

# Thetford Township

Cecil Garl - Supervisor

Myra J. Hobson - Clerk

Ed Benning - Trustee

Eileen Kerr - Trustee

Duane B. Hammond - Treasurer

Carmon Fox - Trustee

Henry Jacobi - Trustee

2015-06-100  
AMENDMENT TO ORDINANCE #100

## CEMETERY ORDINANCE

An Ordinance to amend Thetford Township Ordinance 100, which would be to establish the cost of Openings & Closings for Creamations and a 4 ft. casket.

**MOTION:** By Eileen Kerr to set the cost of Openings & Closings for a Creamation at \$100.00, and a 4 foot casket would be the amount of \$150.00 (this would be a baby or small child).

**SUPPORTED:** By Edgar Benning.

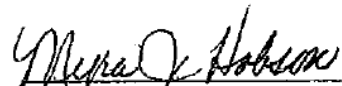
**ROLL CALL:** Ayes—Henry Jacobi, Edgar Benning, Cecil Garl, Duane Hammond, Eileen Kerr and Myra Hobson.

Nayes—none.

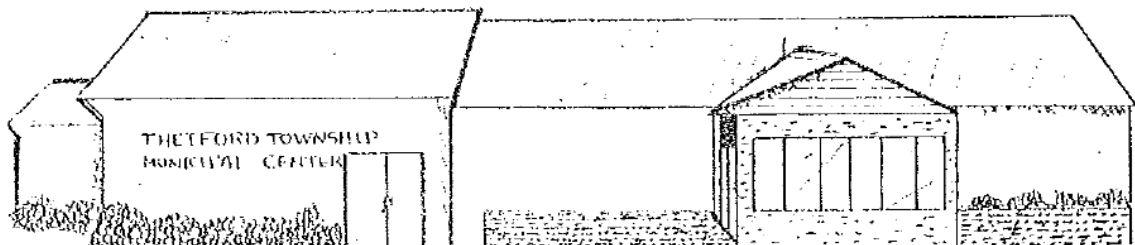
Absent—Harold Brady.

The above amendment was acted on at the Regular Board Meeting of the Township of Thetford held on August 23, 1999 at 8:00 P.M.

I, Myra Hobson, Clerk, Township of Thetford, Genesee County Michigan, Certify that the above amendment to Ordinance #100 was adopted at the regular meeting stated above.

  
Myra J. Hobson

Thetford Township Clerk



THETFORD TOWNSHIP  
ORDINANCE # 100

The Township of Thetford Ordains:

Section 1: TITLE

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

Section 2: DEFINITIONS OF CEMETERY BURIAL SPACES AND LOTS

- A. An adult burial space consists of land four feet wide and eight feet long. An adult burial is any burial that involves a burial box greater than four feet in length.
- B. A stillborn, infant or child burial space consists of land four feet wide and four feet long. A stillborn, infant or child burial is any burial that involves a burial box less than four feet in length.
- C. A cremains burial space consists of land four feet wide and four feet long. A cremains burial is the burial of ashes of a cremated body.
- D. A cemetery lot shall consist of space sufficient to accommodate four burial spaces.
- E. The cemetery is currently divided into thirteen sections with additional sections planned.

Section 3: SALE OF BURIAL SPACES OR LOTS

- A. Cemetery burial spaces or lots shall be sold only to township residents or taxpayers for the purpose of the burial of the purchaser or the purchaser's relatives. No sales shall be made to anyone, including a funeral director, who plans to resell the space. The township clerk has the authority to suspend restrictions on sales on a per case basis if special circumstances are involved. For example, a clerk may allow a non-resident to purchase burial space if the person once lived in the township for an extended time period. If an individual is not satisfied with the decision of the township clerk, then that person may appeal to the Township Board.
- B. All sales shall be recorded on a form approved by the township board. The form grants only the right of burial and does not convey any other right to the lot or burial space sold. The township clerk shall complete the form. The resale of burial lots is not allowed. Only the township, has the right to repurchase a burial lot. The price to be paid by the township to the purchaser for the burial lot is the same price that the purchaser paid to buy the burial lot.

- C. Burial rights may only be transferred to people eligible to be original purchasers of burial spaces or lots. Burial rights may only be changed if the township clerk assigns a new burial permit to replace an original, endorses the new permit and officially records the transaction. At this time, the clerk should issue the new permit to the assignee and cancel the original permit.

