

**TOWNSHIP OF PLAINFIELD  
COUNTY OF IOSCO, MICHIGAN  
ORDINANCE #18  
CEMETERY ORDINANCE  
Revised Dec. 2004**

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 Plainfield, Iosco County, Michigan to provide penalties for the violation of said Ordinance: and to repeal all ordinances or parts of ordinances: and to repeal all ordinances or parts of ordinances in conflict therewith.

**TOWNSHIP OF PLAINFIELD  
COUNTY OF IOSCO, MICHIGAN  
ORDAINS:  
SECTION I  
TITLE**

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

**SECTION II**

**GENERAL PROVISIONS:**

- A. Municipal cemeteries are hereby declared to be Public Burial grounds for the remains of human bodies only. The ownership of lots will remain with the Township and the Township reserves the right to enter upon any such lot to provide for its care and upkeep.
- B. Vehicle traffic shall not exceed ten miles per hour. All vehicle traffic shall be excluded from cemeteries during the night time hours.
- C. No pets shall be allowed in any cemetery except within the confines of a vehicle.
- D. Lots 59 and 60 of Block VI (6) in the second addition (2 A) and Lot 75 S ½ and Lot 140 of O.P. of the Esmond Evergreen Cemetery shall be reserved as a cremation section. This section shall be used for cremations only.

## MANAGEMENT:

- A. A cemetery board shall consist of the Township Clerk, the Sexton, Three (3) residents and a member of the Township Board. These terms shall be for a period of 2 years and the Board members shall be appointed by the Township Supervisor.
- B. The cemetery sexton shall be appointed by the Township Board and shall be responsible for carrying out the policies and procedures established herein. All grave openings and closures shall be under the sexton's directions.
  - 1. Disinterment general restrictions. Disinterment of a body once properly interred shall not be made without a properly executed disinterment/re-interment permit. Graves to be opened for inspection for official investigation shall require an order signed by a court or competent jurisdiction. Any markers or monuments designation the location of an interment shall be removed at the time a disinterment is made.
- C. Undertakers shall give to the sexton or Clerk a 36 hour advance notice.
- D. 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 person conducting burial prior to interment.
- E. The cost of burial fees shall be determined from time to time by the Township Board. Fees will be paid directly to the Township Treasurer.
- F. The burial of two or more persons in one grave is prohibited, except for mother or father of an infant if buried at the same time, or in the case of babies (2) may be buried in same graves.
- G. The ashes from human cremation appropriately contained may be placed in burial lot if they are those of owner of lot, or a relative to the owner with the written permission of the nearest relative. Burial of 2 cremations in a single container must have the container approved by the sexton. 9-8-93
- H. Cemetery certificates shall be prepared for each grave by the Township Clerk. The Burial rights of lots shall not be transferred to another without approval of the Township Clerk.
- I. Burial lots may be returned to the Township by mutual consent by signing a transfer of burial sites certificate with the Township Clerk. Cost to non-residents for lots will be \$600.00 each. If lot(s) are returned to the Township the purchase price will be refunded.
- J. Lost or destroyed certificates may be replaced if Township records indicate that the Claimant is indeed the owner of the lot in question. The charge shall be the cost of a copy. 9-8-93
- K. Copy of this ordinance to be given when a cemetery certificate is issued.

- L. All property owners or residents of Plainfield Township, after one (1) year of ownership or residency, may reserve burial lots as follows: One (1) lot per owner or resident, one (1) lot per spouse, co-owner, or co-resident and two (2) lots for children of the owner or resident, under the age of eighteen (18). A maximum of four (4) lots per owner or resident regardless of the number of parcels owned within the township by any one person.

