

99101001107000

Heruntergeladen am 27.06.2025

<https://fimportal.de/xzufi-services/2882/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99101001107000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Grave space; application for a right of use
Typisierung	5 - Kommune: Regelung
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	02.08.2024

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium des Innern und für Integration (Bavarian State Ministry of the Interior, for Sport and Integration)
Handlungsgrundlage	<a href="https://www.gesetze-bayern.de/Content/Document/BayBestG">https://www.gesetze-bayern.de/Content/Document/BayBestG</a> <a href="https://www.gesetze-bayern.de/Content/Document/BayBestG">https://www.gesetze-bayern.de/Content/Document/BayBestG</a> <a href="https://www.gesetze-bayern.de/Content/Document/BayBestV">https://www.gesetze-bayern.de/Content/Document/BayBestV</a> <a href="https://www.gesetze-bayern.de/Content/Document/BayBestV">https://www.gesetze-bayern.de/Content/Document/BayBestV</a>
Teaser	When allocating a grave site in a municipal cemetery, the municipality grants the citizen a temporary right of use subject to a fee.
Volltext	<p>Before the burial, an application must be made to the municipality for a right to use the grave. The details of this usage relationship depend on the stipulations in the cemetery statutes of the respective municipality. This applies in particular to the retention, extension and transfer of the right of use. When allocating grave spaces, a distinction is generally made between row graves and elective graves.</p> <p>The row grave is a single grave site that is made available for the burial of a deceased person for the duration of the resting period. These graves are allocated in accordance with the municipality's allocation plan and cannot be allocated during the deceased's lifetime. The right of use expires at the end of the resting period.</p> <p>Elective graves are gravesites for which a special right of use is granted, usually for the burial of several deceased persons. The applicant can usually choose the grave site themselves, taking into account the occupancy plan. If the municipal regulations permit, the right to use a grave can also be granted before a death occurs. However, there is no legal entitlement to the allocation of a specific grave. The special right of use is granted for a limited period; the period of use is usually longer than the minimum period of rest for the deceased. Ask the cemetery administration whether</p>

**Modul**
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and how often the right of use can be extended.

The statutes also specify how the right of use can be transferred in the event of the owner's death. The municipality can leave this decision to the person entitled to the right of use, who can then regulate the transfer under inheritance law. However, the municipality can also determine itself in the statutes to whom the right is transferred. The consent of the future right holder to use the grave is required for the transfer, as the obligation to maintain the gravestone and care for the grave is also associated with the transfer.

As a rule, the right to use a grave ends when the period of use expires.

**Erforderliche Unterlagen**

- Documents are governed by municipal regulations

**Voraussetzungen**

Rights of use to burial plots are not regulated by law. Rather, they are determined by the municipality's cemetery bylaws, in which it sets out the requirements for the maintenance or possible extension at its own discretion and taking into account the burial needs of the municipality's residents.

**Kosten**

The fees payable for the right to use a grave are based on the municipal fee statutes.

**Verfahrensablauf**
**Bearbeitungsdauer**
**Frist**

The right to use a grave must be applied for at the latest before the burial. If the municipal regulations permit, it can also be granted before a death occurs.

**weiterführende  
Informationen**
**Hinweise**
**Rechtsbehelf**

Administrative court action

**Kurztext**
**Ansprechpunkt**

Modul	Sachverhalt
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal