

Ordinance #2025-18 An Ordinance to rescind Title 6.7. Cemetery District, and Title 2.1.Cemetery Board; and to establish a new ordinance, Title 6.7. Fairfield Cemetery.

Date November 19, 2025

Created November 19, 2025

WHEREAS, Fairfield Town owns, maintains, and manages a 2.27-acre cemetery located at approximately 150 North and Highway 73; and

WHEREAS, cemeteries are regulated by Title 8 of the Utah State Code and allows for these changes; and

WHEREAS, the Fairfield Town Council feels that it is in the best interest of the Town to rescind Title 6.7. Cemetery District, and Title 2.1.Cemetery Board; and

WHEREAS, the Fairfield Town Council also wants to establish a new ordinance, Title 6.7. Fairfield Cemetery.

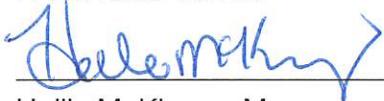
NOW, THEREFORE, BE IT ORDAINED BY THE FAIRFIELD TOWN COUNCIL AS FOLLOWS:

SECTION 1: AMENDMENT Title 6.7 Fairfield Cemetery shall be established and shall include all necessary and updated information necessary for the operation and use of the cemetery, as found in Exhibit A

SECTION 2: EFFECTIVE DATE This ordinance shall become effective immediately upon passage and adoption.

Passed and Adopted this **19th day of November 2025.**

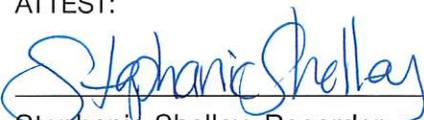
FAIRFIELD TOWN



Hollie McKinney, Mayor

Hollie McKinney	yes <u>Hel</u>	no _____	abstain _____
RL Panek	yes <u>RP</u>	no _____	abstain _____
Tyler Thomas	yes <u>TT</u>	no _____	abstain _____
Michael Weber	yes <u>MW</u>	no _____	abstain _____
Richard Cameron	yes <u>RC</u>	no _____	abstain _____

ATTEST:



Stephanie Shelley, Recorder

(OFFICIAL SEAL)



EXHIBIT A

Title 6.7 - Fairfield Town Cemetery Ordinance.

Title 6.7 – Fairfield Town Cemetery.

Section 6.7.10. Name and Purpose.

The Fairfield Town Cemetery is the only cemetery managed by the Town. It is meant only for burying human remains. No burials are allowed anywhere else within town limits unless it's a state-approved cemetery.

Section 6.7.20. Definitions.

For the purposes of this ordinance, the following terms shall have the meanings that are specific to this ordinance. Terms not defined herein shall have the meanings assigned in Chapter 12 of the Fairfield Town Code, and if not defined there, shall be interpreted in accordance with their commonly accepted meaning.

Apron or Base (Cemetery). Apron or Base means the permanent foundation surface installed at the head end of a burial space, constructed of an approved durable material such as concrete, stone, or reinforced masonry, upon which a monument, marker, or headstone is placed. The apron/base shall provide support, alignment, protection against settlement or shifting of the marker, and shall define the frontal boundary of the burial plot.

Burial. Burial means the placement of human remains in a grave or vault, including the interment of cremated remains.

Casket. A container used to hold and bury a deceased person's remains.

Cemetery Board. Cemetery Board means the board appointed by the Mayor and approved by the Town Council to oversee the management and operation of the Fairfield Town Cemetery.

Cemetery Plot (or Plot). Cemetery Plot (or Plot) means a designated area within the cemetery intended for the burial of human remains.

Cremains. Cremains means the ashes that remain after the cremation of a human body.

Cremation Vault. Cremation Vault means a container used to hold cremated remains, designed to be buried in the cemetery's designated cremation section.

Decoration (Cemetery). *Decoration* means any temporary item placed on or around a burial plot, grave, monument, marker, headstone, base, or apron for purposes of honoring, memorializing, or remembering the deceased. Decorations may include flowers (fresh or artificial), wreaths, flags, ornaments, small figurines, temporary lighting, or similar memorial display items.

Deteriorated/Unsightly. Means any condition in which a structure, surface, sign, or material is visibly faded, peeling, rusting, corroding, decaying, damaged, broken, weathered, or otherwise not maintained, resulting in an unattractive or offensive appearance.

Double Plot. Double Plot means a plot designated to accommodate two interments under specific conditions set forth in this ordinance.

Exhumation (Disinterment). Exhumation (Disinterment) means the authorized removal of human remains from a burial plot.

Headstone (or Marker). Headstone (or Marker) means a memorial placed at a grave to identify the person buried there, subject to size and placement regulations specified in this ordinance.

Interment. Interment means the lawful act of placing human remains, including cremains, in a grave or vault within the cemetery.

Lot. Lot means a subdivision of land in the cemetery containing multiple burial plots, typically up to eight (8).

Memorial. Memorial means any structure or marker commemorating a deceased individual, including headstones, plaques, and monuments.

Nonresident. Nonresident means a person who does not reside within the boundaries of Fairfield Town.

Owner. Owner means a person who has been granted burial rights to a cemetery plot, but who does not hold title to the land.

Resident. Resident means a person whose primary residence is within the boundaries of Fairfield Town.

Sexton. Sexton means a member of the Cemetery Board designated to manage day-to-day operations, including overseeing burials, verifying plot ownership, and ensuring compliance with cemetery regulations.

Supermajority. Supermajority means a voting requirement that exceeds a simple majority. For the purposes of this ordinance, a supermajority shall mean a vote in favor by at least two-thirds ($\frac{2}{3}$) of the total voting members of the Cemetery Board or Town Council, unless otherwise specified by law.

Temporary Memorials. Temporary memorials means 1. a marker placed on the burial plot prior to the setting of the headstone; or 2. Items such as flowers, crosses, toys and notes, etc. that are placed on the burial plot.

Vault. Vault means a grave liner or container designed to encase a casket or cremation urn and prevent the collapse of soil around the burial.

Section 6.7.30. Cemetery Board.

A. The Cemetery Board manages the cemetery and helps ensure it serves public health and safety.

B. Members and Appointments:

1. The Board consists of five (5) members who must reside in Fairfield for at least six (6) months prior to appointment;
2. Members shall be recommended by the Cemetery Board and appointed by the Mayor with the advice and consent of the Town Council;
3. Terms are five (5) years and start on July 1st. Terms are staggered;
4. Members can be reappointed. Vacant spots are filled the same way;
5. A Board member may be removed with a supermajority vote of the Board and approved by the Town Council;
6. Failure of a Cemetery Board member to attend three (3) consecutive regular meetings, or to miss more than thirty percent (30%) of regular meetings within a calendar year, shall constitute grounds for dismissal. In such cases, the Chair shall recommend the member's removal to the Town Council.;
7. When a vacancy occurs on the Cemetery Board, the Town Recorder shall post public notice of the vacancy in accordance with the Town's official posting requirements. Applications shall be accepted for a period of no fewer than fourteen (14) calendar days. Upon the close of the application period, the Cemetery Board shall review all submitted applications and may conduct interviews as deemed necessary. The Board shall vote to recommend one applicant for appointment. This recommendation shall be forwarded to the Mayor for formal appointment, subject to the advice and consent of the Town Council;
8. The terms of Cemetery Board members shall be staggered so that the term of one member expires each year. In the event of a vacancy due to death, resignation, or other cause, the Mayor—subject to the advice from the Cemetery Board and consent of the Town Council—shall appoint a replacement to serve the remainder of the unexpired term. All terms shall commence on or before the first regularly scheduled Board meeting in July of each year. The Town Council may remove any member of the Cemetery Board by majority vote. Vacancies shall be promptly filled in the same manner as the original appointment and for the remainder of the unexpired term; and
9. Notice of all vacancies on the Cemetery Board shall be posted at the Town Hall,

published on the Town's official website, and distributed via email to all residents who have provided the Town with a valid email address. Such notice shall be posted for no fewer than fourteen (14) calendar days.

