



## **THE CHARTER TOWNSHIP OF BRANDON, MICHIGAN CEMETERY RULES & REGULATIONS**

Seymour Lake Cemetery is owned, managed and operated by the Charter Township of Brandon. The general upkeep, improvement and development of the Cemetery are financed from operational budgets of the Township. The Township Clerk is responsible for the administration and operation of the township cemeteries. A system of ownership and burial records is maintained in the Clerk's office. All information concerning the cemetery should be directed to this office which is open from 8:30 A.M. until 5:00 P.M. non-holiday Monday thru Friday at 395 Mill Street, P.O. Box 929, Ortonville, MI, 48462, **(248) 627-2851**.

### **PREFACE**

It is the purpose of these regulations to assure sound operation of the Cemetery, for and in the interest of all lot owners and the community it serves. These specifications are the result of careful study and reasonable application of the Memorial ideal and will provide for us and our successors, proper shrines of sentiment and beauty; and the character, extent and services furnished by the Township.

There is no attempt made to interfere with individual tastes and privileges. Only such regulations and restrictive measures are employed as have been deemed necessary to protect the interests of all and to preserve and improve the general appearance of the Cemetery. To this end, all persons are required to conform to the rules and regulations which have been established by The Charter Township of Brandon. The Charter Township of Brandon shares with you the solemn obligation to make the Cemetery permanent and beautiful as a symbol of faith, love and devotion.

### **1. GENERAL RULES**

The following rules and regulations have been established to facilitate maintenance of our Cemetery and to reduce costs to taxpayers while maintaining a high quality facility. The Charter Township of Brandon is hereby empowered to enforce all Rules and Regulations contained herein, and to exclude from the Cemetery any person violating same.

These Rules and Regulations were approved and adopted by the Charter Township of Brandon Board, March 3, 2015. The by-laws, rules, regulations, and prices of lots may be amended or changed at any regular meeting of the Township Board by a majority vote of all members. The Township Clerk shall have the right to establish temporary rules whenever, in her/his judgment, the best interests and safety of the Cemetery demand it, but must report such temporary rules to the Township Board.

### **2. PURCHASE OF LOTS**

Persons desiring to purchase lots are invited to visit the Cemetery and the Clerk's office where the Clerk can aid in making a selection. No deed will be issued until a lot is fully paid for. A deed from the Township Clerk and its record on the books of the Cemetery, kept under the direction of the Clerk is the only evidence of ownership recognized by the Township.

The transfer of any burial space or part thereof to different ownership shall be made at the Township Clerk's Office. Sales or transfers of lots by owners shall not be recognized until endorsed on the deed as inspected by the Clerk and noted on the books of the Clerk.

Burial plots are exempt from property taxes and cannot be seized on execution. No mortgage or other encumbrances can be given on any burial space.

### **3. GENERAL CARE OF THE CEMETERY AND LOTS**

Lots run north to south, graves run east to west with head placement at the west end. Grave 1 is to the north, grave 8 is to the south.

General care does not provide for the care of grave markers or any decorative planting, which may be placed on lots, watering of said plantings or watering of sod. The Township will be responsible for the mowing of all lots and graves at reasonable intervals; also trimming, reseeding, filling in sunken graves to the lot level, and trimming trees or shrubbery when necessary. The Township will not accept responsibility for the perpetual care of flowers or plants on gravesites.

To secure the beauty of the grounds, no trees or shrubs shall be planted on lots or graves, or any tree cut down or removed. Should additional planting be desired by the individual lot owner, permission must be granted by the Clerk.

Spring Clean-Up will be on or about the 15<sup>th</sup> of April each year. Fall Clean-Up will be on or around November 1<sup>st</sup>. All un-kept flowers, any unsightly vase, trees and shrubs, and grave blankets shall be removed by the Cemetery Maintenance Contractor at that time.

Planting flowers on graves or otherwise disturbing or destroying the sod, releases the Township from all obligations for resodding the grave at any time without charge. Should any monument or marker become unsightly, dilapidated, or a safety hazard to visitors, the Township shall have the right to correct the condition, or to remove same, at the expense of the lot owner.

Flower beds may be planted at the head of the grave on the east side of the marker. Flowers may be real or artificial. The use of glass jars or bottles as receptacles for cut flowers is strictly prohibited for safety purposes. No lot or grave in Seymour Lake Cemetery shall be hereafter defined by fence, railing, coping, hedge embankment or depression, *gravel or small stones*, nor can trees or shrubs be planted to define corners and boundaries. Flowers or decorations placed on the west side of the headstone, in the maintenance pathway will be removed by the maintenance crew without notice.

Lot owners who plant flowers and then fail to have them properly watered, trimmed and free from weeds, are hereby notified that the Clerk reserves the right to remove neglected plants from beds, graves, vases and urns as soon as they become objectionable.

The Township Board has no desire to interfere with the tastes of patrons in regard to the style of their improvements, but in justice to the interest of all, they reserve the right, given them by law, to prevent or remove any structure or object, which the Board shall deem not in keeping with the general appearance of the Cemetery.

