



## **CENTERVILLE WORK SESSION AGENDA**

**NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS WORK SESSION MEETING AT 6:30 PM ON SEPTEMBER 21, 2021 AT CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 N. MAIN STREET. THE AGENDA IS SHOWN BELOW.**

*Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.*

*Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Administrative Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.*

*The full packet of backups materials can be found at <http://centerville.novusagenda.com/agendapublic>.*

### **A. ROLL CALL**

### **B. BUSINESS**

1. Cemetery Headstone Placement  
Discuss pre-need headstone placement

### **C. CLOSED SESSION (Closed Meeting, if necessary, for reasons allowed by State Law, including, but not limited to, the provisions of section 52-4-205 of the Utah Open and Public Meetings Act, and for the Attorney-Client matters that are privileged pursuant to Utah Code ann. 78B-1-137, as amended)**

### **D. ADJOURNMENT**

Jennifer Hansen  
Centerville City Recorder

## CENTERVILLE

### Staff Backup Report 9/21/2021

Item No. 1.

Short Title: Cemetery Headstone Placement

Initiated By: Bruce Cox, Parks and Recreation Director

Staff Representative: Bruce Cox, Parks and Recreation Director

#### **SUBJECT**

Discuss pre-need headstone placement

#### **RECOMMENDATION**

#### **BACKGROUND**

Ordinance No. 2018-09 was passed to prohibit the installation of burial markers prior to the interment of remains within that burial space. Prior to 2018, there had been an increase in the installation of pre-need headstones in the City Cemetery, which caused a variety of issues including increased maintenance, costs, and liability for the City. There have been a couple new requests to install a pre-need headstones, so we have brought this issue back for discussion.

It appears as though there are other options to design and pre-pay for headstones and monuments without having them installed until the time of passing.

See CMC 8.03 Cemetery Regulations, specifically Sections 210-250 for current monument and marker regulations.

#### **ATTACHMENTS:**

##### Description

- ▣ Ord. No. 2018-09 Burial Markers
- ▣ Pre-Need Headstones Restriction Explanation

## **ORDINANCE NO. 2018-09**

### **AN ORDINANCE AMENDING SECTIONS 8.03.240 AND 8.03.250 OF THE CENTERVILLE MUNICIPAL CODE REGARDING RESTRICTIONS ON THE INSTALLATION OF MARKERS OR MONUMENTS ON BURIAL SPACES PRIOR TO INTERMENT**

**WHEREAS**, the City has previously adopted provisions regarding the use and installation of markers and monuments on burial spaces within the Centerville City Cemetery as more particularly set forth in Title 8, Chapter 3 of the Centerville Municipal Code; and

**WHEREAS**, the City Council desires to amend Sections 8.03.240 and 8.03.250 of the Centerville Municipal Code to prohibit the use and installation of markers or monuments on burial spaces until and unless there has been an interment of remains within the burial space; and

**WHEREAS**, the City Council has determined that the amendments to the Centerville Municipal Code as provided herein are desirable and necessary to facilitate more efficient maintenance and use of the cemetery.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH:**

**Section 1.**     **Amendment.** Subsection 8.03.240 of the Centerville Municipal Code regarding Markers is hereby amended to read in its entirety as follows:

#### **8.03.240.     Markers.**

Markers shall be allowed on burial spaces in any plat of the City Cemetery, including Plats "A", "B", "C", "D", and "E". Markers shall comply with and be subject to the following conditions and restrictions:

- (a) Markers shall be level with the lawn or ground surrounding the marker.
- (b) Markers shall be provided with a finished grass-level stone or concrete base extending outward from the outer perimeter of the base of the marker for a minimum distance of six inches.
- (c) The maximum width of a marker on a single burial space in Plat "A" or "B" shall not exceed 24 inches, and on a double burial space in Plat "A" or "B" shall not exceed 60 inches, both maximum widths excluding the concrete or stone base surrounding the marker.
- (d) The maximum width of a marker on a single burial space in Plat "C", "D", or "E" shall not exceed 28 inches, and on a double burial space in Plat "C", "D", or "E" shall not exceed 72 inches, both maximum widths excluding the concrete or stone base surrounding the marker.
- (e) Except as otherwise provided herein for infant or cremation burials or double depth burial spaces, there shall only be allowed one marker per burial space or one monument per burial space (in areas of the City Cemetery where monuments are permitted).
- (f) Subject to monument and marker size and locations restrictions set forth in this Section and in CMC 8.03.250, if the Parks and Recreation Director approves a request to bury an infant or ashes of a person in a burial space with another person buried

therein, two markers may be permitted to be installed on such burial space, or one marker and one monument (in such areas of the City Cemetery that allow monuments).

(g) Subject to monument and marker size and locations restrictions set forth in this Section and in CMC 8.03.250, approved double depth burial spaces may contain two markers on such burial space, or one marker and one monument (in such areas of the City Cemetery that allow monuments).

~~(g)~~(h) Markers may not be placed or installed on any burial space prior to the interment of remains within that burial space.

