

MUNRO TOWNSHIP CEMETERY ORDINANCE

ORDINANCE NO. 96-06-1

An ordinance to protect the public health, safety and general welfare by establishing regulation relating to the operation, control, and management of cemetery owned by the Township of Munro, Cheboygan County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict there with in.

SECTION 1: TITLE

This ordinance shall be known and cited as The Munro Township Cemetery Ordinance.

SECTION 2: DEFINITIONS OF CEMETERY LOTS AND GRAVES

- A. A Cemetery lot shall consist of space sufficient to accommodate 1 to 6 Graves in the old section and 1 to 2 graves in the new section.
- B. An adult grave shall consist of land 6' x 8' in the old section of the cemetery and 4' x 8' in the new section.
- C. An infant or stillborn grave shall consist of a land area 3 feet wide by 3 ½ feet in length in an area set aside specifically for such burials.

SECTION 3: SALE OF SPACE FOR RIGHT OF BURIAL

- A. The one cemetery in Munro Township is owned and operated by Munro Township.
- B. All rights to cemetery lots and graves shall be sold on approved form by the Township Clerk. The Cemetery Lot Certificate grants a right of burial only and does not convey any other title to the lot or grave.
- C. All spaces must be paid for prior to burial.
- D. Hereafter, rights to cemetery lots and graves will be sold only to residents of Munro Township for the purpose of burials of said purchaser, his/her heirs at law, or next of kin. No more than 6 graves will be sold in the old section, 2 in the new section to one individual. No sale shall be made to funeral directors, companies, or others than as set forth. The Township Clerk, however, is hereby granted the authority to vary the restriction on sales where the purchaser discloses personal reason for burial with the township through previous residence in the township or relationship to persons interred there.

- E. Burial rights may only be transferred to those persons eligible to be original purchasers of cemetery lots or burial spaces within the township and may be effected only by endorsement of an assignment of such burial permit upon the original burial permit form issued by the Township Clerk, approved by said Clerk, and entered upon the official records. Upon such assignment, approval and record, the Clerk shall issue a new burial permit to the assignee and shall cancel and terminate on the records, the original permit. A transfer fee of \$10.00 will be charged.
- F. In case of an indigent who dies in the Township without resources for burial, the Township will assign a burial space, right to which will remain with the Township.

SECTION 4: PURCHASE PRICE AND TRANSFER FEES

- A. The purchase price for rights to lots and graves and the cost of transfer of rights will be set by resolution of The Township Board and may periodically be altered to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

SECTION 5: GRAVE OPENING CHARGES

- A. The fee for opening and closing of graves for interment of bodies and Cremains shall be set by resolution of The Township Board and may periodically be altered to accommodate increased costs for interment.
- B. No graves shall be opened or closed except under the direction and control of the cemetery sexton. The removal and reinterment of bodies and cremains will be done by the sexton under the supervision of the local health department and laws governing such procedures.

SECTION 6: MEMORIAL MARKERS

- A. All memorial markers must be made of stone or equally durable composition purchased from a set by an accredited memorial dealer.
- B. All monument foundations must be located flush with the ground. Foundation-
Ions shall be constructed by the memorial company and approved with the sexton. Standing monuments must have a minimum 12” foundation around outside of the base of the monument. Flush to the ground monuments must have a suitable foundation.
- C. Family monuments shall be permitted only when the holder of the certificate of burial rights owns adjacent graves in a row. Said family monument shall not exceed three (3) feet in width and shall be set in middle of the lot, but shall be in line with previously set memorial markers.

- D. Single/double individual monuments shall be set in line with previously placed memorial markers.
- E. Single/double individual bevel stone and flush stone markers may be set on individual graves, one only to a grave where two people are interred in adjoining graves a double memorial may be set one foot on each grave in line with previously set memorial markers.
- F. There will be limit of one (1) individual marker per burial site.

SECTION 7: INTERNMENT REGULATIONS

- A. Only one person may be buried in a grave except for a parent and infant, or 2 children buried at the same time.
- B. One person and the cremains of a second person or the cremains of two persons may be buried in a grave.
- C. All burials must be in approved vaults made of concrete, steel or fiberglass, installed or constructed in each burial space before interment.
- D. The appropriated burial/transit permit must be presented to the sexton prior to interment. Such permit is to be placed in the Township Clerk's records.
- E. Arrangements for internments may be made for any day except Sundays, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas and New Years Day.
- F. No out-of-town internments after 3:00 P.M.
- G. Winter internments during extreme weather conditions will be at the discretion of the sexton.

SECTION 8: GROUND MAINTENANCE

- A. The township approved sexton will supervise all opening and closings of burials, the setting of the memorial markers will be done by the memorial dealer. The general care of the cemetery such as grass cutting, cleaning grounds and pruning shrubs and trees will be under the supervision of the township board.
- B. No grading, leveling or excavating upon a grave is allowed.
- C. No artificial flowers, planting of perennials, shrubs or trees upon graves are Allowed.
- D. No lot perimeter walls will be allowed.

- E. The Township Board reserves the rights to remove or trim any tree, plant, shrub or lot perimeter wall located within the cemetery in the interest of maintaining proper appearance and use of the cemetery.
- F. Old artificial plants, containers (except for permanent urns), emblems, and displays that through decay, deterioration, damage or otherwise become unsightly, a source of litter, or a maintenance problem must be removed by May 1st each year or shall be disposed of by the grounds keeper.
- G. All refuse of any kind or nature must be removed from the cemetery.

SECTION 9: REPURCHASE OF LOTS OR BURIAL SPACES

- A. The Township will repurchase any cemetery lot or grave from the owner for the original price, paid upon written request of the owner or his legal heirs or representative and presentation of the lot deed or cemetery lot certificate.

SECTION 10: RECORDS

- A. The township sexton shall maintain all cemetery records including burials, issuance of burial permits. The Clerk shall issue Cemetery Lot Certificates, any cemetery funds, separate and apart from any other records of the township. All such records shall be open to public inspection.

SECTION 11: CEMETERY HOURS

- A. The cemetery shall be open to the general public during daylight hours as established and posted by The Township Board for the purposes of burials, graves visitation or historical research.
- B. No person shall be permitted in the cemetery after dark except by permission of the sexton.

SECTION 12: PENALTIES

- A. Any person, firm or corporation who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine of up to \$500.00 and/or imprisonment for up to 90 days in jail as may be determined by court of law. Each day that the violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

SECTION 13: SEVERABILITY

- A. The provisions of this ordinance are hereby declared to be severable and

should any provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

SECTION 14: EFFECTIVE DATE

This Ordinance shall take effect on June 20, 1996. All ordinances or parts of ordinance in conflict herewith are hereby repealed.