

RESOLUTION NO. 2024-05

**A RESOLUTION AMENDING SECTION 6.010 OF THE CENTERVILLE
FEE SCHEDULE REGARDING CEMETERY FEES AND ENACTING
SECTION 6.015 OF THE SAME REGARDING NICHE WALL AND
VETERANS MEMORIAL NICHE WALL FEES**

WHEREAS, the City Council desires to amend Section 6.010 and enact Section 6.015 of the Centerville Fee Schedule to amend and enact requirements and restrictions regarding niche wall fees and the veterans niche wall fees as more particularly provided herein; and

WHEREAS, the City Council has determined that the proposed amendments to the Centerville Fee Schedule are desirable to address niche wall and veterans niche wall fees.

**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 is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Enactment. Section 6.015 of the Centerville Fee Schedule regarding Niche Wall Fees is hereby enacted to read in its entirety as set forth in Exhibit B, attached hereto and incorporated herein by reference.

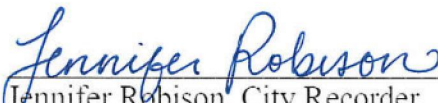
Section 3. Severability Clause. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

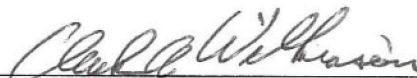
Section 4. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 6th DAY OF FEBRUARY, 2024.**

ATTEST:

CENTERVILLE CITY


Jennifer Robison, 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 Robison
JENNIFER ROBISON, City Recorder

DATE: 2/7/2024

EFFECTIVE DATE: 6th day of February, 2024.



Exhibit A

Section 6.010 Cemetery and Burial Fees

6.010 Cemetery And Burial Fees

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

Niche Space – Row A ^{3, 5, 12}	\$700	Not eligible for non-resident purchase
Niche Space – Row B ^{3, 5, 12}	\$600	Not eligible for non-resident purchase
Niche Space – Row C ^{3, 5, 12}	\$500	Not eligible for non-resident purchase
Niche Space – Row D ^{3, 5, 12}	\$400	Not eligible for non-resident purchase
Inurnment of One Set of Cremains in Niche Space or Inurnment of Two Sets of Cremains in Niche Space at the Same Time ⁷	Included in Cost of Niche Space	Included in Cost of Niche Spaces
Niche Space Perpetual Care Fee ⁹	\$200	\$200
Opening Fee to Inurn Second Set of Cremains in Niche Space	\$200	\$200
Name Plate Replacement or Revision	\$200	\$200
Disinurnment of Cremains from Niche Space	\$200	\$200

1. As used herein, the term "Resident" means: shall be defined as follows:

- (a) Any person who lived (as their principal place of residence) within the corporate limits of Centerville City, Utah, at the time of death, regardless of actual place of death;
- (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;
- (c) Any person who lived (as their principal place of residence) for at least twenty-five (25) years within the corporate limits of Centerville City, Utah, regardless of principal place of residence 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;
 - (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;
 - (f) Any person who lived (as their principal place of residence) 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 receiving medical or residential care;
 - (g) Any current employee of Centerville City and the employee's immediate family members, meaning spouse and children; or
 - (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.
 - (i) 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."
2. As used herein, the term "Non-Resident" ~~means 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 on an immediate need basis; provided, at the time of need two Rights of Burial may be purchased. ~~Residents may purchase a maximum of two Niche Spaces on a pre-need basis and one Niche Space on an immediate need basis at the time of need. One Niche Space can contain up to two sets of cremains if qualified in accordance with applicable City ordinances and regulations.~~ Non-residents are not eligible or permitted to purchase a Right of Burial ~~or a Niche Space~~ 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 ~~should~~ **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 Double-Depth 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 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 buried in a space as approved by the Parks and Recreation Director in accordance with CMC 8.03.090. ~~that is already occupied.~~ Except as provided herein, the Perpetual Care Fee shall be paid at the time of purchase of burial ~~or 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.~~
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):~~

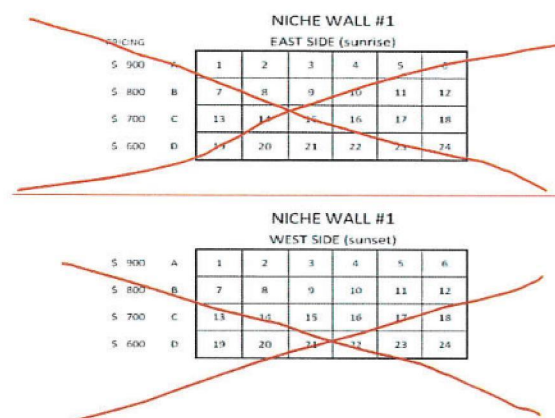


Exhibit B

Section 6.015 Niche Wall Fees

6.015 Niche Wall Fees

The following niche wall fees shall apply to inurnment of cremains within City niche walls.

