

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE BY ESTABLISHING REGULATIONS RELATING TO THE OPERATION, CONTROL, AND MANAGEMENT OF CEMETERIES OWNED BY THE TOWNSHIP OF ROBINSON, OTTAWA COUNTY, MICHIGAN; TO PROVIDE PENALTIES FOR THE VIOLATION OF SAID ORDINANCE, AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Section 1: TITLE

This ordinance shall be known and cited as the Robinson Township Cemetery Ordinance.

Section 2: DEFINITION OF CEMETERY LOTS

A cemetery lot shall consist of a land area designated by the Township. The term burial space and lot may be used interchangeably

Section 3: SALE OF LOTS

Hereafter, cemetery lots shall be sold only to residents of the Township and non-residents for the purpose of the burial of such purchaser or his or her heirs at law or next of kin. No sale shall be made to funeral directors or others that as heretofore set forth. The Township Clerk, however, is hereby granted the authority to vary to aforesaid restriction on sales where the purchaser discloses sufficient personal reason for burial within the Township through previous residence in the Township or relationship to persons interred therein.

All sales shall be made on a form approved by the Township Board, which grants a right of burial only and does not convey any other title to the lot or burial space sold. Such form shall be executed by the Township Clerk.

Burial rights may only be transferred to those persons eligible to be original purchasers of lots or burial spaces within the Township and may be effected only by endorsement of an assignment of such deed upon the original deed form issued by the Township Clerk, approved by said Clerk, and entered upon the official records of said Clerk. Upon such assignment, approval and record, said Clerk shall issue a new deed to the assignee and shall cancel and terminate upon such records, the original deed thus assigned.

Section 4: PURCHASE PRICE AND TRANSFER FEES

Cost for each burial space shall be determined by a fee structure established by the Township Board.

The charges shall be paid to the Township Treasurer.

The Township Board, by resolution, may periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

Section 5: GRAVE OPENING CHARGES

The opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined from time to time by resolutions of the Township Board, payable to the Township.

No burial spaces shall be opened and closed except under the direction and control of the Cemetery Sexton/Caretaker. This provision shall not apply to proceedings for the removal and reinterment of bodies and remains, which matters are under the supervision of the local health department, as a result of a court order. All disinterments must be conducted in cooperation with the Township.

Section 6: MARKERS OR MEMORIALS

All markers or memorials must be of stone or acceptable industry material only.

Any large upright monuments must be located upon a suitable foundation to maintain the same in an erect position. Markers and or monuments must be placed in a straight line not to exceed the width of the burial space and may not impede mowing or maintenance.

Any tombstone, monument, effigy, and inscription shall be approved by the Sexton/Caretaker.

All benches must be approved by the Sexton/Caretaker.

The footing or foundation, upon which any monument, marker or memorial must be placed, shall be set by the Township Sexton/Caretaker at a cost to the owner of the burial right.

Funeral homes and mortuaries are required to place temporary markers at time of burial.

Section 7: INTERMENT REGULATIONS

Only one conventional burial may be placed in a burial space, except for a mother and infant or two children buried at the same time.

Up to (6) six cremains are allowed per burial space. Only one cremains may be placed with a conventional burial.

Not less than 36 hours notice shall be given in advance of any time of any funeral to allow for the opening of the burial spaces.

The appropriate permit for the burial space involved, together with appropriate identification of the person to be buried therein, where necessary, shall be presented to either the Sexton/Caretaker or the Township Clerk prior to interment. Where such permit has been lost or destroyed, the Township Clerk shall be satisfied, from his or her records, that the person to be buried in the burial space is an authorized and appropriate one before any interment is commenced or completed.

All graves shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

Section 8: GROUND MAINTENANCE

No grading, leveling, or excavating upon burial spaces shall be allowed without the permission of the Cemetery Sexton/Caretaker or the Township Clerk.

No flowers, shrubs, trees or vegetation of any type shall be planted without the approval of the Sexton/Caretaker or the Township Clerk. The Township or the Cemetery Sexton/Caretaker may remove any of the foregoing items planted without such approval.

All flowers, real or artificial, must be in urns.

All urns shall be placed to the side of the tombstone and NOT over the gravesite.

No walls, concrete edgings or buildings are to be placed on a lot.

The Township Board reserves the right to remove or trim any tree, plant or shrub located within the cemetery in the interest of maintaining proper appearance and the use of the cemetery.

Mounds that hinder the free use of a lawn mower or other gardening apparatus are prohibited.

Surfaces other than earth or sod are prohibited.

The Cemetery Sexton/Caretaker or Township shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers therefore that through decay, deterioration, damage or otherwise become unsightly, a source of litter or a maintenance problem.

All refuse of any of any kind of nature including, among others, dried flowers, wreaths, papers, and flower containers must be removed or deposited in containers located within the cemetery.

No glass or porcelain is allowed.

No shepherd hooks are allowed.

General cleanup days will begin on or after March 1st and October 1st of each year.

Section 9: REPURCHASE OF LOTS OR BURIAL SPACES

The Township will repurchase any cemetery lots or burial space from the owner for the original price paid the Township upon written request of said owner or his legal heirs or representatives.

Section 10: RECORDS

The Township Clerk shall maintain records concerning all burials, issuance of burial permits, separated and apart from any other records of the township and the same shall be open to public inspection at all reasonable business hours.

Section 11: VAULT

All conventional burials shall be within a standard concrete vault installed or constructed in each burial space before interment.

Section 12: CEMETERY HOURS

The cemetery shall be open to the general public during the daylight hours

No person shall be permitted in the Township cemeteries at any time other than daylight hours, except upon permission of the Township Board or the Cemetery Sexton/Caretaker.

Section 13: INTERPETATION

Any question on the interpretation of the rules contained within this ordinance must be brought to the Township for settlement.

Section 14: PENALTIES

Any person, firm or corporation who violates any of the provision of the within ordinance shall be guilty of a misdemeanor and shall be subject to a fine of up to \$100.00 and/or imprisonment for up to 90 days in jail as may be determined by a court of competent jurisdiction. Each day that a 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 15: SEVERABILITY

The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular 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 16: EFFECTIVE DATE

This ordinance shall take effect on November 15, 2007. All ordinances or parts of ordinances in conflict herewith are hereby repealed.