

Print

Reed City, MI General Ordinances

CHAPTER 1064 Cemeteries

EDITOR'S NOTE: Burial rates and cemetery lot prices are established from time to time by resolution of Council. Copies of the latest relevant legislation may be obtained, at cost, from the Clerk.

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CROSS REFERENCES

Municipal cemeteries – see Mich. Const. Art. 7, § 123; M.C.L.A. §§ 128.1 et seq.

Vacation of cemeteries – see M.C.L.A. §§ 128.51 et seq.

1064.01 DEFINITIONS.

Unless the context specifically indicates otherwise, terms used in this chapter shall have the meanings set forth in this section.

- (a) "Burial space" shall mean a lot or portion of lot in any cemetery designated and maintained for the interment of a human body or bodies and for no other purpose.
- (b) "Cemetery" shall mean Woodlands Cemetery as heretofore established and any other public cemetery owned, managed or controlled by the City.
- (c) "Funeral director" shall include all licensed morticians, their agents and employees.
- (d) "Owner" shall mean any person or persons owning or possessing the privilege, license or right of interment in any burial space.

(Ord. 34. Passed 10-20-75.)

1064.02 CEMETERY BOARD.

The cemeteries which have been or may hereafter be established by the City and maintained either within or without its limits, of which plats have been or shall be filed in the office of the City Clerk, shall be under the management, supervision and care of the Cemetery Board. The Cemetery Board shall consist of the City Manager, the Superintendent of Public Works (Sexton), one Councilmember and one citizen at large. The Councilmember or citizen member shall be appointed each year by the Mayor on or before May 1 of each year to take office on or before the first Monday in May. The Board shall, if necessary, cause such cemeteries to be laid out in lots, drives and walks; the lots shall be numbered, drives and walks therein shall be named, and plats thereof shall be made. The City Council shall fix the price of lots and other services necessary thereto.

(Ord. 34. Passed 10-20-75.)

1064.03 RULES AND REGULATIONS; ENFORCEMENT; REGISTER.

The City Council shall, from time to time, make such rules and regulations for the burial of the dead; care, improvement and protection of the grounds, mausoleums, monuments and appurtenances of the cemeteries; and orderly conduct of persons visiting the same, as may be deemed necessary. The City Manager shall see that this chapter and all rules and regulations in respect to cemeteries are strictly enforced. The City Clerk shall keep a register of all interments made in any City cemetery, in which shall appear the name of the deceased, the date and place of interment and such other information as may be required.

(Ord. 34. Passed 10-20-75.)

1064.04 GENERAL REQUIREMENTS.

- (a) Previous to burial of any body a burial permit must be furnished the Superintendent giving the name, place of death, residence, sex and age of the person to be interred. Funeral directors

must comply with this section. No burial permit shall be required for the burial of cremated remains. (Ord. 34C. Passed 4-4-77.)

(b) All applications for burials shall be made to the Superintendent in time to allow twelve 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 designate the location of the grave to be opened when application for burial is made.

(c) Funeral directors ordering the opening of any grave or work of any kind will be required to pay for said work in advance .

(d) The owner of any burial space in any City cemetery shall have the right of burial of the dead only and shall allow no interments for remuneration. All interments in burial spaces shall be restricted to members of the family and immediate relatives of the owner thereof, unless special permission by the owner is filed in writing in the office of the City Clerk, with the consent of the City Manager endorsed thereon.

(e) The City Clerk shall keep proper records in which the deeds to all burial spaces shall be recorded at length. In connection with all such records, the City Clerk shall also keep a general index in which shall be noted alphabetically the name of the party or parties to every such instrument of conveyance.

(f) The City Manager shall charge and cause to be collected on behalf of the City, such fees for work performed in the City cemeteries as may be from time to time fixed by the City Council. All such fees shall be paid to the City Clerk or his or her agent. No person other than an employee of the City, acting under the direction of the City Manager, shall dig or open any grave, nor shall any person grade or fill in a burial space or otherwise do any work in connection therewith, unless such work is done under supervision of the City employee in charge of such cemetery.

(g) All interments must be made under the supervision of the Superintendent and at his or her direction.

(h) No body interred shall be disinterred, except by permission of the Cemetery Board.

(i) Parties ordering disinterment must furnish a concrete or steel vault. All disinterments are subject to the cemetery service charges, and satisfactory arrangements for payment thereof must be made with the City Clerk before permits for interments are issued.

(j) All funeral processions in any City cemetery shall be under the sole control of the Superintendent.

(Ord. 34. Passed 10-20-75.)

(k) The Cemetery Board has fixed service charges for the following special services:

- (1) The opening and closing of graves
- (2) Disinterment and reinterment in the same cemetery
- (3) Disinterment and removal to another cemetery

(The above three charges vary for infants or adults.)

