

*(ROUGH DRAFT)*  
Eagle Mountain City Cemetery  
Policies & Records

**A. PURPOSE:**

The purpose of the cemetery is to provide an affordable, peaceful, and well-maintained permanent resting place and memorial for the deceased.

**B. GENERAL PROVISIONS:**

The cemetery is owned by the City, and shall be operated and maintained by the City or its designee. Cemetery records shall be maintained by the City or its designee.

**C. DEFINITIONS:**

1. “Body” means the remains of one human body (cremated or otherwise).
2. “Cemetery” means the real property owned by Eagle Mountain City, used and reserved for interment of the dead.
3. “City” means Eagle Mountain City.
4. “Disinterment” means the opening or excavation of an existing space.
5. “Infant” means a fetus or a child less than two (2) years of age.
6. “Interment” or “Inter” means the burial of a body in a space.
7. “Lot” means an area containing eight (8) spaces
8. “Space” means a legal and authorized gravesite generally measuring five feet by 10 feet (5’ x 10’) and intended for interment.
9. “Transfer” means to sell, donate, exchange, trade, or convey a space.
10. “Resident” means at the time of purchase:

- (1) Any person who was domiciled within City at the time of death, regardless of the actual place of death;
- (2) Any person who was a legal resident of City at the time of death;
- (3) Any person who had been domiciled in City, but moved from City for the purpose of receiving medical treatment or living in a residential care facility;  
or

#### **D.1 DUTIES - SEXTON:**

1. The Sexton shall be responsible to keep the streets, alleys, walks, and avenues in the cemetery in good order and unobstructed so that free access can be had to any lot. The Sexton shall cause a suitable marker to be erected upon the southeast corner of each lot with the number of the lot and the block inscribed thereon.
2. The Sexton shall manage the opening and closing of all interments and disinterments. The Sexton shall have charge of a plat of the cemetery and shall at the request of any person wishing to purchase, point out any of the lots or parts of lots, unoccupied for sale; and upon application and payment of the price thereof into the City Treasury, to make and execute a certificate of burial rights to the purchaser.

#### **D.2 ASSISTANT TO THE SEXTON – REGISTRAR OF BURIALS**

1. The Assistant to the Sexton shall be the registrar of burials for the City. Before burying or disinterring any body, the persons having charge of said body shall be required to furnish a copy of the death certificate, or a statement of said death, which shall be recorded in a record kept for that purpose by the Assistant to the Sexton. Such statement, as well as the record, shall include, if known, the name of the person deceased, when and where born, parentage, the date of death, also the date of burial, the name of the cemetery, the number of the lot and block where said person is buried, and if disinterred and transferred beyond the corporate limits of Eagle Mountain City.

#### **D.3 OWNERSHIP AND CERTIFICATES:**

1. **Rights of Ownership.** Ownership of a space within the cemetery shall provide only the right to be interred in the cemetery and is not a deed to convey title to real property.
2. **Purchase of Spaces.** Residents and nonresidents may purchase spaces in the cemetery for the price listed on the attached Fee Schedule. The purchase price for each space includes perpetual care with no maintenance fee to be assessed. All spaces purchased for the resident rate shall be clearly marked on the certificate to indicate that the owner paid the resident price for the cemetery space price. Spaces are not intended for resale.
3. **Certificate of Ownership.** Owners of each space shall be issued a certificate of interment rights which describes the location of the space within the cemetery. The City shall

retain duplicate records of all certificates of interment rights issued by the City. City records shall be the official record of ownership for all spaces. The certificate of interment shall include a statement that uses of the spaces are subject to these rules.

4. **Transfer of Space.** A certificate of interment rights for an unoccupied space may be transferred by the owner of the space, provided such transfer is not for resale with respect to transfers of a Space that were acquired after the effective date hereof, by: (1) presenting the original deed or certificate (2) completing a space transfer form (3) paying the certificate fee for each new certificate that is required by virtue of the transfer (4) either appearing in person and producing photo identification proving the owner's identity, or have the owner's signature on the space transfer form notarized by a licensed notary, (5) provide evidence in a form acceptable to the City that the transferee is a family member of such owner or has been donated to a person without consideration. The transfer of certificates of interment rights owned by deceased persons shall be completed in accordance with the Utah Uniform Probate Code. For every space transferred, a new certificate of interment right shall be issued and the old certificate of interment rights shall be null and void.

