information.  
Cemetery, Private Use: Property used for the interment of the dead with 10 or fewer burial plots. Also referred to as a "family burial plot". This is a permitted use in all Residential zoned areas.