Niche Wall Fees

Niche Wall Fees ⁸	Resident ¹	Non-Resident ²
Niche Space - Row A ^{5, 7, 9}	\$900	Not eligible for non-resident purchase
Niche Space - Row B ^{5, 7, 9}	\$800	Not eligible for non-resident purchase
Niche Space - Row C ^{5, 7, 9}	\$700	Not eligible for non-resident purchase
Niche Space - Row D ^{5, 7, 9}	\$600	Not eligible for non-resident purchase
Veterans Memorial Niche Wall Fees	Veteran ³	Non-Veteran ⁴
Niche Space - Row A ^{6, 7, 9}	\$900	Not eligible for non-veteran purchase
Niche Space - Row B ^{6, 7, 9}	\$800	Not eligible for non-veteran purchase
Niche Space - Row C ^{6, 7, 9}	\$700	Not eligible for non-veteran purchase
Niche Space - Row D ^{6, 7, 9}	\$600	Not eligible for non-veteran purchase
Inurnment of One Set of Cremains in Niche Space or Inurnment of Two Sets of Cremains in Niche Space at the Same Time	Included in Cost of Niche Space	Included in Cost of Niche Spaces
Niche Space Perpetual Care Fee ⁷	Included in Cost of Niche Space	Included in Cost of Niche Space

Opening Fee to Inurn Second Set of Cremains in Niche Space	\$200	\$200
Name Plate Replacement or Revision	\$200	\$200
Disinurnment of Cremains from Niche Space	\$200	\$200

1. As used herein, the term "Resident" means:

- (a) Any person who lived (as their principal place of residence) within the corporate limits of Centerville City, Utah, at the time of death, regardless of actual place of death;
- (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;
- (c) Any person who lived (as their principal place of residence) for at least twenty-five (25) years within the corporate limits of Centerville City, Utah, regardless of principal place of residence 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;
- (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;
- (f) Any person who lived (as their principal place of residence) 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 receiving medical or residential care;
- (g) Any current employee of Centerville City and the employee's immediate family members, meaning spouse and children; or
- (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.
- (i) The person purchasing the niche space bears the burden of proving they or the person being inurned 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."

2. As used herein, the term "Non-Resident" means any person who does not meet the definition of "Resident" as set forth herein.
3. As used herein, the term "Veteran" means a resident of Centerville who served in the United States Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, or a reserve component thereof, or the Utah National Guard, and who was discharged or released therefrom under conditions other than dishonorable. Veteran may also include any resident of Centerville who meets the definition of "Veteran" as defined in 38 U.S.C. § 101.
4. As used herein, "Non-Veteran" means any person who does not meet the definition of "Veteran" as set forth herein.
5. Residents may purchase a maximum of two niche spaces on a pre-need basis and one niche space on an immediate need basis at the time of need. One niche space can contain up to two sets of cremains if qualified in accordance with applicable City ordinances and regulations. Non-residents are not eligible or permitted to purchase a niche space in the cemetery at this time.
6. Veterans who are also residents of Centerville City may purchase a maximum of one niche space in the Veterans Memorial Niche Wall on a pre-need basis. One niche Space can contain up to two sets of cremains in accordance with applicable City ordinances and regulations, provided that the Veteran must be inurned in the niche space prior to the inurnment of a second set of cremains. Non-residents and Non-veterans are not eligible or permitted to purchase a niche space in the Veterans Memorial Niche Wall.
7. All niche spaces within the City Cemetery shall be subject to a Perpetual Care fee. The Perpetual Care Fee shall be paid at the time of purchase of inurnment rights and is included in the cost of the niche space. Two hundred dollars (\$200) of the niche space fee shall be allocated to the Perpetual Care Fund for the City Cemetery and the remainder of the niche space fee shall be placed in the City General Fund.
8. For inurnment rights that have been repurchased by the City, a record should be made of the source of funding for the repurchase transaction, so that the source can be fully repaid when the inurnment rights are resold.
9. 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 fee, and the perpetual care fee):

Niche Wall #1
East Side (Sunrise)

Pricing	Row	Space	Space	Space	Space	Space	Space
\$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)

Pricing	Row	Space	Space	Space	Space	Space	Space
\$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

Veterans Memorial Niche Wall #1
North Side

Pricing	Row	Space	Space	Space	Space	Space	Space
\$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

Veterans Memorial Wall #1
South Side

Pricing	Row	Space	Space	Space	Space	Space	Space
\$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