

Herriman City Cemetery

Rules and Regulations

Adopted by the Herriman City Council on April 10, 2014

Amended on June 12, 2014 by Ordinance No. 14-28

A. MISSION STATEMENT:

The mission 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 Parks Department. Cemetery records shall be maintained by the City Recorder's Office.

C. DEFINITIONS:

1. "Block" means an area containing four (4), eight (8), or twelve (12) Plots.
2. "Body" means the remains of one human body (cremated or otherwise), the remains of siblings fewer than two (2) years of age, or the remains of a mother and such mother's infant child.
3. "Cemetery" means the real property owned by City located approximately 12465 South 6000 West, City, Salt Lake County, Utah currently used and reserved for interment of the dead.
4. "Certificate Fee" means the fee charged by the City for issuing a duplicate certificate or to transfer a certificate of interment rights, as set forth herein.
5. "City" means City.

6. "Disinterment" means the opening or excavation of an existing Plot.
7. "Infant" means a fetus or a child up to two (2) years of age.
8. "Interment" or "Inter" means the burial of a body in a Plot.
9. "Plot" means a legal and authorized gravesite generally measuring four feet, (4') by eight feet, three inches (8'3") and intended for interment.
10. "Nonresident" means any person who is not a resident.
11. "Resident" means at the time of purchase:
 - a) Any person who was domiciled within City at the time of death, regardless of the actual place of death;
 - b) Any person who was a legal resident of City at the time of death;
 - c) 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
12. "Transfer" means to sell, donate, exchange, trade, or convey a Plot or Block.

D. OWNERSHIP AND CERTIFICATES:

1. **Rights of Ownership.** In accordance with UTAH CODE ANN. § 8-5-7, ownership of a Plot 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 Plots and Blocks.** Residents must provide evidence in a form acceptable to the City that they are a Resident. Residents and nonresidents may purchase Plots or Blocks in the cemetery for the price listed on the attached Fee Schedule. The purchase price for each Plot or Block includes perpetual care with no maintenance fee to be assessed. The purchase price does not include a headstone. Headstones will be edged twice a year. All Plots or Blocks purchased for the resident rate shall be clearly marked on the certificate to indicate that the owner paid the resident price for the Plot or Block. Plots are intended for individual purchase and not for corporations. Plots may be purchased in blocks of four but not larger than 12 at a time.

3. **Certificate of Ownership.** Owners of each Plot(s) shall be issued a certificate of interment rights which describes the location of the Plot(s) 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 Plots or Blocks. The certificate of interment shall include a statement that uses of the Plots are subject to these rules including a statement that the Plots are not intended for resale.

4. **Transfer of Plots or Blocks.** A certificate of interment rights for an unoccupied Plots or Blocks may be transferred by the owner, by: (1) completing a Plot transfer form, (2) paying the certificate fee, (3) either appearing in person and producing photo identification proving the owner's identity, or have the owner's signature on the Plot transfer form notarized by a licensed notary, and (4) 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 may be completed in accordance with the Utah Uniform Probate Code. If Plots or Blocks are purchased at the resident rate or are transferred to a nonresident who is not the Plot or Block owners' spouse, parent, sibling, child, grandchild, or great grandchild, the transferee must pay the difference between the residential rate and nonresidential rate, at the time of transfer, prior to a new certificate being issued for the transfer. For every Plot or Block 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 certificate fee. Duplicate certificates of interment rights shall be clearly marked with the words "Duplicate Certificate."

6. **Abandonment and Forfeiture of Plots.** The City may terminate the rights of owners of Plots or Blocks 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 Plot. 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 Plots.** No person other than City-authorized personnel shall excavate a gravesite.

3. **Application.** The City shall not open a Plot 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 provided herein.

4. **Proof of Plot Ownership.** If the deceased is the sole owner of the Plot, the City shall verify the identity of the deceased prior to interment. If the Plot 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 together with the fee as provided herein. The requestor shall arrange for and pay any associated costs for a funeral director to be present at a disinterment. The requestor shall arrange for and pay any associated costs for a licensed vault company to remove the vault and its contents from the burial lot. If the burial lot does not contain a vault or the City Sexton determines the existing vault has deteriorated to the point that it will not retain its structural integrity during the disinterment, the requesting party shall replace the deteriorated vault with a structurally sound vault at the requestor's expense. The requestor shall arrange to dispose of any old vault in a manner meeting federal, state, and local laws.

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 2:00 p.m. If services are needed after the hours of 2:00 p.m. additional fees will apply and must be paid before the service takes place.

3. **Length of Services.** Graveside services and/or interments shall not exceed two (2) hours in length.

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

5. **Funeral Decorations.** Funeral decorations are allowed for seven calendar days or until they become unsightly, after which they will be removed and discarded.

6. **Grave Decorations.** Grave decorations are to be placed **only** in an existing receptacle or on grave marker/headstone. No glass, porcelain or other breakable decorations/containers are allowed. No decorations of any kind are allowed in the grass. No hanging devices are allowed in the grass (i.e. shepherds hooks, wired baskets, balloons, etc.). Any grave decorations, funeral designs, flowers, or other items are subject to removal for maintenance (lawn mowing, etc.), which generally occurs each week; with the exception of all national holidays, after which decorations will be removed a week after the national holiday occurs.