### **4. INTERNMENT**

Permission to inter a body on any lot in the Cemetery shall not be granted unless the lot is fully paid for.

When interment is sought for any person other than the owner of the designated burial space, or a member of his or her immediate family, special permission in writing of the owner(s) or authorized agent must be filed with the Township Clerk's cemetery records.

An interment once properly made cannot be disturbed except upon written consent of the original owners, or their heirs, and the necessary permits of the State Health Department. The same applies to the removal of bodies from lots for transfer to other places for burial, whether within or without the Cemetery.

The Clerk, Clerk's staff or The Charter Township of Brandon shall not be held responsible for errors in location of graves on lots arising from improper instructions of lot owners. Orders from funeral directors shall be construed as orders from owners. Under no circumstance shall the Township assume responsibility for errors when orders are given by telephone.

In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wood boxes, it is required that all burials in a standard adult grave space must be made in a permanent outside container. The following are considered permanent outside containers: concrete boxes, concrete, copper or steel burial vaults. Cremains must be in a container that will not deteriorate.

One grave may contain one full-sized burial plus one cremain, or two small child-sized burials, or two cremains.

No Cemetery lot may be used for a purpose other than the burial of human remains and the placing of appropriate memorials. No interments other than human remains can be placed in any burial lot.

## **5. PRICE INFORMATION**

Costs for cemetery lots are set by the Township Board. The current charges for Seymour Lake Cemetery lots are:

Single grave site, payable within one year, **\$400.00** per grave for Brandon Township residents and **\$600.00** for non-residents; if not paid, ownership will return to Brandon Township without a refund.

A Brandon Township resident is defined as a person who currently lives in the Charter Township of Brandon for a minimum of one year or a former resident who lived in Brandon Township for a period of five or more years. Both residents and non-residents must provide corresponding documentation.

Additional costs for opening and closing graves are set by the Genesee Valley Vault Company. Prices are subject to change. Please contact Genesee Valley Vault at 810-695-5166 to discuss fees.

## **6. MONUMENTS AND GRAVE MARKERS**

No monument or marker shall be placed upon a grave space unless such space has been paid for in full.

Notwithstanding the provisions of this section, each monument and marker shall be in keeping with the appearance of other monuments in the section and with the character of the Cemetery. The Township Board may refuse the placement of any monument should it be determined that the proposed monument is not appropriate for the placement in Seymour Lake Cemetery.

Monuments and markers placed in the Seymour Lake Cemetery will be orientated to have the inscriptions facing to the East. Additional information may be inscribed on the west side of the monument. Seymour Lake Cemetery requires that all monument and marker placement must be coordinated with the Clerk's Office.

Contractors and workers employed in the placement of monuments, setting of grave vaults and markers will be held responsible for any damage done caused from carelessness or neglect.

**Monuments:**

Monuments shall be defined as memorials used to identify family burial plots and plots shall be no less than 3 graves. Family plots must have one gravesite designated for the monument only, and may be either a flush or upright memorial centered on the lot, up to a maximum width of 38 inches, not to exceed 60 inches in height. The location and design of any monument must be approved by the Township Clerk.

**Markers:**

Markers shall be defined as memorials used to identify individual graves. Grave Marker size shall be no more than 38 inches in width and 60 inches in height per grave space. Double marker (2 grave spaces) shall be no more than 66 inches in width and 60 inches in height and centered upon the head of the two graves.

**Foundations:**

Foundations for monuments will be not less than 4 to 6 inches deep and 2 inches larger than the base of the monument. Foundations for markers will be poured 4 to 6 inches deep and 2 inches larger than the base of the marker. Foundation for government bronze markers will have a 4 inch pre-cast foundation. Arrangements must be made with the Clerk's office for the laying of any foundation.



Sec. 12-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Burial lot* means any lot or space, individually or in combination with other lots or spaces, used or to be used for the burial, interment, or preservation of human corpses or the remains thereof, including any tomb, monument, gravestone, or other structure or thing placed or designed for a memorial of the dead, or any fence, railing, curb, or other thing intended for the protection or ornamentation of any tomb, monument, gravestone, or other structure mentioned in this section.

*Cemetery* means any cemetery, public or private, located within the township.

*Unauthorized person* means any natural person or combination of persons or legal entity other than the burial lot owner or his representative, or a person having care, custody, or control of a burial lot or cemetery by virtue of law, contract or familial relationship.

(Ord. No. 107, art. I, 11-7-2007)

Sec. 12-2. - Application of township ordinances.

All provisions of the township ordinances now in force or hereafter enacted, relating to and defining public offenses in the township, shall, insofar as the same shall be applicable, be in full force and effect in the township cemeteries.

(Ord. No. 107, § 2.1, 11-7-2007)

Sec. 12-3. - Unlawful entry.

