

# BOUNTIFUL CITY CEMETERY

## **INFORMATION AND REGULATIONS**

**Effective July 1, 2024**

*The office for Bountiful City Cemetery is located at 2224 South 200 West, Bountiful, Utah. It is here that all funeral arrangements must be made. All information concerning the cemetery, including records, purchasing procedures, regulations, etc., may be obtained from this office.*

*It is the desire of Bountiful City Corp. to operate and maintain a cemetery that is beautiful, dignified and an appropriate final resting place for loved ones.*

*In formulating these rules and regulations it has been the City's desire to offer as much freedom of choice as possible while still preserving regulations necessary to maintain a high standard of beauty and efficiency. We sincerely hope that you will assist us in this effort by adhering to these rules.*

*In addition to these rules and regulations, all interments shall be subject to the orders and laws of Davis County and the State of Utah.*

## **LOT OWNERSHIP & PRIVILEGES**

### **A. Purchase of Burial Lots**

Bountiful residents may purchase lots, pre-need, at the rates outlined in the Cemetery Fee Schedule. Plot purchases are restricted to two (2) plots per purchase transaction. Purchased lots must be linear (side by side), in layout. The owner must designate, by name, the intended user of each plot at time of purchase. If purchaser currently owns burial plots designated with his/her name, additional plot purchases are prohibited. Exception: in the event of a dependent child passing before a parent/guardian, one (1) plot may be purchased for the child and an additional two (2) plots may be purchased for the parents/guardians, at the time of need. All other plot needs will be considered on a case-by-case basis at the discretion of the Cemetery Superintendent.

Non-residents may only purchase plots at time of need at current rates outlined in the Cemetery Fee Schedule. Plot location is limited to double-depth, "next available" or "in-fill" plots only, as designated by the superintendent. Location of plot will be determined at time of need.

"Resident" is defined as: a person who lives within the legally defined boundary limits of Bountiful City with a permanent address and/or is a current legal property owner paying local property taxes on said property. Exception: If a resident moves into a care facility, outside of City boundaries, and passes while at that facility, that individual retains their Bountiful City residency. Proof of Residency or Taxpayer status will be required at time of the plot(s) purchase transaction.

### **B. Nature and Extent of Rights acquired:**

Upon the payment of the purchase price of a lot the purchaser acquires the rights of burial in said lot, subject to the rules and regulations of the cemetery.

No interment or marker installation will be allowed, on any lot, not fully paid for except by special consent of the cemetery superintendent. In the event such consent is given, any interments or markers placed on said property shall be considered as permissive until such property is fully paid for. The failure on the part of the purchaser to make full payment, within 30 days, shall give the cemetery superintendent the right, at his option, to remove any remains on said lot and re-inter them in a location within the cemetery which is suitable to the cemetery superintendent.

**C. Transfer of Burial Plots:**

Burial plots purchased prior to May 9, 2023, may be transferred to residents or non-residents as provided for in this policy and the Cemetery Fee Schedule. Plots purchased after May 9, 2023, may only be transferred to a current Bountiful City Resident as defined in Section A.

A plot owner must give proper notice and file required paperwork with the cemetery. Plot ownership transfers are not final until all required paperwork is completed and filed, Bountiful City residency has been verified, and all associated fees or charges have been paid in full.

Burial Plots may be sold back to the City at the original purchase price as set forth at the time of original plot purchase date.

**D. Descent and Inheritance of Burial Rights:**

Upon the death of the lot owner, the ownership of the lot shall transfer to those named in a will or to heirs designated by law, subject to the Bountiful City Cemetery policies and procedures, including any payment of applicable fees. If there are no legal documents to identify the successor in ownership, the cemetery superintendent shall act upon his best judgment in determining heirship and successorship, unless an affidavit of heirship together with the power appointing one of the heirs to represent all or a certified copy of the decree of distribution of the estate of the deceased lot owner or purchaser is first filed with the cemetery superintendent. Bountiful City Corp. shall in no way be held responsible for a failure to properly determine the legal successorship of the said lot owner or purchaser.

The heirs are entitled to the use of the lot subject to all cemetery regulations in effect at the time of use including but not limited to resident or non-resident rates and fees, burial requirements, ownership transfers, marker allowances, etc.

**BURIALS**

**A. Internment:**

Interments are limited to human dead.

