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HEALTH AND SAFETY CODE - HSC

DIVISION 7. DEAD BODIES [7000 - 8030] (*Division 7 enacted by Stats. 1939, Ch. 60.)*

PART 2. DISINTERMENT AND REMOVAL [7500 - 8030] (*Part 2 enacted by Stats. 1939, Ch. 60.)*

CHAPTER 4. Removal of All Remains: Cities and Cities and Counties Over 100,000 [7700 - 8005] (*Chapter 4 enacted by Stats. 1939, Ch. 60.)*

ARTICLE 1. Power of Municipality [7700 - 7701] (*Article 1 enacted by Stats. 1939, Ch. 60.)*

7700. The governing body of any city or city and county, having a population of more than one hundred thousand persons, may order the disinterment and removal of all human remains interred in all or any part of any cemetery of more than five acres in extent situated within its limits, where the right of interment in the cemetery has been prohibited by law for a period of fifteen years or more, whenever the governing body, by ordinance, declares that the further maintenance of all or any part of the cemetery as a burial place for the human dead threatens or endangers the health, safety, comfort or welfare of the public and demands the disinterment and removal beyond the limits of the city, or city and county, of the human remains interred therein.

(*Enacted by Stats. 1939, Ch. 60.*)

7701. The governing body of such city or city and county may in any ordinance ordering or directing the disinterment and removal of such remains prescribe reasonable rules and regulations governing the manner of making disinterments and removals and providing for reinterment in cemeteries outside the city or city and county limits.

The ordinance shall prescribe a reasonable time of not less than two years in which the removal of remains may be made by the cemetery authority, or by the owners or holders of interment spaces, or by the relatives or friends of those whose remains are interred in the cemetery, and may also provide that if the remains are not removed within the period fixed, the city or city and county will itself proceed to remove the remains and reinter them in another cemetery or cemeteries outside the city or city and county limits.

(*Enacted by Stats. 1939, Ch. 60.*)