

**CENTRAL VALLEY TOWN
CEMETERY ORDINANCE
ORDINANCE NO. 2014-003**

AN ORDINANCE RELATING TO THE ESTABLISHMENT OF A CENTRAL VALLEY TOWN CEMETERY, THE PROTECTION OF THE CENTRAL VALLEY TOWN PIONEER CEMETERY, AND PROVIDING FOR THE CONTROL AND OPERATION OF THE SAID CEMETERIES BY RULES AND REGULATIONS ESTABLISHED BY THE CENTRAL VALLEY TOWN COUNCIL.

WHEREAS The Central Valley Town Council, considers it desirable and necessary and for the benefit of the citizens of Central Valley to establish policies and procedures for the operation and maintenance of the Central Valley Town cemetery; and

WHEREAS it is necessary to establish official Town wide fees, policies and procedures for the operation of the cemetery to promote orderly growth, preserve property values, promote public safety and provide for the general welfare of Central Valley residents; and

NOW, THEREFORE, Be it hereby ordained by the Central Valley Town Council as follows:

Section 1. Under authority of Utah State Code 10-8-62 The Mayor and Town Council hereby establish a Central Valley Town Cemetery on 9.88 acres located on Cemetery Road approximately 1 mile west of the town of Central Valley, Utah. This cemetery includes the previously established Pioneer Cemetery at that location.

Section 2. The Pioneer Cemetery shall be maintained in its present state and condition. Any modifications, improvements or changes must be authorized by the Mayor and Town Council.

Section 3. The Mayor and Town Council may establish a community council whose responsibility will be to advise the Town Council on proposed improvements to the cemeteries, necessary rules and regulations governing the operation of the cemeteries and other items as necessary. The Mayor will be the chairman of this council.

Section 4. The Mayor and Town Council will appoint a town council member to act as Sexton for the cemeteries. The Sexton's duties will include, but not be limited to, direct responsibility for the general maintenance and operation of the cemeteries and enforcing the rules and regulations of the cemeteries. The Sexton is responsible for the maintaining of accurate records of the cemetery. The town clerk and treasurer will assist the Sexton with their duties.

Section 5. Town maintenance employees with input from the Sexton will perform general maintenance of the cemeteries, enforcing the cemetery rules and regulations, and assisting in the preservation of historical records.

Section 6. State Code 8-3-1 requires that an accurate plat of the cemetery be filed and recorded in the office of the county recorder. The plat shall clearly show: a. the sections of burial lots which have

been disposed of and the names of the persons owning or holding each burial lot; and b. the sections of burial lots held for disposal.

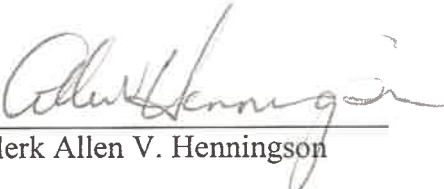
Section 7. The Mayor and Town Council with assistance for the cemetery community council will develop fees, rules and regulations for governing the cemetery. These fees, rules and regulations will be revised from time to time as needed by the Mayor and Town Council.

Section 8. PENALTY PROVISION Any person violating the provisions of this ordinance shall be guilty of a Class B misdemeanor.

This ordinance shall take effect upon adoption and posting.

Ordinance Passed and adopted this 17th day of September.

Attest:


Town Clerk Allen V. Henningson


Mayor Kim Peterson



**POLICIES AND PROCEDURES
CENTRAL VALLEY TOWN CEMETERY**

ADOPTED BY TOWN COUNCIL OCTOBER 15, 2014

It is the desire of Central Valley Town to operate and maintain a cemetery that is dignified and an appropriate final resting place for departed loved ones.

In formulating these policies and procedures, it is our desire to offer as much freedom of choice as possible while still preserving those regulations necessary to maintain a high standard of dignity and efficiency.

We sincerely hope that you will assist us in this effort by adhering to these rules. We also solicit your comments and suggestions regarding general maintenance and operating procedures.

DEFINITIONS

Administrative Office: The administrative office is located at the Central Valley Town Community Center, 50 W. Center St., Central Valley, Utah, 84754. The town treasurer/secretary is responsible for all cemetery records.

Burial Rights: The right to be buried in a cemetery space; however, the property on which the space is located is owned by Central Valley Town.

Burial Transit Permit: A permit that is required by the state of Utah to transport a deceased person from one state to another for burial.

Cremains: Cremains are the remains after a person has been cremated.

Disinterment Permit: A permit that is required by the state for the purpose of exhuming a burial to be transferred for burial in another place.

Flat Marker: A flat marker is one that is flush with the ground.

Head of Household: A single person who is at least 21 years old or a married couple.

Heir: An heir is someone who has inherited or is entitled to the right from a parent who is no longer living.

Indigent: An indigent is a person who does not have the means with which a burial right can be purchased.

No burial will be allowed until the space/s are fully paid for.