**B. Notice Required – Compliance with Law:**

Interments will be made only upon the order of the owner of the lot, or of persons representing the lot owner. All orders must include the lot owner's name and address, the name of the person to be buried, the name of the funeral director, the date and time of the funeral and the grave space to be used. Notice for opening a grave shall comply with the Funeral Service Notification Policy found in Appendix A of this document.

Information for all interments must be provided to the cemetery office in written form. In extenuating circumstance, information may be given by telephone. Information given by telephone will be taken with particular care, but Bountiful City Corp. will not be responsible for errors resulting from this procedure. All such orders must be confirmed in writing.

Bountiful City Corp. shall not be responsible for any mistakes occurring from the lack of precise and correct information provided by lot owner or owner's representative as to the proper space in the lot where interment is desired. When information regarding the location of a grave on a lot cannot be obtained or is indefinite, or for any reason the grave cannot be opened where specified, the superintendent may, at his discretion, after notification of the owner or representative and the funeral director, open it in such location on the lot as he deems best and proper, so as not to delay the funeral and affect the interment.

Removals and interments shipped from other cemeteries or states must be accompanied by a burial/transit permit.

**C. Payment of Burial Fee:**

No grave will be opened until all fees or applicable charges have been paid unless prior arrangements have been made at the cemetery office. Payments must be made at the Bountiful City Offices, either in person or by phone. (Payments can be made at the Utility Department Counter in City Hall, located at 795 S Main St., Utility Dept. phone number (801) 298-6100, Monday-Thursday 7:00 a.m. to 6:00 p.m.

**D. Hours and Holiday Observances:**

Funeral services will be allowed between the hours of 8:00 a.m. and 2:00 p.m. Additional charges will be made for interments on Saturdays or for arrangements made outside of regular days and hours of operation as herein stated.

No funerals or interments will be allowed in the cemetery on Sundays or the following holidays:

- |                              |                        |
|------------------------------|------------------------|
| New Year's Day               | Labor Day              |
| Saturday Before Memorial Day | Thanksgiving           |
| Memorial Day                 | Day After Thanksgiving |
| Independence Day             | Christmas              |
| Pioneer Day                  |                        |

Overtime fees will be charged for Presidents' Day and Veterans Day services.

**E. Funeral Processions:**

Funeral processions upon entering the cemetery shall be under the control and subject to the direction of the cemetery superintendent. Parking of cars on landscaped and turf areas of the cemetery is strictly prohibited.

**F. Duty of Funeral Director:**

Funeral director in charge of funerals must arrange the time for arrival at the cemetery and the length of the services such that those attending may exit the cemetery grounds before 3:00 p.m. In the event that formal services are completed, and family, vehicles, decorations, etc. remain at the burial site which prevents cemetery staff from completing necessary work, overtime charges will be applied starting at 3:01. The funeral director will be held responsible for the faithful observance of all the rules and regulations concerning funerals and burials.

**G. Excavating and Refilling Graves:**

The superintendent or designated cemetery employee(s) are designated with the final responsibility of every interment. No grave shall be opened, filled, refilled or sodded except by the employees of the cemetery under the direction of the superintendent.

**H. Burials per Grave:**

One interment only shall be allowed in a casket except a parent with his/her infant child or two children buried at the same time. Not more than one casket is allowed in a grave except when the contract for such space specifically provides for such or is permitted by a change in cemetery regulations or policy. Single adult space plots purchased after May 9, 2023, will be dug at 8' deep. Single spaces may be converted to a double depth space at the request of the owner. All plot conversions must have the approval of the cemetery superintendent. Written confirmation and approval will be sent to the plot owner or owner's designated representative. Plot conversions are not final until all associated fees and charges have been paid in full.

**I. Errors May be Corrected:**

The cemetery superintendent shall have the right to correct any errors that may be made by it either in making interments, disinterments or removals; or in the description, transfer or conveyance of any interment property, either by cancelling such conveyance and substituting and conveying in lieu thereof other interment

property of equal value and similar location as near as possible, or as may be selected by the superintendent, or, by refunding the amount of money paid on account of that purchase.

## **DECORATION OF GRAVES**

### **A. Funeral Flowers and Floral Pieces:**

Floral pieces will be removed without notice, weather permitting, when they become unsightly. Lot owners desiring to retain floral pieces must remove them within 48 hours after the interment.

