

TOWNSHIP OF DEERFIELD
CEMETERY ORDINANCE
ORDINANCE NUMBER 49

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, and management of West Deerfield Cemetery, owned by the Township of Deerfield, Lapeer County, Michigan.

THE TOWSHIP OF DEERFIELD, COUNTY OF LAPEER, MICHIGAN ORDAINS:

Section 1. PURPOSE AND INTENT

The Deerfield Township Board recognizes and concludes that the proper and reasonable maintenance, appearance and use of the cemetery owned by the Township are an important function of the government of the Township. It is also important that burials, disinterment and other matters associated with a municipal cemetery are handled in a respectful and proper way in order to promote the safety, public health and general welfare of the community. The Township Board finds that the adoption and enforcement of this Ordinance is in the best interests of the property owners and residents of the Township.

Section 2. DEFINITIONS

- A. A "cemetery plot" shall consist of an area in the Township cemetery sufficient to accommodate one burial space for one deceased person. It shall consist of land area at least thirty-eight (38) inches wide and ninety-six (96) inches in length.
- B. A "cemetery lot" shall consist of an area in the Township cemetery containing four (4) contiguous plots.
- C. "Township" means Deerfield Township.
- D. "Township cemetery" or "cemetery" means any cemetery owned, operated and/or controlled by Deerfield Township.

Section 3. PURCHASE OF BURIAL RIGHTS CERTIFICATES

- A. Burial Rights Certificates for cemetery plots may be sold by the Township to any resident or taxpayer of the Township. The Township Clerk is hereby granted the authority to vary the aforesaid restriction on sales where the purchaser discloses sufficient personal reason for burial within the Township.
- B. The purchase of a burial rights certificate does not convey ownership of land, only the right and privilege of burial of a person(s) upon the location specified and the right to construct approved markers and decorations as regulated by this ordinance.
- C. Full Payment for burial rights certificates must be paid at the time of purchase.
- D. When a Burial Rights Certificate for a plot is purchased, it is the responsibility of the Burial Rights Certificate Holder to notify the Township of any changes including address.

Section 4. RESALE, TRANSFER AND FORFEITURE

- A. Burial plots may be sold back to the Township (for resale) at the original purchase price.

- B. Burial Rights Certificates shall not be transferred from one party to another without a notification in writing to the Township Clerk.
- C. Burial Rights Certificates that remain vacant for one hundred (100) years or more after purchase shall automatically revert back to the Township upon occurrence of the following:
 1. Notice shall be sent by the Township Clerk by certified mail to the last known address of the certificate holder informing him/her of the expiration of the one hundred (100) year period and that all rights with respect to said plot(s) will be forfeited if he/she does not affirmatively indicate in writing to the Township Clerk within sixty (60) days from the date of the mailing of such notice of his/her desire to retain such burial rights; and
 2. No written response to said notice is received by the Township Clerk from the last certificate holder of record of said plot(s), or his/her legal representative, within the sixty (60) day period.

Section 5. INTERMENTS AND DISINTERMENTS

- A. Interment in the cemetery will not be permitted without a valid Burial Rights Certificate and Burial Transit Permit.
- B. Interments and opening of graves shall be in accordance with the orders given by the Burial Permit Certificate Holder or the funeral director. Orders from the funeral director shall be construed as orders from the Burial Rights Certificate Holder. The Township assumes no responsibility for errors in location of graves resulting from improper instructions.
- C. An interment in each cemetery plot is restricted to either two (2) cremains and no bodies or one body and one cremain. An infant burial is considered the same as a cremain.
- D. Interment Vaults over three (3) feet in length shall be classified as adult size.
- E. Interment application must be made at least forty-eight (48) hours in advance of the funeral. Sunday and holiday burials are permitted with approval of the Sexton and at an additional fee. An additional fee may be charged if less than 48 hour notice is given or if the ground is frozen.
- F. All cemetery fees will be set by Deerfield Township Board of Trustees.
- G. All interments and, grave openings and closings shall be supervised by the Sexton and will not be reopened for inspection except for official investigation.
- H. No disinterment of a body will be made until all legal documentation has been submitted.
- I. The Township assumes no responsibility for any damage that may occur in the burial.

