

CHAPTER 90: CEMETERIES

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GENERAL PROVISIONS**90.001 TITLE.**

This chapter shall be known and cited as the Big Rapids Charter Township Cemetery Chapter.
(Ord. 19, eff. 7-16-1994)

90.002 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

FUNERAL DIRECTOR. Includes all licensed morticians, their agents and employees.
(Ord. 19, eff. 7-16-1994)

GENERAL RULES**90.015 VEHICLES; HOURS.**

The speed of cars and other vehicles driven in the cemetery shall not exceed 15 mph. No vehicle shall be driven in the cemetery other than during 8:00 a.m. to dusk, road conditions permitting. Cars, other motorized vehicles and bicycles are to be operated on the roads only.
(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.016 TRUCKS.

All trucks with monumental material shall be driven only on cemetery roads.
(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.017 DAMAGE.

Persons driving in the cemetery are responsible for all damage caused by their negligence. All vehicles shall use the Bellevue Street entrance, the north gate to enter and the south gate to exit.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.018 CHILDREN.

Children shall not be permitted on the cemetery grounds unless attended by an adult person who shall be responsible for their conduct. Mischievous behavior shall not be tolerated. The cemetery shall not be used as a playground.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.019 ADVERTISING.

No advertisement is permitted in the cemetery.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.020 PROHIBITED ACTIVITIES.

Sleigh riding, snowmobiling, skiing or sliding downhill within the cemetery is prohibited.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.021 VISITORS.

All persons interested in the cemetery should confine themselves to the walks and drives as much as possible. Vandalism and/or desecration of cemetery property is prohibited.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.022 ALCOHOLIC BEVERAGES.

No alcoholic beverages are allowed.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.023 WORK AND ACTIVITIES.

No work or activity shall be performed within the cemetery boundaries without the express knowledge and consent of the Grounds and Maintenance Manager.

(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.024 ENFORCEMENT.

The Grounds and Maintenance Manager has the authority to enforce these rules.
(Ord. 19, eff. 7-16-1994)

INTERMENT AND SERVICES**90.035 COMPLETED BURIAL - TRANSIT PERMIT.**

A completed burial-transit permit must be furnished to the Grounds and Maintenance Manager or his or her designate before the remains are removed from the hearse or other conveyance.
(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.036 APPLICATIONS FOR BURIAL.

All applications for burials shall be made to the Grounds and Maintenance Manager in time to allow 12 working hours to prepare the grave for burial. The owner of the lot or grave or the person ordering the grave prepared for burial, shall complete a burial order form provided by the township. Scheduling of storage burials is at the discretion of the Grounds and Maintenance Manager.
(Ord. 19, eff. 7-16-1994)

90.037 PAYMENT FOR GRAVE OPENING.

Payment for any grave opening must accompany the burial transit permit.
(Ord. 19, eff. 7-16-1994)

90.038 INTERMENTS.

(A) Owners of cemetery lots shall not permit interments on the lots for remuneration. Cemetery lots shall be used only for the burial of the human dead. No interment of two or more bodies shall be made in one grave except in the case of parent and infant child or two infants buried in one casket.

(B) All interments must be made under the supervision and direction of the Grounds and Maintenance Manager. The funeral director shall provide adequate personnel to transfer the casket from the hearse or conveyance onto the lowering device.
(Ord. 19, eff. 7-16-1994)

90.039 DISINTERMENTS.

(A) No body interred shall be disinterred, except by permission of the Township Board, (plus any other permits required).

(B) Parties ordering disinterment must furnish a concrete or steel vault to receive the remains.
(Ord. 19, eff. 7-16-1994)

90.040 FUNERAL PROCESSIONS.

All funeral processions in the cemetery shall be under the sole control of the Grounds and Maintenance Manager.
(Ord. 19, eff. 7-16-1994)

90.041 CHARGES; SERVICES.

(A) Charges for all services shall be available from the Grounds and Maintenance Manager or from the office of the Township Clerk. Cemetery service charges are subject to change or revision by action of the Township Board. Charges for services not pertaining to the opening and closing of graves shall be due upon completion of the service. A service shall be rendered only upon the completion of a work order by the person requesting the service and accepting responsibility for payment for the service.