### **B. Flower Containers:**

Adjustable receptacles or a type approved by the cemetery superintendent may be used to hold flowers. The placing of boxes, jars, bottles, or any other receptacle other than an approved container type are prohibited and will be removed. No rocks, wires or sticks are allowed, except for the period beginning the

Saturday before Memorial Day but will be removed on the Monday following Memorial Day.

### **C. Artificial Flowers:**

Artificial flowers, potted plants and grave decorations are not permitted from April 1 to November 1 during the mowing season with the following exceptions:

1. Decorations are contained in a raised vase or maker, or in the opinion of the staff they do not interfere with mowing the grass or maintenance of the cemetery grounds.
2. Decorations are allowed beginning the Thursday before Memorial Day through the first Monday following Memorial Day. Said decorations not removed by the beginning of operating hours on the first Monday following Memorial Day are subject to removal without notice.

Flat marker or headstone vases that are attached by chain or other methods and can be removed or put in the base receptacle so as to be flush with the grass level are not considered a raised vase.

### **D. Fresh Cut Flowers:**

Fresh cut flowers are permitted in a vase any time.

### **E. Planting or Excavation:**

No installation of plantings of any type or digging or disturbing the sod within the cemetery will be permitted. Any flowers, plants or decorations which are, in the opinion of the superintendent, unsightly or detrimental will be removed.

### **F. General Cleanup:**

All flowers and decorations will be removed from the cemetery at the following times:

1. Every Monday during the mowing season (April – November), all dead flowers or plants will be removed.
2. On the first Monday of each month during the mowing season (April – November), all decorations that do not meet regulations will be removed.
3. 10 days prior to Memorial Day, to allow cemetery staff to prepare the grounds for the holiday. Flowers may be brought into the cemetery beginning the Thursday prior to Memorial Day.
4. Unscheduled date in February (weather permitting).

## **MARKERS AND MONUMENTS**

### **A. Placement of Markers and Monuments:**

Markers shall be placed at the head of the grave. To avoid possible misunderstanding and difficulty, monument vendors and installers shall review proposed monument and marker plans with the cemetery superintendent. Memorials that do not conform with the rules and regulations of the cemetery will not be permitted.

The cemetery superintendent or designated staff reserve the right to remove or have removed any marker, monument, tree, shrub, or any object occupying a space where a grave is to be dug or in an area that interferes with the digging of a grave.

The temporary removal of a marker may be required, at the discretion of the superintendent, without notice to the owner, for the digging of a grave(s), installation of a marker(s), maintenance operations, infrastructure installation or repairs, etc.

### **B. Fees:**

All fees for the maintenance of all markers and monuments shall be paid before installation will be approved.

### **C. Flat Markers:**

All flat markers must have a concrete border of at least 3 inches or an unpolished edge of at least 1 inch. Flat markers shall be installed so as to be level with surrounding existing grades.

### **D. Raised Markers:**

1. Only one above-grass-level grave marker or monument shall be permitted in an area containing at least two contiguous (side by side) burial plots in common ownership. The marker location shall be centered in the middle of the two lots.

2. Grave spaces originally counted in qualifying for the installation of a raised marker or monument shall not be considered a second time for any additional raised marker or monument.

3. Raised markers must be a minimum of 12 inches tall and have a grass level stone or concrete foundation that extends outward a minimum of 8 inches from any raised portion of the marker.

### **E. One Marker Per Person:**

Only one marker or monument per person shall be permitted in the cemetery.

### **F. Vases:**

All vases shall be placed in the concrete or stone base of the marker or monument.

### **G. Fences:**

Fences, hedges, stone, or gravel shall not be permitted around the perimeter of burial spaces.

### **H. Allowable Marker Dimensions:**

Maximum marker sizes, including foundations or concrete borders, are as follows:

Maximum length of any marker for four spaces is 9'-4" (including foundation)

Maximum length of any marker for two spaces is 7'-4" (including foundation)

Maximum length of any single space marker is 42"

Maximum length of any double-deep space marker is 42"

Maximum marker size in infant section is 30" long x 24" wide

Maximum marker size in urn section is 30" long x 24" wide

#### **J. Porcelain or Other Attached Pictures:**

The cemetery is not responsible for damage to porcelain or other attached pictures on flat or raised monuments. It is recommended that these types of pictures not be placed on flat headstones.