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.** Animals are not allowed on cemetery property except within the confines of a vehicle and must remain within the vehicle.

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 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 7:30 a.m. to 10:30 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, Plots, Lots, Blocks or Plats shall be raised above the established grade.

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

13. **Smoking Prohibited.** Smoking in the cemetery is prohibited per HERRIMAN UTAH ORDINANCE § 07-33

H. MARKERS AND MONUMENTS:

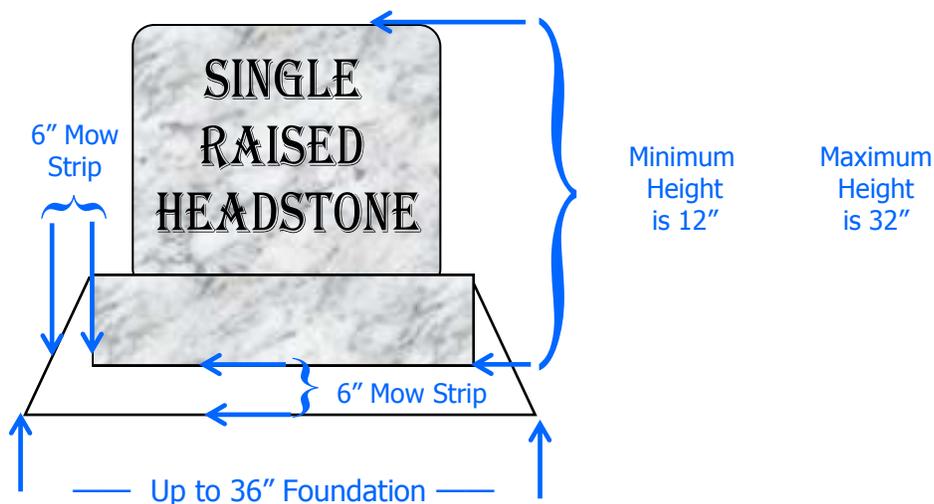
1. **Fencing or Dividers.** No Plot or Block shall be defined by fences, railings, coping, hedges, trees, shrubs, embarking depression, or any other markers to describe its corners or boundaries.

2. **Headstones, Tombstones, and Markers.** Raised markers are allowed in designated areas only. The owners of gravesites or relatives of deceased persons interred in the cemetery are required to erect and maintain, in a manner satisfactory to the City, and at the expense of the Plot owner or relatives of the deceased, headstones, marker, or other suitable monuments at the head of the gravesite with the name of the deceased person plainly inscribed thereon. All headstones, tombstones or markers must be in an orderly row and reasonably in line with all other such markers in that Block.

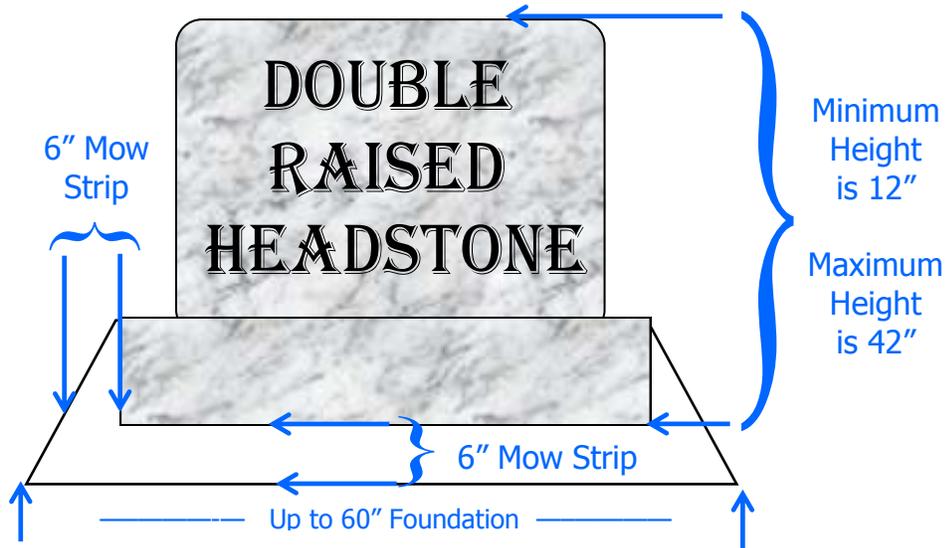
3. **Cement Foundation.** All headstones, tombstones, or markers shall have a stone or cement foundation, level with the ground, extending outward from the outer perimeter of the base of the headstone, tombstone, or marker and shall be six (6) inches on all sides, with a minimum thickness of four (4) inches.

4. **Specifications for Raised Headstones, Tombstones or Markers.** Raised headstones, tombstones or markers shall comply with the following:

a. **A Single Raised Headstone, Tombstone, or Marker.** A single raised headstone will have a minimum height of at least twelve inches (12") and a maximum height of thirty-two inches (32"). It can have a maximum foundation size of thirty-six inches (36") by twenty-four inches (24") which includes a six inch (6") mow strip.

