

CHAPTER 07 - CEMETERY COMMISSION

Codifier's Note: This Chapter, 21 NCAC 07, was transferred from 04 NCAC 05, effective March 1, 2013. See S.L. 2012-120.

SUBCHAPTER 07A - ORGANIZATION

SECTION .0100 - GENERAL INFORMATION

21 NCAC 07A .0101 NAME AND ADDRESS

The North Carolina Cemetery Commission of the Department of Commerce is located in Raleigh, North Carolina. The mailing address for the Cemetery Commission is 1001 Navaho Drive, Suite 100, Raleigh, North Carolina 27609. The office is open to the public Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding scheduled state holidays.

*History Note: Authority G.S. 65-49; 65-51; 150B-10;
Eff. February 1, 1976;
Readopted Eff. January 16, 1978;
Amended Eff. September 1, 2007; May 3, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 18, 2018.*

21 NCAC 07A .0102 GENERAL PURPOSE

The principal purpose of the Cemetery Commission is to regulate and supervise the activities of cemeteries, cemetery management organizations, cemetery sales organizations, cemetery brokers and individual pre-need cemetery salespeople licensed under the laws of North Carolina.

*History Note: Authority G.S. 65-55; 65-57; 65-58; 150B-10;
Eff. February 1, 1976;
Readopted Eff. January 16, 1978;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 18, 2018.*

21 NCAC 07A .0103 AREAS OF RESPONSIBILITY

21 NCAC 07A .0104 FUNCTIONS

*History Note: Authority G.S. 65-49; 65-50; 65-52; 65-53(1); 150B-10;
Eff. February 1, 1976;
Readopted Eff. January 16, 1978;
Repealed Eff. June 1, 2014.*

21 NCAC 07A .0105 EXAMINATIONS

*History Note: Authority G.S. 65-49; 150B-10;
Eff. February 1, 1976;
Readopted Eff. January 16, 1978;
Expired Eff. September 1, 2018, pursuant to G.S. 150B-21.3A.*

21 NCAC 07A .0106 FEES

In addition to the licensing and penalty fees provided by statute to this Commission, the following fees are required:

- (1) Two dollars (\$2.00) per grave space, mausoleum crypt, and niche when interment, entombment or inurnment rights are conveyed;
- (2) Five dollars (\$5.00) per pre-need vault when contracted;
- (3) Five dollars (\$5.00) per each crypt in a bank of below ground crypts or lawn crypt garden when contracted. An additional two dollars (\$2.00) shall be paid for each crypt as provided in Item (1) of this Rule;

- (4) Five dollars (\$5.00) per pre-need memorial when contracted;
- (5) Five dollars (\$5.00) per pre-constructed mausoleum crypt or niche when contracted. An additional two dollars (\$2.00) shall be paid for each crypt or niche as provided in Item (1) of this Rule;
- (6) All at need merchandise, property or services, cash or credit sales, do not require any assessments;
- (7) Five dollars (\$5.00) per pre-need opening and closing of a grave space when contracted.

History Note: Authority G.S. 65-49; 65-54;
 Eff. February 1, 1976;
 Readopted Eff. January 16, 1978;
 Amended Eff. December 1, 1981;
 Temporary Amendment Eff. October 5, 1987, for a period of 180 days to expire on April 2, 1988;
 Amended Eff. June 1, 2014; June 1, 2004; May 3, 1993; March 1, 1988;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 18, 2018.

21 NCAC 07A .0107 CEMETERY LICENSE FEE

The annual cemetery license fee shall be five hundred dollars (\$500.00). This license has an expiration date of June 30 in each year.

History Note: Authority G.S. 65-49; 65-54;
 Eff. March 1, 1988;
 Amended Eff. July 1, 2005;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 18, 2018.

SECTION .0200 - STRUCTURE

- 21 NCAC 07A .0201 CEMETERY COMMISSION MEMBERS**
- 21 NCAC 07A .0202 ADMINISTRATOR OF CEMETERY COMMISSION**
- 21 NCAC 07A .0203 CEMETERY COMMISSION EXAMINERS**
- 21 NCAC 07A .0204 CLERICAL STAFF**
- 21 NCAC 07A .0205 MEETINGS**

History Note: Authority G.S. 65-49; 65-50; 65-52; 65-53(1);
 Eff. February 1, 1976;
 Readopted Eff. January 16, 1978;
 Repealed Eff. June 1, 2014.