

ORDINANCE NO. 2018-09

AN ORDINANCE AMENDING SECTIONS 8.03.240 AND 8.03.250 OF THE CENTERVILLE MUNICIPAL CODE REGARDING RESTRICTIONS ON THE INSTALLATION OF MARKERS OR MONUMENTS ON BURIAL SPACES PRIOR TO INTERMENT

WHEREAS, the City has previously adopted provisions regarding the use and installation of markers and monuments on burial spaces within the Centerville City Cemetery as more particularly set forth in Title 8, Chapter 3 of the Centerville Municipal Code; and

WHEREAS, the City Council desires to amend Sections 8.03.240 and 8.03.250 of the Centerville Municipal Code to prohibit the use and installation of markers or monuments on burial spaces until and unless there has been an interment of remains within the burial space; and

WHEREAS, the City Council has determined that the amendments to the Centerville Municipal Code as provided herein are desirable and necessary to facilitate more efficient maintenance and use of the cemetery.

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

Section 1. **Amendment.** Subsection 8.03.240 of the Centerville Municipal Code regarding Markers is hereby amended to read in its entirety as follows:

8.03.240. Markers.

Markers shall be allowed on burial spaces in any plat of the City Cemetery, including Plats "A", "B", "C", "D", and "E". Markers shall comply with and be subject to the following conditions and restrictions:

- (a) Markers shall be level with the lawn or ground surrounding the marker.
- (b) Markers shall be provided with a finished grass-level stone or concrete base extending outward from the outer perimeter of the base of the marker for a minimum distance of six inches.
- (c) The maximum width of a marker on a single burial space in Plat "A" or "B" shall not exceed 24 inches, and on a double burial space in Plat "A" or "B" shall not exceed 60 inches, both maximum widths excluding the concrete or stone base surrounding the marker.
- (d) The maximum width of a marker on a single burial space in Plat "C", "D", or "E" shall not exceed 28 inches, and on a double burial space in Plat "C", "D", or "E" shall not exceed 72 inches, both maximum widths excluding the concrete or stone base surrounding the marker.
- (e) Except as otherwise provided herein for infant or cremation burials or double depth burial spaces, there shall only be allowed one marker per burial space or one monument per burial space (in areas of the City Cemetery where monuments are permitted).
- (f) Subject to monument and marker size and locations restrictions set forth in this Section and in CMC 8.03.250, if the Parks and Recreation Director approves a request to bury an infant or ashes of a person in a burial space with another person buried

therein, two markers may be permitted to be installed on such burial space, or one marker and one monument (in such areas of the City Cemetery that allow monuments).

(g) Subject to monument and marker size and locations restrictions set forth in this Section and in CMC 8.03.250, approved double depth burial spaces may contain two markers on such burial space, or one marker and one monument (in such areas of the City Cemetery that allow monuments).

~~(g)~~(h) Markers may not be placed or installed on any burial space prior to the interment of remains within that burial space.

Section 2. Amendment. Subsection 8.03.250 of the Centerville Municipal Code regarding Monuments is hereby amended to read in its entirety as follows:

8.03.250. Monuments.

Monuments are allowed in Plats "A", "B", "C", and "E" of the City Cemetery. Due to slope and access conditions, no monuments are allowed in Plat "D" of the City Cemetery. Monuments shall comply with and be subject to the following conditions and restrictions:

- (a) Monuments shall not extend less than 12 inches nor more than 36 inches above ground level, including the stone or concrete base required herein.
- (b) The maximum width of a monument on a single burial space in Plat "A" or "B" shall not exceed 24 inches, and on a double burial space in Plat "A" or "B" shall not exceed 60 inches, both maximum widths excluding the concrete or stone base surrounding the monument.
- (c) The maximum width of a monument on a single burial space in Plat "C" or "E" shall not exceed 28 inches, and on a double burial space in Plat "C" or "E" shall not exceed 72 inches, both maximum widths excluding the concrete or stone base surrounding the monument.
- (d) Monuments shall have a finished grass-level stone or concrete base extending outward from the outer perimeter of the base of the monument for a minimum distance of six inches on all sides.
- (e) Except as otherwise provided in CMC 8.03.240 for infant or cremation burials or double depth burial spaces, there shall only be allowed one monument per burial space (in areas of the City Cemetery where monuments are permitted) or one marker per burial space.
- ~~(e)~~(f) Monuments may not be placed or installed on any burial space prior to the interment of remains within that burial space.

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. This Section shall become effective without codification.

Section 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 1st DAY OF MAY, 2018.**

ATTEST:

CENTERVILLE CITY

Mackenzie Wood
Mackenzie Wood, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	ABSENT
Councilmember Fillmore	_____	_____	X
Councilmember Ince	<u>X</u>	_____	
Councilmember Ivie	_____	_____	X
Councilmember McEwan	<u>X</u>	_____	
Councilmember Mechem	<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.

Mackenzie Wood
MACKENZIE WOOD, City Recorder

DATE: 5/9/2018

RECORDED this 9 day of May, 2018.

PUBLISHED OR POSTED this 9 of May, 2018.