Section 6.7.40. Board Authority and Responsibilities.

A. The Board can:

1. Have the authority to oversee the day-to-day management and operations of the Fairfield Town Cemetery, subject to the provisions of this ordinance and all applicable state and local laws. The Board's responsibilities shall include, but are not limited to:

- a. Recommend policies and procedures for the care, maintenance, and use of the cemetery;
- b. Advise the Town Council on budgetary needs, capital improvements, and maintenance priorities;
- c. Coordinate with Town staff on administrative tasks and record-keeping related to cemetery operations;
- d. Review and make recommendations on applications for burial plots, memorials, and other cemetery-related matters; and
- e. Ensure compliance with state statutes, health regulations, and town code governing cemetery use and operations.

B. All actions and decisions of the Cemetery Board shall be consistent with Section 6.7.30 of the Fairfield Town Code and are subject to review and approval by the Town Council when required by ordinance or statute.

Section 6.7.50. Officers and Meetings.

A. The Board shall appoint a new Chair and Co-Chair annually, the term of which shall run from July 1 through June 30.

B. Regular meetings are scheduled. The Chair or two members can call extra meetings.

C. Meetings shall follow Utah's open meeting laws.

D. Agendas are prepared by the Chair or their appointee and sent to the Town Recorder/Clerk for posting a minimum of twenty four (24) hours before the meeting.

E. Minutes are written for each meeting and filed at the Town Office.

F. Minutes must be approved at the following meeting.

G. The Town Recorder is responsible for posting agendas and notices, and filing all cemetery records.

Section 6.7.60. Sexton.

A. The board-appointed sexton shall:

1. Manage daily cemetery work;
2. Check ownership and verify payment for burial plots;
3. Schedule and be present for the placement of headstones, markers, or monuments to ensure they are installed in the correct location;
4. Keep everything in order and ensure rules are followed;
5. Be a Cemetery Board member;
6. Supervise burials and ensure proper interment procedures are followed;
7. Ensure compliance with all cemetery regulations outlined in the Fairfield Town Code; and
8. Ensure cemetery rules regarding decorations, landscaping, and general maintenance are being followed.

B. Compensation. The Sexton shall be compensated as determined by the Cemetery Board and approved through the Town's budget process. Compensation shall only be provided when the sexton is actively performing the duties assigned under this section. If another board member is officially designated to perform the sexton's duties for a particular service or period of time, compensation for that work shall be directed to the individual performing the duties in place of the sexton.

Section 6.7.70. Secretary.

A. The Chair may appoint a Secretary with the Board's approval.

B. The Secretary is responsible for taking the meeting minutes and recording the audio of each meeting. The approved minutes are then filed with the recorder at the town office.

C. Compensation. Compensation for the secretary shall be subject to approval by the Town Council and shall be paid from the cemetery budget as determined by the Town Council.

Section 6.7.80. Volunteers or Employees.

The Mayor may assign Town staff or volunteers to help the Board.

Section 6.7.90. Maintenance.

The Board manages cemetery upkeep and follows State of Utah Code.

Section 6.7.100. Meeting Space and Equipment.

The Town will provide space for meetings and equipment storage.

Section 6.7.110. Budget.

A. A draft budget shall be submitted to the Town Treasurer by March 1st each year.

1. The Cemetery Board shall prepare and submit an annual budget for inclusion in the Town's overall budget. The budget shall reflect the anticipated operational, maintenance, improvement, and personnel costs associated with the Fairfield Town Cemetery.

B. All cemetery revenues, including plot sales, interment fees, and other cemetery-related income, shall be used exclusively for the maintenance, operation, improvement, and administration of the cemetery. This includes compensation for the cemetery sexton and any other personnel directly involved in cemetery operations.

