

NORTH STAR 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 North Star Cemetery owned by the Township of North Star, Gratiot 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 NORTH STAR, GRATIOT COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

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

Section 2: Definition of Cemetery Lots and Burial Spaces

A cemetery lot shall consist of burial spaces sufficient to accommodate from one to six burial spaces.

A burial space shall consist of a land area four (4) feet wide and eight (8) feet in length.

Section 3: Sale of Lots or Burial Spaces

Hereafter, cemetery lots or burial spaces shall be sold to residents of North Star Township and/or non-residents of the township for the purpose of the burial of such purchaser of his or her heirs at law or next of kin.

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 Cemetery Sexton or Township Clerk.

Burial rights may only be transferred to those persons eligible to be original purchasers of cemetery lots or burial spaces with North Star Township and may be affected only by endorsement of an assignment of such burial permit upon the original burial permit form issued by the Township Clerk or Sexton, approved by said Township Clerk or Sexton, and entered upon the official records of said Township Clerk or Sexton. Upon such assignment, approval and record, said Township Clerk or Sexton shall issue a new burial permit to the assignee and shall cancel and terminate upon such records the original permit thus assigned.

Section 4: Purchase price and transfer fees

Each burial space shall cost the sum of \$300.00 each.

Any transfer of one or more burial spaces from an original purchaser to a qualified assignee shall cost \$50.00 for each transfer.

The foregoing charges shall be paid to North Star Township and given to the Township Treasurer to be deposited in the general 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

The opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes, shall be as follows:

<u>Adult or Child</u>		<u>Baby</u>		<u>Ashes</u>	
Weekday	\$500.00	Weekday	\$350.00	Weekday	\$150.00
Saturday	\$700.00	Saturday	\$500.00	Saturday	\$250.00
Sunday/Holiday	\$1,000.00	Sunday/Holiday	\$700.00	Sunday/Holiday	\$500.00

Winter Rates will be in effect from December 1st through March 31st with an **additional** charge of \$100.00 for a grave opening.

Burials after 3pm Mon – Fri will be charge **Saturday** rates.

The foregoing charges shall be re-determined from time to time by resolution of the Township Board, and shall be payable to North Star Township and given to the Township Treasurer to be deposited in the general fund.

No burial spaces shall be opened and closed except under the direction and control of the Cemetery 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, Memorials, Grave Blankets, Foundations

1. All flowers must be in an unbreakable container or urn. No artificial flowers can be stuck directly into the ground. Glass containers, rose bushes, and thorn bearing bushes are strictly prohibited.
2. All decorations must be removed by April 1st. After that, the Cemetery Sexton will remove remaining decorations and flowers. Do not place any decorations or flowers until May 1st.
3. Urns shall be permitted only if properly installed (on a cement foundation) and maintained. Any urns not in use by June 1st will be removed. All urns shall set in line with the monument or marker and not on the grave.
4. Arches for hanging baskets and urns are permitted only when they are in use and they must not be anchored. Any not in use by June 1st will be removed.
5. Planting shall be permitted only under supervision of the Cemetery Sexton or his assistants and kept in line with the stone. NO TREES are to be planted.
6. All grave decorations must be within twelve (12) inches of stone.

7. The Cemetery Sexton or his assistants will remove all flowers, trees, and shrubs which have become unsightly or dangerous. No decorative stone or wood chips will be permitted in the cemetery.
8. The well water in the cemetery HAS NOT BEEN APPROVED FOR DRINKING.
9. The North Star Cemetery shall not be financially responsible for any damage to lots, markers, or objects thereon, or for flowers or articles removed from any lot or grave.
10. Foundations may be requested through the Cemetery Sexton.

Section 7: Interment regulations

One person may be buried in a burial space along with one (1) cremation or two (2) cremations may be buried in a burial space.

Not less than 48 hours notice shall be given in advance of any time of any funeral or memorial service to allow for the opening of the burial spaces.

If less than 48 hours notice is given, an additional fee of \$100.00 will be charged.

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 the Cemetery Sexton or Township Clerk prior to interment. Where such permit has been lost or destroyed, the Township Clerk or Sexton 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.

Section 8: Ground Maintenance

All graves shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

No grading, leveling, or excavating upon burial space shall be allowed without the permission of the Cemetery Sexton or Township Board.

No flowers, shrubs, trees or vegetation of any type shall be planted without the approval of the Cemetery Sexton or Township Board. Any of the foregoing items planted without such approval may be removed by the Cemetery Sexton or Township Board.

The Township Board reserves the right to remove or trim any tree, plant, or shrub located within North Star Cemetery in the interest of maintaining proper appearance and the use of the cemetery.

Mounds which hinder the free use of a lawn mower or other gardening apparatus are prohibited.

The Cemetery Sexton, with approval of the Township Board, 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.

Surfaces other than earth or sod are prohibited.

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.

Section 9: Records

The Township Clerk and Cemetery 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 10: Vault

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

Section 11: Cemetery hours

The North Star Cemetery shall be open to the general public from the hours of dawn to dusk each day.

No person shall be permitted in the North Star Cemetery at any time other than the foregoing hours, except upon permission of the Cemetery Sexton or Township Board.

Section 12: 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 \$500.00 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.

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: Effective Date

This ordinance shall take effect on January 11, 2010.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.