

# **FILLMORE CITY CEMETERY POLICY**

<b>ARTICLE I.</b>	<b>FEES</b>
<b>ARTICLE II.</b>	<b>PERPETUAL CARE</b>
<b>ARTICLE III.</b>	<b>BURIAL RIGHTS</b>
<b>ARTICLE IV.</b>	<b>BURIALS OF NON-OWNERS OR HEIRS</b>
<b>ARTICLE V.</b>	<b>BURIALS OF INDIGENT PERSONS</b>
<b>ARTICLE VI.</b>	<b>CEMETERY SECTIONS</b>
<b>ARTICLE VII.</b>	<b>CEMETERY MARKERS</b>
<b>ARTICLE VIII</b>	<b>CEMETERY BENCHES</b>
<b>ARTICLE IX.</b>	<b>POLICIES AND PROCEDURES</b>

## **ARTICLE I. FEES**

A schedule of applicable cemetery fees is maintained in the Fillmore City Fee and Rate Schedule Policy.

## **ARTICLE II. PERPETUAL CARE**

- (1) Perpetual care is a one-time fee paid for each burial right for the upkeep and maintenance of the cemetery.
- (2) The current perpetual care rate shall be charged if a burial is requested for a grave on which the perpetual care has not been paid.
- (3) No grave shall be opened until the perpetual care has been paid in full or until a payment contract has been negotiated.
  - a. Contract terms require a \$20 administrative fee and a down payment of half the total cost with the balance payable within six months.
  - b. A payment contract may be extended for an additional six months upon payment of a second \$20 administrative fee.
  - c. Contract default will result in forfeiture of all rights and interests in the contracted lots.
- (4) Payment of perpetual care conveys burial rights not real property; Fillmore City retains ownership. All city ordinances and policies that govern the cemetery shall apply.

### **ARTICLE III. BURIAL RIGHTS**

- (1) Burial rights are sold in even numbers; two, four, six, or eight, except single graves may be sold in areas designated for single burials (blocks 415, 429, 430, and 431) or anyplace that a single lot already exists.
- (2) An individual may purchase a maximum of 8 burial rights to 8 graves.
- (3) Burial rights for single graves are confined to the northwest section of the North Section of the cemetery.
- (4) Re-selling burial rights is prohibited; unwanted burial rights may be sold back to Fillmore City for the original purchase price. Any burial right(s) deemed by Fillmore City to have been resold to another person is invalid and no burial(s) will be allowed on the grave(s) involved.
- (5) Burial rights may be exchanged for a different location in the cemetery upon payment of the transfer fee and the difference between the original cost and the current perpetual care rate.
- (6) Persons wishing to convey burial rights to someone else without monetary exchange may do so after submitting a completed, signed and notarized Transfer of Burial Rights form to Fillmore City.

### **ARTICLE IV. BURIALS OF NON-OWNERS OR HEIRS**

- (1) Burials of non-owners are conditional upon written, signed, and notarized statements by the owners, or heirs, which identify the person(s) to be buried and the location.
- (2) Burials of heirs are conditional upon written, signed, and notarized statements from the other surviving heirs, which identify the person(s), to be buried and the location.

### **ARTICLE V. BURIALS OF INDIGENT PERSONS**

Burial of indigent persons is the responsibility of the community. A burial site and interment is furnished by Fillmore City. Millard County provides the casket and vault. A participating third party may be asked to pay for the grave opening and closing. Blocks 415, 430, and 431 are designated for indigent burials.

### **ARTICLE VI. CEMETERY SECTIONS**

The cemetery is platted in four sections that are laid out in blocks and lots. Generally there are four lots to a block; and 8 graves per lot; some lots have 8 regular size graves and others have 4 regular graves and 4 infant spaces.

- |     |                  |  |
|-----|------------------|--|
| (1) | Old Section      | 4 regular graves and 4 infant graves per lot |
| (2) | Flagpole Section | 4 regular graves and 4 infant graves per lot |
| (3) | North Section    | 8 regular graves per lot                     |
| (4) | East Section     | 8 regular graves per lot                     |

## **ARTICLE VII. CEMETERY MARKERS**

- (1) A cemetery marker is any monument, headstone, or commemorative marker identifying or honoring a deceased person. A cemetery marker is personal property for which the owner assumes all liability and responsibility.
  - a. A single marker designates a single burial site and shall not exceed 3 feet 8 inches in length.
  - b. A double marker is one headstone that designates two burial sites and shall not exceed 6 feet in length.
- (2) No marker shall be set in the Fillmore Cemetery without first obtaining a monument permit from the city office.
- (3) There shall be no more than one marker per grave, except when the cremated remains of one individual is placed on top of an existing burial; an additional flat marker may be placed on the grave to identify the location of the cremated remains.
- (4) All markers shall be set under the direction of the Cemetery Sexton. A twenty-four hour notice is required. Markers may not be set on Sundays, legal holidays, or 2 days before or after Memorial Day.
- (5) Flat Markers shall have a concrete foundation four inches or deeper with a mow strip not less than six inches wide around the marker.
- (6) Raised markers shall have a six-inch concrete foundation with a mow strip not less than six inches wide around the marker. Raised markers may be set on a base up to nine inches. Maximum height of a monument is thirty-six inches above the base.
- (7) Raised markers shall be permitted in all sections of the cemetery.
- (8) A temporary marker shall be placed on the grave by the funeral home, or other responsible party, immediately following the burial. A permanent marker shall be placed within six months.

## **ARTICLE VIII. CEMETERY BENCHES**

- (1) Fillmore City reserves the right to limit the number of benches and to designate areas in which benches may be placed.

- (2) Should it become necessary to temporarily move a bench, the owner will be responsible for all associated costs and must sign a disclaimer accepting full responsibility for any potential damage that may occur to the bench during the move.
- (3) Benches may be placed on open areas or on a designated burial plot belonging to the bench owner. All locations will be approved by the City Council on a case-by-case basis upon the recommendation of the Cemetery Sexton.
- (4) A permit fee to cover the cost of installation must accompany the Bench Placement Application.
- (5) Benches may be no more than 4 feet long and 2 feet wide and constructed from durable, maintenance free materials such as concrete or rock.
- (6) Benches must be placed on a 4-inch reinforced concrete pad that is 6 feet long and 4 feet wide. The pad shall be set approximately 1 inch above ground to allow for settling.
- (7) Benches may not be placed in alleyways, roadways, or other open access ways used for maintenance purposes.
- (8) Bench owners will be responsible for all costs associated with bench placement and removal.

## **ARTICLE IX. POLICIES AND PROCEDURES**

Cemetery operation and maintenance policies and procedures are compiled in a separate booklet entitled *Fillmore City Cemetery Policies and Procedures*; the booklet, an extension of this policy, is hereby revised and amended to conform with the provisions herein. Fillmore City Reserves the right to amend or change the policy at any time without notice.