

SOO TOWNSHIP
Cemetery Ordinance
Ordinance No. 2010-1

THE TOWNSHIP OF SOO, CHIPPEWA COUNTY, MICHIGAN ORDAINS:

Section 1. Title

The ordinance shall be known and cited as the Soo Township Cemetery Ordinance.

Section 2. Definitions of Cemetery Lots and Burial Spaces

- (a) A cemetery lot shall consist of burial spaces sufficient to accommodate from one to eight burial spaces.
- (b) An adult burial space shall consist of a land four (4) feet wide and ten (10) feet in length.
- (c) An infant or stillborn burial space shall consist of a land area three (3) feet wide and three and one half (3 ½) feet in length in areas set aside specifically for such burials.

Section 3. Sale of Lots or Burial Spaces

- (a) No sale shall be made to funeral directors or others than as heretofore set forth.
- (b) 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.

Section 4. Purchase price and Transfer Fees

- (a) Each adult burial space shall cost the sum of \$450.00 for a single space and \$650.00 for a double space.
- (b) 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.
- (c) The Township Board, by resolution, may periodically, alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

Section 5. Grave Opening Charges

- (a) 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.
- (b) 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 re-interment of bodies and remains, which matters are under the supervision of the local health department.

Section 6. Markers or Memorials

- (a) All markers or memorials must be of stone or other equally durable composition.
- (b) Any large upright monument must be located upon a suitable foundation to maintain the same in an erect position.
- (c) Only one monument, marker or memorial shall be permitted per burial space unless otherwise authorized by the Cemetery Board.
- (d) The footing or foundation upon which any monument, marker or memorial must be installed per township specifications at the expense of the owner.
- (e) The Township reserves the right to limit the size of any monument placed within the cemetery.
- (f) The Township has determined that a standard memorial site is defined as follows:
 - Horizontal Markers: A base length of four (4) foot six (6) inches by a width of one (1) foot by a height of ten (10) inches and the tablet should be a length of four (4) feet with a width of eight (8) inches and a height of two (2) feet, six (6) inches.
 - Vertical Markers: A standard size base length of two (2) feet by a width of eight (8) inches by a height of three (3) feet and the tablet is a length of two (2) feet six (6) inches by a width of one (1) foot by (10) inches.
- (g) Any memorials larger than the above stated dimensions must be approved by the Cemetery Board.

Section 7. Interment Regulations

- (a) Only one person may be buried in a burial space except for a mother and infant or two children buried at the same time.
- (b) 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 space.
- (c) 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.
- (d) All graves shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

Section 8. Ground Maintenance

- (a) No grading, leveling, or excavating upon burial space shall be allowed without the permission of the Cemetery Sexton or the Township Clerk.
- (b) 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.

- (c) 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.
- (d) Mounds which hinder the free use of a lawn mower or other gardening apparatus are prohibited.
- (e) 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.
- (f) Surfaces other than earth or sod are prohibited.
- (g) 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 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 or her of the expiration of the 40-year period and that all rights with respect to said lots or spaces will be forfeited, if he or she does not affirmatively indicate, in writing, to the Township Clerk, within 60 days from the date of mailing of the within notice, his or her desire to retain said burial rights.
- No written response to said notice indicating a desire to retain the cemetery lots or burials spaces in question is received by the Township Clerk from the last owner of record of said lots or spaces, or his or her heirs or legal representatives, within 60 days from the date of mailing of said notice.

Section 10. Repurchase of Lots or Burial Spaces

The Township may repurchase any cemetery lots or burial space from the owner for eighty (80) percent of the original price paid upon written request of said owner or his or her 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. Cemetery Hours

- (a) The cemetery shall be open to the general public from sunrise to sunset, on a seasonal basis.
- (b) No personal shall be permitted in the Township cemeteries at any time other than the foregoing hours, except upon permission of the Township Board or the Cemetery Section.

Section 14. Penalties

Any person who violates any of the previsions shall be guilty of a civil infraction subject to a fine of up to \$100.00. Each day a violation continues to exist, shall constitute a separate offense.

Section 15. 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 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 16. Effective Date

The ordinance shall take effect on May 20, 2010. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ORDINANCE CERTIFICATION

At a regular meeting of the Soo Township Board, Chippewa County, held in Soo Township Hall, located at 639 Three and one-half Mile Road, Sault Ste. Marie, Michigan on April 14, 2010, at 7:30 p.m.

PRESENT; Jim Callon, Harold Osborn, Larry Perron, Cheryl Thoresen, Andree Watson
ABSENT: None

It was moved by Jim Callon and supported by Harold Osborn that the Soo Township Cemetery Ordinance #2010-1 be adopted:

YES: Harold Osborn, Cheryl Thoresen, Larry Perron, Andree Watson, Jim Callon
NO: None

**ORDINANCE DECLARED ADOPTED
SOO TOWNSHIP**

**By: _____
Larry Perron, Supervisor**

I, the undersigned, the clerk of the Township of Soo, Chippewa County, Michigan, do hereby certify that the foregoing is a true complete copy of certain proceedings taken by the Soo Township Board of said County at its regular meetings held on March 10, 2010 and April 14, 2010, relative to adoption of the ordinance therein set forth; that said meetings were conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 267, Public Acts of Michigan, 1976 and that the minutes of the meetings were kept and will be made available as required by said act; this ordinance was published in the Evening News on Monday, April 19, 2010 and filed with the County Clerk on April 22, 2010.

Dated: _____

Andree Watson, Soo Township Clerk