

**KAYSVILLE CITY
ORDINANCE 25-09-01**

**AN ORDINANCE AMENDING SECTION 12-3-3, "SALE OF BURIAL
RIGHTS," OF TITLE 12, "PARKS, PUBLIC PROPERTY, AND
RECREATION," OF THE KAYSVILLE CITY CODE, AND
AMENDING THE KAYSVILLE CITY FY 2026 CONSOLIDATED FEE
SCHEDULE**

WHEREAS, the Kaysville City Council considered the amendments of the Title 12: Park, Public Property, and Recreation in an open and public meeting; and

WHEREAS, the City Council finds it to be in the best interest of its citizens to amend the section of Kaysville City Code as outlined below.

NOW THEREFORE, be it ordained by the Council of the Kaysville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “12-3-7 Sale Of Burial Rights” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

12-3-7 Sale Of Burial Rights

1. The Cemetery Sexton, and such other persons as the Sexton may designate, are hereby authorized to sell the use of burial spaces in the Cemetery for interment purposes only and to collect all sums arising from such sale. The Sexton shall not sell the use of more than two (2) burial spaces to persons of the same household unless there is immediate need for use of more. Residents and Non-Residents of Kaysville City may purchase burial rights only at-need. The Sexton shall keep a complete record of all sales, which record shall describe the location of the burial spaces purchased and the price paid therefor. The purchaser shall receive a receipt describing each right of use so purchased, together with the amount paid and the balance, if any. The Cemetery Sexton shall retain a duplicate copy in the Cemetery receipt book.
2. The City Council may establish by resolution the burial right fee for all Cemetery spaces or parts thereof. Payments made pursuant to this Section shall not be construed to be payment for any Cemetery services.
3. It shall be unlawful for any person to bury the remains of a deceased person in the Cemetery without first paying in advance, and before the opening of the space to be occupied, the full cost for use of said space.
4. Burial rights to any space shall not be sold, transferred, conveyed, or assigned by the purchaser or certificate holder except to the City or to direct heirs. A resident may transfer burial rights to a nonresident heir if the purchase of that right is accomplished

prior to the time of death, and the burial right certificate is in their possession.

5. Whenever spaces are transferred, or revert to the City, or become vested in the municipality for any reason, the original Certificate shall be cancelled, and the record shall be so changed before new Certificates are issued. A transfer fee as set forth from time to time by resolution of the City Council shall be paid to the Cemetery Office for such transaction.
6. In the event the Sexton or any party desires to exchange one space inside the Cemetery for another space they may do so by informing the Cemetery Office of their desire and paying for the Certificate Transfer Fee.
7. The right to enlarge, reduce, re-plat or change the boundaries or grading of the Cemetery or a section or sections, from time to time, including the right to modify or change the locations of or remove or regrade roads, drives, or walks, or any part thereof is hereby reserved. The right to lay, maintain, operate, alter or change pipelines for sprinkling systems, drainage, etc., is also expressly reserved, as well as is the right to use Cemetery property not sold to individual burial right owners or plots reclaimed for Cemetery purposes, including interment of the dead, or for anything necessary, incidental or convenient thereto.

SECTION 2: AMENDMENT “CEMETERY” of the Kaysville Consolidated Fee Schedule is hereby *amended* as follows:

A M E N D M E N T

CEMETERY

Plats – All Sections		
<u>Burial Space Rights:</u>	<u>Resident</u>	<u>Non- Resident</u>
Adult	\$800.00 at-need	<u>\$6,400.00 at-need</u>
Infant	\$400.00 at-need	<u>\$3,200.00 at-need</u>
Urn	\$400.00	<u>\$3,200.00</u>

SECTION 3: REPEALER CLAUSE If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed

SECTION 4: SEVERABILITY CLAUSE If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION 5: EFFECTIVE DATE This ordinance being necessary for the peace, health and safety of the City, shall become effective immediately upon posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF KAYSVILLE, UTAH THIS 4TH OF SEPTEMBER 2025.

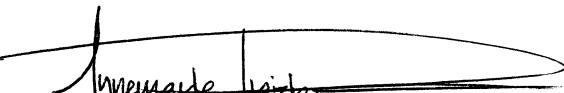
Presiding Officer



Tamara Tran, Mayor, Kaysville City



Attest



Annermarie Plaizier, City Recorder,
Kaysville City