

1 Ordinance No. 2020-002

2  
3 AN ORDINANCE AMENDING PROVIDENCE CITY CODE (PCC) TITLE 7 PUBLIC WAYS AND  
4 PROPERTY, CHAPTER 4 CEMETERIES, SECTION 6 FEES AND CHARGES AND SECTION 7 LOT SALES,  
5 BY REMOVING THE DEFINITION OF RESIDENT AND THE REFERENCE TO RESIDENT AND NON-  
6 RESIDENT RATES; AND ESTABLISHING THE FEE FOR A NEW CERTIFICATE BY RESOLUTION OF THE  
7 CITY COUNCIL.

8  
9 WHEREAS UCA § 10-3-701 states, "except as otherwise specifically provided, the governing body  
10 of each municipality shall exercise its legislative power through ordinances"; and

- 11 • On May 24, 2019, the Providence City Council adopted Resolution 015-2019, adjusting  
12 cemetery fees including but not limited to grave space, burial open/close, space  
13 transfer, and headstone setting.

14  
15 WHEREAS, PCC 7-4-6:B. currently states:

16 B. Resident, Defined: For this Chapter, a resident is defined as someone who physically lives in  
17 Providence City or who lived in Providence City for a continuous period of not less than 10  
18 years.

- 19 1. Providence City currently has a purchase price for resident and a purchase price for  
20 non-resident. It is a violation of this Chapter for a resident to purchase grave  
21 space(s) for a non-resident at the resident purchase price.

22  
23 WHEREAS, the purchase price for a grave space is now uniform for both resident and non-  
24 resident. City staff recommends repealing PCC 7-4-6:B.

25  
26 WHEREAS, the City staff recommends PCC 7-4-7:E.4 & 5 be amended as follows:

- 27 4. Cemetery lots may be given by will to another person. The current certificate  
28 will be turned in to the City. ~~The City will then issue a new certificate at the cost~~  
29 ~~of twenty dollars (\$20.00).~~ **The fee for a new certificate will be established by**  
30 **resolution of the City Council.**  
31  
32 5. Cemetery lots may be transferred, conveyed, or assigned to another person.  
33 The current certificate will be turned in to the City. ~~The City will then issue a~~  
34 ~~new certificate at the cost of twenty dollars (\$20).~~ **The fee for a new certificate**  
35 **will be established by resolution of the City Council.**  
36 a. Selling, transferring, conveying, or assigning cemetery lots for monetary  
37 gain of either party is prohibited

38  
39  
40 THEREFORE be it ordained by the Providence City Council

- 41 • The above code amendments shall be approved; and  
42 • This ordinance shall become effective immediately upon passage and posting or 30 days  
43 after final passage, whichever is closer to the date of final passage.

44  
45 Passed by vote of the Providence City Council this 19 day of February 2020.

46  
47 Council Vote:

48 Eck, Kristina ( x) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent

1 Kirk, Carrie ( x) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent  
2 Paulsen, Joshua ( x) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent  
3 Sealy, Jeanell ( x) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent  
4 Speth, Brent ( x) Yes ( ) No ( ) Excused ( ) Abstained ( ) Absent  
5

6 Signed by Mayor John Drew this 21 day of February 2020.

7  
8 Providence City

9  
10  
11 John Drew, Mayor

12  
13 Attest:

14  
15 Skarlet Bankhead, Recorder  
16  
17

