

Herriman City Cemetery Rules and Regulations

Updated on April 12, 2023

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).
3. "Cemetery" means the real property owned by the 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 Burial Rights, as set forth herein.
5. "City" means Herriman City.
6. "Cremated Remains" means the ashes of an incinerated deceased person.
7. "Disinterment" means the opening or excavation of an existing Plot for the removal of a casket or urn containing human remains.
8. "Infant" means a fetus or a child up to two (2) years of age.
9. "Interment" or "Inter" means the burial of a Body in a Plot.

10. "Plot" means a legal and authorized gravesite generally measuring four feet, (4') by eight feet, three inches (8'3") and intended for Interment.

11. "Half Plot" means a legal and authorized gravesite measuring four feet, (4') by four feet (4') and shall only be for the Interment of an Infant or Urn. Half Plots are only available in the Infant Section and Urn Section.

12. "Nonresident" means any person who is not a legal Resident.

13. "Resident" means any person who was domiciled within City boundaries at the time of death, or moved from the City for the purpose of receiving medical treatment or for the purpose of living in a residential care facility, regardless of the actual place of death.

14. "Transfer" means to sell, donate, exchange, trade, or convey a Plot or Block.

15. "Burial Rights" means the right for the holder of a certificate, or heir, to be buried in the City Cemetery.

D. CEMETERY CERTIFICATES AND BURIAL RIGHTS:

1. **Burial Rights.** In accordance with UTAH CODE ANN. § 8-5-7, Herriman City shall sell only the right to be buried in the Cemetery and all Cemetery Plots or Blocks shall be rights to be buried only.

2. **Purchase of Burial Rights.** Residents must provide evidence in a form acceptable to the City that they are a legal Herriman City Resident. Residents and Nonresidents may purchase Burial Rights in the Cemetery for the price listed on the attached fee schedule. The purchase price for each Burial Right 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 Burial Rights purchased shall be clearly marked with the purchase price and the designated Plot or Block to which the Burial Right is assigned. The sale of Burial Rights in the City Cemetery shall be limited to no more than eight (8) per immediate family. The term "immediate family", for purposes of these regulations, shall be defined as those persons domiciled in the place of residence and who include spouse, child, sibling, parent, grandchild, grandparent, mother-in-law or father-in-law.

3. **Cemetery Certificate.** A Cemetery certificate shall be issued for each Plot purchased and will clearly describe the location of the Plot(s) within the Cemetery. A certificate of Burial Rights does not convey to or entitle the holder thereof any other privilege other than the right to bury the Body of a deceased person, and is not a deed conveying title in fee simple or otherwise to the land or any part thereof. The City shall retain duplicate records of all certificates of Burial

Rights issued by the City. City records shall be the official record for all Plots or Blocks. The Cemetery certificate shall include a statement that the uses of the Plot(s) are subject to these rules including a statement that the Plot(s) are not intended for resale.

4. **Transfer of Plots or Blocks.** A certificate of Burial Rights for unoccupied Plot(s) may be transferred by the owner, by: (1) completing a Transfer request form, (2) paying the certificate and Transfer 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 request 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 Burial 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 to the City, 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 Burial Rights shall be issued by the City and the old certificate of Burial Rights shall be null and void.

5. **Duplicate Certificates of Burial Rights.** Duplicate certificates of Burial Rights may be issued upon written application of owner and payment of the Certificate Fees. Duplicate certificates of Burial 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, Urns or Coffins.** 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 vault composed of concrete or an equivalent material. Vaults that are not composed of concrete must have prior approval by the Parks Manager. 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, urn or coffin. Each plot will contain no more than two bodies per plot. Two cremated bodies may be buried in one full sized plot, if buried at the same time. A casket may contain the cremains of one additional person. Vertical stacking of vaults, caskets, coffins, or urns is allowed in designated areas.

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 with two business days' notice for Interment or Disinterment services, 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 Burial Rights.** If the deceased is the certificate holder 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 certificate of Burial 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. **Infant Section Fees.** The Infant section is an area of Half Plots set aside for those who have experienced the loss of an Infant. Herriman City Council waives the purchase price and opening and closing fees for Residents only when burying an Infant child in this final resting space. This waiver is for time of death only and shall not be used for re-Interment or Disinterment.

a) Residents wanting to be buried adjacent to their Infant in the full Plot sections of the Cemetery may have the fee waived for the Infant's Plot only when purchasing two adjacent Plots. However, the cost for opening and closing the Infant Plot would not be waived.

7. **Urn/Columbarium Section Fees.** The Urn/Columbarium section is an area of Half Plots set aside for Cremated Remains of a deceased loved one. The Plot purchase price and opening and closing fees are reduced for those purchasing Burial Rights in this section.

8. **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.

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

10. **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 or any City recognized holiday, including but not limited to, New Year's Day, Civil Rights Day, Presidents Day, Memorial Day, Juneteenth, Independence Day, Pioneer Day, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, or Christmas Day.