### **GENERAL PLATTING AND LANDSCAPING**

#### **A. Boundaries, Roads, Water Lines:**

The right to enlarge, reduce, re-plat or change the boundaries of the cemetery or of a section or sections from time to time, including the right to modify or change the locations of roads and drives, is hereby expressly reserved by the cemetery. The right to lay, maintain and operate pipelines or gutters for water supply or drainage is also expressly reserved.

#### **B. Filing of Plats:**

All maps, plats, records, etc., are on file at the cemetery office.

### **PERPETUAL CARE**

Perpetual care is defined as the general care and maintenance necessitated by the natural and ordinary growth of turf, trees and shrubs or the ordinary wear from use of the cemetery, over time. Said care may be provided at reasonable intervals within the budget limits of the cemetery. Said care includes but not limited to planting, cutting, watering and care of lawns; the care of trees, shrubs and flowers planted by the cemetery; upkeep of buildings, maintenance of proper records, fences, roadways, and walks. Said care does not include normal maintenance or care of monuments, markers, or flower vases.

### **REGULATIONS GOVERNING ACCESS AND CONDUCT**

#### **A. Improper Conduct Prohibited:**

Bountiful City Cemetery has been dedicated for the respectful burial of the dead. Any behavior or conduct not in keeping with this purpose is expressly forbidden. Prohibited behaviors include, but are not limited to:

Playing of loud music, horseplay, sport related activities or games, open flames, bar-b-ques, cooking, overnight parking or camping, obstruction of neighboring plots, and other disruptive activities as determined by the superintendent.

#### **B. Loss or Damage:**

The cemetery distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control. The cemetery does not accept responsibility for loss or damage caused by the acts of other persons or parties.

The employees of Bountiful City Cemetery will exercise reasonable caution and effort to prevent loss or damage to all property within the cemetery, including raised lettering, carving or ornaments on any memorial or other structure on any lot in the cemetery.

Damaged caused by the delivery of monuments, vaults or other funeral service supplies is the responsibility of the company or individual providing the services or materials, including damage to the cemetery irrigation system. Repairs to the irrigation system shall be completed by cemetery staff.

#### **C. Speed Limit:**

The speed limit within Bountiful City Cemetery is 15 miles per hour.

**D. Children and/or Animals:**

Children under fifteen (15) years of age shall not be permitted within the cemetery grounds or their buildings unless accompanied by an adult. Animals, with the exception of service animals, are not permitted in the cemetery.

**MISCELLANEOUS**

**A. Office — Records:**

Cemetery office hours are 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays. All business pertaining to the cemetery should be transacted at the cemetery office, with the exception of payments made at the City Hall offices following the issuance of an invoice.

The location of all graves is shown by maps and by a system of recorded measurements from fixed, permanent landmarks. All maps and records are on file at the office.

**B. Powers of Superintendent:**

The superintendent, subject to the direction of the City Council, has entire charge of the cemetery and is authorized to enforce the rules and regulations pertaining to the cemetery. The superintendent may take such action as may be necessary, though not expressly authorized by the rules, in order to protect the property of graves and lot owners, and the cemetery, from injury or loss, to preserve the peace and good order, or to prevent injury to the appearance of the lots and graves, grounds and buildings.

**C. Contractors and Outside Workers:**

Contractors and others having work in the cemetery must make known their business to the superintendent and receive a permit before work is commenced.

**D. Disinterments:**

Disinterments may be made at reasonable times at the discretion of the superintendent. The written order of the lot owner or his legal representative, or an order from a competent authority in compliance with law must be given. No disinterment will be permitted without the proper certificate or permit required by law or ordinance furnished to the superintendent.

No disinterment will be permitted for double depth spaces, unless otherwise required by a competent authority with a legal written order.

**E. Prices and Charges:**

Prices of lots and all cemetery management services and fees will be furnished by the cemetery management at the office. All fees, prices and charges are subject to change without notice and are published separately.

**F. Liability of Cemetery:**

Bountiful City Cemetery personnel will at all times exercise diligence and reasonable care in the protection of the rights and property of the lot owners and visitors of the cemetery but shall not be liable for any damage or loss.

**G. Alteration and Repeal of Rules and Regulations:**

Bountiful City Cemetery reserves the right without notice, to make, amend and repeal the rules and regulations and to make exceptions thereto which are determined to be in the best interest of the cemetery, but such allowances or exceptions shall not amend or repeal any rule or regulation.