

Chapter 12 - CEMETERIES^[1]

Footnotes:

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State Law reference— Authority to acquire and maintain cemeteries, MCL 128.1 et seq.; cemetery regulation act, MCL 456.521 et seq.; permit for disposition of body, MCL 333.2848.

Sec. 12-1. - Title.

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

(Ord. No. 85-3, § I, 11-13-1985)

Sec. 12-2. - Size of burial spaces.

All burial spaces, in all new additions to cemeteries after 1985, shall consist of a land area four feet wide and 11 feet in length.

(Ord. No. 85-3, § II, 11-13-1985)

Sec. 12-3. - Sale of lots or burial spaces.

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.

(Ord. No. 85-3, § III, 11-13-1985)

Sec. 12-4. - Purchase price and transfer fees.

The purchase prices and transfer fees for burial spaces shall be as currently established or as hereafter adopted by resolution of the township board from time to time.

- (1) The fees shall be paid to the ownership and shall be deposited in the general fund for the particular cemetery involved in the sale.
- (2) The township board by resolution may periodically alter the fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

(Ord. No. 85-3, § IV, 11-13-1985)

Sec. 12-5. - Grave opening and closing.

- (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 currently established or as hereafter adopted by resolution of the township board from time to time.

- (b) There shall be no foundations from October 10 to April 10, except if done by the lot owner under the conditions that it must be done to township specifications and under the supervision of the sexton; the lot owner is to sign a waiver releasing the township from all liability.
- (c) No cemetery plot shall be opened or closed except under the direction and control of the cemetery sexton or such other individual as is designated by the township board. This subsection (c) shall not apply to any grave opening, disinterment, or similar matter which is done pursuant to a valid court order or under the supervision and direction of local or state health department authorities; however, even in such cases, the cemetery sexton shall be given at least 24 hours prior notice of when such grave opening or closing will occur.

(Ord. No. 85-3, § V, 11-13-1985; Ord. No. 08-04, 4-9-2008; Ord. No. 14-01, § V, 3-12-2014; Ord. No. 19-09, 10-9-2019)

Sec. 12-6. - 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) Foundations will cost as currently established or as hereafter adopted by resolution of the township board from time to time.
- (f) Any vandalism shall be repaired by the owner of each burial space.
- (g) The township board by resolution may periodically alter the 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 37 inches.
- (i) All grave markers or memorials shall be limited in width to be eight inches less than the grave space said marker or memorial is being placed on.
- (j) Should any monument or memorial (including any monument or memorial that was in place before Ordinance No. 19-09 became effective) become unsightly, broken, moved off its proper site, dilapidated or a safety hazard, the township board shall have the right, at the expense of the owner of cemetery plot, to correct the condition or remove the same. The township shall make reasonable attempts to contact the owner of the cemetery plot prior to any such work beginning.
- (k) The maintenance, repair and upkeep of a cemetery memorial, marker, urn or similar item is the responsibility of the heirs or family of the person buried at that location. The township has no responsibility or liability regarding the repair, maintenance or upkeep of any such marker, memorial, urn or similar item.

(Ord. No. 85-3, § VI, 11-13-1985; Ord. No. 14-01, § VI, 3-12-2014; Ord. No. 19-09, 10-9-2019)

Sec. 12-7. - Interment and disinterment regulations.

- (a) Only one person may be buried in a burial space, except for a mother and infant or two children buried at the same time. For burial of the remains of persons having been cremated, up to six urns of ashes may be placed in one standard burial site.

- (b) Not less than 36 hours' 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, and together with the burial transit permit from the health department 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/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.
- (e) No disinterment or the digging up of an occupied grave shall occur without a township disinterment permit.
- (f) No disinterment or digging up of an occupied grave shall occur until and unless any and all permits, licenses and written authorizations required by law for such disinterment or digging up of an occupied grave have been obtained from any applicable state or county agency, governmental unit or official, and a copy of the same has been filed with the township.
- (g) The township board shall have the authority to refuse to allow a disinterment or the digging up of an occupied grave (and to refuse to issue a township disinterment permit for the same) if the disinterment or digging up of an occupied grave is not done pursuant to a court order (issued by a court of competent jurisdiction) or does not have a reasonable basis.
- (h) No disinterment permit shall be issued by the township until the township disinterment application form (as authorized by the township board) has been fully completed (and signed by a properly authorized person) and filed with the township.

(Ord. No. 85-3, § VII, 11-13-1985; Ord. No. 19-09, 10-9-2019)

Sec. 12-8. - 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 the 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 therefor 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 10 and October 10.
- (i) Except for markers, memorials, flowers and urns expressly allowed by this chapter, and veterans flags as authorized by law, no other item (including, but not limited to: ornaments, signs, trellises, statues, benches, landscaping, bricks, stones, grave border materials or other such 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 chapter or by the township.

(Ord. No. 85-3, § VIII, 11-13-1985; Ord. No. 19-09, 10-9-2019)

Sec. 12-9. - Forfeiture of vacant cemetery lots or burial spaces.

Cemetery plots or burial spaces sold after the effective date of Ordinance No. 19-09 and remaining vacant for 40 years or more from the date of their sale shall automatically revert to the township upon the occurrence of the following events:

- (1) 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 plots or spaces will be forfeited if he/she does not affirmatively indicate in writing to the township clerk within 60 days from the date of mailing of such notice of his/her desire to retain such burial rights; and
- (2) No written response to said notice indicating a desire to retain the cemetery plots or burial spaces in question is received by the township clerk from the last owner of record of said plots or spaces, or his/her heirs or legal representative, within 60 days from the date of mailing of said notice.

(Ord. No. 85-3, § IX, 11-13-1985; Ord. No. 19-09, 10-9-2019)

Sec. 12-10. - Repurchase of lots or burial spaces.

- (a) 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.
- (b) There shall be no transfer of lots between parties. All transfers shall be handled as a repurchase and resale through the township.

(Ord. No. 85-3, § X, 11-13-1985)

Sec. 12-11. - 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.

(Ord. No. 85-3, § XI, 11-13-1985)

Sec. 12-12. - Vault.

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

(Ord. No. 85-3, § XII, 11-13-1985)

Sec. 12-13. - 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.

(Ord. No. 85-3, § XIII, 11-13-1985)