



ROSE TOWNSHIP CEMETERIES RULES AND REGULATIONS

ARTICLE 1 PURCHASE AND TRANSFER OF SPACES

- Section 1.1. Persons desiring to purchase cemetery spaces should contact the Sexton or his assistant to visit the cemeteries and choose a space. The number of interments that can be made in any space is definitely determined at the time of purchase. It is therefore advised that a space of sufficient size be purchased, as adjoining ground may not be available if desired later.
- Section 1.2. The right to purchase a burial space is not limited to persons owning property or residing in Rose Township or persons having relatives buried in one of the Rose Township Cemeteries.
- Section 1.3. Title to the real property upon which the cemeteries are located lies in the Township of Rose in fee simple rendering any spaces or rights of burial therein exempt from taxation.
- Section 1.4. Rights of burial in a space may be purchased by payment of the fee established by the Township to the Township Treasurer. Said purchase entitles the purchaser to a Certificate of Right of Burial issued by the Clerk of the Township which is personal to the purchaser and may not thereafter be transferred without approval of the Township.
- Section 1.5. Absent waiver or modification by the Township, Rights of Burial must be paid in cash at the time of purchase.
- Section 1.6. Upon the death of an owner or part-owner of a right of burial, the owner's spouse or their natural, adopted or step children shall file proof of said relationship with the Clerk of the Township. Failure of the successor/owner to file proof of ownership will result in forfeiture of burial rights.
- Section 1.7. Rights of burial shall not be sold upon any ground before it has been graded, surveyed, platted and the purchase price thereof established by the Township.
- Section 1.8. The rights of burial are personal to the owner and may not be transferred to another person without first obtaining the approval of the Township. Such approval shall be conditioned upon payment of the established fees by the transferee to the Township.

Section 1.9 An owner may surrender rights of burial to the Township by notifying the Township Clerk in writing. The Township may repurchase and repossess an unused right of burial upon such terms and conditions as are reasonable and appropriate under the circumstances of the request.

Section 1.10 Upon completion of a transfer, surrender or repurchase of a right of burial, all claims and interest of the owner in the right of burial are terminated.

Section 1.11 The right of burial shall be exclusively used by the owner, their spouse, their natural, adopted or step children and are subject to such rules and regulations as may be adopted by the Township.

Section 1.12 The Sexton shall be responsible for issuing burial permits upon being presented with proper receipts and certificates and for supervising all grave openings and closings in the cemeteries.

Section 1.13 A right of burial certificate will be issued in only the original owners name.

ARTICLE II SPACE IMPROVEMENTS AND GENERAL CARE OF THE CEMETERIES

Section 2.0 The Sexton shall be responsible for overseeing the operation and maintenance of the cemeteries, personal contact with owners or prospective owners regarding the condition, purchase or other disposition of lots and the development and presentation to the Board of suggestions, recommendations and policies for the cemeteries. The Sexton shall be responsible for securing compliance with the Rules and Regulations adopted by the Township governing the cemeteries. The Sexton shall keep a current map and book or record of all purchased, used and unused rights of burial in the cemeteries including names of persons buried, dates and place of death, identity of undertaker and such other requirements for records as are contained in the laws of the State of Michigan. An Assistant Sexton may be appointed and compensated at a rate determined by the Township. The Assistant Sexton shall have the same responsibilities and duties as the Sexton during times when the Sexton is unable to personally carry out those functions.

- Section 2.1. The sections of the cemeteries are subdivided to provide burial spaces of various sizes and shapes.
- Section 2.2. To secure the best landscape effects, it is essential that the Township assume the general care of the entire grounds by planting according to plans and specifications.
- Section 2.3. General care does not provide for the care of mausoleums, monuments, grave markers, urns or any decorative planting which may be placed on spaces or a grave but does include the proper care of the sod, such as leveling and grass cutting.
- Section 2.4. Owners of burial right or their families may have work done on their space consistent with the Rules and Regulations by making prior arrangements with the Sexton.
- Section 2.5. Any improvements in the cemeteries will be performed by the Township under the supervision and direction of the Sexton.
- Section 2.5.1. Contracted work will be reviewed and approved by the Sexton to determine compliance with cemetery and Township rules
- Section 2.6. Burial spaces shall not be hereafter defined by any fence, railing, coping, hedge embankment or depression, nor shall trees or shrubs be planted to define corners and boundaries.
- Section 2.7. To prevent injury to adjoining spaces and to secure the beauty of the grounds, no trees or shrubs shall be planted, trimmed or removed without permission of the Sexton. Designated areas are available for planting trees in memory of a deceased person.
- Section 2.8. Individuals authorized to plant flowers are responsible to ensure that they are properly watered, trimmed, and free from weeds. The Township reserves the right to remove neglected plants from beds, graves and urns as soon as they become objectionable.
- Section 2.9. Arrangements can be made with the Sexton ~~and/or~~ for weeding, watering and general care of plants and painting or urns.
- Section 2.10. The Township will not interfere with the reasonable desires of the patrons in regard to the styles of their improvements. However the Township reserves the right to prohibit or remove any structure or object which shall be deemed injurious to adjoining spaces or the general good appearance of the cemeteries.

