

**BYLAWS**  
**of the**  
**DELTA-SUTHERLAND-OASIS CEMETERY MAINTENANCE DISTRICT**

As of January 5, 2023

**ARTICLE I. AUTHORITY AND POWERS**

Section I. The authority and powers of the Delta-Sutherland-Oasis Cemetery Maintenance District were granted and established by the Millard County Commission on November 29, 1948, pursuant to Chapter 17, 1945 Session Laws of the State of Utah, which, after due and proper notice and election, recognized the District as a body politic and corporate with its recorded boundary. The Delta-Sutherland-Oasis Cemetery Maintenance District, hereafter sometimes called District, is now governed by the following Statutes of the State of Utah as amended:

- A. Title 1B2, Utah Code Annotated, 1953, as amended, relating to the "Cemetery Maintenance District Act."
- B. The District is also subject to Title 8, Chapter 5, Utah Code Annotated, 1953, as amended, relating to "Rights and Title to Cemetery Lots."

**ARTICLE II. PURPOSE**

Section 1. Purposes of the Delta-Sutherland-Oasis Cemetery Maintenance District are as follows:

- A. To maintain, improve, and beautify the cemeteries of the District;
- B. To purchase and hold land in trust for and to be dedicated and set aside for the uses and purposes of the District;
- C. To adopt policies and procedures for the information of morticians and families in order to carry out the fair, and orderly purpose of the District in a fair, compassionate, and convenient manner; and
- D. To assess and collect funds as a separate taxing district for the operation and maintenance of the District.

**ARTICLE III. ADMINISTRATIVE CONTROL BOARD OF TRUSTEES MEMBERSHIP**

Section 1. Membership of the Delta-Sutherland-Oasis Cemetery Maintenance District Board is appointive and shall be determined and governed by Title 17D, Utah Code Annotated, 1953, as amended, or any succeeding statutory provisions. All vacancies on the Cemetery District Maintenance Board shall be filled by following the procedures and requirements of Section 17D-1-303, Utah Code Annotated, 1953, as amended.

Section 2. When a vacancy occurs on the Cemetery District Maintenance Board, the Chair of the Board shall notify the Millard County Board of Commissioners. The Millard County Board of Commissioners will advertise the vacancy and interview interested candidates. Cemetery Boards may make recommendations to the Millard County Board of Commissioners concerning candidates interviewing for vacancies; however, the final decision and appointment will be made by the Millard County Board of Commissioners. (17B-2a-106(2) Utah Code)

Section 3. Board membership shall consist of residents who reside within the District and number no less than three and no more than nine.

Section 4. The term of each member of the Board of Trustees shall be four years. Terms shall be staggered so not all board member terms expire at the same time. A Board of Trustee member is not limited in the number of terms the member may serve.

Section 5. The Board shall elect a Chair and a Treasurer for a two-year term. In addition, the Board shall contract a Clerk. The clerk is not a Board member.

Section 6. The duties of the respective officers shall be as follows:

- A. The Chair shall be the official representative and spokesperson of the District and shall conduct meetings. Special meetings of the Board shall be called when requested.
- B. The Treasurer maintains custody of all money, signs checks -- after determining that sufficient funds are available and is in charge of all records and disposition of funds of the District.
- C. The Clerk shall attend meetings and keep a record of the proceedings, maintain financial records, prepare checks, present a detailed financial report at least quarterly to the board, and shall post notice of all meetings in three different locations.
- D. The Board shall have the authority to hire a sexton(s) and/or caretaker(s) for the cemeteries in the District.
- E. The Board shall have the authority to assess a fee for noncompliance of the Cemetery Policies and Procedures by families, morticians, and/or monument companies.

Section 7. The Board shall meet at least four times annually.

Section 8. The Board shall provide public notice of a meeting at least twenty-four hours before the meeting. The public notice shall specify the date, time, and place of the meeting; include an agenda that specifies topics to be considered; be posted on the Utah Public Notice Website and at the location of the meeting; and be provided to a newspaper or local media correspondent.

#### **ARTICLE IV. FUNDING**

Section 1. Funding for the Delta-Sutherland-Oasis Cemetery Maintenance District is by taxation as provided by law and expenditures shall be as follows:

- A. Operating and Maintenance;
- B. Short-Term Capital;
- C. Long-Term Capital; and
- D. Clerical, legal, accounting and office expenses.

Section 2. Allocation of funds shall be as follows:

- A. Operating and Maintenance, Short-Term and Long-Term budgets shall be compiled by the Board during the month of October of each respective year.
- B. The District shall levy a tax, according to law, based on the budgets calculated, together with clerical, legal, and office expenses.
- C. Operating and Maintenance funds which are unused shall be retained by the District in a capital fund.
- D. Short-Term capital needs and requirements shall be budgeted on an annual basis.
- E. Long-Term capital needs shall be met by the individual needs and requirements of the District and within the discretion and determination of the Delta-Sutherland-Oasis Cemetery Maintenance District Board of Trustees.

