

CEMETERY RESOLUTION
SUPERIOR TOWNSHIP, MICHIGAN

A resolution 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 Superior, Chippewa County, Michigan; to provide penalties for the violation of said Resolution; and to repeal all resolutions or parts of resolutions in conflict therewith.

Section 1: Title

This resolution shall be known and cited as the Superior Township Cemetery Resolution.

Section 2: Definitions of cemetery lots and burial spaces.

A cemetery lot shall consist of burial spaces sufficient to accommodate from one to eight (8) burial spaces.

An adult burial space consists of a land area five (5) feet wide and ten (10) feet in length.

Section 3: Sale of lots or burial spaces.

Hereafter, cemetery lots or burial spaces shall be sold only to residents or taxpayers of the township for the purpose of burial of such purchaser or his or her heirs at law or next of kin. No sale shall be made to funeral directors or others than as heretofore set forth. The township clerk, however, is hereby granted the authority to vary the aforesaid restriction on sales where the purchaser discloses sufficient personal reason for burial within the township through previous residence in the township or relationship to persons interred therein.

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 rights may only be transferred to those persons eligible to be original purchasers of cemetery lots or burial spaces within the township and be effected only by endorsement of an assignment of such burial permit upon the original burial permit form issued by the township clerk, approved by the said clerk, and entered upon the official records of the said clerk. Upon such assignment, approval and record, said clerk 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.

The Township Board by resolution may periodically set and adjust the fee for burial spaces and transfer costs to accommodate the increased costs and needed reserves for cemetery maintenance and acquisition.

The foregoing charges shall be paid to the township treasurer and shall be deposited in the cemetery fund for the particular cemetery involved in the sale or transfer.

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 of stone or other equally durable composition.

At no time shall any marker be permitted anywhere except within the space of grave site it is intended to mark.

Should any monument or memorial become unsightly, dilapidated or a safety hazard, the Board shall have the right, at the expense of the owner, to correct the condition or remove same.

Section 7: Interment regulations.

Burials are permitted only from April 1 to December 1 if weather and ground conditions permit.

Not less than 48 hours notice shall be given for the opening of burial spaces.

The appropriate permit for the burial space involved, together with the appropriate identification of the person to be buried therein, where necessary, shall be presented to either the cemetery 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, that the person to be buried in the burial space is an authorized and appropriate one before any interment is commenced or completed.

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

No lot or burial space shall be used for any other purpose than the burial of the human dead.

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 flowers shrubs, trees or vegetation of any type shall be planted without the approval of the cemetery sexton or the township clerk. Any of the foregoing items 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.

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

Surfaces other than earth or sod are prohibited.

All refuse of any kind or nature including among others, dried flower, wreaths, papers, and flower containers must be removed or deposited in containers located within the cemetery.

Section 9: Forfeiture of vacant cemetery lots or burial spaces.
Cemetery lots or burial spaces sold after the effective date of the resolution and remaining vacant 40 years from the date of their sale shall automatically revert to the township upon occurrence of the following events:

Notice shall be sent by the township clerk by first class mail to the last known address of the last owner of the record informing him of the expiration of the 40 year period and that all rights with respect to said lots or spaces will be forfeited if he does not affirmatively indicate in writing to the township clerk within 60 days from the date of mailing of the notice, his desire to retain said burial rights.

Section 10: Repurchase of lots or burial spaces.
The township will repurchase any cemetery lots or burial space from the owner for the original prices paid the township upon written request of said owner or his legal heirs or representative.

Section 11: Records.

The township clerk 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 the public inspection at all reasonable business hours.

Section 12: Vault

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

Section 13: Cemetery Hours.

The cemetery shall be open to the general public from the hours of daylight to dark each day.