- (4) Grading or sodding the grave or lot

- (5) Cemetery vault rental
- (6) Snow removal at cost of removal

(The charge for these services may be ascertained from the Superintendent or the City Clerk. Cemetery service charges are subject to change or revision at any regular or special meeting of the Cemetery Board.)(Adopting Ordinance)

(l) From and after the adoption of these rules and regulations all burials shall be made in a steel, cement or fiberglass vault, except that vaults shall not be required for the burial of premature infants, infants less than one year old, or cremated remains.

(Ord. 34C. Passed 4-4-77.)

1064.05 USE OF CEMETERY VAULT; WINTER INTERMENTS.

(a) The Cemetery Board may prohibit or restrict the use of the cemetery vault during the summer season, and all bodies deposited therein must be removed forthwith when so ordered by the Cemetery Board through the Superintendent, and, if not removed, the bodies will be interred within the grounds set aside for strangers at the expense of those who are liable therefor. The body of a person who died from contagious disease will not be admitted to the receiving vault unless prepared by a licensed embalmer.

(b) The Cemetery Board may restrict or prohibit interments during the winter months if it deems it advisable.

(Ord. 34. Passed 10-20-75.)

1064.06 VEHICLES.

(a) The speed of cars and other vehicles driven in any City cemetery shall not exceed fifteen miles per hour. No vehicle shall be driven in any City cemetery during the night time without the permission of the Cemetery Board.

(Ord. 34. Passed 10-20-75.)

(b) All trucks with monumental material shall be driven only on cemetery roads and designated alleyways.

(Ord. 34B. Passed 4-5-76.)

(c) Persons driving in any City cemetery are responsible for all damage caused by their negligence. All vehicles shall be driven in the cemetery with due caution.

(Ord. 34. Passed 10-20-75.)

1064.07 CHILDREN.

Children shall not be permitted on cemetery grounds unless attended by some adult person who shall be responsible for their conduct.

(Ord. 34. Passed 10-20-75.)

1064.08 ADVERTISING.

No advertisement is permitted in any City cemetery.

(Ord. 34. Passed 10-20-75.)

1064.09 CONDUCT IN CEMETERY; INJURIES TO FLOWERS, TREES, MONUMENTS, ETC.

(a) Sleigh riding, snowmobiling, skiing, sliding down hill or sleighing within any City cemetery is prohibited.

(b) All persons are strictly prohibited from plucking any flowers, either wild or cultivated, except upon his or her own burial space, breaking trees, shrubs or plants or writing upon or defacing any monument, fence or structure within any City cemetery.

(c) All persons interested in any City cemetery should confine themselves to the walks and drives as much as possible. The practice of using a cemetery as a shortcut to and from school or work is prohibited. The Superintendent has the power to enforce this rule.

(d) The use of jars, bottles, jugs, etc., for cut flowers is discouraged. All containers for the use of flowers must be set flush with the ground.

(e) Metal flower urns, other than bronze, must be kept painted.

(f) Growing flowers in urns is not included in the perpetual care of any City cemetery.

(g) Vases, settees, chairs, baskets or other property left in any City cemetery are left at the risk of the owner thereof, and the Superintendent or the Cemetery Board shall not be responsible or liable for the loss, destruction or damage of said property.

(h) No tree or trees growing on any lot shall be trimmed or removed without the consent of the Superintendent or the Cemetery Board.

(i) No alcoholic beverages shall be consumed upon the cemetery premises.

(j) No person shall trespass on any lot or burial space within any City cemetery.

(k) It shall be unlawful for anyone to be upon the premises of any City cemetery during the period from sunset until sunrise of each day (except for employees of the City of Reed City in connection with their duties), unless permission is granted by the Cemetery Board.

(Ord. 34. Passed 10-20-75.)

1064.10 PLANTING OF TREES, SHRUBBERY AND FLOWERS.

(a) All planting in any City cemetery shall be done in accordance with a definite plan of landscaping and under the supervision and direction of the Superintendent.

(b) All flowers planted on any grave shall be planted directly in front of a headstone, monument or foot stone, or at the head of the grave if there is no marker. Flower beds are to be cultivated and kept neat at all times. No artificial flowers or other items made of metal wires are permitted.

(c) The Superintendent or his or her agent shall remove all dead flowers, emblems or grave decorations when in his or her judgment and discretion said flowers, emblems or grave decorations shall be unsightly, and the Superintendent, his or her agent or the Cemetery Board shall not be liable or responsible for the return of said removed objects to the lot owner.

(Ord. 34. Passed 10-20-75.)

1064.11 MARKERS, MONUMENTS AND VAULTS.

(a) No monument or marker shall be erected on any lot or part thereof until said lot shall have been paid for in full and the deed therefor executed and delivered.

(Ord. 34. Passed 10-20-75.)

(b) Only one monument will be permitted on any burial lot and only one marker per grave with the exception of government issued veterans markers.