(B) The township offers the following services:

(1) The opening and closing of graves;

(2) Disinterment and reinternment in the same cemetery;

(3) Disinterment for removal to another cemetery (charges for the above three services vary for infants or adults);

(4) Grading or sodding the grave or lot;

(5) Setting foundations for grave markers or memorials;

(6) Snow removal at cost of removal;

(7) Genealogy research assistance and copies of records; and

(8) Work requested by the lot owner is subject to current wage, equipment and overhead charges. A work order describing the service to be performed must be filled out and signed by the person or entity accepting responsibility for payment. No service will be performed without this being done.
(Ord. 19, eff. 7-16-1994)

90.042 VAULTS.

All burials shall be made in a steel or cement vault with the exception of Babyland or cremains.
(Ord. 19, eff. 7-16-1994)

90.043 CREMATION BURIALS.

There shall be a maximum of four cremation burials per grave. A maximum of two cremation burials may be allowed on a previous full burial on any given lot. The size of any cremains container must allow for a minimum of eight inches of soil above the top of said container.
(Ord. 19, eff. 7-16-1994)

90.044 GRAVESIDE SERVICES.

Graveside services are allowed from April 1 to October 31 at the discretion of the Grounds and Maintenance Manager. All other graveside services and processions will be at the discretion of the Grounds and Maintenance Manager.
(Ord. 19, eff. 7-16-1994)

90.045 SUNDAY OR HOLIDAY BURIALS.

The township does not bury on Sunday or holidays without the expressed approval of the Township Board or the Township Supervisor.
(Ord. 19, eff. 7-16-1994)

USE OF CEMETERY VAULT**90.060 SUMMER SEASON.**

The Township Board may prohibit or restrict the use of the cemetery vault during the summer season. All bodies deposited therein must be removed forthwith when so ordered by the Township Board through the Grounds and Maintenance Manager, and if not removed, the bodies will be interred within the grounds set aside for strangers at the expense of those who are liable therefore. The body of a person who died from contagious disease will not be admitted to the receiving vault unless prepared by a licensed embalmer.
(Ord. 19, eff. 7-16-1994)

90.061 WINTER.

The Township Board authorizes the Grounds and Maintenance Manager to restrict or prohibit interments during the winter as he or she deems it advisable. Graveside services and processions are restricted from November 1 through April 30. Witnessing during this time will be allowed only with the expressed permission of the Grounds and Maintenance Manager who shall have the authority to control the burial site activity. Winter burials will be conducted at the discretion of the Grounds and Maintenance Manager.

(Ord. 19, eff. 7-16-1994)

FLOWERS, TREES, MONUMENTS AND THE LIKE**90.075 PROHIBITIONS.**

All persons are strictly prohibited from plucking any flowers, either wild or cultivated, breaking trees, shrubs or plants, or writing upon or defacing any monument, fence or structure within the cemetery.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.076 CONTAINERS.

The use of jars, bottles, jugs or other items deemed inappropriate by the Grounds and Maintenance Manager for cut flowers is discouraged. All containers for the use of cut flowers must be set flush with the ground.

(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.077 URNS.

All flower urns, other than bronze, must be kept painted. Placement of urns to be under the control of the Grounds and Maintenance Manager.

(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.078 GROWING OF FLOWERS.

The growing of flowers is not included in the perpetual care of the cemetery.

(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.079 PROPERTY LEFT IN CEMETERY.

Vases, settees, chairs, planting urns, baskets or other property left in the cemetery are left at the risk of the owner thereof and neither the Grounds and Maintenance Manager nor the Township Board shall be responsible or liable for the loss, destruction or damage of said property.

