

## ORDINANCE NO. 06-01-2025

**AN ORDINANCE AMENDING SANTAQUIN CITY CODE RELATED TO CEMENT APRON REQUIREMENTS FOR HEADSTONES, MONUMENTS AND MARKERS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.**

**WHEREAS**, the City of Santaquin is a fourth class city of the state of Utah; and

**WHEREAS**, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

**WHEREAS**, the City Council finds it is necessary to modify the city's apron width requirements for headstones, monuments, and markers for the purpose of protecting headstones, monuments, markers from making contact with maintenance equipment which could cause damage to one or both items.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SANTAQUIN, UTAH, AS FOLLOWS:**

### **Section I.**

**Santaquin City Code, Title 7 Chapter 12 Section 050 is hereby amended as follows: (*Blue text is added, stricken text is to be deleted*)**

#### **7.12.050 HEADSTONES; MONUMENTS; MARKERS**

1. Liability: The placing of monuments, markers, and vases is done so at the purchaser's own risk and shall be accomplished under the direction of the city, and shall comply with all specifications herein enumerated. The city assumes no obligation or responsibility to repair or replace markers or monuments damaged by an owner, elements, or third parties.
2. Deadline: Owners of lots or relatives of deceased persons buried in the cemetery are required to erect a headstone or other suitable monuments with the name of the deceased plainly thereon. If a headstone or monument is not erected within a six (6) month period after the interment, the public works director, or designee, shall place a suitable headstone in the prescribed place at the expense of the person owning or burying in said lot.
3. Concrete Apron/Mow Strip: It shall be unlawful for any person to erect or place any monument on any lot in the city cemetery, unless the same shall be placed on a good, steel reinforced, concrete foundation four inches (4") deep or deeper, if deemed necessary by the public works director, with a cement apron (lawn mower strip) not less than ~~six~~ eight inches (~~68~~8") wide around said monument.

4. **Approved Materials:** It shall be unlawful for any person to place any monument on any lot in the said cemetery made of any material other than noncorrosive metal, stone or concrete.
5. **Size Limits:** Markers, including the concrete apron, may not be larger than the space allowed for the burial.
6. **Quantity Limits:** Only one grave marker will be permitted on each grave, including double depth burials and other circumstances where multiple burials are allowed in one grave. This marker shall be at the head of the grave, except that a military marker may be placed just east of a double marker, flush with the ground and directly over the grave, to memorialize veteran status.
7. **Vases:** It shall be unlawful for any person to place more than two (2) flower vases on the grass skirt of any one monument or marker and at least four inches (4") of cement of proper depth must extend beyond such vase. When two (2) vases are put in the grass skirt of any grave marker or monument they must be placed on each side of or north and south of said marker or monument.
8. **Infant And Cremation Sections:** Markers placed in the sections of the cemetery designated for infants or cremations are required to be flush with the lawn securely set in the cement foundation as specified in the "concrete apron/mow strip" of this section.
9. **Contractors And Outside Workers:** It shall be unlawful for any person to place any monuments or markers upon any lot in said cemetery without a written permission from the city office and under the direction of the public works director, or designee. Contractors and others having work in the cemetery, must make known their business to the city office and receive permission at least two (2) working days before work is commenced. (Ord. 11-03-2010, 11-17-2010, eff. 11-18-2010)

## **Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

## **Section III. Contrary Provisions Repealed**

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

## **Section IV. Codification, Inclusion in the Code, and Scrivener's Errors**

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to

accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

**Section V. Posting and Effective Date**

This ordinance shall become effective at 5:00 p.m. on Wednesday, June 4<sup>th</sup>. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City.

PASSED AND ADOPTED this 3<sup>rd</sup> day of June, 2025.

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Daniel M. Olson, Mayor

Councilmember Art Adcock	Voted	___
Councilmember Brian Del Rosario	Voted	___
Councilmember Travis Keel	Voted	___
Councilmember Lynn Mecham	Voted	___
Councilmember Jeff Siddoway	Voted	___

ATTEST:

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Amalie R. Ottley, City Recorder

COUNTY OF UTAH )

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Santaquin City Recorder

(SEAL)

## AFFIDAVIT OF POSTING

STATE OF UTAH )

) ss.

COUNTY OF UTAH )

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that prior to the ordinance taking effect, I posted a short summary of the ordinance on the Utah Public Notice Website as required by Utah State Code 10-3-711(1)(b) as a Class A Notice and Santaquin City Code 1-2-050(D)

I further certify that copies of the ordinance were posted online at [www.santaquin.org](http://www.santaquin.org), at the City Hall Building at 110 S. Center Street and on the State of Utah's Public Notice Website, <https://www.utah.gov/pmn/index.html>. A copy of the notice may also be requested by calling (801)754-1904.

AMALIE R. OTTLEY  
Santaquin City Recorder

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_ 2025, by AMALIE R. OTTLEY.

My Commission Expires:

Notary Public

Residing at Utah County