#### Section 4: PURCHASE PRICES AND TRANSFER FEES

- A. Each adult burial space costs \$100.00 for township residents and \$300.00 for non-township residents for a maximum allowable four burial spaces.
- B. Each stillborn, infant or child burial space costs \$100.00 for residents and \$300.00 for non-residents for a maximum allowable four burial spaces.
- C. The township board, by resolution, may periodically alter these fees to accommodate increased costs and needed reserve funds for cemetery management and land acquisition.
- D. Any transfer of one or more burial spaces from an original purchaser to a qualified assignee shall cost \$10.00.
- E. The opening and closing of any burial space, before or after a burial, including the interment of cremains, shall cost \$300.00, Monday through Friday and \$400.00 on Holidays, Saturdays and Sundays.
- F. Fees shall be paid to the township treasurer and deposited in the cemetery fund of the cemetery involved in the sale or transfer.
- G. The township board, by resolution, may periodically alter these fees to accommodate increased costs and needed reserve funds for cemetery management and land acquisition.

#### Section 5: MARKERS, MONUMENTS AND MAUSOLEUMS

- A. All markers, monuments and other memorials must be made of granite or another approved, equally-durable composition.
- B. Any large upright monuments or other memorials must be located upon an approved foundation to maintain the monument in an erect position.
- C. Only one monument, marker or other approved memorial is permitted per burial space with the exception that veterans of the armed forces may have one additional marker on their burial space.
- D. No monument, marker or other memorial shall be installed without the specific approval of the township board, unless the proposed memorial meets the following requirements:
  - 1. The location is at the head of the burial space, parallel to the head of the burial space line.
  - 2. The height of the memorial is not greater than 48 inches, the depth of the memorial is not greater than 12 inches, and the length of the memorial is not greater than 80 inches.
- E. The footing or foundation upon which any monument, marker or other approved memorial must be placed shall be constructed by the township at

- cost to the owner of the burial right.
- F. Monuments, markers and other memorials are not allowed to be installed on burial spaces or lots that have not been fully paid for.
  - G. No mausoleum shall be erected without the specific approval of the township board.
  - H. Inscriptions on monuments, markers, mausoleums or other memorials must not be offensive or improper, as judged by the township board. The owner of any such memorial will be responsible for all expenses for removal.
  - I. The township board has the authority to deem a marker, monument, mausoleum or other memorial to be inappropriate and thus prohibit it from being placed in the cemetery.
  - J. If a marker, monument, other memorial or mausoleum becomes unsafe in the opinion of the cemetery caretaker, notice of the condition will be sent to the last known address of the owner, and the structure will be removed or repaired at the owner's expense.

Section 6: INTERMENT, DISINTERMENT AND REINTERMENT REGULATIONS

- A. Only one body may be buried in a burial space, except for a mother and infant or two children buried at the same time.
- B. A maximum of two cremains shall be allowed to be placed in one burial space, unless permission is otherwise granted by the township board.
- C. The cemetery caretaker shall receive at least 24-hour notice of the time of a funeral to allow for the opening of the burial space.
- D. The appropriate permit for the burial space and appropriate identification of the person to be buried, where necessary, shall be presented to either the cemetery caretaker or the township clerk prior to interment. If a permit has been lost or destroyed, the township clerk shall be satisfied, from his or her records, that the person to be buried in the space is an authorized and appropriate one before starting any interment.
- E. All burial spaces shall be located in an orderly and neat-appearing manner within the confines of the space involved.
- F. All burials shall be within a standard vault made of concrete, fiberglass or other material approved by the township board, installed or constructed in each burial space before interment.
- G. No burial shall take place unless the burial space fee, the fee for services required to open and close the grave, and all other fees have been paid in full.
- H. No burial spaces shall be opened or closed except under the direction and control of the cemetery caretaker. This provision shall not apply to proceedings for the removal and reinterment of bodies and remains; this matter is under the control of the local health department.
- I. The township assumes no responsibility for errors in opening graves when such errors are caused by others.
- J. Scattering cremains over a family lot or anywhere in the cemetery is

prohibited.