(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.080 TREES.

No tree or trees growing on any lot shall be trimmed or removed without the consent of the Grounds and Maintenance Manager or the Township Board.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.081 LANDSCAPING.

All planting in the cemetery shall be done in accordance with a definite plan of landscaping and under the supervision and direction of the Grounds and Maintenance Manager.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.082 PLANTING FLOWERS ON GRAVES.

All flowers planted on any grave shall be planted directly in front of the headstone, monument or footstone, or at the head of the grave if there is no marker. Flower beds are to be cultivated and kept neat at all times.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.083 REMOVAL OF FLOWERS AND GRAVE DECORATIONS.

The Grounds and Maintenance Manager or his or her agent shall remove all dead flowers, emblems or grave decorations when, in his or her judgement and discretion said flowers, emblems or grave decorations shall be unsightly. Neither the Grounds and Maintenance Manager, his or her agent, nor the Township Board shall be liable or responsible for the return of said removed objects to the lot owner.

(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.084 WINTER ORNAMENTATION.

Winter ornamentation shall be removed by May 10.

(Ord. 19, eff. 7-16-1994)

90.085 ARTIFICIAL FLOWERS.

No artificial flowers are permitted (except from November 15 through March 31). No gravel, crushed or pea stone, lava stone, edging materials and the like shall be used in the cemetery.
(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

MARKERS, MONUMENTS AND VAULTS**90.100 ONE MONUMENT/MARKER PER BURIAL LOT.**

Only one monument will be permitted on any burial lot and only one marker per grave. Additional markers may be added for cremation burials, but must be flush to the ground.
(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.101 CONCRETE FOUNDATION REQUIRED.

No monument or marker shall be erected without a concrete foundation which shall be installed by the cemetery employees and under the direction and supervision of the Grounds and Maintenance Manager.
(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.102 BABYLAND MARKERS.

No marker in Babyland shall be larger than 21 inches long and ten inches wide.
(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.103 MATERIALS.

All materials used in the construction of mausoleums, vaults, monuments, head stones 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.
(Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.104 MAUSOLEUMS.

No mausoleum shall be built in the cemetery until specifications for same shall have been approved by the Township Board. The Township Board reserves the right to reject any or all plans or specifications. (Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.105 LANDMARKS AND CORNERSTONES.

(A) Before contraction of a private mausoleum is begun, a sum of money specified by the Township Board shall be deposited with the Township Treasurer who shall establish a specific perpetual care fund for the perpetual care of said private mausoleum. The interest income generated by this fund shall be used for the perpetual care of this mausoleum. The duty of perpetual maintenance imposed herein is limited to the interest income generated from the investment established hereunder.

(B) No landmarks or corner stones indicating boundaries, steps leading to lots, fences, curbing or cement or gravel covered graves above ground shall be permitted. (Ord. 19, eff. 7-16-1994) Penalty, see 10.99

90.106 DISREPAIR.

If any marker, monument or mausoleum falls into disrepair, it may be removed by order of the Township Board. (Ord. 19, eff. 7-16-1994)

90.107 INSPECTION.

The Grounds and Maintenance Manager is charged with the responsibility of inspecting and approving all materials used for monumental work before it can be brought onto the cemetery grounds. (Ord. 19, eff. 7-16-1994)

PURCHASE OF CEMETERY LOTS AND RESTRICTIONS AS TO THE USE**90.120 PAID IN FULL.**

Cemetery lots must be paid for in full at time of purchase. (Ord. 19, eff. 7-16-1994)

90.121 SPECULATION PURCHASES.

No purchase of burial rights shall be made for speculation purposes. No burial rights shall be transferred from one owner to another for more than the original cost, and the transfer must be recorded at the office of the Township Clerk.

(Ord. 19, eff. 7-16-1994)

90.122 PERPETUAL CARE.

All purchases of burial rights shall include the perpetual care thereof.