It shall be unlawful for any person other than duly authorized officers, officials or employees of the township, to enter into or be upon the cemetery grounds of the township during the time after sunset and before sunrise of any day without first obtaining the permission of the township clerk in charge of said cemetery. It shall further be lawful at all times for any person to enter or leave the grounds other than by the established and open entrances or gateways.

(Ord. No. 107, § 2.2, 11-7-2007)

Sec. 12-4. - Trespass, loitering; exceptions.

It shall be unlawful for any person to loiter or trespass upon lots and graves of a township cemetery or for the parent or guardian of any child under the age of 16 to permit such child to be within said cemetery grounds unless accompanied by an adult person; provided, nothing herein shall be construed to prohibit any person having lawful business in the cemetery in connection with the improvement thereof or persons visiting the graves of relatives or friends from being in said cemetery in accordance with the rules as established by the board.

(Ord. No. 107, § 2.3, 11-7-2007)

Sec. 12-5. - Speed of vehicles.

It shall be unlawful for any person to drive any vehicle in said cemetery faster than ten miles per hour.

(Ord. No. 107, § 2.4, 11-7-2007)

Sec. 12-6. - Operation of vehicles and parking.

- (a) No person shall drive or move any vehicle within the cemetery except over a roadway open for vehicular traffic, or obstruct any path or driveway within the cemetery open to vehicular traffic. No person shall use the cemetery grounds or any driveway therein as a public thoroughfare or drive any vehicle through said grounds except for purposes of making deliveries in the cemetery, attending a graveside service or burial service, or visiting any grave site.
- (b) It shall be the duty of the township clerk and his assistants to direct all vehicular traffic, and the clerk is authorized to direct the parking or standing of all vehicles in said cemetery. No person shall disobey or disregard the directions of the clerk relating to the movement or standing of all vehicles within said cemetery.

(Ord. No. 107, § 2.5, 11-7-2007)

Sec. 12-7. - Grave decorations; flowers.

The placing of cut flowers or plastic flowers over individual graves shall be permitted; however, the township shall not be responsible for the care of such flowers or the containers that they are placed in. Further, the township shall remove, without notice, all flowers, real or artificial, that remain over 15 days.

(Ord. No. 107, § 2.6, 11-7-2007)

Sec. 12-8. - Rubbish; debris.

It shall be unlawful for any person to dispose of any rubbish, trash, waste materials, litter, or debris of any kind in the township cemetery.

(Ord. No. 107, § 2.7, 11-7-2007)

Sec. 12-9. - Property damage.

No person shall remove, molest, injure, mar, deface, throw down or destroy any headstone, monument, survey marker, corner marker, tomb, vault or mausoleum, or decoration on any cemetery lot in the township cemetery, or open, disturb or molest any grave or place of burial therein. This shall not prohibit acts by cemetery officers and employees, or public officials, in carrying out their duties nor shall this provision prohibit lot owners from engaging in the repair or replacement of monuments.

(Ord. No. 107, § 2.8, 11-7-2007)

Sec. 12-10. - Trees, shrubs, and flowers.

It shall be unlawful for any unauthorized person to plant any tree, shrub or other plant in the cemetery except those permitted by the general landscape plan approved by the board. It shall be unlawful for any unauthorized person to cut down, injure, break or destroy any tree, shrub or other plant growing in the cemetery or to pick, pluck or cut any flower or decorative plant except as authorized by the cemetery rules.

(Ord. No. 107, § 2.9, 11-7-2007)

Sec. 12-11. - Monuments.

- (a) In addition to those standards provided herein the township board may from time to time adopt regulations establishing standards and requirements regulating the type, location, size, material, number, the manner of placement and installation, and removal of monument markers, and plantings permitted within the township cemetery to the extent not established by this article, and may prohibit the placement of new monuments.
- (b) No monument or marker shall exceed 60 inches in height, 38 inches in width.

- (c) Every monument and marker shall be placed in the space as shown on the cemetery plat or as directed by the township clerk. No monument or marker shall be placed unless its location has been approved by the township clerk and the full purchase price of the grave has been paid.
- (d) No monument or marker may be constructed of limestone, sandstone, wood, or other materials which will not ensure relative permanency.
- (e) All markers or monuments shall be placed upon a suitable foundation and must be structurally sound and properly secured to avoid endangering public safety, health and other property. An apron of at least four inches in width shall be placed around said marker or monument, which shall be made of concrete, which apron shall also be level with the surface of the ground, and which shall be affixed to the marker so as to prevent grass, weeds, or other vegetation from growing between the marker and apron.
- (f) This section and regulations that may be established by the board shall not affect monuments or markers of plantings in existence as of the effective date of the ordinance from which this chapter is derived, except in those instances where such monuments, markers or plantings have become unsafe.

(Ord. No. 107, § 3.0, 11-7-2007)

Sec. 12-12. - Violations as municipal civil infractions.

Violation of this chapter is a municipal civil infraction.

(Ord. No. 107, § 3.1, 11-7-2007; Ord. No. 124, § 2, 7-7-2008)