**ARTICLE V. RECORDS**

Section 1. Physical records of the Delta-Sutherland-Oasis Cemetery Maintenance District shall be kept by the Secretary-Treasurer and shall include the following:

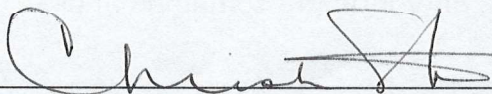
- A. Inventory of all real and personal property of the District;
- B. A record of all plot sales within the District; and
- C. The financial records of the District.

Section 2. The individual cemetery sexton and/or the Board shall keep the following records:

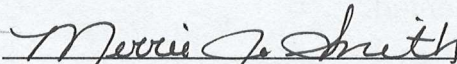
- A. A map of the cemetery plots.
- B. A record of all interments, stating the name of the decedent, date of birth, and date of death.
- C. This record is open to public inspection.

Section 3. Should cemetery records be requested by the Millard County Recorder, the recorder may not collect any fee for filing and/or recording.

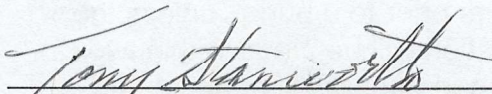
These Bylaws were amended and unanimously approved by the Delta-Sutherland-Oasis Cemetery Maintenance District Board of Trustees on January 5<sup>th</sup>, 2023



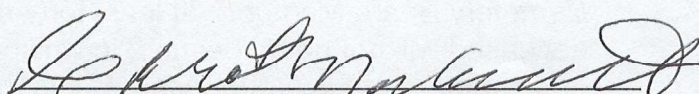
Christina Stanworth, Chairperson



Merrie Jo Smith, Board Member



Tony Stanworth, Board Member



Carol Meinhardt, Board Secretary

**POLICIES AND PROCEDURES**  
**of the**  
**DELTA-SUTHERLAND-OASIS CEMETERY MAINTENANCE DISTRICT**

Maintaining, improving, and beautifying of cemeteries for the burial of the dead is declared to be one of the first considerations of a civilized people. It is to this end that the Delta-Sutherland-Oasis Cemetery Maintenance District Board of Trustees adopts the following policies and procedures for the information of families, morticians, and monument companies in order to carry out this solemn duty as compassionately as possible, in a fair, efficient, and convenient manner and still offer as much freedom of choice as possible.

1. Only permissive burial rights are sold, and the District retains title to cemetery burial rights. Only eight (8) plots may be purchased by any one private individual. Commercial businesses are prohibited from purchasing plots. Cost for each burial plot is five hundred dollars (\$500.00) for residents of Millard County and one thousand five hundred dollars (\$1,500.00) for nonresidents, effective July 1, 2008.
2. If, after a period of sixty (60) years, plots have not been used, the District may reclaim the property by following the procedures outlined in Title 8, Chapter 5, Utah Code Annotated 1953 as amended.
3. Burial rights are conveyed to the person named, their heirs, and/or others so named and properly documented.
4. The following burial stipulations apply for all interments:
  - A. It is the responsibility of the family, or the family's authorized representative, to meet with a Cemetery District Representative (the Sexton, Caretaker, Secretary, or a Cemetery Board Member), at least forty-eight (48) hours prior to a burial, unless the deceased will not be embalmed; in which case, notification will be made within two (2) hours after death is pronounced. Costs for non-embalmed burials will be the same as embalmed burials. All cremain interments will be treated the same as vault burials.
  - B. The plot(s) shall be chosen and paid for at that time, unless previously purchased. All applicable fees shall be paid to the Cemetery District Representative before the burial site is prepared.
  - C. Interments or Disinterments in the cemeteries will not be allowed on the following days: New Year's Day, President's Day, Good Friday Weekend, Friday through Monday of Memorial Day Weekend, Independence Day Observed, Pioneer Day Observed, Labor Day, Thanksgiving Day, Christmas Eve Day, and Christmas Day.
5. Vaults for traditional burials shall be structurally sound and made of concrete. The top and sides of the vault shall be perpendicular with square corners. The vault shall withstand the probing used at the time of locating the grave site. Inspection and approval of the vault shall be by the Cemetery District Representative prior to interment.