C. Fund Rollover. Unexpended cemetery funds shall roll over from year to year to allow for the planning and execution of more significant or long-term improvement projects.

Section 6.7.120. Record-Keeping and Reporting.

A. The Town Recorder/Clerk will maintain and update the Fairfield Town Cemetery Records, including:

1. Plot ownership records;
2. Burial certificates;
3. Interment reports;
4. Transfer requests and approvals;
5. Submit biannual reports (January 1st and July 1st) to the Utah County Recorder's Office; and
6. Update the Cemetery Map in the office and on the Town Website.

Section 6.7.130. General Information.

A. The cemetery is in Section twenty nine (29) of the Utah County survey.

B. Each lot has eight (8) burial plots.

C. Plots can be bought on the Town's website.

Section 6.7.140. Buying Plots.

- A. Residents may buy one (1) burial plot at the resident price.
- B. Nonresidents pay the nonresident price.
- C. Officials who have served four (4) years or more may buy two (2) plots at a reduced rate.
- D. Buying a plot gives burial rights only, not ownership of land.
- E. You must get approval before changing anything on or around a plot or anywhere in the cemetery.

Section 6.7.150. Transfers, Lost or Damaged Certificates, and Abandonment.

- A. Plots not used for ninety-nine (99) years go back to the Town.
- B. Lost or damaged cemetery plot certificates may be replaced by following the same process required for a plot transfer, including submission of an application, proof of identity and ownership, and payment of applicable fees.

Section 6.7.160. Permits and Fees.

- A. Required by the Town prior to Interment:

1. A burial report;
2. Interment application;
3. Proof of ownership; and
4. Payment of fees.

- B. Plot Transfer Requirements.

To request a transfer of a cemetery plot, the applicant shall:

1. Submit a completed plot transfer application form to the Town Recorder;
2. Provide valid government-issued photo identification;
3. Provide satisfactory proof of ownership of the plot;
4. If the plot is owned in the name of a trust, provide appropriate documentation verifying trust ownership and authority to transfer;

5. Have the application notarized;
6. Pay all applicable transfer fees as set by the resolution of the Town Council; and
7. All plot transfers are subject to approval by the Fairfield Town Cemetery Board.

Section 6.7.170. Scheduling Burials.

- A. No burials on Sundays or holidays.
- B. Burials are allowed 10:00 AM – 4:00 PM on other days.
- C. Schedule burials at least forty-eight (48) hours in advance or seventy-two (72) hours if there's a holiday.

Section 6.7.180. Burial.

A. Each burial plot may be used for only one (1) interment at the time of burial. The following combinations are permitted:

1. One (1) adult casket or two (2) infant caskets; or
2. Two (2) cremated remains (cremains), only if interred at the same time.

B. Double-depth burials are prohibited.

Section 6.7.190. Cremation Plots.

- A. There is a separate section for cremations. Cremation plots measure two (2) feet by two (2) feet.
- B. Cremation plots shall be used in order, starting from the southeast.
- C. One (1) cremation urn is allowed in one cremation vault.

Section 6.7.200. Vault Requirements.

- A. Burial vaults must meet accepted industry strength standards.
- B. Cremation vaults must be under twelve (12) inches per side and buried at least twelve (12) inches deep from the top of the vault.
- C. No cremation burials when the ground is frozen deeper than four (4) inches.

Section 6.7.210. Headstones, Markers and Apron Standards.

- A. All markers shall face east.
- B. Apron or Base Maximum Size Limits:

1. Single plot: (30) inches deep by (4) ft. wide;
2. Double plot: (30) inches deep by (5) ft. wide; and
3. Height: six ft.(6) ft.

