

**RULES AND REGULATIONS
OAKHILL CEMETERY
UNION CEMETERY
BENTON CEMETERY**

TOWNSHIP OF SALINE
COUNTY OF WASHTENAW
SALINE, MICHIGAN 48176

*In the interest
of protecting and serving you,
and the memory of your loved ones.*

Adopted by Saline Township Board, December 12, 2005
Revisions approved by Saline Township Board: October 2006, October 2007

SALINE TOWNSHIP
Washtenaw County, Michigan
Ordinance No. 2005-01

[An ordinance to protect the public health, safety and general welfare by establishing regulations regulating to the operation, control and management of cemeteries owned by the Township of Saline, Washtenaw County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.]

THE TOWNSHIP OF SALINE, WASHTENAW COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the Saline Township Cemetery Ordinance.

Section 2: Definitions of Cemetery Lots and Burial Spaces

LOT: A standard full size lot shall be four (4) feet wide and ten (10) feet long.

PLOT: Any grouping or combination of lots (i.e., “family plot”). The minimum lot sizes for the following burials shall be as follows:

Regular adult burial – 4’ x 8’

Regular infant burial – 24” x 42”

For each cremation – 2’ x 2’

Any combination of burials of members of the same family shall be on a full size lot; the maximum being one (1) full burial with three (3) cremations, or no more than four (4) cremations. An infant (1 year of age or younger) or still born burial lots may be occupied by members of the same immediate family, subject to the above regulations.

The boundary lines of all lots and single burials are established before lots or graves are sold and will not be changed, without written consent of the lot owner.

The grade of each lot is established and cannot be modified or changed by any construction or improvement work whatsoever.

The Township reserves the right to perform all work for the care and upkeep of all lots and graves. Unsightly objects, erected or placed upon lots, out of harmony with the general landscape will not be permitted and whenever objects of such nature are placed on lots or graves, the Township reserves the right to request or effect their removal.

The Township shall be in no way liable or held responsible for any order given by telephone, or for any mistake occurring from the lack of precise and proper instructions as to the particular space, size and location in a lot where interment is desired.

Section 3: Sale of Lots and Burial Spaces

Hereafter, 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 restriction on sales where the purchaser discloses sufficient personal reasons 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 the original purchasers of cemetery lots or burial spaces within the Township and may 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 said Clerk, and entered upon the official records of 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

Each adult burial space shall cost the sum of \$500.

Each burial space for infants or stillbirths shall cost \$250.

Any transfer of one or more burial spaces from an original purchaser to a qualified assignee shall cost \$300.

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.

The Township Board, by resolution, may periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisitions.

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.

Any large upright monuments must be located upon a suitable foundation to maintain the same in an erect position.

Only one above ground monument, marker or memorial shall be permitted per burial space. Cremation markers, maximum of four (4), must be flush with the ground.

The footing or foundation upon which any monument, marker or memorial must be placed shall be constructed by the Township at 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.

Not less than 36 hours notice shall be given in advance of any time of any funeral to allow for the opening of the burial spaces.

The appropriate permit for the burial space involved, together with appropriate identification of the person to be buried therein, where necessary, shall be presented to either the 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.

Section 8: Ground Maintenance

The general care of the Cemetery, for which the Township assumes responsibility, includes the cutting of the grass at reasonable intervals, the raking and cleaning of the grounds, and the pruning of shrubs and trees placed by the Township.

The general care assumed by the Township shall in no case include the maintenance, repair, or replacement of any memorial placed or erected upon lots by an owner or purchaser, nor the doing of any special or unusual work in the Cemetery, including work caused by the impoverishment of the soil, nor the reconstruction of any marble or granite work on any section or plot, or any portion or portions thereof in the Cemetery, caused by the elements or hazards beyond the Township's control.

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 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 mover or other gardening apparatus are prohibited.

The Cemetery Sexton 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.

Surfaces other than earth or sod are prohibited.

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

Section 8.5 Perpetual Care

The purchase price of every lot in all Saline Township Cemetery's includes Perpetual Care. Such care is made a part and condition of each sale, and a special trust fund has been set up for the general care and maintenance of cemetery properties.

Trust Funds:

A portion of the sale price, \$100 of every lot, will be deposited in the Perpetual Trust Fund of the Township of Saline where it will be administered without cost to the lot owners and with the maximum of safety.

Perpetual Care, as included in the sale price, shall consist of the mowing of all lots and graves at reasonable intervals and such other items of maintenance as shall be deemed necessary by the Township.

Perpetual Care does not include anything but the essential features of lot maintenance, as it would be, manifestly unfair and unwise to raise the price of Perpetual Care to include all of the individual items of service and care required by some lot or grave owners. For the reason stated above Perpetual Care will not include the repair, maintenance or replacement of any foundation, monument, marker or other lot adornment nor will it include the watering of plants, urns, beds or cut flowers except as such work is done in the normal care incidental to regular maintenance.

Perpetual Care as outlined above will provide all the essential requirements of a well kept cemetery in which all lots will be under perpetual care, or care forever, without further expense to the lot owner.

Section 9: Forfeiture of Vacant Cemetery Lots or Burial Spaces

Cemetery lots or burial spaces sold after the effective date of the ordinance 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 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 within notice his desire to retain said burial rights.

No written response to said notice indicating a desire to retain the cemetery lots or burial spaces in question is received by the Township Clerk from the last owner of record of said lots or spaces, or his heirs or legal representative, within 60 days from the date of mailing of said notice.

Section 10: Repurchase of Lots or Burial Spaces

The Township will repurchase any cemetery lots or burial space from the owner for the original price paid the Township 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 perpetual care fund, separate and apart from any other records of the township and the same shall be open to 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: Penalties

A violation of this ordinance shall be a municipal civil infraction subject to a fine of up to \$500.00. Each day that a violation continues to exist shall constitute a separate offense.

Section 14: Severability

The provisions of the within ordinance are hereby declared to be severable and should any provisions, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

Section 15: Effective Date

This Ordinance shall be published once in the Saline Reporter, a newspaper having general circulation in said Township, and shall become effective 30 days after publication.

Dated: December 12, 2005

Lois A. Baldus,
Saline Township Clerk

Dated: December 12, 2005

James Marion,
Saline Township Supervisor

CERTIFICATE

I, Lois A. Baldus, Clerk of Saline Township, Washtenaw County, Michigan, hereby certify that the foregoing Saline Township Ordinance No. 2005-01 was duly approved and adopted by the Township Board of Trustees of Saline Township in a regular meeting of said Township Board held on 12th day of December, 2005 and that the following members voted Aye: J.Marion, Gordon, R.Marion, Bohnett, the following members voted Nay: Baldus, the following members Abstained: None; and the following members were not present at the meeting: None.

Lois A. Baldus,
Saline Township Clerk
Dated: December 12, 2005