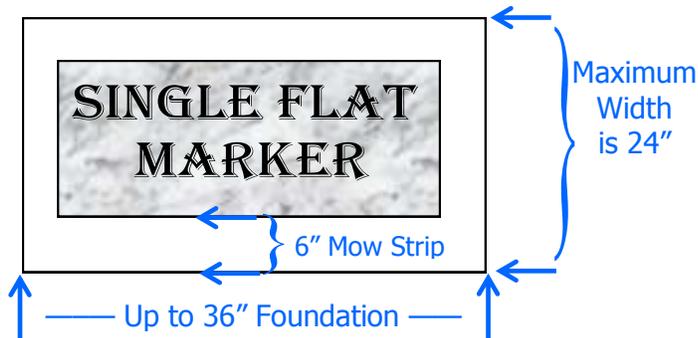


b. **A Companion or Double Raised Headstone, Tombstone, or Marker.** A companion or double raised headstone will have a minimum height of at least twelve inches (12") and a maximum height of forty-two inches (42"). It can have a maximum foundation size of sixty inches (60") by twenty-four inches (24") which includes a six inch (6") mow strip.

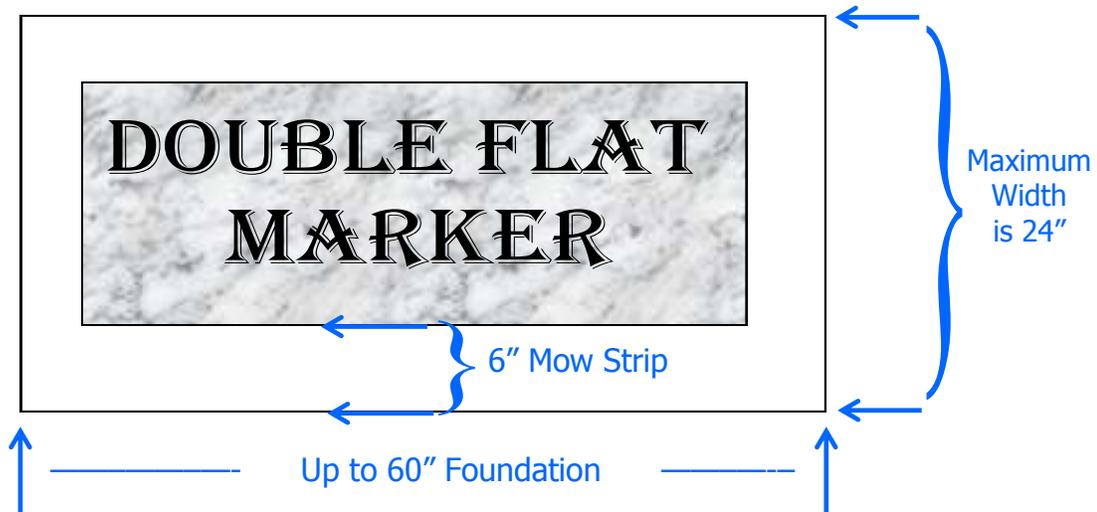


5. **Specifications for Flat Markers.** Flat markers shall comply with the following:

a. **A Single Flat Marker.** A single flat marker can have a maximum foundation size of 36" by 24" which includes a six inch (6") mow strip. A single flat marker will have a minimum foundation size of at least 18" by 12" which includes a six inch (6") mow strip.



b. **A Companion or Double Flat Marker.** A companion or double flat marker can have a maximum foundation size of 60" by 24" which includes a six-inch (6") mow strip.



c. **Flat Markers in the Infant Section.** No raised headstones/markers are allowed in the infant section. A flat marker in the infant section can have a maximum width of 12" by 12" and does not require a six-inch (6") mow strip.

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

7. **Vases.** All permanent vases are to be 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.

8. **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.** The City shall not be responsible or liable for grave decorations, funeral designs, flowers or other items that are removed, discarded, damaged, or destroyed. *****Grave decorations may be removed weekly except for all national holidays*****

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

J. EFFECTIVE DATE:

These rules shall be effective April 10, 2014.

HERRIMAN CITY CEMETERY FEE SCHEDULE

PLOT PURCHASE PRICE

Resident	\$750
Nonresident	\$1,500
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Resident Infant Fee	\$0
Non-resident Infant Fee – Full Plot	\$750
Non-resident Infant Fee – Half Plot (<i>Infant Section Only</i>)	\$375

OPENING AND CLOSING FEE

Monday – Friday / 8:00 a.m. – 2:00 p.m.	\$750
Weekends/Holiday	\$1,500
Resident Infant Fee	\$0
Non-Resident Infant Fee	\$750
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Additional Fee for Disinterment	\$750

CERTIFICATE, TRANSFER, AND DUPLICATE FEES

Certificate Fee:	\$25
Transfer Fee:	\$25
Duplicate Certificate Fee:	\$25

SPECIAL FEES AND COSTS

For funeral/graveside service beginning <u>after 2:00 p.m.</u> an additional fee will be charged.	\$600
Veteran Plaque	\$115

Adopted April 10, 2014
Amended June 12, 2014