

AMENDED ORDINANCE NO. 43A

**AN ORDINANCE REGULATING SALES OF THE RIGHT TO BE BURIED
IN THE BOULDER MUNICIPAL CEMETERY**

WHEREAS Boulder Town owns and operates the Boulder Cemetery; and

WHEREAS Section 8-5-7 Utah Code Ann. allows municipalities to sell the right to be buried in municipal cemeteries and allows municipalities the right to impose terms on the sale of the right to be buried within municipal cemeteries; and

WHEREAS it is in the best interests of the people of Boulder Town that reasonable restrictions be placed on sales of the right to be buried for purposes of preserving space in the cemetery for future use; and

WHEREAS the Town contemplates there will be costs involved in maintaining and operating the cemetery which costs can to some extent be offset by proceeds from sales of the right to be buried;

NOW THEREFORE IT IS HEREBY ORDAINED AS FOLLOWS:

1. Rights to be buried in the Boulder Town Cemetery will be sold after the death of the person for whom the right to be buried is sought. Sales will be made through the Town Clerk who, by appointment of the Town Council, acts as the cemetery coordinator. The fee for the right to be buried is the cost of opening and closing the grave per each person buried, which fee must be paid in advance of the burial. The Town Council acting through the cemetery coordinator reserves the right to place reasonable restrictions on the exact location within the cemetery where a person may be buried.

2. The right to be buried in the Boulder Town Cemetery is limited to individuals for whom the fee has been paid and who: (1) were residents of or lived within 10 miles of Boulder Town at the time of their death; (2) were prior residents of or lived within 10 miles of Boulder Town; (3) owned real estate within or within 10 miles of Boulder Town at the time of their death; (4) previously owned real estate within or within 10 miles of Boulder Town; (5) are relatives of any persons described above and the degree of relationship is to the third degree of consanguinity or closer as shown on the Table of Consanguinity attached hereto as Exhibit A.

Passed and adopted by the Boulder Town Council this 7th day of July, 2005.

Signed:

/s/ Keith L. Gailey
MAYOR

Attest:

/s/ Judith Davis

Town Clerk