ARTICLE III INTERMENTS AND REMOVALS

- Section 3.1. All interments shall be accompanied by an interment permit as provided by State law and Certificate for Right of Burial. Certificates and permits for interments will be accepted only by the Sexton or the Assistant Sexton, one of who must be in attendance shall have full charge of all interments within the cemeteries.
- Section 3.2. Except in emergency cases, morticians or other responsible persons must give sufficient notice to the Sexton in order to allow at least twenty-four hours to prepare for an interment. Graves shall be opened only by the Sexton or Assistant Sexton at a charge set by the Township.
- Section 3.3. Removal of remains from a space will not be permitted without the approval of the owner/owners spouse, their natural, adopted or step children, or an Order by a Court of Proper Jurisdiction, as provided by State statute.
- Section 3.4. Vaults shall not be opened for inspection except by an order from a court of proper jurisdiction.
- Section 3.5. All interments must be enclosed in a burial vault of plastic, steel or concrete, which conforms to established below ground burial vault standards, as provided by State statute.
- Section 3.6. Interments in crypts or mausoleums must be hermetically sealed immediately.
- Section 3.7.
- (a) Grave opening two feet to four feet in length shall be considered a baby interment.
 - (b) Grave openings four feet to three feet in length shall be considered an infant interment.
 - (c) Grave opening four feet to six feet in length shall be considered an adolescent interment.
 - (d) Grave openings eight feet or over in length shall be considered adult interment.

- (e) Two infants/babies may be interred in one adult size gravesite upon payment of the fees established by the Township.
- (f) One adult interment with one cremation urn may be interred in one adult's size gravesite upon payment of the fees established by the Township.
- (g) One adult interment with one baby interment may be interred in one adult size gravesite if the site is ten feet or larger upon payment of the fees established by the Township.
- (h) Two cremation urns/containers may be interred in one adult size gravesite upon payment of the fees established by the Township.

Section 3.8. The scattering of remains anywhere in the cemeteries is prohibited. All cremated remains must have an outer burial container and be interred in a family grave or space.

Section 3.9. Interments or the cremains of other than human remains shall not be permitted.

Section 3.10. No person shall disturb, in any manner, the remains in any grave except as provided for in this Ordinance.

ARTICLE IV MEMORIAL MONUMENTS AND GRAVE MARKERS

Section 4.1 Monuments shall be allowed in only the sections of the cemeteries as indicated on the official map of the cemeteries

Section 4.2. Except for markers provided to Veterans by the government, white marble slab head or foot markers, because of their tendency for rapid deterioration, shall not be placed in the cemeteries except for the purpose of duplicating an existing marker in need of replacing due to destruction by vandalism or the elements.

Section 4.3. Materials used for monuments or markers must be first quality granite from recognized quarries, standard bronze and certain Vermont, Georgia and Tennessee marble, which is guaranteed by the producer and confirmed by the Sexton to be of first rate quality and finish. Manufactured or cast stone materials shall not be permitted.

Section 4.4. All designs and specifications of memorials for installation in the cemeteries must be submitted to the Sexton for approval before the memorial is erected in any cemetery.

Section 4.5. All monuments, double markers erected on a base and monoliths, shall be erected in the monument space only. Monument space shall be determined by the Sexton.

Section 4.6. Specifications for markers and monuments are as follows:

- (a) Not more than one marker shall be allowed on one space which shall be set at the head of the grave. If a baby interment or cremation urn is buried at the end of in a full size space, a marker, flush to the ground, can be placed.
- (b) A monument erected on a two spaces shall not exceed 4' 4" in length, nor be less than 6" in thickness.
- (c) A monument exceeding the specifications in (b) shall not be erected without first obtaining approval of the Sexton.
- (d) On spaces where an upright monument is permitted, only one shall be erected.
- (e) All monuments shall be made to conform to the contour of the ground, and in no case shall the ground be changed to conform to the memorial.
- (f) In Babyland a two-foot by one-foot marker shall be placed flush to the ground on each grave space.

Section 4.7. Mausoleums or sarcophagus for interments above ground shall not be erected without special permission from the Township Board.

Section 4.8. All corner markers shall be set flush with the ground.

Section 4.9. Except as otherwise authorized by the Sexton, foundations shall not be constructed or grave marker/monuments set between November 1st and April 15th.

Section 4.10. All foundations shall be built by the Township under the direction of the Sexton. The fee for this service is the responsibility of the

space owner or their authorized agent and shall be paid prior to the commencement of installation.

Section 4.11 Foundations for all markers and monuments shall be built 2" wider than the marker or monument base.

Section 4.12. Contractors employed in the construction of mausoleums, erection of monuments, or setting grave markings are subject to the control and direction of the Sexton. Contractors shall consult with the Sexton before making arrangements for delivering materials to the cemetery. Heavy trucking will not be permitted in wet weather and the Township reserves the right to refuse to allow any work to be done until conditions permit. Contractors are responsible for any damage done to cemetery grounds, township property and buildings, mausoleums, monuments, or markers.

