

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 8.03 OF THE CENTERVILLE MUNICIPAL CODE REGARDING CEMETERY REGULATIONS TO ALLOW TWO SETS OF CREMAINS IN A NICHE SPACE

WHEREAS, the City has previously adopted Chapter 8.03 of the Centerville Municipal Code regarding Cemetery Regulations, including recent amendments to address the new niche wall and niche spaces within the City Cemetery; and

WHEREAS, the City Council desires to amend certain provisions of Chapter 8.03 of the Centerville Municipal Code regarding Cemetery Regulations to allow two sets of cremains to be inurned in each niche space in the City Cemetery; and

WHEREAS, the City Council finds the amendments to Chapter 8.03 of the Centerville Municipal Code as provided herein are in the best interest of the public health, safety, and welfare by providing additional cremains to be inurned in each niche space within the City Cemetery.

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

Section 1. Amendment. Section 8.03.087 of the Centerville City Municipal Code regarding Niche Wall Regulations is hereby amended to read in its entirety as follows:

8.03.087 Niche Wall Regulations

The following regulations shall apply to niche walls and niche spaces in the City Cemetery:

- (a) Only ~~two sets~~ ~~one set~~ of cremains ~~in an approved urn or container~~ may be allowed to be placed in a single niche space, so long as the cremains and the urn or storage container fits in the niche space.
- (b) All cremains shall be inurned in an urn or storage container that fits within the niche space and is of a sealed type and does not leak.
- (c) Niche spaces are to be used solely for cremains. No other items are to be stored or placed in niche spaces.

Section 2. Amendment. Section 8.03.125 of the Centerville City Municipal Code regarding Opening Niche Space is hereby amended to read in its entirety as follows:

8.03.125 Opening Niche Space

- (a) The presentation of a Right of Inurnment certificate from the City Treasurer, or person designated by the City, to the Parks and Recreation Director, shall be required prior to the opening of a niche space for the burial of cremains. ~~However, upon a contract being entered into between any mortician and the City, wherein the mortician agrees to be responsible and liable for fees for the opening of a niche space, and wherein that mortician will be liable for such fees and for perpetual care payments, the City Treasurer, or authorized person, may give the~~

~~Parks and Recreation Director authority to open niche spaces without the presentation of a Right of Inurnment certificate.~~

- (b) No niche space shall be opened in the City Cemetery until payment of all applicable fees have been paid, including, but not limited to, the inurnment fee as well as the appropriate and the perpetual care fees, ~~if not already paid~~, as more particularly set forth in the City Fee Schedule. Additional fees shall apply for opening of the niche space to inurn a second set of cremains and/or revisions to or replacement of applicable name plates as more particularly set forth in the City Fee Schedule.
- (c) Niche spaces shall only be opened and sealed by designated employees of the City subject to applicable fees set forth in the City Fee Schedule.
- (d) Niche spaces shall be opened for the purpose of inurnment or disinurnment only. Opening of niche spaces for viewing purposes shall not be permitted.

Section 3. Amendment. Section 8.03.255 of the Centerville City Municipal Code regarding Name Plates is hereby amended to read in its entirety as follows:

8.03.255. Name Plates

One name plate shall be allowed for each niche space in the niche wall. Name plates shall be limited to the standard size provided by the City. One name plate and basic engraving provided by the City shall be included in the cost of the niche space. Except as otherwise provided herein for double face name plates, name plates may only include one name and the date of birth and death. A double name plate covering two niche spaces or covering two sets of cremains in one niche space may be allowed at the discretion of the Parks and Recreation Director, in which case two names and two sets of date of birth and death may be engraved on the double name plate. Any revisions to or replacement of the original name plate shall be at the cost of the authorized owner of the niche space as set forth in the City Fee Schedule. Revisions to name plates shall include altering or replacing a single name plate, converting a single name plate to a double name plate, or filling in future information on a double name plate. Only the City is authorized to engrave and install or replace niche wall name plates. Additional engraving may be approved by the Parks and Recreation Director, subject to additional fees.

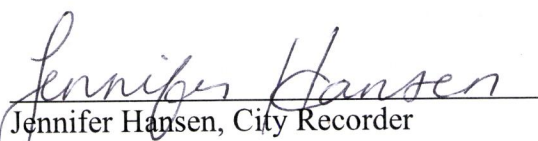
Section 3. Severability Clause. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective immediately upon publication and posting, or thirty days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE,
STATE OF UTAH, ON THIS 4th DAY OF JANUARY, 2022**

ATTEST:

CENTERVILLE CITY


Jennifer Hansen, City Recorder

By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	"ABSENT"
Councilmember Hirst	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember McEwan	<u>X</u>	_____	_____
Councilmember Mecham	<u>X</u>	_____	_____
Councilmember Summerhays	<u>X</u>	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Jennifer Hansen
JENNIFER HANSEN, City Recorder

DATE: 1/6/22

RECORDED this 6th day of January, 2022.

PUBLISHED OR POSTED this 6th of January, 2022.