6. Exceptions to the above listed vault requirement are permissible for infant and cremains burials ONLY. Cremains require a sealable urn made of a non-corrosive material. Inspection and approval of the burial chambers for infants and cremains shall be by the Cemetery District Representative prior to interment.
7. Burial plots are laid out in rows with the head of the grave to the west and the foot to the east. According to traditional burial custom, the wife will be placed to the north of the husband, unless otherwise requested.
8. Not more than one (1) casket per plot is allowed except for infants. There can be up to four (4) infant burials per plot. Only one (1) interment will be allowed in a casket with the exception of a mother or a father with infant children, or two (2) minor children buried at the same time.
9. Multiple use of a plot for cremains is permitted IF space allows. Placing cremains above a previously interred traditional burial is permitted IF space allows.
10. The charge for removing and reinstalling regulation-size upright and wedge headstones with a base is three hundred fifty dollars (\$350.00). Removal of large non-regulation-size monuments will require additional charges. All monument removal and reinstallation charges are the responsibility of the owner and shall be part of the funeral director's bill to the family. The Cemetery District Board has the right of refusal to remove/reinstall a headstone to permit a burial. Charges are subject to change by vote of the Cemetery District Board.
11. A Cemetery District Representative must be present at the opening and closing of the grave. The opening and closing of graves shall only be performed by cemetery personnel or individuals approved by the Cemetery District Board. The opening and closing charge for a burial requiring a vault is four hundred and fifty dollars (\$450.00) and the charge for a burial of cremains is one hundred fifty dollars (\$150.00). Arrangement for payment of opening and closing charges must be made with the appropriate Cemetery District Representative before digging is performed. Payment must be in the form of a check from the funeral home providing the funeral service. Charges are subject to change by vote of the Cemetery District Board.
12. A positive working relationship between the mortuary, the vault company, and the Delta-Sutherland-Oasis Cemetery Maintenance District is vital to the respectful management of interment. Based on that premise, the following policies and procedures are critical for successful operations.
  - A. Notification of a death and subsequent interment from mortuary officials prompts cemetery personnel to prepare a site for burial.
  - B. Following burial preparations by cemetery personnel, vault providers arrive to ready the vault and site for services and subsequent interment.
  - C. When mortuary officials arrive at the cemetery with the body of the deceased, graveside services proceed. The graveside service is the responsibility of mortuary officials exclusively. Graveside services will be held in a timely and expedient manner.
  - D. Following the graveside service and after an appropriate period of mourning/visitation time has expired, mortuary officials signal vault providers to proceed to the burial site and interment begins.

- E. When cemetery personnel observe vault providers moving into position for interment, they proceed to the burial site and may assist both mortuary officials and vault providers with their respective duties, such as: removing floral arrangements that may obstruct work, closing the vault, securing the vault in place, etc.
- F. Cemetery personnel are responsible for closing the interment site. Mortuary officials and vault providers may assist with this responsibility to the extent possible.
- G. Conveyance and purchase of permissive burial rights to persons, their heirs, or others so named, as well as the location of plots for interment, is the exclusive responsibility of Delta-Sutherland-Oasis Cemetery Maintenance District personnel. Mortuary officials shall refer all matters pertaining to cemetery interments to the respective sextons of each cemetery within the District.
- H. Delta-Sutherland-Oasis Cemetery Maintenance District maps of burials and permissive burial right documentation, as well as changes thereto, are wholly the property and responsibility of the District.

13. **Headstones installed in the cemetery cannot exceed the dimensions outlined below, and must comply with placement requirements as follows:**

- A. Maximum size of a double plot above-ground headstone, including the base (where the monument meets the mow strip at ground level), shall not exceed seventy-two inches (72") in length, twenty inches (20") in width, and thirty-six inches (36") in height. Widths in excess of twenty inches (20") must be pre-approved by the cemetery sexton.
- B. Maximum size of a single plot above-ground headstone, including the base (where the monument meets the mow strip at ground level), shall not exceed thirty-two inches (32") in length, twenty inches (20") in width, and thirty-six inches (36") in height. Widths in excess of twenty inches (20") must be pre-approved by the cemetery sexton.
- C. Maximum size of a double plot headstone that is not above ground level shall not exceed seventy-two inches (72") in length and twenty inches (20") in width. Widths in excess of twenty inches (20") must be pre-approved by the cemetery sexton.
- D. Maximum size of a single plot headstone that is not above ground level shall not exceed thirty-two inches (32") in length and twenty inches (20") in width. Widths in excess of twenty inches (20") must be pre-approved by the cemetery sexton.
- E. All above-ground and level-with-the-ground headstones are required to have a six-inch (6") mow-strip around the perimeter of the base.
- F. All vases must be attached to the headstone and must be above the base (where the monument meets the mow strip at ground level.) Vases and/or recessed holes are not permitted in the mow strip.
- G. Nothing shall be placed on the mow strip foundation or embedded therein, including military and/or other commemorative plates.
- H. Headstones must be confined within the space of a purchased plot.
- I. No more than one (1) raised headstone per plot shall be permitted.
- J. There may be no more than three (3) headstones in one plot (one above-ground headstone and two level-with-the-ground headstones OR three level-with-the-ground headstones).
- K. The installation of a headstone above interred cremains is permanent. No additional cremains may be interred beneath that headstone.
- L. Headstones are considered the owner's property, and all care and upkeep is the owner's responsibility.

