

AETNA TOWNSHIP CEMETERY ORDINANCE

O-2003-1

Section 1: Title

This ordinance shall be known and cited as the Aetna Township Cemetery Ordinance, Located in Missaukee County, Michigan. Said ordinance shall be effective for any properties or future properties acquired by Aetna Township specified for cemetery use.

Section 2: Definitions of Lots and burial spaces

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

An adult lot shall consist of a land area four (4) feet wide and eight (8) feet in length.

All burial lots are for human remains only, and at no time may it be permitted the interment of animal remains.

Section 3: Sale of lots or burial spaces

Hereinafter, cemetery lots or burial spaces shall be sold only to residents or taxpayers of the township for the purpose of the 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 restrictions 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, the cost of burial space to a non resident of the township shall be set by the Aetna Township Board.

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 of burial space sold. The township clerk shall execute such form.

Burial rights may only be transferred to those eligible to be original purchasers of cemetery lots or burial spaces within the township and may be effected only by endorsement of such burial permit upon the original burial; permit form issued by the township, approved by said clerk. Upon such assignment approval and record, said clerk shall issue 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 Aetna Township Board shall set purchase price of each adult burial space. And has set by resolution the cost to a non-resident to be greater.

The Aetna Township board, by resolution may periodically alter the fees to accommodate increased costs and needed funds for the cemetery maintenance and acquisition

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 Aetna Township Board, payable to the township

No burial space 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 re-interment of bodies and remains, which matters are under the supervision of the local health department.

Section 6: Markers or memorials

All markers must be of stone or other equally durable composition.

All monuments must be located on a foundation sufficient to maintain the same in an erect and stable position.

The footing or foundation upon which any monument, marker or memorial must be placed shall be at the cost to the owner of the burial right.

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.

Cremation shall be limited to two per single gravesite.

Not less than 36 hours notice shall be given in advance of time of any funeral to allow for the opening of the burial site. Sexton in charge may make allowance in an unusual circumstance.

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 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.

Section 8: Ground maintenance

No grading, leveling or excavating upon burial space shall be allowed without the permission of cemetery caretaker or township clerk.

The township cemetery caretaker reserves the right to remove or trim any tree 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.

The cemetery caretaker shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers therefore that through decay, deterioration, damage or otherwise become unsightly, a source of litter or a maintenance problem.

All refuse of any kind or nature including, among other dried flowers, wreaths, papers, and flower containers can be placed on or after May 15th and must be removed by Nov. 15th.

Section 9: Forfeiture of vacant cemetery lots or burial spaces

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

Section 10: Repurchase of lots or burial spaces

Aetna Township will repurchase any cemetery lots or burial space from the owner for the price of burial lots set by the township on date of re-purchase, upon written request of said owner or his legal heirs or representatives.

Section 11: Records

The township clerk shall maintain records concerning all burials, issuance of burial permits, and any other records pertaining to the Aetna cemetery apart from other township records and same shall be open to public inspection at all reasonable business hours.

Section 12: Vault

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

Section 13: 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 or of competent jurisdiction, such decision shall only effect the particular provision, section or part of involved in such decision and shall not effect or invalidate the remainder of such ordinance which shall continue in full force.

Section 14: Variances of ordinance

The Aetna Township Board must approve any exceptions to the foregoing rules relating to Sections 1 through 13 of the Aetna Township Cemetery Ordinance.

Section 15: Effective Date

This ordinance shall take effect on May 3, 2003. All ordinances or parts of ordinance in conflict herewith are hereby repealed,

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NOTICE

I hereby certify that Aetna Town-
ship Cemetery Ordinance #2003-1
was duly adopted by the Aetna
Township Board at its regular meet-
ing on the 29th day of March, 2003,
that of 5 members of Aetna Town-
ship Board, 5 were in attendance
and 5 voted for the adoption of the
ordinance - 0 nays.

A full copy of this ordinance may
be obtained by contacting the Aetna
Township clerk at (231) 826-3797.
A copy will also be on file with the
County Clerks Office, Lake City,
MI.

Rita Tucker
Aetna Township Clerk
March 29, 2003

Adopted March 29, 2003
Published May 2, 2003
Effective Date: May 3, 2003

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