Section 6. MONUMENTS

- A. All permanent monuments must be placed on a foundation and paid in full before installation.
- B. The width of the foundation shall not exceed the width of the plot on which it is located.
- C. The Township reserves the right to refuse permission for the erection of any monument due to size.
- D. No more than one (1) monument above ground will be allowed per plot. A second monument or veteran's plaque may be placed at the foot of the plot provided it is flush with the ground.
- E. Permanent monuments must be constructed of first quality granite or made from US Standard Bronze or its equivalent. Monuments which become unsightly or in need of repair or attention may be removed.

- F. Any damage to turf, trees, shrubs, flowers, foundations or monuments resulting from the delivery or setting of memorial work, vaults and grave openings/closings shall be assessed to the person, firm or corporation doing the work.
- G. The Township is not responsible for any damage or vandalism to any foundation, memorial or decorations located or left within the cemetery.

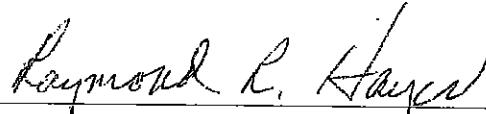
Section 7. DECORATIONS

- A. All decorations must be of sufficient strength to withstand weed whipping.
- B. No decorations shall obstruct the view of the front of the monument.
- C. All decorations must be placed on the plot within twelve (12) inches of the rear of the monument or on the monument/foundation.
- E. Items used as decorations must be of sufficient weight to remain upright and in place within the allowable decoration area.
- F. No glass or ceramic objects or containers of any kind are permitted.
- G. Bushes and trees may not be planted on any plot.
- H. Potted plants, urns, planters, flower vases, baskets and other similar decorations may not be planted in the ground.
- I. Sheppard's hook, annual/perennial flowers, eternal flame, solar landscape lights, trellises, arbors are allowed provided it is within the allowable decoration area.
- J. The decoration of plots with fencing, edging, wire screens, raised mounds, washed stone, gravel, crushed stone, other loose material or objects of a similar nature are prohibited unless in a concrete planter.
- K. Settees, benches and chairs are not permitted unless they are designed as a marker/monument.
- L. Grave blankets and wreaths are permitted on the plot between November 1 and April 1. During this time, tripods are permitted for those decorations not secured directly to the headstone.
- M. Unsightly decorations and items not within the allowable decoration area will be removed.

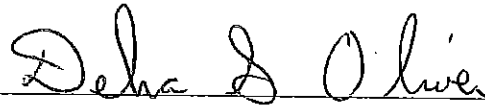
Section 8. PROTECTING CEMETERY BEAUTY, UPKEEP AND SAFETY

- A. Cemetery personnel will remove all seasonal decorations as part of spring and fall cleanup or a nuisance to the upkeep. Persons wishing to save spring and/or summer decorations shall remove them before November 1.
- B. Do not place seasonal decorations on graves until spring/fall cleanup(s) are complete. Contact the Township to verify cleanup completion.
- C. The speed limit is 10 miles per hour on all cemetery drives.
- D. Vehicles shall remain on cemetery drives, except when it is necessary for two vehicles to pass. In such case, the vehicles shall only leave the drive the necessary distance for safe passing.
- E. Cemetery is officially closed to the public from one hour after sunset until sunrise.

undersigned Supervisor and Clerk of the Township of Deerfield hereby certify that this Zoning Ordinance Amendment was duly adopted by the Deerfield Township Board at a meeting held on the 11th day of November, 2013 and was published in The LA View on the 21st day of November, 2013. This Ordinance Amendment was made effective seven days after said date publication.



Raymond R. Hayes, Supervisor



Debra S. Oliver, Clerk