**Section 2. Amendment.** Subsection 8.03.250 of the Centerville Municipal Code regarding Monuments is hereby amended to read in its entirety as follows:

**8.03.250. Monuments.**

Monuments are allowed in Plats "A", "B", "C", and "E" of the City Cemetery. Due to slope and access conditions, no monuments are allowed in Plat "D" of the City Cemetery. Monuments shall comply with and be subject to the following conditions and restrictions:

- (a) Monuments shall not extend less than 12 inches nor more than 36 inches above ground level, including the stone or concrete base required herein.
- (b) The maximum width of a monument on a single burial space in Plat "A" or "B" shall not exceed 24 inches, and on a double burial space in Plat "A" or "B" shall not exceed 60 inches, both maximum widths excluding the concrete or stone base surrounding the monument.
- (c) The maximum width of a monument on a single burial space in Plat "C" or "E" shall not exceed 28 inches, and on a double burial space in Plat "C" or "E" shall not exceed 72 inches, both maximum widths excluding the concrete or stone base surrounding the monument.
- (d) Monuments shall have a finished grass-level stone or concrete base extending outward from the outer perimeter of the base of the monument for a minimum distance of six inches on all sides.
- (e) Except as otherwise provided in CMC 8.03.240 for infant or cremation burials or double depth burial spaces, there shall only be allowed one monument per burial space (in areas of the City Cemetery where monuments are permitted) or one marker per burial space.
- ~~(e)~~(f) Monuments may not be placed or installed on any burial space prior to the interment of remains within that burial space.

**Section 3. Severability Clause.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

**Section 4. Effective Date.** This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,  
STATE OF UTAH, THIS 1<sup>st</sup> DAY OF MAY, 2018.**

**ATTEST:**

**CENTERVILLE CITY**

Mackenzie Wood  
Mackenzie Wood, City Recorder

By: Clark A. Wilkinson  
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	ABSENT
Councilmember Fillmore	_____	_____	X
Councilmember Ince	<u>X</u>	_____	
Councilmember Ivie	_____	_____	X
Councilmember McEwan	<u>X</u>	_____	
Councilmember Meham	<u>X</u>	_____	

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Mackenzie Wood  
MACKENZIE WOOD, City Recorder

DATE: 5/9/2018

RECORDED this 9 day of May, 2018.

PUBLISHED OR POSTED this 9 of May, 2018.

## Centerville City Council Worksession 9/20/2021

### Pre-need Headstones

In 2018 Centerville City amended its cemetery ordinance section 2. Subsection 8.03.250 of the Centerville Municipal Code regarding monuments.

**"(f) Monuments may not be placed or installed on any burial space prior to the interment of remains within that burial space."**

Double markers are handled the same way as before where the marker still must be removed when the spouse dies.

This change was brought about and recommended by City Staff for several reasons which are listed below:

**Increase trend** - Centerville had several pre-need monuments installed in the year or two leading up to passing the ordinance that seemed to be trending and all of them were upright monuments, no flat stones.

**Increase in liability** - Headstones are now costing between \$1,000 and \$10,000 and some even more. After the monument companies make the stones and install them in our cemeteries they are paid for their services and leave the liability of the new stone on the cemetery/city. Cemeteries, in order to open the grave when the owner dies, now must move that stone before they can dig and risks damaging the pre-need stone again. Many cemeteries rely on the monument company to come and move the stone before the grave can be opened which creates an unnecessary urgency that has to be done regardless of weather conditions or other cemetery operations.

**Increase risk** - For every pre-need stone installed, the monument company truck makes a minimum of two extra, unnecessary trips in and out of the burial plat and risks damaging every stone it passes or drives over both driving in and out only to be done all over again when the owner dies so the grave can be opened. This triples the risk of damage caused by the monument truck.

There is also an increased risk now in just doing regular maintenance every day, as the staff mow and trim lawns, maintain the irrigation system, fertilize and treat for pests as they now have a new unnecessary obstacle to work around.

**Increased maintenance** - When the monument company truck drives into your burial plat for those urgent, extra trips, in addition to risking damage to every marker they pass, they also cause damage to the landscape and irrigation systems. From ruts in the lawn to breaking limbs off of trees it is more common than not that the weather conditions or soil moisture level is not ideal for heavy vehicle traffic and the maintenance crew is left with making the repairs at the expense of the cemetery.

Along with the extra risk, the routine maintenance is also unnecessarily increased by every pre-need stone that has to be worked around. It may be five, ten or even twenty or more years that you will have to do maintenance around a pre-need headstone before the owner needs it.

**Increased complaints** - We found that a high percentage of cemetery complaints of the lawn around a stone or water marks from irrigation or anything else, were being made by owners of pre-need headstones as they frequently visit their own burial space.

**SOLUTION** - Most monument companies and mortuaries offer pre-need packages that allow individuals to pre-pay and have all the arrangements taken care of for their casket, vault, flowers, embalming, funeral service and headstone. This not only gives the customer the peace of mind, but significant cost savings. All of these items are paid for at today's prices and the mortuaries/monument companies have insurance policies that protect them from high inflation of future costs. For those who choose to have a pre-need stone made and installed, despite the option of making all the arrangements ahead of time and waiting for time of need, may end up paying an extra \$800 or more for the two extra trips in and out of the cemetery.