ARTICLE V PERPETUAL CARE FUND

Section 5.1. A Perpetual Care Fund has been created by setting apart and investing at least fifteen (15) percent of monies received from the sale of rights of burial. This fund shall be used for cemetery general maintenance purposes only.

Section 5.2. Individuals with rights of burial who desire more attention and care than the Perpetual Care Fund provides, may secure care for their burial space, mausoleum, urns, flower beds, etc., by depositing an additional amount specified by the Township in the fund. All monies received by the Township for special care shall be held in trust and the funds and income will be used subject to the terms and conditions upon which the same were received. The Township will determine the amount required, so that the income will be sufficient to cover the labor and material requested for such special care.

ARTICLE VI GENERAL RULES AND REGULATIONS

Section 6.1. The cemetery gates will be unlocked at all times, but should be closed upon leaving cemeteries. No one shall be allowed in the cemeteries after dark.

Section 6.2. There shall be no admittance to the cemeteries except through the gates.

- Section 6.3. Visitors shall refrain from all boisterous talking, laughing, or jesting and are not permitted to walk promiscuously over or sit upon the lawn except in designated places.
- Section 6.4. No person shall injure or destroy any memorial installation, tree, shrub, urn, flower planting, bird, animal nor shall any person use any instruments or objects that would disturb the soil/sod within the cemeteries.
- Section 6.5. Food and beverages, including intoxicants, will not be permitted on the grounds.
- Section 6.6. All graves shall be made level with the surrounding lawn and in no case shall mounds be permitted.
- Section 6.7. Flowers may be planted on the interment area either adjacent to a monument or a marker on a space.
- (a) The size of a flowerbed adjacent to a monument must not exceed the length of the monument or extend more than 12" into the interment area.
 - (b) Only cemetery employees are permitted to disturb the sod on a space.
- Section 6.8. All flowers and plants shall be placed near the marker in such a manner as not to interfere with mowing of grass. The Sexton, Assistant Sexton, or authorized employees may remove anything that interferes with cemetery maintenance.
- Section 6.9. Potted plants and cut flowers may be placed on a space on Easter, Mother's Day, Armed Forces Day, Memorial Day, Father's Day, Labor Day, Children's Day and on special occasions by permission of the Sexton. Plants and flowers remaining longer than seven days will be removed and disposed. At no time can the sod be disturbed for the placing of such potted plants or cut flowers. The Sexton, Assistant Sexton, or authorized employees reserves the right to remove such plants or flowers when necessary.
- Section 6.10. Only ornamental, dwarf type evergreen trees may be planted adjacent to the ends of a monument, provided the owner has a two-space lot or larger, a monument on the space and the total

surrounding area is not over-planted with such trees. A permit must be acquired and signed by the Sexton. The Sexton reserves the right to remove such trees if neglected, they become too large, encroach to other spaces or are planted without authority.

Section 6.11. A winter blanket or wreath may be placed on any occupied space during the winter season from on or about November 1st to April 1st at the discretion of the Sexton.

Section 6.12. All refuse, rubbish and trash must be placed in the containers provided.

Section 6.13. No advertisements in any form are permitted on cemetery property.

Section 6.14. Children are not permitted in the cemeteries unless accompanied by an adult person who shall be responsible for their conduct.

Section 6.15. No pets are permitted in the cemeteries.

Section 6.16. Carrying and the use of firearms within the cemeteries are forbidden except for ceremonial use at military services.

Section 6.17. Flowers urns may be placed on any space within the cemeteries. Urns must be made of bronze, aluminum or concrete. Any unsightly or neglected urns will be removed.

Section 6.18. All discolored silk and superficial flowers will be removed at the Sexton's discretion. All tripods, trellises, settees, benches, vine arches, glass cases, metal forms, ornaments, toys, crockery fruit jars, tin cans, wooden headboards, iron, wood or metal markers or standards, or other items, are not permitted upon any space. It is the duty of the Sexton to remove all such objects.

Section 6.19. Metal veteran emblems are permitted for those persons entitled to one.

Section 6.20. Motorcycles, horseback, and snowmobile riding within the cemeteries is prohibited. Automobiles and other authorized vehicles operated in the cemeteries shall observe the following rules:

- (a) Speed limit 10 miles per hour.
- (b) Sounding of horns or other warning signals is prohibited.
- (c) Vehicles shall use roadways only; no driving on or between graves.
- (d) Passing of a procession is prohibited

Section 6.21. Charges for all cemetery services must be paid in full or guaranteed by a mortician; in case of a funeral arrangement or by a memorial dealer, in case of a memorial installation.

Section 6.22. The Township, its Sexton, Assistant Sexton or employees shall not be responsible for any damage to spaces, monuments or markers, or for flowers or articles removed from any space.

Section 6.23 **ERROR MAY BE CORRECTED.** The Township shall have the right to correct any errors that may be made, either in making interments, disinterments, or removals, or in the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value by the Sexton, or by refunding the amount of money paid on account of that purchase.

In the event the error shall involve the interment of remains of any person in such property, the Sexton shall have the right to remove and re-inter the remains in such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

Amended:
02/09/2005

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10/11/2006