(Ord. 19, eff. 7-16-1994)

90.123 SUBJECT TO RULES AND REGULATIONS.

Purchasers of burial rights are subject to these rules and regulations and any charges, alterations, amendments or modifications thereof made and adopted by the Township Board.

(Ord. 19, eff. 7-16-1994)

90.124 GRADE.

The Township Board shall establish the grade of all lots, lawns and avenues and shall supervise all improvements within the cemetery, before and after interments, and no lot shall be filled or raised above the established grade.

(Ord. 19, eff. 7-16-1994)

90.125 PLANTING OF TREES, SODDING, SURVEYING AND THE LIKE.

The planting of trees, sodding, surveying and all general improvements to the cemetery shall be controlled, authorized and directed by the Township Board.

(Ord. 19, eff. 7-16-1994)

90.126 RAISING OR LOWERING OF CEMETERY LOTS.

Whenever, in the opinion of the Township Board, one or more cemetery lots need raising or lowering in order to beautify or improve the general appearance of the area where said lot or lots are located, the Township Board shall have full power and authority to do so without the consent of the lot owner. In all such cases the Grounds and Maintenance Manager shall restore the lot to as good a

condition as before said raising or lowering, or as near thereto as possible and said raising or lowering shall be without expense to the lot owner, unless requested by the owner.

(Ord. 19, eff. 7-16-1994)

90.127 MOUNDS.

No mounds shall be erected on lots or graves which shall interfere with or impede the unrestricted use of a lawn mower.

(Ord. 19, eff. 7-16-1994)

90.128 GROUNDS AND MAINTENANCE MANAGER AND EMPLOYEES.

The digging, opening, refilling and trimming of graves, the removal of bodies from one place to another in said cemetery, the construction of foundations for head stones and tablets, and the constructing of graves shall be done solely by the Grounds and Maintenance Manager and the employees of the township under his or her direction.

(Ord. 19, eff. 7-16-1994)

90.129 REMOVAL AND MODIFICATION OF ORNAMENTATION.

Individual taste in ornamentation of cemetery lots is permitted and will be respected, but the right to remove or modify an improvement on any lot which the Grounds and Maintenance Manager considers injurious to the general appearance or well-being of the cemetery, or the adjacent lot(s), is reserved to the Grounds and Maintenance Manager and he or she shall be the sole judge when said improvement shall be removed or modified, either before or after interment.

(Ord. 19, eff. 7-16-1994)

90.130 CARING FOR LOTS.

Persons caring for lots shall do so under the supervision and direction of the Grounds and Maintenance Manager.

(Ord. 19, eff. 7-16-1994)

PERPETUAL CARE FUNDS**90.145 PERPETUAL CARE FUND.**

The Township Board recognizes its obligation to maintain the existing Perpetual Care Fund. It is to be administered by the Township Board and is to be held in trust and invested by the Township Treasurer and the interest therefrom shall be used for the care and maintenance of cemetery lots or parts thereof entitled to perpetual care.

(Ord. 19, eff. 7-16-1994)

ENFORCEMENT; CORRECTION OF ERRORS**90.160 ENFORCEMENT.**

All person(s) disturbing the peace and quiet of the cemetery or creating a disturbance, destruction or damage therein shall be considered as a disorderly person and punished as provided under current township, state and federal ordinances and laws.

(Ord. 19, eff. 7-16-1994) Penalty, see ' 10.99

90.161 CORRECTION OF ERRORS.

The Township Board shall have the right to correct any errors which may be made, either in making interments or disinterment's, or in the description, transfer or conveyance of any property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as near as possible, or by refunding the amount of money paid on account of that purchase. In the event the error shall involve the interment of remains of any person in such property, the Township Board shall have the right to remove and reinter in such other property of equal value and similar location as may be substituted and conveyed by the Township Board.

(Ord. 19, eff. 7-16-1994)