

Midway City Council
18 January 2022
Regular Meeting

Resolution 2022-04 /
Cemetery Moratorium



Midway

RESOLUTION

2022-__

**A RESOLUTION AUTHORIZING A SIX-MONTH EXTENSION OF
THE MORATORIUM ON THE SALE OF CEMETERY PLOTS
WITH SPECIFIC EXCEPTIONS, AND RELATED MATTERS**

WHEREAS, Midway City owns and operates the Midway City Cemetery; and

WHEREAS, in July 2021, the Midway City Council found there was good cause for imposing a six (6) month moratorium on the sale of new cemetery plots, with certain exceptions, in order to allow City Staff to update burial policies and plot ownership records; and

WHEREAS, City Staff has worked diligently during the moratorium to track the ownership of certain cemetery plots, locate correct names and contact information for plot claimants, resolve disputes regarding plots, and to update cemetery policies and procedures; and

WHEREAS, the moratorium is set to expire on January 20, 2022, but City Staff needs additional time to conclude the work it has undertaken regarding the cemetery; and

WHEREAS, because it is in the best interest of the City and its residents to update the policies and procedures of the cemetery, specifically with respect to the sale and tracking of plot ownership, the Midway City Council desires to extend the moratorium an additional six (6) months, or until July 2022.

NOW, THEREFORE, be it hereby Resolved by the City Council of Midway City, Utah, as follows:

1. No cemetery plots in the Midway Cemetery will be sold for an additional six (6) months following the adoption of this Resolution.
2. The moratorium on sales of cemetery lots shall not apply to the sale of single cemetery plots that meet the following conditions:

- a. The plot is purchase for the purpose of the imminent interment of a recently deceased person.
- b. The plot is in an area of the cemetery where there are no ownership issues that have been discovered by Midway City staff.

3. Interment in the Midway City Cemetery shall continue to be allowed as normal in any plot where the ownership can be conclusively proved to the Midway City Staff.

4. The Midway City Attorney, along with Midway City Staff, is directed to prepare updated policies and procedures regarding the operation of the Midway Cemetery and the sale and tracking of plots, and to present those new policies and procedures to the City Council for their approval and adoption prior to the expiration of the moratorium period.

This Resolution shall take effect immediately upon publication as required by law.

PASSED AND ADOPTED by the Midway City Council on the 18th day of January, 2022.

MIDWAY CITY COUNCIL

	AYE	NAY
Council Member Steve Dougherty	_____	_____
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member JC Simonsen	_____	_____

APPROVED

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM

Corbin B. Gordon, City Attorney