Marker: An identification tool made of stone that is placed upon a grave which contains information about the person buried in that space.

Permanent Container: A metal or marble container permanently affixed to the marker or included in, but not separately attached to the cement foundation.

Person: The term "Person" shall mean individual, group, partnership, firm, corporation or association.

Resident: Any person currently residing within the geographic area of Central Valley Town or immediately prior to being placed in a health care institution.

Sexton: The sexton is directly responsible for the general maintenance of the cemetery and enforcing cemetery policies and procedures. The sexton is also responsible for maintaining cemetery records.

Slant Marker: A marker that has a gradual slant from ground level to a height of no more than four (4) inches.



Superintendent: The superintendent, directly working under the sexton, is also responsible for the general maintenance of the cemetery, enforcing cemetery policies and procedures, as well as assisting in the preservation of historical records.

Upright Marker: A marker that stands upright with a maximum height of thirty (30) inches from ground level.

LOT OWNERSHIP AND PRIVILEGES

A. Nature and Extent of Rights Acquired.

Upon payment of the purchase price of a space, the purchaser acquires the rights of burial in said space, subject to the policies and procedures of the cemetery.

The town retains title to the cemetery property.

No interment will be permitted in, or marker allowed, on any space not fully paid for.

B. Descent and Inheritance of Burial Rights

Burials by or of heirs, after the original parties named on burial certificates are deceased, requires the permission of living heirs, in writing, on forms supplied by the administrative office.

Central Valley Town shall, in no way, be held responsible for failure to properly determine the legal successorship of the said space owner.

The heirs are entitled to the same use of the space as the original owners and are bound by the same policies and procedures.

C. Transfer of Burial Rights

Owners of burial certificates may transfer their burial rights to other parties by filling out and signing forms provided by the administrative office. Payment of transfer/recording fees are required before a new certificate is issued.

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The files located at the administrative office of the cemetery are to be considered the correct record. The town reserves the right to recall, correct and reissue the correct certificate.

D. Resale of Burial Rights

An owner or heir may sell a space to anyone at any time for a price to be set by the owner, however, if it is determined to sell the space back to Central Valley Town, the amount the Town will pay for the said space will be the amount originally paid by the first owner of record.

BURIALS

A. General Requirements

Interments are limited to human dead.

Interments will be made only after a permit for burial has been filled out by a family representative or mortician prior to the opening of the grave.



Information for all interments must be given and all charges prepaid at the administrative office of the cemetery. All such orders must be confirmed in writing.

The person giving the order must give the space owner's name, address and all other information required on the burial report, including name of deceased, date and place of birth of deceased, date and time of death, name and address of person responsible for disposition, name of mother and father of deceased, name of funeral director, date and time of funeral, and the location of grave space to be used.

Notice for opening a grave must be given early enough to allow at least eight (8) regular working hours for the work to be completed. Extra time may be required during winter months.

Central Valley Town will not be responsible for any mistakes occurring from lack of precise and proper instructions as to the proper space on the lot where interment is desired. If a grave site cannot be opened where specified in instructions, the superintendent or sexton may, at his/her discretion, open it in such location on the lot as he/she deems best and proper, so as not to delay the funeral and affect the interment.

The Town Council will from time to time designate burial spaces for the burial of indigent persons.

No interment will be permitted, or remains received, unless the proper written order is furnished. Remains from other states must also be accompanied by a burial transit permit and filed at the administrative office.

B. Advance Payment of Burial Fee

Spaces may be purchased, and other fees paid, in advance of need.

No grave will be opened until all fees are paid, however mortuaries shall be given five (5) business days from the time burial is performed to make payment in full.

C. Hours When Burials are Permitted

No funeral or interment will be allowed in the cemetery on Sunday nor any national or state observed holiday.

On all other days, interments will be allowed between the hours of 8:00 A.M. and 4:00 P.M. Additional charges will be made for interments on Saturdays and during other than regular days and hours herein stated.

D. Duty of Funeral Directors

Funeral directors, in charge of funerals, must arrange the time of arrival at the cemetery so as to be out of the grounds before 4:00 P.M. They will also be responsible for the faithful observance of all the policies and procedures concerning burials and interments. When services extend beyond 4:00 P.M. on a regular working day, an overtime charge will be made to the mortuary in charge of the service.

E. Vaults

Vaults are required for all burials and must be made of concrete or metal. Exceptions may be noted for infants and cremains. Infant vaults must be made of concrete or fiberglass. Cremains must be placed in a container specifically approved for their content. Wooden vaults are not permitted.

F. Excavation and Refilling of Graves

The sexton, superintendent, or someone employed by the town will be in complete charge of every interment. No grave shall be opened, filled, or refilled except by the employees of Central Valley Town under the direction of the sexton or superintendent.

G. Burials Per Grave

One interment only shall be allowed in a casket, except a father or mother with an infant child, or two children buried at the same time. No more than one casket will be allowed in a grave.

