

ORDINANCE 85-3

TOWNSHIP OF CAMBRIDGE
COUNTY OF LENA WEE, MICHIGAN
CEMETERY ORDINANCE

ADOPTED: November 13, 1985

EFFECTIVE: December 13, 1985

AMENDED: April, 2002; June 2005; May 9, 2008; March 12, 2014

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 Cambridge, Lenawee County, Michigan: to provide penalties for the violation of said Ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

TOWNSHIP OF CAMBRIDGE
COUNTY OF LENA WEE, MICHIGAN ORDAINS:

SECTION I
TITLE

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

SECTION II
DEFINITIONS OF CEMETERY LOTS AND BURIAL SPACES

- A. All burial spaces, in all new additions to cemeteries after 1985, shall consist of a land area four (4') feet wide and eleven (11') feet in length.

SECTION III
SALE OF LOTS OR BURIAL SPACES

- A. All such 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, or an appointed representative.

SECTION IV
PURCHASE PRICE AND TRANSFER FEES

- A. Resident burial spaces shall cost \$250.00.
- B. Non-resident burial spaces shall cost \$500.00.
- C. The foregoing charges shall be paid to Cambridge Township and shall be deposited in the general fund for the particular cemetery involved in the sale.
- D. 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 V
GRAVE OPENING CHARGES

- A. 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 resolution of the Township Board, payable to the Township.
- B. Opening and closing: Regular burial, year round - \$450.00 plus \$100.00 for Saturday, Sunday and holidays; Cremations, year round - \$250.00 plus \$100.00 for Saturday, Sunday and holidays; Child burials - \$325.00 plus \$100.00 for Saturday, Sunday and holidays. Baby burials - \$250.00 plus \$100.00 for Saturday, Sunday and holidays. When winter conditions exist (frost, excessive snow removal, etc.) that require a return trip in the spring to finish grave, there is an additional \$200.00 fee per full burial (\$50.00 additional for cremations). No foundations from October 10th to April 10th, except if done by the lot owner under the following conditions: must be done to Township specifications and under the supervision of the sexton (at a cost of \$50.00), lot owner to sign waiver releasing the Township from all liability.
- C. No burial space shall be opened and closed except under the direction and control of the cemetery sexton.

SECTION VI
MARKERS OR MEMORIALS

- A. All markers or memorials must be of stone or other equally durable composition.
- B. All markers or memorials must be located upon a suitable solid foundation to maintain the same in an erect position and all markers or memorials shall be in line.
- C. Only one monument, marker, or memorial shall be permitted per burial space, except a marker placed flush with the ground.
- D. The footing or foundation upon which any monument, marker, or memorial must be placed shall be constructed by the Township at a cost to the owner of the burial right.

- E. Foundation will cost forty cents (\$.40) per square inch.
- F. Any vandalism shall be repaired by the owner of each burial space.
- G. The Township Board by resolution may periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.
- H. The height of any marker or monument shall be limited to thirty-seven (37") inches.
- I. All grave markers or memorials shall be limited in width to be eight (8") inches less than the grave space(s) said marker or memorial is being placed on.

SECTION VII INTERMENT REGULATIONS

- A. Only one person may be buried in a burial space except for a mother and infant or two (2) children buried at the same time. For burial of the remains of persons having been cremated, up to six (6) urns of ashes may be placed in one standard burial site.
- B. Not less than 36-hour notice shall be given in advance of any time of any funeral to allow for the opening of burial space.
- C. 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 cemetery sexton 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.
- D. All graves shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

SECTION VIII GROUND MAINTENANCE

- A. No grading, leveling, or excavation upon a burial space shall be allowed without the permission of the cemetery sexton or the Township Clerk.
- B. No flowers, shrubs, trees or vegetation of any type shall be planted without the approval of cemetery sexton or the Township Clerk. The Township or the cemetery sexton may remove any of the foregoing items planted without such approval.
- C. 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.
- D. Mounds which hinder the free use of a lawn mower or other gardening apparatus are prohibited.
- E. The cemetery sexton 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.

- F. Surfaces other than earth or sod are prohibited.
- G. All refuse of any kind or nature including, among others, dried flowers, wreaths, papers, and flower containers must be removed or deposited in containers located within the cemetery.
- H. Dates for removal will be April 10th & October 10th.

SECTION IX FORFEITURE OF VACANT CEMETERY LOTS OR BURIAL SPACES

Cemetery lots or burial spaces sold after the effective date of this Ordinance and remaining vacant forty (40) years from the date of their sale shall automatically revert to the Township upon occurrence of the following events:

- A. Notice shall be sent by the Township Clerk by first class mail to the last known address of the last owner of record informing him/ her of the expiration of the 40-year period and that all rights with respect to said lots or spaces will be forfeited if he/she does not affirmatively indicate in writing to the Township Clerk within sixty (60) days from the date of mailing of the within notice, his desire to retain said burial rights.
- B. No written response to said notice indicating a desire to retain the cemetery lots or burial spaces in question is received by the Township Clerk from the last owner of record of said lots or spaces or his heirs or legal representative within (60) days from the date of mailing said notice.

SECTION X REPURCHASE OF LOTS OR BURIAL SPACES

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

- A. There shall be no transfer of lots between parties. All transfers shall be handled as a repurchase and resale through the Township.

SECTION XI RECORDS

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

SECTION XII VAULT

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

SECTION XIII HOURS

- A. The cemetery shall be open to the general public from the hours of dawn to dusk of each day.
- B. No person shall be permitted in the Township cemeteries at any time other than the foregoing hours, except upon permission of the Township Board or the sexton of the cemetery.

SECTION XIV PENALTIES

Any person, firm or corporation who violates any of the provisions 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 ninety (90) days in jail as may be determined by a court of competent jurisdiction. Each day that violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall not pre-vent civil proceedings for abatement and termination of the activity complained of.

SECTION XV SEVERABILITY

The provisions of the within Ordinance are hereby declared to be severable and should any provision, section, or part hereof 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 XVI EFFECTIVE DATE

This Ordinance shall take effect on December 13, 1985. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

CAMBRIDGE TOWNSHIP