2. **Hours of Services.** Graveside services or Interment shall be conducted between the hours of 9:00 a.m. and 2:00 p.m.

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 of the Funeral Director. City Personnel may be available upon request.

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 the grave marker/headstone. No glass, porcelain or other breakable decorations/containers are allowed. No decorations of any kind are allowed in the grass. No confetti is allowed. 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 City recognized holidays, after which decorations will be removed a week after the 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 vehicles are permitted only within Cemetery asphalt roads and parking lots and only during visitation hours 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 except, in designated areas and under the strict direction and supervision of the Parks Department.
7. **Visitation Hours.** Cemetery hours shall be from 7:00 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 in effect within the Cemetery. The speed limit within the Cemetery shall be five (5) miles per hour. Parking in the Cemetery for the purpose of Ride-Sharing and/or picking children up from school is prohibited.
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 CITY CODE Chapter 10 Smoking Prohibited.

H. MARKERS AND MONUMENTS:

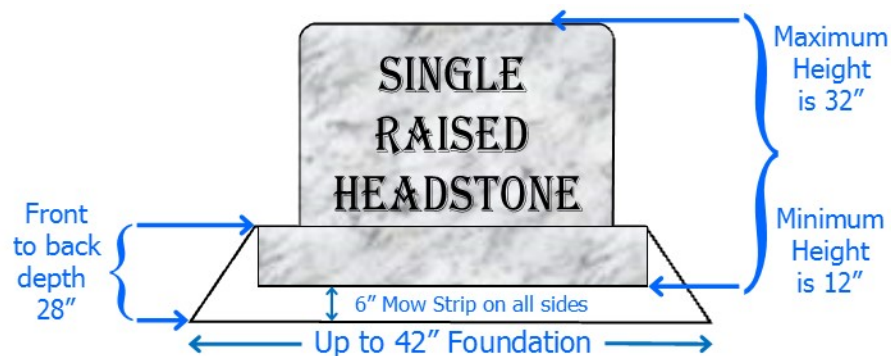
1. **Fencing or Dividers.** No Plot or Block shall be defined by fences, railings, coping, hedges, trees, shrubs, embarking depression, or any other markers to describe its corners or boundaries.

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, all headstones, markers, 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 with the exception of the Urn and Infant Sections 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 inches (6") on all sides, with a minimum thickness of four inches (4").

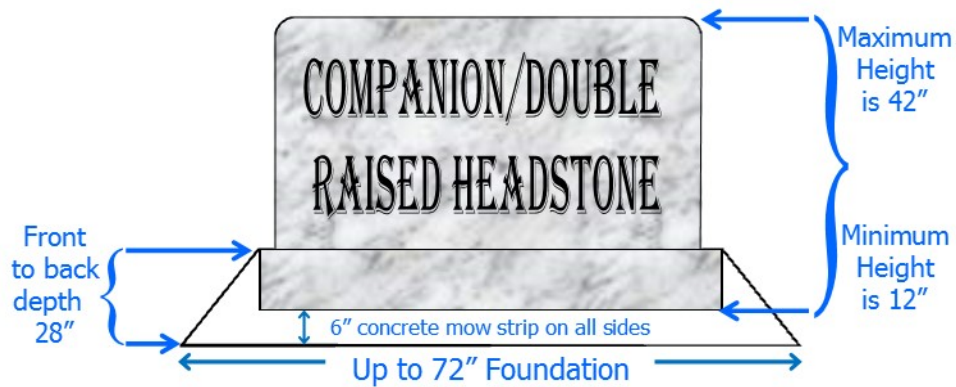
4. **Specifications for Raised Headstones, Tombstones or Markers.** Raised headstones, tombstones or markers shall comply with the following:

a. **A Single Raised Headstone, Tombstone, or Marker.**



A single raised headstone shall have a minimum height of twelve inches (12") and a maximum height of thirty-two inches (32"). It shall have a maximum foundation size of up to forty-two inches (42") by twenty-eight inches (28") including a required six inch (6") concrete mow strip.

b. **A Companion or Double Raised Headstone, Tombstone, or Marker.**



A companion or double raised headstone shall have a minimum height of twelve inches (12") and a maximum height of forty-two inches (42"). It shall have a maximum foundation size of up to seventy-two (72") by twenty-eight inches (28") including a required six inch (6") concrete mow strip.