5. **Duplicate Certificates of Interment Rights.** Duplicate certificates of interment rights may be issued upon written application of owner and payment of the Deed Transfer. Duplicate certificates of interment rights shall be clearly marked with the words "Duplicate Certificate."

6. **Abandonment and Forfeiture of Spaces.** The City may terminate the rights of owners of Spaces in accordance with UTAH CODE ANN. § 8-5-1, *et seq.*

## **E. PROCEDURES:**

1. **Caskets or Coffins.** No more than one body may be buried in any one space. Vertical stacking of vaults, caskets, coffins, or urns is not allowed. All bodies, remains, or other items buried with the body must be in a casket, coffin, or urn. All caskets, coffins, or urns must be enclosed in a concrete vault that is acceptable to the City. The casket, coffin, or urn shall contain only the body or remains of the deceased, clothing and jewelry, and other small personal items that fit into the casket or coffin.

2. **Excavating Spaces.** No person other than City-authorized personnel shall excavate a gravesite unless authorized in writing by the Mayor or designee.

3. **Application.** The City shall not open a space for interment, provide interment services, or disinterment services until the City has received a completed application for interment or disinterment, on the form provided by the City, signed by a relative of the deceased, ecclesiastical leader, or licensed funeral director representing the deceased together with the fee as provide herein.

4. **Proof of Ownership.** If the deceased is the sole owner of the space, the City shall verify the identity of the deceased prior to interment. If the space is owned by someone

other than the deceased, written permission in a form acceptable to the City from the owner of the certificates of interment rights shall be required prior to any interment.

5. **Payment of Fees.** The fee to open and close the gravesite, as set forth on the attached Fee Schedule, shall be paid in full prior to any interment or disinterment.

6. **Additional Fees and Charges.** Fees and costs in addition to those set forth in the attached Fee Schedule may be charged for special circumstances requiring additional City staff, equipment, or resources. Such additional charges shall be paid in full prior to any interment or disinterment.

7. **Closing of Gravesites.** City personnel shall close any open gravesite promptly after the casket or coffin is placed inside the vault.

8. **Disinterment Services.** The City shall provide disinterment services only for persons buried in a nonbiodegradable vault and in accordance with applicable statutes, rules, and regulations.

#### **F. FUNERAL AND INTERMENT:**

1. **Prohibited Days.** Graveside services or interments shall not be conducted on any Sunday, New Year's Day, Memorial Day, Independence Day, Pioneer Day, Labor Day, Thanksgiving Day, or Christmas Day.

2. **Hours of Services.** Graveside services or interment shall be conducted between the hours of 8:00 a.m. and 3:00 p.m., unless otherwise approved by the Mayor or designee.

3. **Length of Services.** Graveside services and/or interments shall not exceed two (2) hours in length unless authorization is provided by the Mayor or designee.

4. **Funeral Processions.** Upon entering the cemetery, all funeral processions shall be under the control and direction of City personnel.

5. **Grave Decorations.** Any grave decorations, funeral designs, flowers, or other items are subject to removal for maintenance (lawn mowing, etc.).

#### **G. RULES AND LANDSCAPING:**

1. **Recreational Activity.** No recreational or athletic activities are permitted within the cemetery.

2. **Noise.** All visitors to the cemetery shall maintain reasonable level of noise to avoid disturbing other visitors to the cemetery. Loud music, shouting, yelling, barking dogs, and other loud noises are prohibited.

3. **Damage or Removal of Headstones or Tombstones.** It is unlawful to damage or remove any headstone, tombstone, or marker located in the cemetery or to desecrate any gravesite within the cemetery.

4. **Animals.** Domestic and companion animals are not allowed on cemetery property unless properly restrained. Properly restrained animals shall not be allowed to urinate or defecate on a gravesite, headstone, grave marker, etc. The owner of a properly restrained animal is responsible to remove any fecal matter his/her animal deposits on cemetery property.