Section 7: CEMETERY MAINTENANCE AND CARE -

- A. No grading, leveling, or excavating upon a burial space shall be allowed without permission from the cemetery caretaker or the township clerk.
- B. All flowers shall be planted within 18 inches of the marker or monument. No shrubs, trees or vegetation of any type may be planted without the approval of the cemetery caretaker or the township clerk. Any of these items planted without approval may be removed by the cemetery caretaker.
- C. 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.
- D. Mounds which hinder the free use of a lawn mower or other lawn-care device are prohibited.
- E. The cemetery caretaker shall have the right and authority to remove and dispose of any and all growth emblems, displays or containers that have become unsightly, a source of litter or a maintenance problem.
- F. Surfaces other than earth or sod are prohibited.
- G. Dried flowers, wreaths, papers, flower containers and all other refuse must be removed or deposited in containers located within the cemetery.
- H. Cemetery care only includes seeding; top dressing; cutting and trimming grass, shrubs and trees, and the general upkeep of the cemetery. Cemetery care does not include the maintenance of markers, monuments, other memorials or mausoleums.

Section 8: FORFEITURE OF VACANT CEMETERY BURIAL SPACES OR LOTS

- A. Cemetery burial spaces or lots sold after the effective date of this ordinance and remaining vacant for 40 years from the date of sale shall automatically revert to the township if the following events occur:
  - 1. Notice is sent by the township clerk by first-class mail to the last known address of the last owner of record informing him or her of the expiration of the 40-year period and that all rights with respect to the burial spaces or lots will be forfeited if the owner does not indicate in writing to the township clerk within 60 days from the date of mailing the notice, the desire to retain the burial rights.
  - 2. A written response indicating the desire to retain the burial spaces or lots in question is not received by the township clerk from the last owner of record, the owner's heirs, or the owner's legal representative of the spaces or lots within 60 days from the date of mailing the notice.
- B. Upon written request by an owner, an owner's heirs, or an owner's legal representative, the township will repurchase any cemetery lot or burial space from the owner for the original price paid to the township.

## Section 9: RECORDS

The township clerk shall maintain records concerning all burials, issuance of burial permits and perpetual care funds separate from any other records of the township. The records shall be open to the public during reasonable business hours.

## Section 10: GENERAL REGULATIONS

- A. The cemetery shall be open to the general public from the hours of 8:00 a.m. to dusk each day.
- B. No one shall be permitted in the township cemetery at any other time, unless he or she has permission of the township board or cemetery caretaker.
- C. Animals, except leader dogs, are not permitted in the cemetery.
- D. No person shall obstruct any drive, walk or alley.
- E. No person shall injure, deface or destroy any burial space, marker, monument, mausoleum, building, fence, seat, flower, tree, shrub or other item in the cemetery.
- F. Alcohol is not permitted in the cemetery.
- G. No vehicles should drive faster than 5 miles per hour on cemetery roads.
- H. Driving off the established roads is prohibited.
- I. No firearms are allowed in the cemetery without written permission from the township clerk or cemetery caretaker, except in the case of military funerals or ceremonies by official veterans' organizations on federal holidays.

## Section 11: PENALTIES

- A. Any person, firm or corporation who violates any of the provisions of the ordinance shall be subject to a fine of up to \$500.00 and/or imprisonment for up to 90 days in jail.
- B. Each day that a violation continues to exist shall constitute a separate offense.

## Section 12: SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and should any provision, section or part of a section be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall only affect the particular provision, section, or part of a section and shall not affect or invalidate the remainder of the ordinance, which shall continue in full force and effect.

## Section 13: EFFECTIVE DATE

This ordinance shall take effect on July 14, 1999. All ordinances or parts of ordinances in conflict of this ordinance are hereby repealed.

Voting Yes: Henry Jacobi, Harold Brady, Myra Hobson, Duane Hammond, Cecil Garl & Edgar Benning.

Voting No: None

Absent: Eileen Kerr

Signed By:

Harold Brady  
Harold Brady, Township Supervisor  
Dated: 7-2-99

Myra J. Hobson  
Myra Hobson, Township Clerk  
Dated: 7-2-99

STATE OF MICHIGAN            )  
  )SS  
COUNTY OF GENESEE        )

I, Myra Hobson, Township of Thetford, Genesee County Michigan, Certify that the forgoing Ordinance # 100, was enacted by Thetford Township Board of Trustees at its regular meeting on June 28, 1999.

Myra J. Hobson  
Myra Hobson, Township Clerk  
Dated: 7-2-99