

ORDINANCE 2019-07

AN ORDINANCE OF THE TOWN OF SPRINGDALE, UTAH ADOPTING MEASURES TO PROTECT AND PRESERVE THE OLD PIONEER CEMETERY

WHEREAS, the Town of Springdale is authorized under Utah Code Ann. § 10-8-62(2) to exercise police jurisdiction over any cemetery used by the inhabitants of the city;

WHEREAS, the Town of Springdale has a historic pioneer cemetery where some of the founders of the Town of Springdale and others are buried;

WHEREAS, the historic pioneer cemetery is no longer used for the interment of remains;

WHEREAS, the Town of Springdale wishes to adopt provisions to protect the cemetery from disturbance and to preserve it in its current form.

NOW THEREFORE BE IT ORDAINED that the following provisions are added to Title 7, Chapter 8, “Pioneer Cemetery,” of the Springdale Town Code:

SECTION 7-8-1: Definitions

“Pioneer Cemetery” means the cemetery containing gravesites dating from the late 1800’s to the early to mid-1900’s that is located on the hilltop northeast of the intersection of Paradise Road and Winderland Lane.

“Pioneer Cemetery Protection Zone” means any area that is within 200 feet of a monument, grave marker, or any other similar indication in the Pioneer Cemetery.

SECTION 7-8-2: Cemetery Protection and Preservation

- (a) It is unlawful to bury any human remains or cremains in the Pioneer Cemetery or within the Pioneer Cemetery Protection Zone.
- (b) It is unlawful to store any human remains or cremains in or above the ground in the Pioneer Cemetery or the Pioneer Cemetery Protection Zone.
- (c) It is unlawful to disinter or disturb any human remains in the Pioneer Cemetery without specific legal authorization from the State of Utah for the disinterment.
- (d) It is unlawful to damage or vandalize any monument, grave marker, or any other similar indication in the Pioneer Cemetery.
- (e) It is unlawful to excavate or otherwise disturb any part of the area within the Pioneer Cemetery Protection Zone.
- (f) It is unlawful to build any structure or building within the Pioneer Cemetery Protection Zone.

SECTION 7-8-3: Violation

The violation of any part of Section 7-8-2 is a Class B misdemeanor.

SECTION 7-8-4: Exemption

The prohibitions of Section 7-8-2 do not apply to the Town of Springdale, its employees, or any volunteers acting with the written permission of the Town of Springdale.

PASSED and ADOPTED by the Springdale Town Council this 14th day of August, 2019.
This ordinance will be effective upon passage and posting.

Stanley J. Smith, Mayor

ATTEST:

Darci Carlson, Town Clerk