5. **Motor Vehicles.** Motor vehicle shall remain on clearly designated roadways within the cemetery unless provided express consent by City personnel.

6. **Planting of Bushes, Trees or Flowers.** No digging will be allowed within the cemetery. No plants, bushes, trees, shrubs, flowers, or other vegetation may be planted in the cemetery by anyone other than City personnel.

7. **Visitation Hours.** Cemetery hours shall be from 6:00 a.m. to 10:00 p.m. of the same day, unless otherwise posted.

8. **Signs and Advertisements.** No unauthorized signs or advertisement shall be displayed within the cemetery.

9. **Traffic Ordinances.** City traffic ordinances relative to the operation of vehicles and conduct of pedestrians shall be effect within the cemetery. The speed limit within the cemetery shall be five (5) miles per hour.

10. **Children.** Children under the age of sixteen (16) years of age shall not be allowed within the cemetery unless accompanied by a parent or a chaperone at least eighteen (18) years of age. Exceptions to this rule are allowed for persons attending an authorized funeral, placing flowers on a gravesite of a deceased relative or friend, or performing any other customary respect or respectful actions consistent with environment maintained within the cemetery.

11. **Surface Grade.** No sections, lots, or spaces shall be raised above the established grade.

12. **Alcoholic Beverages.** Alcoholic beverages are not allowed in the cemetery.

#### **H. MARKERS AND MONUMENTS:**

1. **Fencing or Dividers.** No space shall be defined by fences, railings, coping, hedges, trees, shrubs, embarking depression, or any other markers to describe its corners or boundaries, unless approved by the Mayor or designee.

2. **Headstones, Tombstones, and Markers.** All headstones, markers and monuments shall have a stone or cement base, level with the ground, extending outward from the

perimeter of the base of the headstone or marker and shall be six inches (6") on all sides, with a minimum thickness of four inches (4").

3. **Specifications for Raised Headstone, Marker or Monument.**

- a. For a single raised headstone, marker or monument, the width (side to side) shall not exceed forty eight inches (48"), not including the six inch (6") base. The height shall not exceed forty eight inches (48"), including the base of the headstone, marker or monument. The depth shall not exceed twenty four inches (24"), not including the base.
- b. For a double raised headstone, marker or monument, the width (side to side) of a raised double headstone, marker or monument shall not exceed seventy six inches (76"), not including the six inch (6") base. The height and depth specifications are the same as a single raised headstone, marker or monument.

4. **Specifications for Flat Markers.** Flat markers shall not be smaller in surface measurement than twelve (12) inches by eighteen (18) inches, not including the base and not larger than twenty-one (21) inches by forty-two (42) inches, not including the base.

5. **Materials.** All headstones, tombstones, or markers must be made of real bronze, glazed granite or other permanent materials acceptable to the Mayor or designee. Headstones, tombstones, or markers shall not be made of wood, sandstone, or any other material which is susceptible to decay.

6. **Vases.** All permanent vases placed in the cement or stone base of the marker or monument and shall be recessed to ground level when not in use. Receptacles in the monument itself are allowed provided they do not project horizontally beyond the base of the monument.

7. **Liability for Damage.** The City shall not be held liable for damage to headstones, tombstones, or markers, including any damage caused during cemetery maintenance or resulting from City moving or transferring the headstones, tombstones, or markers for interment purposes.

**I. DECORATING GRAVESITES AND OTHER REGULATIONS:**

1. **Removal of Items.** If the City removes grave decorations, funeral designs, flowers, or other items, then such items shall be retained for the period of two (2) days before being discarded. The City shall not be liable for any items that are discarded, damaged, or destroyed.

2. **Theft or Loss of Personal Belongings.** The City is not responsible for the theft or loss of personal belongings in the cemetery.

# PROPOSED FEE SCHEDULE

## **BURIAL SPACE**

Resident	\$550
Non-Resident	\$1,000

## **INTERMENT**

Adult	\$300
Infant	\$200

## **OTHER FEES/SERVICES**

Inspection	\$35
Weekend/Holidays	\$300