C. Cremation plot markers and aprons: One (1) ft. x one(1) ft., placed in the plot center.

D. Headstone placement must be scheduled with the Sexton.

E. Gravesite Decorations.

1. Decorations are not permanent improvements and may be removed by the Town when they become deteriorated, faded, unsightly, weathered, broken, pose a maintenance obstruction, create a safety hazard, or after an established seasonal removal period set by the Town;

2. All permanent gravesite decorations must be approved by the Sexton or his/her designee;

3. Solar Lighting Brightness Limitation. Solar accent, decorative, or landscape lighting shall not exceed one hundred (100) lumens per fixture, shall be full-cutoff or shielded, and shall be directed downward so that the light source is not directly visible beyond the property line. No more than one (1) solar light per grave;

4. Any damage to the base, headstone, marker, or monument caused by adding holes or resulting from the presence of such holes shall be the sole responsibility of the plot owner;

5. Decorations shall not exceed five feet (5') in height, measuring from the ground;

6. Planting Restriction. No plants, shrubs, trees, bushes, groundcover, vegetation, or root-bearing material may be planted within the apron, base area, or foundation area of any burial plot;

7. Temporary memorials must remain within the designated area, defined as the apron/base directly in front of the headstone;

8. Funeral flowers will be allowed to remain for ten (10) consecutive business days, after which the sexton or cemetery designee may remove them;

9. No horses, dogs, or other types of pets or livestock allowed on cemetery grounds unless part of a procession, exempt by state or federal law;

10. All vehicles must stay on the travel lane and travel at a speed no greater than five (5) mph.;

11. Children under the age of twelve (12) shall not be allowed in the cemetery unless accompanied by an adult; and

12. Loitering is expressly prohibited.

F. Liability for Damage.

Fairfield Town shall not be liable for damage to headstones, markers, monuments, or decorations, except when such damage is directly caused by the Town's negligent, reckless, or intentional conduct.

G. Removal of Damaged or Unsightly Items.

The Sexton or his/her designee shall have discretion to remove any decoration, headstone, marker, or memorial that has become damaged, unsightly, unsafe, or otherwise inconsistent with cemetery standards. When possible, reasonable efforts shall be made to notify the family.

Section 6.7.220 Cemetery Operations.

A. No unauthorized persons are allowed in the cemetery after dark.

Section 6.7.230. Exhumation.

A. No exhumation shall take place without the required permits from both Utah County and Fairfield Town;

B. Only the casket may be removed during an exhumation; burial vaults must remain in place; and

C. Payment of the fees for exhumations is required before the permit is issued.

Section 6.7.240. Damaging Property.

A. It is against the law to damage anything in the cemetery; and

B. Damage or vandalism to cemetery property or gravestone/grave markers shall be a Class C Misdemeanor.

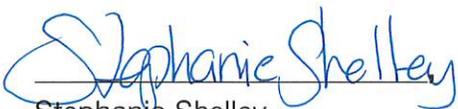
FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the **19th Day of November 2025**.

Ordinance #2025-18 An Ordinance to rescind Title 6.7. Cemetery District, and Title 2.1.Cemetery Board; and to establish a new ordinance, Title 6.7. Fairfield Cemetery.

WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town, Utah, this **19th Day of November 2025**.


Stephanie Shelley
Fairfield Town Recorder/Clerk



AFFIDAVIT OF POSTING

STATE OF UTAH)
)
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the **19th Day of November 2025**, and herein referred to as:

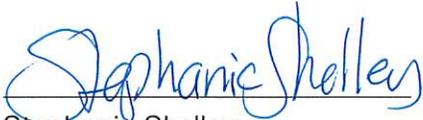
Ordinance #2025-18 An Ordinance to rescind Title 6.7. Cemetery District, and Title 2.1.Cemetery Board; and to establish a new ordinance, Title 6.7. Fairfield Cemetery.

SUMMARY.

Rescind Title 6.7. Cemetery District, and Title 2.1.Cemetery Board; and to establish a new ordinance, Title 6.7. Fairfield Cemetery.

The three places are as follows:

- 1. Fairfield Town Hall
- 2. Fairfield Town Website
- 3. Utah State Public Notice Website


Stephanie Shelley
Fairfield Town Recorder/Clerk

Date of Posting 20th day of November, 2025