To reserve burial lot(s): a deposit of fifty (\$50.00) dollars for each lot reserved. No deposit required for lots reserved for children under the age of eighteen (18). If a deposit is placed with the Treasurer to reserve a lot, upon interment, the Township will credit the deposit towards the interment fees. 3-15-96

Transfers will not be allowed to non-residents unless they are Mother, Father, Brother, Sister, Grandchild, Daughter, Son, Daughter-in-Law or Son-in-Law. 12-6-93

Non-veteran residents have the right to reserve cotes at the cost of \$50.00 each, instead of placing a marker, their children under 18 are exempt from the \$50.00 cost. The lots will revert back to the township when the children reach 18 years of age. 1-5-94

Residents receiving lots for \$50.00 deposit will be refund the \$50.00 if lots are Returned to the Township.

Certificate will read every 10 years lots must be updated and at the age 18 lots dedicated for children will revert back. 3-25-94

A veteran of the Armed Forces may reserve a site for the Veteran and his or her spouse by producing an Honorable Discharge paper or separation papers.

A person in the service shall be eligible for a lot provided he shall have lived in Plainfield Township at least one (1) year prior to entering the service and shall not have qualified as an elector of any governmental unit following termination of said service.

- M. Burial lots shall be paid in full at the time of purchase by non-residents of Plainfield Township.
- N. A resident of Plainfield Township making application for a burial site shall attest to having resided in the Township for one (1) continuous year by filing a notarized affidavit with the Township Clerk.

#### **UNLAWFUL ACTS:**

- A. It shall be unlawful for the owner of any burial lot to allow interment to be made in the Cemetery for remuneration.
- B. It shall be unlawful for any person to deface, injure, disturb, mark or write on any marker, monument or headstone, except when the work is done to improve or stabilize these objects.
- C. No person shall create any improper noise, disorderly conduct, carelessness, or any other Activity which tends to destroy the peace, tranquility and attractiveness of any cemetery and its sacred devotion to the interment and response of the dead.
- D. There shall be no parking of any vehicle except for cemetery visitation.

E. There shall be no hunting at any time.

F. There shall be no skiing or sledding.

### **FUNERAL AND INTERMENTS:**

Conditions to be fulfilled before interment: No interment shall take place without a burial permit, nor until the person making arrangements for the interment has complied with all laws, ordinances and rules and regulations relative to burials.

Funeral directors making arrangements for burials shall be responsible for all interment charges. When an interment is to be made on a lot in any other than a recorded grave space, a written request will be filed with the Township Clerk.

### **FUNERALS:**

All funerals within the cemeteries shall be under the direction of the sexton or an authorized assistant. The same as for legal holidays.

The cemetery management reserves the right to remove funeral designs and floral pieces as soon as they become unsightly.

When there is a change in time of the burial, the sexton must receive a two (2) hour notice. Due to weather or other hazardous conditions, the sexton shall have the sole right and authority to designate the conduction and funeral procession and hearse use only for funerals.

The final interment shall be conducted at the funeral home when hazardous conditions exist. Tents will not be allowed in cemeteries. Open graveside services will be allowed. 9-8-93

## **SECTION III**

Decorations of lots: The following rules shall be observed with regard to the decoration of lots.

A. Copings, fences, curbs, benches, steps, structures of wood or other material used as grave lot border or covering shall be prohibited. These structures or enclosures established on any lot previous to the adoption of these regulations which have, in the judgment of the cemetery management, become unsightly by reason of neglect or age shall be removed.

No elevated mounds shall be built over graves and no lot shall be filled above the established by the Township.

B. Receptacles for cut flowers will be permitted if installed flush with the surface of the lawn. The use of glass jars or bottles as receptacles for cut flowers is strictly prohibited. Statues must be within 12 inches from the headstone.