H. Errors

The cemetery superintendent, as he/she deems proper, shall correct any errors made in interments, disinterments, removals, or in the description, transfer or conveyance of any interment property.

MONUMENTS AND MARKERS

A. Ownership and Responsibility

Monuments and markers are personal property. All monuments within the cemetery are the property of lot owners, their heirs, or the party that ordered and placed them.

Maintenance of the monuments are the responsibility of the owner.

The town will not be responsible for inadvertent damage that may occur from routine maintenance or vandalism.

B. Monuments and Markers

All monuments or markers erected in the town's cemetery shall be restricted as to the size and general makeup and shall only be erected by the issuance of a permit by the administrative office.

Only one marker allowed per burial space unless two infants, two cremations, or a combination of burial and cremation are buried in the same space. A second marker can then be installed but must be a flat stone at ground level.

When it becomes necessary to move a monument for a burial, the funeral director or mortuary shall be responsible for arranging for the removal and restoration of the monument.

C. Requirements for Markers

Markers must be composed of metal, stone or cement. All markers must be securely set in a ground level cement foundation at least four (4) inches wide around the marker. Markers must be no higher than thirty (30) inches from ground level.

Cement foundations of monuments or markers must be no wider than twenty-four (24) inches and no longer than forty-six (46) inches for a single grave or eighty (80) inches for a double grave measured to the outer perimeter of the cement foundation.



D. Additions to Markers

Vases and Shepherd's Hooks must be included in the original base or foundation of the marker at the time of installation.

Flag Poles shall be no more than 10 feet tall and shall be removable. The US Flag Code should be followed as closely as possible.

No fences will be permitted around burial sites.

Coping around burial sites will be no larger than 6 inches deep by 6 inches wide, and will not be placed until the burial site is occupied.

DECORATION OF GRAVES

A. Funeral Flowers and Floral Pieces

Floral pieces will be removed without notice when they become unsightly. Space owners desiring to retain floral pieces must remove them within five (5) days after the interment.

B. Flower Containers



Permanent containers must be a part of the marker or cast into the cement foundation.

C. Maintaining Floral Displays

Town employees will remove any floral displays which have become unsightly.

D. Planting or Excavating

No planting of any type of plant material, digging or disturbing the soil within the cemetery will be permitted.

GENERAL PLATTING AND LANDSCAPING

A. Boundaries, Roads and Waterlines

The right to enlarge, reduce, replat, or change the boundaries of the cemetery, or a section or sections thereof, from time to time, including the right to modify or change the locations of roads and drives, is hereby expressly reserved to Central Valley Town.

The right to lay, maintain and operate pipelines or gutters for water supply or drainage is also expressly reserved to Central Valley Town.

B. Location of Documents

All original maps, records and other documents pertaining to the Central Valley Town cemetery are on file at the administrative office.

The location of all graves is shown by maps and by a system of recorded measurements from fixed permanent landmarks.

MISCELLANEOUS

A. Power of Superintendent and Sexton

The cemetery superintendent or sexton, subject to the town council, is responsible for enforcing the policies and procedures of the cemetery.

The superintendent or sexton may take such action necessary to protect property, graves, space owners' rights, and the cemetery from injury, and to preserve the peace and good order and prevent injury to the appearance of the lots, graves, grounds and structures.

B. Prices and Charges

The town council may establish or amend the fees charged for any service within the cemetery.

A list of prices and charges are available from the administrative office of Central Valley Town upon request and are subject to change without notice.

C. Contractors and Outside Workers

Contractors and others having work to do in the cemetery must make their business known to the superintendent or sexton before work is begun.

D. Disinterments

Disinterments must be arranged for through the administrative office. All fees and permits must be given to the administrative office before disinterment is started. The written order of the space owner, his legal representative, or an order from a competent authority in compliance with law must also be given.

E. Liability of Cemetery

Central Valley Town personnel will, at all times, exercise diligent and reasonable care in the protection of the rights and property of the space owners but shall not be liable for any damage or loss.

F. Alteration and Repeal of Policies and Procedures

Central Valley Town reserves the right to make, amend and repeal the policies and procedures of the cemetery and to make exceptions thereto; but such exceptions shall not amend or repeal any policies or procedures.

G. Failure to Abide by Policies and Procedures

Any person violating the provisions of the Cemetery policies and procedures shall be guilty of a Class B misdemeanor and shall be fined accordingly.

CENTRAL VALLEY CEMETERY FEES

Effective October 15, 2014

Cemetery Space Fee (Resident, Former Resident or Descendant)	\$ 200
Cemetery Space Fee (Non-Resident)	\$ 350
Open/Close (weekday)	\$ 150
Open/Close (Saturday)	\$ 200
Cremation (weekday)	\$ 50
Cremation (Saturday)	\$ 75
Disinterment	\$ 1500
Monument Removal	\$ 150
Transfer/Recording Fee	\$ 20 per space
Overtime (after 4:00 p.m.)	\$ 50/hr. 1 hour minimum, then every half hour