(Ord. 34B. Passed 4-5-76.)

(c) No monument or marker shall be erected without a concrete foundation under the direction and supervision of the Superintendent.

(d) All materials used in the construction, above the ground, of mausoleums, vaults, monuments, headstones and permanent lot markers, where permitted, must be 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.

(e) No vault shall be built in any City cemetery until specifications for the same shall have been approved by the Cemetery Board. The Board reserves the right to reject any or all plans or specifications.

(f) No landmarks or cornerstones indicating boundaries of lots shall be set above the surface of the ground. They shall be set by the Superintendent, or under his or her direction, and shall not be altered or removed.

(g) Cement or gravel covered graves above the ground will not be permitted.

(h) No steps leading to lots will be permitted.

(i) No fences within any City cemetery either of wood or iron, nor coping or curbing of brick, stone or cement, will be permitted.

(j) If any marker, monument or mausoleum falls into disrepair, it may be removed by order of the Cemetery Board.

(k) The Superintendent is charged with the responsibility of inspecting and approving all materials used for monumental work before it can be brought into the cemetery grounds.

(Ord. 34. Passed 10-20-75.)

1064.12 PURCHASE OF CEMETERY LOTS OR PARTS THEREOF AND RESTRICTIONS AS TO THE USE THEREOF.

(a) All deeds for lots shall be executed on behalf of the City by the Mayor and the City Clerk. Any person desiring to purchase a burial space in any City cemetery shall make application and pay the required amount for the lot selected to the City Clerk. Upon the purchase of any burial space, the City Clerk shall prepare and deliver to the purchaser a duly executed deed for said burial space. Such deed shall convey to the purchaser the right of interment only, and shall be held subject to the provisions of this chapter, existing rules and regulations, and such ordinances, rules and regulations as may hereafter be adopted by the City Council.

(b) No purchase of cemetery lots or parts thereof shall be made for speculation purposes. No cemetery lot or part thereof 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 City Clerk.

(c) The Council shall, from time to time, establish by resolution the amounts to be paid for cemetery lots, which amounts shall include a sufficient sum to provide for perpetual care of the lots so sold. The City may accept sums donated by any testator, trustee or other person for the care of the cemetery or any lots therein. The City shall be obligated to maintain and care for all lots in the cemetery for which perpetual care has been paid except as otherwise provided by the statutes of the State of Michigan. Any money available in any perpetual care fund or other cemetery fund belonging to the City shall be used for such cemetery purposes as the City Council shall determine.

(d) Purchasers of cemetery lots or parts thereof are subject to these rules and regulations and any changes, alterations, amendments or modifications thereof made and adopted by the Cemetery Board.

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

(f) The planting of trees, sodding, surveying and all general improvements to any City cemetery shall be controlled, authorized and directed by the Cemetery Board.

(g) Whenever, in the opinion of the Cemetery 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 is located, the Board shall have full power and authority to do so without the consent of the lot owner. In all such cases the Superintendent 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.

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

(Ord. 34. Passed 10-20-75.)

(i) The digging, opening, refilling and trimming of graves, the removal of bodies from one place to another in any City cemetery, and the constructing of graves shall be done solely by the Superintendent and the employees of the City department under his or her direction.

(Ord. 34B. Passed 4-5-76.)

(j) Individual taste or ornamentation of cemetery lots is permitted and will be respected, but the right to remove or modify any improvement on any lot which the Superintendent considers injurious to the general appearance or well being of any City cemetery, or the adjacent lot, is reserved to the Superintendent. He or she shall be the sole judge as to when said improvements shall be removed or modified, either before or after interment.

(k) The Superintendent and the City Clerk shall, during their working hours, make available to the public the schedule of prices on all cemetery lots.

(Ord. 34. Passed 10-20-75.)

(l) Foundations for monuments and markers shall be constructed under the supervision of the Superintendent and in accordance with cemetery regulations if constructed by other than cemetery personnel.

(Ord. 34B. Passed 4-5-76.)

1064.13 DISORDERLY CONDUCT.

Any person disturbing the peace and quiet of any City cemetery, consuming alcohol on cemetery premises or creating a disturbance, destruction or damage therein shall be considered a disorderly person and shall be punished as provided in these Codified Ordinances.

(Ord. 34. Passed 10-20-75.)

1064.14 AMENDMENTS; CONFLICTS OF LAW.

(a) Recommendations for changes in this chapter may be submitted by the Cemetery Board to the Council for consideration and such action as the Council deems appropriate. Amendments shall be by City ordinance.

(b) Any provision herein contained conflicting with any law of the State shall be considered amended to comply with said State law.

(Ord. 34. Passed 10-20-75.)

1064.99 PENALTY.

(EDITOR'S NOTE: See Sections 202.99 for general Code penalty if no specific penalty is provided.)