

Ordinance No. 1-14
Cemetery Ordinance
Adopted: August 25, 2014
Effective: Oct. 1, 2014

PURPOSE:

These rules and regulations are designed for the protection of the owners of burial rights as a group. They are intended, not as restraining, but rather as preventing the inconsiderate from taking advantage of others. Their enforcement will help protect the cemetery and create and preserve its beauty.

These are the adopted rules and regulations of the Dorrr Township cemeteries, and all owners of burial rights, visitors, and contractors performing work within the cemeteries, shall be subject to said rules and regulations, and amendments as shall be adopted by the Township Board superseding any and all previous Rules and Regulations.

Dorr Township, Allegan County, Michigan Ordains:

Section I-Title

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

Section II-Definitions

BURIAL RIGHT shall mean one interment or inurnment. No actual title to property is granted. A Certificate will be issued by the Township with new sales or transfers.

BURIAL VAULT shall mean a required outside burial container as specified by the cemetery to incase human remains.

CEMETERY shall mean not only the land and the improvements thereon, but township cemeteries, it's employees and duly authorized representatives.

CEMETERY LOT shall consist of burial spaces sufficient to accommodate from one to four burial spaces. A burial space may contain one interment and one inurnment or two inurnments.

CONTRACTOR shall mean any person, firm or corporation, or anyone other than an employee of the Township engaged in placing, erecting, or repairing any vault, memorial, or monument, or performing any work on cemetery grounds.

HEIRS shall mean immediate family, meaning surviving spouse or children, or any person specifically named in a legal will.

INTERMENT shall mean burial of the remains of a deceased human being.

INURNMENT shall mean the burial of cremated human remains.

MEMORIAL or MONUMENT shall mean any marker placed upon any lot for the purpose of identification or in memory of the interred.

RESIDENTS shall mean one who lives or dwells in a residence within the Township or can qualify as a voter of the Township.

OWNER shall mean owner of rights of interment or inurnment.

TOWNSHIP is Dorrr Township. Allegan County, Michigan

TOWNSHIP BOARD – Duly elected officers/trustees of Dorrr Township, Allegan County, Michigan

Section III-Sales and Transfers of Lots or Burial Spaces

a. Cemetery lots shall be sold to residents for interment of the purchaser or heirs. No sale shall be made for resale purposes. The Township, may vary the restriction on sales where the purchaser discloses sufficient reasons for burial within the Township, such as previous residence in the Township, or interred relatives. The purchaser shall be issued a certificate, which grants a right of burial only and does not convey any title to the lot.

The owner may designate by name or relationship, who may be interred on these spaces. This does not affect the ownership. There is no charge for this.

Burial rights may only be transferred to eligible persons. For transfers, the owner shall present the Township with the original certificate or a notarized letter stating who shall have burial rights to specific spaces and pay the Township \$25 transfer fee. A new Certificate shall be issued.

The cost of each burial space shall be the sum of \$200.00 for residents or \$600.00 for non-residents.

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

Section IV-Grave Openings

No burial spaces shall be opened and closed except under the direction of the Cemetery or under the supervision of the local health department.

Section V-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 any erect position.

Only one monument, marker or memorial shall be permitted per burial space with the owner's permission.

The footing or foundation for any monument, marker, or memorial shall be constructed by the Cemetery with costs to be paid by the owner of the burial right.

Military plaques may be affixed to the monument or on separate granite on the burial space.

Section VI-Interment Regulations

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

The Township shall be satisfied, from its records, that the interment will be in the appropriate burial space before any interment is commenced.

Section VII-Grounds Maintenance

No grading, mounds, leveling, excavating, stones, bricks or pavers shall be allowed upon a burial space.

No flowers, shrubs, trees or vegetation of any type shall be planted except as approved by the Cemetery. Any unapproved items planted or placed, may be removed by the Cemetery.

From April 15 to October 15, flowers, artificial flowers and silk flowers are permitted in only one concrete urn, single hook shepherd pole, or 15" (maximum diameter) metal flower basket

per space. The full name of the deceased shall be marked on the underside of flower baskets for identification. Winter wreaths are permitted on tripod stands, after December 1st and shall be removed by March 1. This allows spring clean-up of the Cemetery.

The Cemetery reserves the right to trim or remove any tree, plant, decorations, or shrub in the interest of maintaining safety, proper appearance, and the use of the cemetery.

All approved containers shall be removed in the fall. Containers not removed will be removed by cemetery personnel without notice after October 15th as time and weather dictate.

Section VIII-Repurchase of Lots or Burial Spaces

Upon written request of said owner or heirs or representatives, the Township will repurchase any cemetery lot or burial space from the owner for the original price paid to the Township. Dorr Township reserves the right to reclaim lots not in use for 50 years, after which the township has made a reasonable effort to locate heirs of the last known owners of the cemetery lot.

Section IX-Records

The Township shall maintain records concerning all burials, issuance of burial certificates, and the same shall be open to public inspection during business hours.

Section X-Vault

All burials shall be within standard vaults of concrete, metal or plastic or similar material, a type and material meeting generally accepted standards and approved by the Cemetery before interment, except for cremated remains, which may be buried in any non-biodegradable container with or without an approved vault.

Section XI-Cemetery Hours

The cemetery shall be open to the general public from dawn until dusk each day.

Section XII-Uses and Activities

Visitors shall respect the solemnity of the cemeteries and act with consideration for others. It is a place of remembrance and contemplation, and visitors shall act to maintain quiet and good order at all times.

- (a) No person shall disturb the peace or unreasonably annoy, harass or disturb any other person who is lawfully present on the grounds of any Township cemetery.
- (b) There shall be no entry or presence in the cemetery by any person when the cemetery is closed.

Section XIII-Penalties

All decisions regarding applications of this Ordinance may be appealed in writing to the Township Board within 30 days of the incident.

Any person who refuses to comply with any provision of this ordinance, or a decision made under the Ordinance or who causes or consents to any of the same, shall be deemed to be

responsible for a violation of this Ordinance. After notification that a violation exists and a reasonable time for correction, continued violation constitutes a separate offense.

A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

| | Minimum Fine | Maximum Fine |
|--------------------|-------------------------|-------------------------|
| 1st Offense | \$75.00 | \$500.00 |
| 2nd Offense | \$150.00 | \$500.00 |
| 3rd Offense | \$325.00 | \$1,000.00 |

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

Any violation of the Ordinance shall constitute a basis for injunctive relief or other appropriate remedy in any court of competent jurisdiction to compel compliance with this Ordinance and enforce the provisions thereof.

Section XIV-Severability

The provisions of this 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 be continue in full force and effect.

Section XV-Effective Date and Repeal of the Conflicting Ordinances

This ordinance shall take effect 30 days after publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Dorr Township
Brian Boot, Clerk
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Dorr MI. 49323
616-681-9874**