

**GREENWOOD TOWNSHIP
CEMETERY ORDINANCE AMENDED**

Ordinance #01-04-2016

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Adopted: October 5, 1998
Amended: January 4, 2016

Cemetery

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control and management of cemetery owned by the Township of Greenwood, Clare 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 Greenwood, County of Clare ordains:

Section 1, Title:

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

Section 2, Definitions. As used in this Ordinance,

- (a). "Cemetery" is hereby defined to include a burial park for human internments only.
- (b). "Lot" (single site) shall apply to a space of approximately four (4) feet by ten (10) feet to accommodate one (1) vault, one (1) vault and two (2) cremations, or three (3) cremations. There is to be only one headstone and any markers on a single must be flush mount.
- (c). "Plot" (Div. C) shall apply to numbered divisions as shown on the record plat, which consists of a space eight (8) feet by eleven (11) feet to accommodate two (2) vaults and four(4) cremations, one (1) vault and five (5) cremations or six (6) cremations.
- (d). "Double Plot" (Div A & B) shall apply to numbered divisions as shown on the record plat, which consists of a space eleven (11) feet by sixteen (16) feet to accommodate four (4) vaults and eight (8) cremations.
- (e). "Internment" shall mean the permanent disposition of the remains of a deceased person by cremation and/or internment of burial.
- (f). "Heirs at law" means a person's spouse, natural and adopted children, natural and adopted grandchildren, parents, grandparents, brothers and sisters.

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- (g). "Resident" shall mean being a Greenwood Township property owners for at least six (6) months and residing in or a registered voter in the township for at least six (6) months. If proof is needed to confirm residency, the burden of proof falls to the deceased's family/heirs.

Section 3: Reservation/Issuance of Lots or Burial Spaces:

- (a). After the effective date of this Ordinance, cemetery lots or burial spaces issued shall be reserved only to property owner and registered voter residents of the township for the purpose of burying the resident or his or her heirs at law. The Township Board, however, is hereby granted the authority to vary the aforesaid restriction on issuance where the person discloses sufficient personal reason of burial within the township through previous residence in the township or relationships to persons interred within.
- (b). All such issuance shall grant a right of burial only and shall not convey title to the burial space. The issuance of a burial space shall be documented on a form approved by the Township Board and shall be executed by the Township Clerk [or as designated by the Board.]
- (c). Those persons acquiring a right to a burial space may not sell or transfer such rights to any person or entity other than to the township.
- (d). Any resident that hold a certificate of burial and permanently moves out of the township (other than a nursing home) will automatically forfeit their right of burial and the plot or lot shall revert back to the township.

Section 4. Purchase price.

- (a). No fees will be charged for remaining plots or lots.
- (b). The Township Board shall, however, at any time, by separate resolution, establish a purchase price for burial spaces.

Section 5. 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 Greenwood Township.

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- (b). No burial spaces shall be opened and closed except under the direction and control of the Township Clerk [or as designated by the Board]. This provision shall not apply to proceedings of the removal and re-interment of bodies and remains, which matters are under the supervision of the local health department.

Section 6. Monuments, Markers or Memorials

- (a). No more than two (2) monument or memorial shall be permitted per burial Plot or Lot unless it is a four-person plot. All other markers must be flush mount.
- (b). All monuments, markers and memorials shall be of granite, marble, bronze or stone and shall be placed on concrete footings or foundations at least two (2) inches larger than the monument.
- (c). The footing or foundation upon which any monument is placed must be of reinforced concrete to prevent collapse.
- (d). All grave markers are located at the Northwest corner of each Plot (except in the single lot division where they are located at the Northeast corner.) All headstones shall be at the west end of the gravesite.
- (e). No monument or marker may be placed on plot or lot prior to death.
- (f). An urn vault, which holds two (2) cremations, is considered one (1) cremation.

Section 7. Internment Regulations.

- (a). 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 space.
- (b). The appropriate permit for the burial space involved, together with the appropriate identification of the person to be buried therein, where necessary, shall be presented to either the Sexton, Township Clerk [or as designated by the Board] prior to interment. Where such permit has been lost or destroyed, the Township Clerk, [or as designated by the Board], shall be satisfied, from his or her records, that the person to be buried in the burial space is eligible for burial in that burial space before any interment is commenced or completed. If a lot has not been issued to

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the deceased or his/her family prior to death, the township reserves the right to make the internment in a location designated by the Board or Township Clerk.

- (c). 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). No grading, leveling, or excavating upon a burial space shall be allowed without the prior written permission of the Township clerk [or as designated by the Board] or cemetery sexton.

- (b). No flowers, shrubs, trees or vegetation of any type shall be planted. Any of the foregoing

items planted, may be removed by the township or the cemetery caretaker. Artificial grave decorations must be picked up by October 1st or will be discarded. Winter wreaths or grave blankets are permitted between November 15th and March 15th. Any person wishing to save them must have them removed by March 16th. Urns are encouraged, but not required and must be placed on the foundation of the monument or adjacent to the monument.

- (c). The Township reserves the right to remove or trim any tree, plant or shrub located within the township cemetery that hinders the use of a lawn mower or other gardening apparatus.
- (d). All mounds which hinder the use of a lawn mower or other gardening apparatus are prohibited.
- (e). The Township or cemetery caretaker shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers thereof that through decay, deterioration, damage or otherwise become a source of litter or a maintenance problem.
- (f). Ground surfaces other than earth or sod are prohibited.
- (g). All refuse of any kind or nature, including but not limited to glass, dried flowers, wreaths, papers, and flower containers must be removed from the cemetery or deposited in the container located within the cemetery for that purpose.

Section 9. Forfeiture of Vacant Burial Spaces.

If a cemetery lot remains vacant for twenty (20) years after a burial certificate has been issued to an original resident the Township Clerk [or as designated by the Board] shall send, by certified mail to the last owner of record, a written notice informing him or her that twenty (20) years have passed since issuance and that the Township wishes to reissue any unused or unneeded burial spaces.

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Response will be requested within 60 days. If no response is received in 60 days, the township Clerk [or as designated by the Board] shall attempt to contact any known relative or acquaintance in an effort to locate the original resident. If all attempts to locate the original resident fails, no further action will be taken by the Township and the burial space reverts back to the Township.

Section 10. Vault

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

Section 11. Cemetery Records.

The Township Clerk [or as designated by the Board] shall maintain records concerning all burials and issuance of burial permits and the same shall be open to public inspection.

Section 12. 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. Each day that a violation exists shall constitute a separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

Section 13. 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 14. Repeal

The Greenwood Township Cemetery Ordinance adopted October 5, 1998 is hereby repealed in its entirety.

Section 15. Effective Date

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This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

Roll call vote: "Aye":Lester Vida, James Korman, Barbara Ferrett, Linda Bailow, David Lawrence .
"Nays": None

GREENWOOD TOWNSHIP

By: Lester Vida

Lester Vida, Supervisor

By: Linda Bailow

Linda Bailow, Clerk

Certificate

I, Linda Bailow, the duly appointed and acting Clerk of Greenwood Township, hereby certify that after a Public Hearing on August 1, 2011, the foregoing ordinance was adopted by the township board of said township at the Public Hearing meeting of said board held August 1, 2011, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth. I also certify this ordinance was published August 11, 2011 in the Clare County Cleaver and filed with the Clare County Clerk.

Linda Bailow
Linda Bailow
Greenwood Township Clerk