**Chapter 11.08 Right to Inter Ownership of Grave Spaces, Cremation Locations and Columbarium Niches**

Sections:

11.08.010 Right to Inter Certificate

11.08.020 Conveyance of Assignment for Right to Inter

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11.08.040 Unused Grave Locations

**11.08.010 Right to Inter Certificate**

1. Previous to passage of this ordinance, a deed giving ownership for purchased grave spaces was issued and recorded with the Beaverhead County Clerk and Recorder. Upon enactment of this ordinance, issuance of a deed is hereby terminated and a right to inter certificate is issued and recorded with the Beaverhead County Clerk and Recorder. A right to inter certificate gives the certificate holder or designee the right to be buried or designate who will be buried in each grave space, cremation grave space, or Columbarium Niche purchased. The City of Dillon retains ownership of the ground and Columbarium Niche.
2. The City of Dillon honors cemetery deeds issued prior to enactment of this ordinance.

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**11.08.020 Conveyance of Assignment for Right to Inter**

1. Purchase. Upon payment in full for grave spaces, cremation grave spaces or Columbarium Niches, the City of Dillon prepares a right to inter certificate. Names on right to inter certificates signify ownership for right of interment in grave spaces, cremation grave spaces or Columbarium Niches. Right to inter certificates are attested and signed by the Mayor and the City Clerk for the City of Dillon. Right to inter certificates are filed with the Beaverhead County Clerk and Recorder. Original right to inter certificates are given to certificate holders.
2. Designee Conveyance Assignment Change.
	1. Death of Legal Owner. Mountain View Cemetery grave spaces, cremation grave spaces, or Columbarium Niches not used by owners upon death of owners may be assigned to heirs at law or as provided in this ordinance.
	2. Conveyance of Assignment. Owners, personal representatives, or authorized heirs of Mountain View Cemetery grave spaces, cremation grave spaces or Columbarium Niches may re-assign ownership in writing. It is the responsibility of new owners to file re-assignment documents with the Beaverhead County Clerk and Recorder and notify the City of Dillon of same.
	3. Will/estate: Heirs must be identified recipients called out in wills or estates by legal documentation which state grave space assignments to heirs including the following legal documentation:
		* 1. Written grave space assignment.
			2. Original deed, right to inter document and/or conveyance of assignment or other legal document showing grave space, cremation grave space or Columbarium Niche assignments for heirs in a will or estate.
			3. Grave location.

4. Alternate legal documentation verifying right of survivorship and entitlement may be submitted.

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**11.08.030 Re-Sale - Re-Purchase Grave Assignments**

Unused grave spaces, cremation grave spaces, or Columbarium Niches that owners wish to sell may be purchased by the City of Dillon for the price paid to the City of Dillon at the time of the original transaction. In the absence of documentation of the original transaction fee, grave spaces, cremation grave spaces, or Columbarium Niches may be purchased by the City of Dillon for a minimum of half the current fee set by resolution of the City Council after public hearing. (See Section 11.020.050 – Fees)

The following information evidencing the legal right to sell grave spaces, cremation grave spaces, or Columbarium Niches must be presented before commencing the sale:

1. Original Ownership Documents. The original right to inter certificate, deed or title evidencing ownership of said grave spaces, cremation grave spaces, or Columbarium Niche issued at the time of sale.
2. Will/estate. Heirs must be identified recipients called out in a will or estate by legal documents which states conveyance of ownership to heirs.
3. Alternate legal documentation verifying right of survivorship and entitlement may be submitted.

Enc Ord 459 January 2, 2019

**11.08.040 Unused Grave Locations, Cremation Grave Spaces or Columbarium Niches**

Ownership of grave spaces, cremation grave spaces, or Columbarium Niches purchased after enactment of this ordinance may revert to the City of Dillon if the spaces remain used during a period of eighty (80) years after:

* + - 1. The last burial date that is part of a group purchase of lots; or
			2. The last date of assignment of ownership for a grave space, cremation grave space, or Columbarium Niche.

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