

**PARAGONAH TOWN
ORDINANCE 23-1**

AN ORDINANCE AMENDING SECTIONS 34.015, 34.045, AND 34.090 OF THE TOWN OF PARAGONAH, UTAH, CODE OF ORDINANCES.

WHEREAS, Paragonah Town, Iron County, State of Utah, a body politic, is a municipal corporation organized and established for the purpose of providing municipal services to its residents;

WHEREAS, Paragonah Town provides various services to its residents, including a perpetual cemetery for the internment of its residents; and

WHEREAS, due to limited space in the cemetery it is necessary to clarify the number of burials per lot, and number of plots that can be purchased at one time; and

WHEREAS, the Paragonah Town Board has determined it is necessary to revise the Paragonah Cemetery Ordinance to clarify definition of resident, non- resident, and immediate family members; and

WHEREAS, Paragonah Town Recorder has properly posted and notified the general public of the proposed amendments as required by law.

NOW THEREFORE, BE IT ORDAINED BY THE PARAGONAH TOWN BOARD, the following additions be made to of the Town of Paragonah, Utah, Code of Ordinances:

Section 34.0151. A "Resident" is defined as a member of a household whose primary place of residence can be shown to be established in the Town of Paragonah, Utah, or had been a resident in the Town of Paragonah for a minimum of two (2) years before entering a necessary care home or facility outside of the Town of Paragonah.

2. A "Non-Resident" shall be defined as an individual who does not have his/her primary permanent residence in the Town of Paragonah.

3. "Immediate Family Members" is defined as parents and their natural or adopted issue.

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4. “Direct Descendant” is defined as a direct descendant (natural or adopted issue) of the named person on a “Grandfathered Family Plot”.

5. “Grandfathered Family Plot” is two or more contiguous plots that the burial rights were purchased prior to the adoption of this amended ordinance dated **November 8th, 2023**, by parents for theirs and their direct family members use without recording an individual name for each plot.

Additions to Section 34.045

1. The number of burials per plot are limited to one (1) teen/adult casket or two (2) infant caskets per plot or not to exceed six (6) urns per plot, housed in separate containers.

2. An acceptable urn is made of plastic, metal, or wood or similar like materials that can be sealed and approved by the cemetery sexton

Addition to Section 34.090

A. The number of plots that can be purchased at one time:

i. A Resident may pre-purchase lots for his/her immediate family members only. Names shall be recorded by the Town on each specific plot. No person may be buried in a plot which is not recorded in their name. Exception: For Grandfathered Family Plots, if the Resident is a Direct Descendant of the person whose name is recorded on the plot deed and who has obtained written consent by the remaining Direct Descendants to be buried in the plot; the Resident will pay the Resident Burial Fee and will pay the administration fee to record the new name on the plot deed.

ii. A Non-Resident is limited to the purchase of one (1) burial plot and one (1) adjacent burial plot, if immediately requested. No person may be buried in a plot which is not recorded in their name. Exception: For Grandfathered Family Plots, if the Non-Resident is a Direct Descendant of the person whose name is recorded on the plot deed and who has obtained written consent by the remaining Direct Descendants to be buried in the plot; the Non-Resident will pay the Non-Resident Burial Fee, and will pay the administration fee to record the new name on the plot deed.

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iii. Resale of burial plots is strictly prohibited and will not be honored by the Town. Unused plots that are no longer needed or wanted shall be transferred back to Paragonah Town for the amount paid, less administration fees as set by resolution. In the event the amount of purchase cannot be determined, Paragonah Town will buy back the burial right for \$200.00, less administration fees set by resolution. No plot shall be marketed or sold for more than the purchase price paid to Paragonah Town.

iv. Paragonah Town will allow exchanges of plots. In the event that a person wishes to exchange the name on an unused plot with another name, and a new plot deed is issued, an administration fee will be charged as set forth in the fee schedule. If the person to be buried is not a resident for the exchanged plot in a previously purchased plot owned in a resident's name, the non-resident shall pay the difference between a resident and non-resident burial lot, said difference in cost to be assessed at the time of burial.

D. Unused Plots. Rights to plots that have been unused or have no written notice of claim or interest on for over sixty years, may be reclaimed by Paragonah Town in accordance with Utah State law, as thereafter amended. Plots with unpaid perpetual care may be reclaimed by the Town after duly notifying the owner or heirs.

Grave Identification Markers. Prior to interment, the Paragonah Town Recorder shall be provided in writing setting forth the identity of the person to be buried and contact information, including the address, email, and telephone number of both the person responsible for as well as the person facilitating the burial. All plots, once a burial has taken place, shall have an identification marker naming the person who is buried there installed at the head of the grave within one year of the burial. An acceptable identification marker shall be approved by the Town of Paragonah and may be a small metal marker or a stone monument marker.

This Ordinance shall become effective immediately upon adoption.

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Adopted and approved this 8th day of November 2023, by the Mayor and Paragonah Town Board.

R. Todd Robinson, Mayor
Paragonah Town

ATTEST:

Jayne A. Stones, Clerk
Paragonah Town

Roll Call Vote:

	Aye	Nay	Abstain	Absent
R. Todd Robinson	_____	_____	_____	_____
Mike Abbott	_____	_____	_____	_____
Todd Memmott	_____	_____	_____	_____
Marge Cipkar	_____	_____	_____	_____
Travis Isaacson	_____	_____	_____	_____