

RESOLUTION NO. 2023-07

A RESOLUTION AMENDING SECTION 6.010 OF THE CENTERVILLE FEE SCHEDULE REGARDING THE DEFINITION OF RESIDENT FOR PURPOSES OF CERTAIN CEMETERY FEES

WHEREAS, the City Council desires to amend Section 6.010 of the Centerville Fee Schedule to amend the definition of resident for purposes of calculating certain cemetery fees as more particularly provided herein; and

WHEREAS, the City Council has determined that the proposed amendments to the Centerville Fee Schedule are desirable and beneficial to provide long-term residents of the City with resident pricing for certain cemetery fees even if such residents are no longer residing in the City.

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

Section 1. Amendment. Footnote 1 of Section 6.010 of the Centerville Fee Schedule regarding the definition of “Resident” for purposes of Cemetery and Burial Fees is hereby amended to read in its entirety as follows:

1. As used herein, the term “Resident” shall be defined as follows:
 - a. Any person who lived (as their principal place of residence) who was domiciled within the corporate limits of Centerville City, Utah, at the time of death, regardless of actual place of death; ~~or~~
 - b. Any person owning real property within the corporate limits of Centerville City, Utah, at the time of death, regardless of principal place of residence; the residence or domicile of such person; or
 - ~~c. Any person who was a legal resident of Centerville, Utah, at the time of death, regardless of domicile;~~
 - c. Any person who lived (as their principal place of residence) was domiciled for at least twenty-five (25) years within the corporate limits of Centerville City, Utah, regardless of principal place of residence the residence or domicile of such person at the time of death;
 - d. Any person who lived (as their principal place of residence) within the corporate limits of Centerville City for at least 60% of their lifetime;
 - ~~d.e. Any person who served a full term as Mayor or on the City Council, Planning Commission, Board of Adjustment, or any other official board or committee of the City established by ordinance;~~
 - e.f. Any person who lived (as their principal place of residence) was formally domiciled within the corporate limits of Centerville City, Utah, immediately prior to moving from the City into an assisted living or qualified care facility for the purpose of becoming domiciled in any facility for the purpose of receiving medical or residential care; ~~or~~
 - g. Any current employees of Centerville City and the employee’s their immediate family members, meaning spouse and children; living in the same household or
 - f.h. Any person who has been a full-time employee of Centerville City for at least 20 years or who retired from employment with the City and their immediate family members, meaning spouse and children.

The person purchasing the burial right bears the burden of proving they or the person being buried at the time of need meets the definition of Resident. If the person did not live in Centerville City at the time of death, evidence of residency or employment and a personal affidavit shall be provided to the City at the time of purchase. When interpreting resident, residency, or principal place of residence, as used herein, the City may use such terms and standards as more particularly defined in Utah Code § 20A-2-105 (regarding the determination of residency for purposes of voter registration requirements). References therein to "Utah" and "voting precinct" shall be understood to refer to "Centerville" and "Centerville voting precinct."

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 2nd DAY OF MAY, 2023.**

ATTEST:

CENTERVILLE CITY

Jennifer Robison
Jennifer Robison, City Recorder

By: Clark A. Wilkinson
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 Robison
JENNIFER ROBISON, City Recorder

DATE: 5-2-2023

EFFECTIVE DATE: 5th day of May, 2023.

