

RESOLUTION NO. 2021-40

A RESOLUTION AMENDING SECTIONS 6.010 AND 6.020 OF THE CENTERVILLE FEE SCHEDULE REGARDING CEMETERY AND BURIAL FEES TO ADD NICHE WALL AND NICHE SPACE FEES

WHEREAS, the City Council has previously adopted fees regarding Cemetery and Burial Fees as set forth in Sections 6.010 and 6.020 of the Centerville Fee Schedule; and

WHEREAS, the City Council desires to amend provisions of Sections 6.010 and 6.020 of the Centerville Fee Schedule to add niche wall and niche space fees as more particularly set forth herein.

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

Section 1. Amendment. Section 6.010 of the Centerville Fee Schedule regarding Cemetery and Burial Fees and Section 6.020 of the same regarding Repurchase of Burial Rights are hereby amended to read in their entirety as more particularly set forth in **Exhibit A**, attached and incorporated herein by reference.

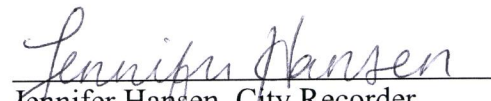
Section 2. Severability Clause. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

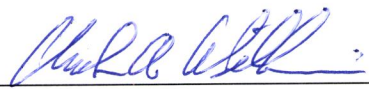
Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 7th DAY OF DECEMBER, 2021.

ATTEST:

CENTERVILLE CITY


Jennifer Hansen, 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.

Jennifer Hansen
JENNIFER HANSEN, City Recorder

DATE: 12-08-2021

EFFECTIVE DATE: 17th day of December, 2021.



Exhibit A

**Sections 6.010 and 6.020 of the Centerville Fee Schedule
Cemetery and Burial Fee Amendments**

6.010 Cemetery And Burials

The following cemetery and burial fees shall apply to burial rights within the Centerville Cemetery.

Cemetery and Burial Fees

Cemetery and Burials	Resident ¹	Non-Resident ²
Burial Right ^{3, 4, 5}	\$600	Not eligible for non-resident purchase
Double Depth Burial Right ⁶	\$1,200	Not eligible for non-resident purchase
Interment ^{7, 8} (Weekdays Before 5:00 p.m.)	\$400	\$1,400
Interment ^{7, 8} (Weekdays After 5:00 p.m. and Saturdays)	\$600	\$1,600
Perpetual Care Fee ⁹	\$300	\$300
Double Depth Perpetual Care Fee	\$600	\$600
Disinterment Fee	Actual Costs (\$500 Deposit)	Actual Costs (\$500 Deposit)
Upright Headstone (Monument) Fee ^{10, 11}	\$200	\$200

<u>Niche Space – Row A</u> ^{3, 5, 12}	<u>\$700</u>	<u>Not eligible for non-resident purchase</u>
<u>Niche Space – Row B</u> ^{3, 5, 12}	<u>\$600</u>	<u>Not eligible for non-resident purchase</u>
<u>Niche Space – Row C</u> ^{3, 5, 12}	<u>\$500</u>	<u>Not eligible for non-resident purchase</u>
<u>Niche Space – Row D</u> ^{3, 5, 12}	<u>\$400</u>	<u>Not eligible for non-resident purchase</u>
<u>Inurnment of Cremains in Niche Space</u> ⁷	<u>Included in Cost Of Niche Space</u>	<u>Included in Cost Of Niche Space</u>
<u>Niche Space Perpetual Care Fee</u> ⁹	<u>\$200</u>	<u>\$200</u>
<u>Disinurnment of Cremains from Niche Space</u>	<u>\$200</u>	<u>\$200</u>

1. As used herein, the term “Resident” shall be defined as:

1. Any person who was domiciled within the corporate limits of Centerville City, Utah, at the time of death, regardless of actual place of death;
 2. Any person owning real property within the corporate limits of Centerville City, Utah, at the time of death, regardless of the residence or domicile of such person;
 3. Any person who was a legal resident of Centerville, Utah, at the time of death, regardless of domicile;
 4. Any person who was formally domiciled within the corporate limits of Centerville City, Utah, immediately prior to moving from the City for the purpose of becoming domiciled in any facility for the purpose of receiving medical or residential care; or
 5. Any current employees of Centerville City and their immediate family members living in the same household.
2. As used herein, the term “Non-Resident” shall be defined as any person who does not meet the definition of “Resident” as set forth herein.
3. Residents may only purchase a Right of Burial or Right of Inurnment on an immediate need basis; provided, at the time of need two Rights of Burial or Inurnment may be purchased. Non-residents are not eligible or permitted to purchase a Right of Burial or Right of Inurnment in the cemetery at this time.
4. In the case of a burial right being sold for the first time by the City, three hundred dollars (\$300) of the burial right fee shall be placed in the Perpetual Care Fund for the City Cemetery (in

addition to Perpetual Care Fees due) and the remainder of the fee shall be placed in the City General Fund.

