Reynolds Township Cemetery Ordinance

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 Reynolds, Montcalm County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF REYNOLDS, MONTCALM COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE

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

SECTION 2: DEFINITIONS OF CEMETERY LOTS AND BURIAL SPACES

A cemetery lot shall consist of burial spaces sufficient to accommodate from one to eight burial spaces.
A burial space shall consist of a land area five (5) feet wide and ten (10) feet in length.

SECTION 3: SALE OF LOTS OR BURIAL SPACES

Hereafter, cemetery lots or burial spaces shall be sold to residents or taxpayers of the Township and non-residents of the Township for the purpose of the burial of the purchaser and his or her heirs at law or next of kin subject to the provisions of Section 4.
All such sales shall be made on a form approved by the Township Board, which grants a right of burial and does not convey any other title to the lot or burial space sold. Such form shall be executed by the Township Clerk.

Transfer of burial rights may be affected only by endorsement of an assignment of such burial permit upon the original burial permit form issued by the Township Clerk, approved by the Clerk, and entered upon the official records of said Clerk. Upon such assignment, approval and record, the Clerk shall issue a new burial permit to the assignee and shall cancel and terminate the original permit.

SECTION 4: PURCHASE PRICE, GRAVE OPENING CHARGES AND TRANSFER FEES

For residents and taxpayers of the Township, each burial space or lot shall cost one hundred ($100.00) dollars.
For non-residents, each burial space or lot shall cost five hundred ($500.00) dollars.

Any transfer of one or more burial spaces or lots from an original purchaser to a qualified assignee shall cost fifty ($50.00) dollars per transfer.

The foregoing charges shall be paid to the Township Treasurer and shall be deposited in the appropriate cemetery fund.

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

From April 1 through November 15 for residents and taxpayers of the Township, grave opening charges shall be four hundred ($400.00) dollars for adult burial, two hundred ($200.00) dollars for child burial and one hundred ($100.00) for the burial of cremated remains.

From November 16 through March 31 for residents and taxpayers of the Township, grave opening charges shall be five hundred ($500.00) dollars for adult burial, three hundred ($300.00) dollars for child burial and one hundred twenty-five ($125.00) dollars for the burial of cremated remains.
From April 1 through November 15 for non-residents, grave opening charges shall be four hundred fifty ($450.00) dollars for adult burial, two hundred twenty-five ($225.00) dollars for child burial and one hundred twenty-five ($125.00) dollars for the burial of cremated remains.

From November 16 through March 31 for non-residents, grave opening charges shall be five hundred fifty ($550.00) dollars for adult burial, three hundred twenty-five ($325.00) dollars for child burial and one hundred fifty ($150.00) dollars for the burial of cremated remains.

For Saturday burials, a twenty-five ($25.00) dollar charge shall be assessed. For Sunday or Holiday burials, a one hundred ($100.00) dollar charge shall be assessed.

No burial space or lots shall be opened and closed except under the directions and control of the Sexton. This provision shall not apply to proceedings for the removal and re-interment of bodies and remains, which matters are under the supervision of the local health department.

SECTION 6: MARKERS OR MEMORIALS

All markers or memorials must be of stone or other equally durable composition.
Any large upright monuments must be located upon a suitable foundation to maintain the same in an erect position.

Only one monument, marker or memorial shall be permitted per burial space unless approved by the Township Board.

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

All markers or stones placed on graves on the East Half of a block shall face East with the inscription thereon placed in such a manner that it can be read facing West, and all markers or stones placed on the West half of a block shall face West with the inscription placed in such a manner that it can be read facing East. Placement of markers and stones, whenever possible, shall be in a straight line with markers or stones on adjoining lots.

SECTION 7: INTERMENT REGULATIONS

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 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

(a) A simple urn may be placed and maintained at the headstones of graves. May thru November Holiday decorations will be permitted (1) week prior and must be removed (1) week following the holiday. Winter

holiday decorations will be permitted and must be removed by May 1st. Veteran flags and flag holders shall be governed by the Veteran's Administration rules and guidelines.

(b) No grading, leveling or excavating within a cemetery shall be allowed. Furthermore, no tree, shrub, landscaping or similar plantings shall occur.

(c) No flowers, shrubs, trees or vegetation of any type shall be planted outside of an urn. Any of the foregoing items planted will be removed by the Township Board.

(d) The Township Board reserves the right to remove or trim any existing trees, plants or shrubs located within a cemetery in the interest of maintaining proper appearance and the use of the cemetery.

(e) Mounds, bricks, blocks and any borders are prohibited.

(f) The Township Board shall have the right and authority to remove and dispose of any and all growth, emblems, displays, containers and other items that through decay, deterioration, damage or otherwise become or are unsightly, a source of litter or a maintenance problem.

(g) Surfaces other than earth or sod are prohibited.

(h) All refuse of any kind or nature including, but not limited to, dried flowers, wreaths, papers and plastic flower containers must be removed from the cemetery within 10 days after a burial.

(i) No glass containers or items are allowed.

(j) Except for markers, memorials, flowers, and urns expressly allowed by this Ordinance, and veteran flags as authorized by law, no other item (including, but not limited to solar lighting, shepherd hooks, ornaments, signs, trellises, statues, benches, landscaping, bricks, stones, grave border materials or other structures) shall be installed or maintained within a Township cemetery, nor shall any grading, digging, mounding or similar alteration of the ground or earth occur except as authorized by this Ordinance or by the Township.

SECTION 9: FORFEITURE OF VACANT CEMETERY LOTS OR BURIAL SPACES

Cemetery lots or burial spaces sold after the effective date of the ordinance and remaining vacant 50 years from the date of their sale shall automatically revert to the Township upon occurrence of the following events:

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 of the expiration of the 50-year period and that all rights with respect to said lots or spaces will be forfeited if he does not affirmatively indicate in writing to the Township Clerk within 60 days from the date of mailing of the within notice his desire to retain said burial rights.

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 of said notice.

SECTION 10: REPURCHASE OF LOTS OR BURIAL SPACES

The Township may 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. No burial space shall be sold from one owner to another.

SECTION 11: RECORDS

The Township Clerk 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 12: VAULT

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

SECTION 13: CEMETERY HOURS

The cemetery shall be open to the general public from the hours of 8 a.m. to 8 p.m. each day.

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 Cemetery Sexton.

SECTION 14: PENALTIES

Any person, firm or corporation who violates any of the provisions of the within ordinance shall be guilty of a civil infraction 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.

Civil infractions may be enforced by an authorized township official.

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 seven days after its publication or seven days after the publication of a summary of its provision in a local newspaper of general circulation in the Township. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The above Ordinance was offered for adoption by Township Board Member Sholty and was seconded by Township Board Member Bergstrom, the vote being as follows:

Ayes: Stedman, Saucier, Bergstrom, Kindel, Sholty

Nays: 0

Absent: 0

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby declare that the above is a true copy of an ordinance adopted by the Reynolds Township Board at a regular meeting held on November 11, 2021, pursuant to the required statutory procedures.

Dated November 11, 2021

Respectfully submitted,

Robin Sholty

Robin Sholty, Reynolds Township Clerk.