

Chapter 68.56 RCW
PENAL AND MISCELLANEOUS PROVISIONS

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Care of veterans' plot at Olympia: RCW 73.24.020.

**RCW 68.56.010 Unlawful damage to graves, markers, shrubs, etc.—
Interfering with funeral.** Every person is guilty of a gross
misdemeanor who unlawfully or without right wilfully does any of the
following:

(1) Destroys, cuts, mutilates, effaces, or otherwise injures,
tears down or removes, any tomb, plot, monument, memorial or marker in
a cemetery, or any gate, door, fence, wall, post or railing, or any
enclosure for the protection of a cemetery or any property in a
cemetery.

(2) Destroys, cuts, breaks, removes or injures any building,
statuary, ornamentation, tree, shrub, flower or plant within the
limits of a cemetery.

(3) Disturbs, obstructs, detains or interferes with any person
carrying or accompanying human remains to a cemetery or funeral
establishment, or engaged in a funeral service, or an interment.
[1943 c 247 s 36; Rem. Supp. 1943 s 3778-36. Cf. 1909 c 249 s 240 and
1856-57 p 28 ss 4, 5. Formerly RCW 68.48.010.]

**RCW 68.56.020 Unlawful damage to graves, markers, shrubs, etc.—
Civil liability for damage.** Any person violating any provision of RCW
68.56.010 is liable, in a civil action by and in the name of the
cemetery authority, to pay all damages occasioned by his or her
unlawful acts. The sum recovered shall be applied in payment for the
repair and restoration of the property injured or destroyed. [2012 c
117 s 326; 1943 c 247 s 37; Rem. Supp. 1943 s 3778-37. Formerly RCW
68.48.020.]

**RCW 68.56.030 Unlawful damage to graves, markers, shrubs, etc.—
Exceptions.** The provisions of *RCW 68.48.010 do not apply to the
removal or unavoidable breakage or injury, by a cemetery authority, of
any thing placed in or upon any portion of its cemetery in violation
of any of the rules or regulations of the cemetery authority, nor to
the removal of anything placed in the cemetery by or with the consent
of the cemetery authority which has become in a wrecked, unsightly or

dilapidated condition. [1943 c 247 s 37; Rem. Supp. 1943 s 3778-37. Formerly RCW 68.48.030.]

***Reviser's note:** RCW 68.48.010 was recodified as RCW 68.56.010 pursuant to 1987 c 331 s 89.

RCW 68.56.040 Nonconforming cemetery a nuisance—Penalty. Every person, firm, or corporation who is the owner or operator of a cemetery established in violation of *this act is guilty of maintaining a public nuisance, which is a gross misdemeanor. [2005 c 365 s 149; 2003 c 53 s 313; 1943 c 247 s 145; Rem. Supp. 1943 s 3778-145. Formerly RCW 68.48.040.]

***Reviser's note:** For "this act," see note following RCW 68.04.020.

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Section applies to certain mausoleums, columbariums, etc.: RCW 68.28.010.

RCW 68.56.050 Defendant liable for costs. Every person who violates any provision of *this act is guilty of a misdemeanor, and in addition is liable for all costs, expenses, and disbursements paid or incurred by a person prosecuting the case. [1943 c 247 s 139; Rem. Supp. 1943 s 3778-139. Formerly RCW 68.48.060.]

***Reviser's note:** For "this act," see note following RCW 68.04.020.

Costs, etc., to be fixed by court having jurisdiction: RCW 68.28.065.

Section applies to certain mausoleums, columbariums, etc.: RCW 68.28.010.

RCW 68.56.060 Police authority—Who may exercise. The sexton, superintendent, or other person in charge of a cemetery, and such other persons as the cemetery authority designates have the authority of a police officer for the purpose of maintaining order, enforcing the rules and regulations of the cemetery association, the laws of the state, and the ordinances of the city or county, within the cemetery over which he or she has charge, and within such radius as may be necessary to protect the cemetery property. [2012 c 117 s 327; 1943 c 247 s 55; Rem. Supp. 1943 s 3778-55. Formerly RCW 68.48.080.]

RCW 68.56.070 Forfeiture of office for inattention to duty. The office of any director or officer who acts or permits action contrary to *this act immediately thereupon becomes vacant. [1943 c 247 s 132; Rem. Supp. 1943 s 3778-132. Formerly RCW 68.48.090.]

***Reviser's note:** For "this act," see note following RCW 68.04.020.

RCW 68.56.900 Effective date—1987 c 331. See RCW 68.05.900.