

STATE OF SOUTH CAROLINA)

)

ORDINANCE NO. 08-02-2026

COUNTY OF NEWBERRY)

**AN ORDINANCE AMENDING THE TEXT OF THE OFFICIAL CODE OF ORDINANCES OF
NEWBERRY COUNTY, SOUTH CAROLINA, AS CODIFIED IN CHAPTER 153 OF THE CODE OF
ORDINANCES OF NEWBERRY COUNTY, SOUTH CAROLINA BY AMENDING SECTIONS 153.073
AND 153.131, SINGLE SITE BURIAL**

WHEREAS, the County of Newberry (the "County") is a political subdivision of the State of South Carolina; and

WHEREAS, Newberry County Council (the "Council") is a duly elected governing body of the County of Newberry; and

WHEREAS, the Council is vested with the authority to amend, delete, or create ordinances that are in the best interest of the County pursuant to Section 4-9-30 et al of the South Carolina Code of Laws, 1976, as amended; and,

WHEREAS, it has been determined by the Council that certain sections of the Code of Ordinances of Newberry County were in need of review and amendment.

The following sections of the County Code of Ordinances have proposed amendments:

SECTION 1. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.073, is amended as follows:

§153.073 ZONING DISTRICT TABLE OF PERMITTED USES.

(D) *Zoning district table of permitted uses.*

ZONING DISTRICT TABLE OF PERMITTED USES										
Description of Use	2017 NAICS	R2	RS	RSV	RSM	RG	LC	GC	IND	C/SE Reference
OTHER SERVICES										
Single Site Burial	812220	C	C	C	C	C				§ 153.131

The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.131, is amended as follows:

§153.131 Single Site Burial.

Single site burials shall meet the following requirements where conditionally permitted.

(A) *Certificates and permits required.* The following certificates and permits shall be provided to the Planning Director at time of permitting:

- (1) A completed and signed Medical Certification of Death certified by attending physician or the Newberry County Coroner, as authorized under South Carolina law, stating the cause and manner of death. The death certificate shall be completed and signed within forty-eight (48) hours of case designation and submitted to the South Carolina Department of Public Health, Office of Vital Records, within ten (10) days.
- (2) A completed paper Death Certificate Form filed with the SC Department of Public Health.
- (3) A Burial-Removal-Transit Permit (BRTP) from the SC Department of Public Health Vital Statistics Office.
- (4) A copy of the Certificate of Appointment for the Personal Representative of the deceased.

(B) *Compliance with State Law.*

- (1) All burials, removals, relocations and transportation of human remains conducted pursuant to this ordinance shall comply with all applicable laws and regulations of the State of South Carolina, including requirements of the South Carolina Department of Public Health and the Newberry County Coroner's Office.
- (2) No person shall move or authorize the removal of a deceased human body from the place where the body is found when an investigation is required until the investigation has been completed and removal has been authorized by the coroner, deputy coroner, medical examiner, deputy medical examiner, or other official authorized by South Carolina law. No body subject to such investigation shall be transported across county lines until the investigation, post-mortem examination, or autopsy has been completed and removal has been properly authorized, consistent with S.C. Code § 17-5-580.
- (3) No person shall bury or cause to be buried the body of a person believed or suspected to have died as a result of violence before notice has been provided to the coroner and the coroner has been afforded the opportunity to examine the body and conduct any inquiry required by law, consistent with S.C. Code § 17-7-510.
- (4) Following burial, no human remains shall be disinterred, removed, relocated, or transported from an approved single site burial location without first obtaining all permits, approvals, court orders, or other legal authorization required by applicable federal, state, and local law.

(C) *Burial materials.*

- (1) The body must be buried in a minimum of a biodegradable wooden casket, cardboard container, or cloth shroud.

(D) *Gravesite dimensions.*

- (1) The grave dimensions shall conform to the burial container to fit with a minimum of six feet of soil cover over the top of the casket, container, or shroud.

(E) *Gravesite requirements.*

- (1) The grave site must adhere to the zoning setbacks from property lines for the district.
- (2) The grave site must be at least 100 feet away from any well, stream, pond, or other water sources.

(F) *Survey and deed.*

- (1) A professional land survey must be completed to map the exact GPS coordinates and boundaries of the gravesite with an amendment to the property deed to officially record the family cemetery.

(G) *County and State Law.*

- (1) The issuance of a zoning permit or other approval by Newberry County for a single site burial shall not constitute authorization to move, bury, disinter, relocate, or otherwise disturb human remains in violation of South Carolina law. The property owner and person responsible for the disposition of the deceased shall remain responsible for obtaining all required state permits and authorizations.

SECTION 2. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this ___ day of ____, 2026 that the text of the Zoning Code of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina, Section 151.073, Zoning District Table of Permitted Uses and 151.131, Single Site Burial shall be amended as prescribed by this ordinance.

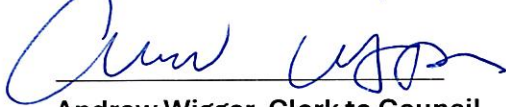
NEWBERRY COUNTY COUNCIL

BY:

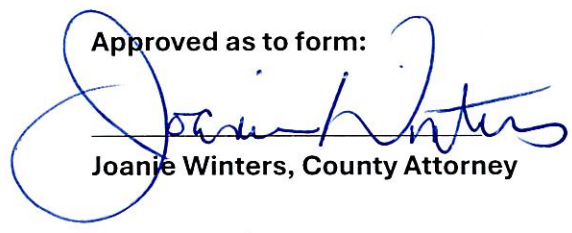

Karl Sease, Vice-Chairman

(SEAL)

ATTEST:


Andrew Wigger, Clerk to Council

Approved as to form:


Joanie Winters, County Attorney


Ted Luckadoo, County Administrator

1st Reading: August 5, 2026

2nd Reading: August 19, 2026

Public Hearing: August 19, 2026

3rd Reading: September 2, 2026