

RESOLUTION NO. 2019-26

A RESOLUTION AMENDING SECTION 6.020 OF THE CENTERVILLE FEE SCHEDULE REGARDING REPURCHASE OF BURIAL RIGHTS

WHEREAS, the City has previously adopted fees and provisions regarding the repurchase of burial rights as more particularly set forth in Section 6.020 of the Centerville Fee Schedule; and

WHEREAS, the City Council desires to amend Section 6.020 of the Centerville Fee Schedule regarding the repurchase of burial rights in times of need; and

WHEREAS, the City Council has determined that the amendments to the Centerville Fee Schedule as provided herein are desirable and necessary to provide the City more flexibility in repurchasing unused burial rights from owners during times of need.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 6.020 of the Centerville Fee Schedule is hereby amended to read in its entirety as follows:

6.020 Repurchase of Burial Rights

Pursuant to CMC 8.03.100, burial rights may not be further sold to any person other than the City. By ordinance, the City has agreed to buy back any burial right which it has sold. The repurchase price for such buy back shall be as follows:

- (a) Regular Repurchase Price. Except as otherwise provided in Subsection (b) regarding Times of Need Repurchasing, the City will repurchase any previously sold burial right for the original price paid by the purchaser, or the current selling price, whichever is less.
- (b) Times of Need Repurchase Price. In times of need, when available burial rights within the Cemetery are less than ~~10%~~ 5% of capacity ("Times of Need"), the City Manager may authorize the repurchase of necessary burial rights at the following incentive repurchase price, subject to budget authority and funding for the cost of repurchase:
 - (1) Burial Right With No Perpetual Care Fee. Any burial right which has been purchased, but for which the Perpetual Care Fee has not been paid, may be bought back by the City during Times of Need for the original price paid by the purchaser or \$500, whichever is greater.
 - (2) Burial Right With Perpetual Care Fee Paid. Any burial right which has been purchased, and for which the Perpetual Care Fee has been paid, may be bought back by the City during Times of Need for the original price paid by the purchaser or \$800, whichever is greater.

- (3) Double Depth Burial Right with No Perpetual Care Fee. Any double depth burial right which has been purchased, but for which the Perpetual Care Fee has not been paid, may be bought back by the City during Times of Need for the original price paid by the purchaser or \$900, whichever is greater.
- (4) Double Depth Burial Right with Perpetual Care Fee Paid. Any double depth burial right which has been purchased, and for which the Perpetual Care Fee has been paid, may be bought back by the City during Time of Need for the original price paid by the purchaser or \$1,500, whichever is greater.

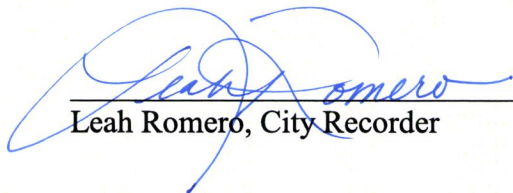
Section 2. Severability Clause. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 6th DAY OF NOVEMBER, 2019.**

ATTEST:

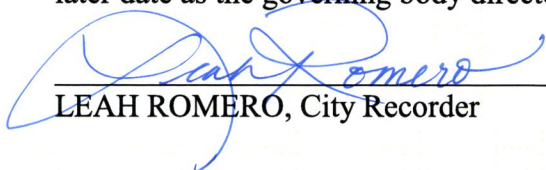
CENTERVILLE CITY


Leah Romero, City Recorder

By: 
Mayor Clark A. Wilkinson

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.


LEAH ROMERO, City Recorder

DATE: 11/6/2019

EFFECTIVE DATE: 11th day of November, 2019.