C. Winter decorations may be maintained on graves from November 1<sup>st</sup> until April 1<sup>st</sup>. If such decorations are not removed by April 1<sup>st</sup> they shall be considered abandoned and shall be disposed of by the cemetery management. No decorations shall be placed on graves from April 1<sup>st</sup> to May 10<sup>th</sup>. 6-27-01

- D. There shall be one urn allowed per grave site, it shall be to the side of marker and shall be permitted only if properly installed and maintained.
- E. There shall be no arches for hanging baskets allowed, however those erected before this ordinance shall be permitted only when they are in use and they must not be anchored. Any not in use by June 1<sup>st</sup> will be removed.
- F. No more than two (2) decorations shall be allowed on a grave at one time or excess will be removed by the Township.
- G. The Township shall notify the owner of any lot if flowers, trees, hedges or shrubs become unsightly, dangerous or encroach upon adjoining lots or paths. If the owner fails to remove them, the Township reserves the right to remove them. Any planted unit that requires annual trimming or pruning may be maintained by the Township or it shall be removed. Plants at the side of markers shall only be a minimal non-spreading flower. All grass shall be cut by the Township on a regular basis for uniform maintenance. All roads, drives or paths shall be maintained (graded, filled, snowplowed) by the Township only. 3-15-96
- H. No deciduous tree or evergreen shall be removed except under the directions and with consent of the sexton.
- I. All trees and bushes permitted will be ones not growing larger than 18"X12". 6-27-01

#### **SECTION IV VAULTS, MONUMENTS AND MARKERS**

- A. Monuments-General: Where permitted, monuments shall be restricted to the following: Monument location must be obtained from the sexton of cemeteries before a monument is set. Not more than one monument shall be erected on any two (2) grave sites. A bronze marker may be flush in front of marker or installed on monument. There shall be no monuments or foundations placed without notifying the sexton. Markers in cremation section may not exceed 20" for single and 48" for a double. 2-93
- B. Location of markers on lot: Markers shall be placed at inter most grave in lot. Not more than one marker shall be placed nearer than two (2) inches to a lot line. Not more than one marker shall be placed at any one grave. No marker shall embrace two or more graves, except on a two or three grave lot where a double or three grave is permitted. no marker shall be set unless it is first approved by the sexton of the cemetery and the grave space is paid in full and certificate is presented.
- C. Foundations: All memorials shall have a foundation which extends at least 4 inches on all sides of the base of marker and be at least 6 inches deep and shall be level and edged. Should any monument or memorial become unsightly or a safety hazard, the Board shall Have the right to correct the condition or remove the same at the expense of the owners if Available. All foundations to be installed between April 15<sup>th</sup> and November 1<sup>st</sup>, providing the frost is out of the ground or as otherwise specified by the sexton. Foundation material must be removed by the person installing the foundation. If material is not removed a bill will be sent. Markers up to 48" in length will be allowed a 4" foundation unless it is a slant or monument over 40" then a 6" foundation must be used. 2-93

- D. All material used in the construction of monuments, headstones and permanent lot markers, where permitted, must be of recognized durable granite, marble, or standard bronze. The use of sandstone, terra cotta, slate, artificial stone, wood or iron in any form is not permitted where exposed to the elements. Concrete shall be used as a foundation or beveled pillow.
- E. Vaults: All burials must have a vault. All burial vaults shall be of contractive materials and sealable as permitted and at the supervision of the sexton.

## **SECTION V**

### **ENFORCEMENT:**

- A. Penalties: Any person violating any of the provisions of this shall be subject to a fine or not over \$500.00 and costs of prosecution, or by imprisonment in the Iosco County Jail for not more than ninety (90) days, or may be punished by both such fine and imprisonment, at the discretion of the court.
- B. The sections of the ordinance are declared to be severable and if any section hereof is Declared illegal or void in a Court of Law, it shall not affect the remainder of this Ordinance.
- C. Effective Date: This ordinance shall take effect thirty (30) days after its publication by The Plainfield Township Board.
- D. All ordinances or portions of ordinances conflicting with provisions herein are declared to be null and void.
- E. All complaints may be directed to the Cemetery Board.

## CEMETERY RATES

### Spaces:

Non-Resident	\$600.00 per site
Resident or Property Owner:	
Veteran-furnish Honorable Discharge paper	No Charge
Non-Veteran	\$ 50.00 per site*

### Grave Openings:

Full size burial	\$250.00
Burial smaller than 18" by 3 feet	100.00
Cremation – Resident	50.00
Cremation – Non-Resident	100.00

\* This \$50.00 will be deducted from the burial fee.