5. For burial or inurnment rights that have been repurchased by the City, a record shall be made of the source of funding for the repurchase transaction, so that the source can be fully repaid when the burial or inurnment rights are resold.
6. Burial rights for a double-depth vault burial space shall be sold at the price set forth in the Fee Schedule and the purchaser shall be required to pay at the time of purchase of the double-depth vault burial space the Perpetual Care Fee set forth in the Fee Schedule.
7. One thousand dollars (\$1,000) of the non-resident interment fee shall be placed in the Perpetual Care Fund for the City Cemetery and the remainder of the fee shall be placed in the City General Fund. Two hundred dollars (\$200) of the non-resident inurnment fee shall be in the Perpetual Care Fund for the City Cemetery and the remainder of the fee shall be placed in the City General Fund.
8. An infant or the cremains ~~ashes~~ of a deceased person placed in a burial space with another deceased person, as approved by the Parks and Recreation Director in accordance with CMC 8.03.090, shall not be required to pay non-resident interment fees and shall be subject to the resident interment fees regardless of domicile or interest.
9. All burial rights and burials within the City Cemetery shall be subject to a Perpetual Care Fund fee, including infants or cremains ~~cremated remains~~ buried in a space that is already occupied. Except as provided herein, the Perpetual Care Fee shall be paid at the time of purchase of burial inurnment rights. In the event the Perpetual Care Fee is not paid at the time of purchase of the burial or inurnment rights, the Perpetual Care Fee shall be paid at the time of Interment or inurnment. Purchasers of burial rights for a double-depth vault burial space shall pay at the time of purchase of the double-depth vault burial space the Perpetual Care Fee for double-depth vaults set forth in the Fee Schedule (equal to the perpetual care fee for two single depth burial rights).
10. All funds received for upright headstone (monument) fees shall be placed in the Perpetual Care Fund for the City Cemetery.
11. Upright Headstone (Monuments) shall only be allowed in specified areas of the Cemetery in accordance with CMC 8.03.250.
- 11.12. Niche walls and niche spaces shall be labeled and assessed niche space fees in accordance with the following diagrams (which fees are represented as including the niche space fee, the inurnment of cremains, and the perpetual care fee):

NICHE WALL #1

PRICING

EAST SIDE (sunrise)

\$ 900	A	1	2	3	4	5	6
\$ 800	B	7	8	9	10	11	12
\$ 700	C	13	14	15	16	17	18
\$ 600	D	19	20	21	22	23	24

NICHE WALL #1

WEST SIDE (sunset)

\$ 900	A	1	2	3	4	5	6
\$ 800	B	7	8	9	10	11	12
\$ 700	C	13	14	15	16	17	18
\$ 600	D	19	20	21	22	23	24

HISTORY

Adopted by Res. [2017-18](#) on 8/15/2017

Amended by Res. [2017-20](#) on 11/8/2017

Amended by Res. [2018-03](#) on 1/2/2018

Amended by Res. [2018-18](#) on 6/5/2018

Amended by Res. [2020-06](#) on 3/17/2020

Amended by Res. [2021-04](#) on 2/2/2021

6.020 Repurchase Of Burial Rights

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

1. Regular Repurchase Price. Except as otherwise provided in Subsection (b) regarding Times of Need Repurchasing, the City will repurchase any previously sold burial right or inurnment right for the original price paid by the purchaser or the current selling price, whichever is less.
2. Times of Need Repurchase Price. In times of need, when available burial rights within the Cemetery are less than 10% 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.

HISTORY

Adopted by Res. [2017-18](#) on 8/15/2017

Amended by Res. [2019-23](#) on 9/17/2019

Amended by Res. [2019-26](#) on 11/6/2019