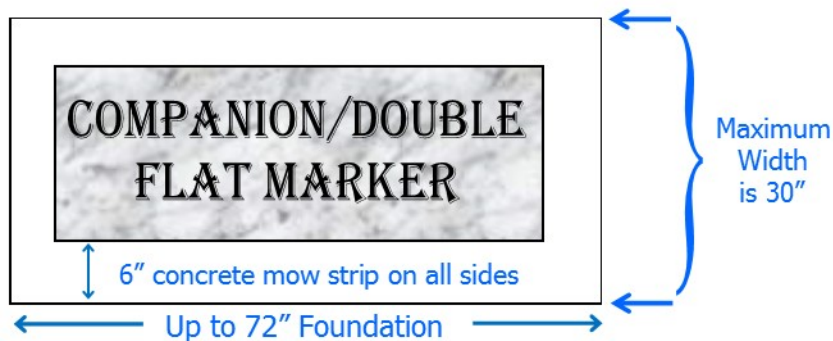
5. **Specifications for Flat Headstones, Tombstones or Markers for gravesites other than those located in the Infant Section.** Flat markers shall comply with the following:

a. **A Single Flat Headstone, Tombstone or Marker.**



A single flat headstone shall have a maximum foundation size of up to forty-two inches (42") by twenty-eight inches (28") including a required six inch (6") concrete mow strip.

b. **A Companion or Double Flat Headstone, Tombstone or Marker.**



A companion or double flat headstone shall have a maximum foundation size of up to seventy-two inches (72") by thirty inches (30") including a required six inch (6") concrete mow strip.

c. **A Flat Headstone, Tombstone or Markers in the Infant Section.**



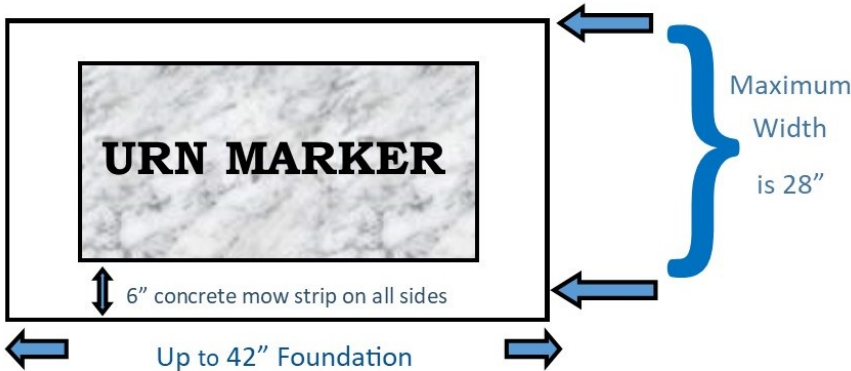
Only a flat headstone shall be allowed in the Infant section of the Cemetery. A flat headstone in the Infant section shall have a minimum size of twelve inches (12") long by twelve inches (12") wide and shall not exceed twenty-four inches (24") long by twenty-four (24") wide. A minimum six inch (6") concrete mow strip is required for any headstone measuring twelve inches (12") long by twelve inches (12") wide. A concrete mow strip is not required for headstones exceeding twelve inches (12") long by twelve inches (12") wide.

d. **A Flat Headstone, Tombstone or Marker in the Urn Section.**

Only a flat headstone shall be allowed in the Urn section of the Cemetery. A flat headstone in the Urn section shall have a maximum width of up to forty-two inches (42") by twenty-eight inches (28") including a required six inch (6") concrete mow strip.

e. **A Flat Headstone, Tombstone or Marker in Sections F, G, and H.**

Only a flat headstone shall be allowed in sections F, G, and H of the Cemetery.



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.

9. **Setting of a Headstone, Tombstone or Marker.** The monument company must contact the City **prior** to setting or removing a headstone in the Cemetery. The company must provide the style (single, double, raised or flat), the measurements (width, length, depth, and height) and the name of the deceased along with the death date. The monument company will be required to pay the \$100 monument location fee prior to having the monument site marked.

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 City recognized 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 12, 2023.

HERRIMAN CITY CEMETERY FEE SCHEDULE

PRICE FOR BURIAL RIGHTS

Full Size Sections

Resident	\$1,000
Nonresident	\$3,000

Infant Section

Resident	\$0
Nonresident	\$500

Urn Section

Resident	\$375
Nonresident	\$750

OPENING AND CLOSING FEES

Full Size Sections

Monday – Friday / 8:00 a.m. – 2:00 p.m.	\$800
Saturday	\$1,500
Monday – Friday / 8:00 a.m. – 2:00 p.m. (First of a Double Stack)	\$1,200
Saturday (First of a Double Stack)	\$2,250
Monday – Friday / 8:00 a.m. – 2:00 p.m. (Second of a Double Stack)	\$800
Saturday (Second of a Double Stack)	\$1,500

Infant Section

Resident (Monday-Friday / 8:00 am – 2:00 pm)	\$0
Saturday	\$500
Nonresident (Monday-Friday / 8:00 am – 2:00 pm)	\$500
Saturday	\$750

Urn Section

Monday-Friday / 8:00 am – 2:00 pm	\$500
Saturday	\$750

CERTIFICATE, TRANSFER, AND DUPLICATE FEES

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

HEADSTONE PLACEMENT FEES

Placement Fee (Per Monument):	\$100
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SPECIAL FEES AND COSTS

Disinterment	\$1,000
For funeral/graveside service beginning <u>after 2:00 pm</u> an additional fee will be charged.	\$600
Veteran Plaque	\$115

Adopted on April 10, 2014
Amended June 12, 2014
Amended May 24, 2017
Amended March 14, 2018
Amended April 12, 2023