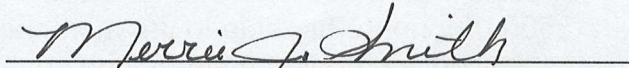
- M. The Delta-Sutherland-Oasis Cemetery Maintenance District recommends a properly identified headstone or permanent marker be installed within a year of burial.
  - N. Some sections of the cemeteries may have additional restrictions; namely:
    - (1) Pertaining to the Sutherland Cemetery:
      - i. In Blocks 1 and 6, burial plots are four feet wide and eleven feet long, with three feet at the head (west) of the grave reserved for placement of the headstone.
      - ii. All headstones installed after December 2, 2020 must be west facing. Exceptions shall be granted in lots where east facing headstones currently exist.
      - iii. Flat-top bench monuments following the dimensions heretofore established are permissible. Benches with backs (chair-type) are prohibited.
14. A signed Cemetery District Headstone Installation Permit is required for each headstone placement. The permit shall be signed by the Buyer and the Monument Company Representative and presented to a Cemetery District Representative prior to the headstone installation or relocation.
- A. Notice shall be given to the Cemetery District Representative forty-eight (48) hours before any headstone shall be installed or relocated.
  - B. Unauthorized placement of a headstone shall result in a fee of five hundred dollars (\$500.00), nonrefundable to the monument company.
  - C. Incorrect placement of a headstone shall result in a fee of five hundred dollars (\$500.00), nonrefundable, to the monument company, for removal and resetting of an improperly placed headstone.
15. Disinterment and removal of remains from the cemetery is permitted by following the procedures and requirements of Title 26, Chapter 2, Utah Code Annotated, 1953, as amended. Arrangements for the disinterment must be made with a Cemetery District Representative forty-eight (48) hours in advance. A fee of one thousand two hundred dollars (\$1,200.00), plus all other applicable fees, is to be paid for opening and closing the grave to the Cemetery District Representative before disinterment.
16. Mausoleums are not permitted within the cemetery.
17. Pet or animal burials are not permitted within the cemetery.
18. Placement of benches, monuments, etc., that are not in a designated plot, are permitted only with Cemetery Board approval.
19. Planting of trees, shrubs, flowers, digging or disturbing the sod anywhere on cemetery property, is permitted only with Cemetery Board approval.

20. Decorations or flowers (natural or artificial) may remain if they are on the headstone or are in permanently attached vases that do not interfere with routine maintenance. Funeral flowers will be discarded after six (6) days, if not removed. Flowers and other grave decorations are permitted for Memorial Day but must be removed after six (6) days.
21. The Delta-Sutherland-Oasis Cemetery Maintenance District shall have Workers Compensation and Employers Liability Insurance, as well as Fire and Casualty Property Insurance.
22. Anyone performing a service for the Delta-Sutherland-Oasis Cemetery Maintenance District shall have one million dollars (\$1,000,000) minimum Liability Insurance and name the District as additional insured and/or named insured accompanied by a certificate of accord.
23. All costs/fees listed herein for cemetery services and operations shall be paid to the Delta-Sutherland-Oasis Cemetery Maintenance District and are subject to change by a majority vote of the Board.

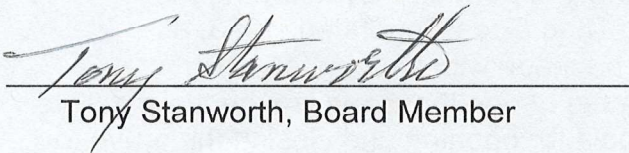
These policies and procedures were amended and unanimously approved by the Delta-Sutherland-Oasis Cemetery Maintenance District Board of Trustees on January 5<sup>th</sup>, 2023.



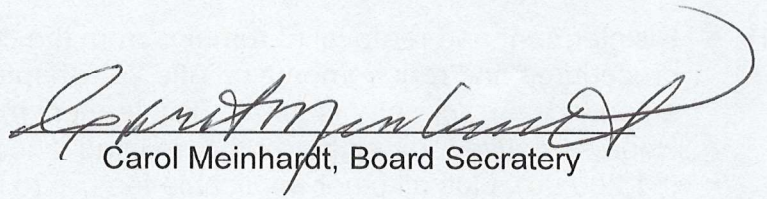
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