# RESOLUTION 26-03

## A RESOLUTION OF LEWISTON CITY ADOPTING AN END-OF-LIFE AND EXTENDED CARE RESIDENT CEMETERY PRICING POLICY

WHEREAS, Lewiston City owns and operates the Lewiston City Cemetery and maintains separate resident and nonresident pricing for burial rights and cemetery services; and

WHEREAS, some Lewiston City residents must relocate outside the corporate limits to receive end-of-life, assisted living, nursing, memory, hospice, or other extended care; and

WHEREAS, the City Council finds that a resident should not lose eligibility for resident cemetery pricing solely because the resident relocated to receive necessary end-of-life or extended care, provided Lewiston City was the resident's primary residence immediately before the relocation; and

WHEREAS, Utah Code Section §8-6-2 requires a municipality that controls a cemetery to adopt policies and procedures governing its affairs, including the setting of prices and the sale of burial rights; and

WHEREAS, Section §7-5-6 of the Lewiston City Code authorizes the City Council to establish cemetery prices and fees by resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lewiston City, Utah, as follows:

1. **Adoption.**
   The Lewiston City End-of-Life and Extended Care Resident Cemetery Pricing Policy, attached as Exhibit A, is hereby adopted.
2. **Application.**
   This policy applies to cemetery pricing determinations made on or after the effective date of this resolution, regardless of when the qualifying relocation occurred.
3. **Prior Transactions.**
   This resolution does not require a refund or adjustment of cemetery prices or fees paid before its effective date.
4. **Conflicts.**
   If any provision of this policy conflicts with state law or city ordinance, the applicable state law or city ordinance shall control.
5. **Effective Date.**
   This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of Lewiston City, Utah, this 20th day of October 2026.

Council Vote:

| | | |
|---|---|---|
| F. Bodily | (X) Aye | ( ) Nay |
| Morrison | (X) Aye | ( ) Nay |
| Simper | (X) Aye | ( ) Nay |
| Trexler | (X) Aye | ( ) Nay |
| Westover | (X) Aye | ( ) Nay |

Brady Bodily, Mayor

CITY OF LEWISTON CORPORATE SEAL UTAH

ATTEST:

Chris Barr, City Recorder

# EXHIBIT A

## LEWISTON CITY

## END-OF-LIFE AND EXTENDED CARE RESIDENT CEMETERY PRICING POLICY

1. **Purpose**

   The purpose of this policy is to provide consistent eligibility standards for resident cemetery pricing when a person whose primary residence was within Lewiston City relocates outside the City to receive end-of-life or extended care.

2. **Definitions**

   Principal residence means the dwelling a person actually occupied as the person's permanent home immediately before relocating for care. A principal residence is not established solely by owning property, receiving mail, maintaining family connections, or having previously lived in Lewiston City.

   End-of-life or extended care means hospice, palliative care, assisted living, nursing care, skilled nursing care, memory care, or comparable long-term personal or medical care provided at a facility or at the residence of a family member or other caregiver.

3. **Eligibility**

   An individual qualifies for resident cemetery pricing under this policy when:

   a. The individual's principal residence was within the corporate limits of Lewiston City immediately before the individual relocated;

   b. The primary reason for the relocation was to receive end-of-life or extended care; and

   c. The individual did not establish a new principal residence outside Lewiston City for reasons unrelated to the receipt of care before the need for cemetery services arose.

   No minimum period of prior Lewiston City residency is required. Eligibility is based on whether Lewiston City was the individual's actual principal residence immediately before the care-related relocation.

4. **Persons Who Do Not Qualify**

   Resident cemetery pricing shall not be granted under this policy when:

   a. Lewiston City was not the individual's principal residence immediately before the relocation for care;

   b. The individual had already established a principal residence outside Lewiston City for reasons unrelated to care; or

   c. Eligibility is claimed solely because the individual previously lived in Lewiston City, owned property in the City, received mail at a City address, had relatives in the City, or had relatives buried in the City cemetery.

5. **Scope of Resident Pricing**

   A qualifying individual shall be treated as a resident for the purchase of a burial right intended for that individual's interment and for cemetery service fees charged for that individual's remains. The status does not extend to another family member or other person who does not independently qualify.

   All other cemetery rules, purchase limits, scheduling requirements, and resident-rate conditions remain applicable. Qualification under this policy establishes residency only for cemetery pricing and does not establish residency for any other City service, program, election, tax, or legal purpose.

6. **Verification**

   City staff may request reasonable documentation sufficient to verify the individual's former Lewiston City principal residence and the care-related reason for relocation. Documentation may include a driver's license, voter registration, utility record, tax record, facility admission record, statement from a care provider or caregiver, or a signed statement from a person with knowledge of the circumstances.

   The City shall request only the information reasonably necessary to determine eligibility and shall maintain and disclose submitted records in accordance with the Utah Government Records Access and Management Act and applicable City records practices.

7. **Administration**

   The City Recorder, or a designee authorized by the City, shall determine eligibility and document the determination in the City's cemetery records. The City Recorder may consult with the Mayor or City Attorney when an application presents unusual circumstances or cannot be resolved under the standards of this policy.