

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 WALTON, EATON 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 WALTON, EATON COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

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

Section 2: Definitions of Cemetery Lots and Burial Spaces

A cemetery lot shall consist of burial spaces sufficient to accommodate four burial spaces.

Burial space shall consist of a land area four (4) feet wide and ten (10) feet in length.

Section 3: Sale of Lots or Burial Spaces

Cemetery lots or burial spaces shall be sold to residents or non-residents for the purpose of the burial of such purchaser or his or her heirs or next of kin. No sale shall be made to funeral directors.

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 Township Clerk.

Burial spaces are **NOT** transferrable.

Section 4: Purchase Price

Prices for burial spaces and cemetery services shall be determined by the Township Board that may, by resolution, alter the fee schedule.

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 at a cost to be determined from time to time by resolution of the Township Board, payable to the Township.

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 reinterment of bodies and remains, which matters are under the supervision of the local health department.

Section 6: Markers or Memorials

All markers or memorials must be made of granite, marble, bronze or other equally composition.

Any large upright monuments must be located upon a suitable foundation to maintain the same in an erect position.

Only one monument, marker or memorial shall be permitted per burial space.

The footing or foundation upon which any monument, marker or memorial must be placed shall be constructed by the Township at a cost to the space owner.

A bronze (or similar) plaque denoting a veteran's military service may only be affixed to the back side of a marker or monument or affixed to a foundation placed directly over the grave so that the plaque is level with the turf. All markers and monuments must be placed at the head of the burial site. Footstones are not permitted.

Double monuments shall only be placed at the head of two (2) adjoining graves or gravesites.

Family monuments shall be allowed on a family lot. The family monument shall be placed across the head of three (3) or more adjoining graves or gravesites claimed or owned by a family or group. The family monument must not exceed (2) feet in depth (front to back) and shall be aligned with other monuments.

Section 7: Interment Regulations

Only one person may be buried in a burial space except for a mother and infant or two children buried at the same time. One (1) vault and up to three (2) cremains vessels may be interred in one (1) burial space.

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 spaces.

The deed/certification for the burial space involved, together with appropriate identification of the person to be buried, where necessary, shall be presented to either the Sexton or the Township Clerk prior to interment. Where such permit has been lost or destroyed, the Township Clerk shall be satisfied, from his or her records.

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

Section 8: Ground Maintenance

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

No perennial flowers, shrubs, trees or vegetation of any type shall be planted without the approval of the Sexton or the Township Clerk. If any of the items listed are planted without such approval may be removed by the Township or the Cemetery Sexton.

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

Edging of any kind is prohibited.

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

The Cemetery Sexton shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers therefor 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, dried flowers, wreaths, papers, and flower containers must be removed.

All flowers, real and artificial, are to be placed on gravesites after May 1st and removed by October 1st. An exception will be made for grave blankets and wreaths, which are to be removed by March 1st.

All shepherd hooks are to be placed on gravesites after May 1st and removed by October 1st.

Section 9: Repurchase of Lots or Burial Spaces

The Township will repurchase any cemetery lots or burial space (s) from the owner for the original price paid, upon request of said owner or his legal heirs or representative.

Section 10: Records

The Township (Sexton/Clerk) shall maintain records concerning all burials, issuance of burial deed/certifications, 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 11: Vault

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

Section 12: Cemetery Hours and Operation and Vandalism

The cemetery shall be open to the general public from sunrise to sunset each day.

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

No person shall disturb the peace, annoy, harass or disturb any other person who is lawfully located in the grounds of the Township Cemetery.

No wheeled or motorized vehicles (including, but not limited to; bicycles, snowmobiles, motorcycles, ATV's) shall be permitted in the cemetery except on the roadway paths.

Section 13: 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 \$100.00 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 14: 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 15: Effective Date

This ordinance shall take effect on April 14, 2022. All ordinances or parts of ordinances in conflict herewith are hereby repealed.