

ESCANABA TOWNSHIP CEMETERY ORDINANCE

ORDINANCE 7-2004

ADOPTED: July 2004

AMENDED: May 24, 2021

EFFECTIVE: June 28, 2021

This cemetery ordinance is to protect health, safety and general welfare by establishing regulations relating to the operations, control, and management of cemetery owned by the Township of Escanaba, County of Delta, 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 ESCANABA, COUNTY OF DELTA, MICHIGAN ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the Escanaba 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 five burial spaces.

B: A burial space shall consist of a land area four (4) feet wide and ten (10) feet in length.

Section 3: Sale of lots or burial spaces

A: Hereafter, cemetery lots of burial spaces shall be sold 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.

B: All such sales shall be made on a Cemetery Burial Rights Certificate 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. The Township Clerk or Sexton shall

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 Clerk or 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, as a result of a court order.

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 concrete foundation to maintain the same in an erect position.

C: Only one monument, marker or memorial shall be permitted per burial space, with a maximum of 400 total pounds. (A flat plaque can be installed to the original monument to mark a baby or urn vault as a second burial on one burial site. No more than one memorial above ground will be allowed per grave. A veteran's plaque, not mounted to the monument, may be placed at the foot of a grave, provided it is flush with the ground.

D: The footing or foundation upon which any monument, marker or memorial must be placed shall be constructed by the owner of burial right, monument seller, or funeral home, shall be a minimum of 3 inches larger than monument on all sides, and should be between 4" and 5" in depth.

Section 7: Interment regulations

A: Only one person may be buried in a burial space except for a parent and infant or two children buried on opposite ends or ashes on top of another person. Each site must be 12" below the surface.

B: Not less than 48 hours notice shall be given in advance of any time of any funeral to allow for the opening of the burial space unless other arrangements were made.

other devices to anchor flower vases, baskets or other objects to the ground will not be permitted.

D: The decoration of lots or graves with fencing, edging, wire screens, anchors, trellises, individual artificial flowers anchored in the ground, or any objects of a similar nature is prohibited. No glass or ceramic objects or containers of any kind are permitted. One shepherd's hook is permitted per grave, providing it is placed within the permitted area.

E: Wind or mechanically moving items are prohibited.

F: Settees, benches and chairs are not permitted in Escanaba Township Cemetery unless approved by Township Sexton.

G: The Township Board reserves the right to remove or trim any tree, plants or shrub located within the cemetery in the interest of maintaining proper appearance and the use of the cemetery.

H: Mounds, which hinder the free use of a lawn mower or other gardening apparatus, are prohibited.

I: 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.

J: No sand, gravel, washed gravel, crushed stone, bricks or other loose material may be used around the bases of markers or monuments.

Section 9: Clean Up Rules

A: All refuse of any kind or nature including, among others, dried flowers, wreaths, papers, and flower containers must be removed.

B: All winter wreaths and other objects left during the winter months must be removed by April 1st. The groundskeeper will dispose of said items still in place by April 5th. The only items remaining during this period should be gravestones, concrete urns and concrete statutes.

separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

Section 14: Severability

A: 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 14: Effective Date

A: This Ordinance amendment was adopted by the Township Board of the Township of Escanaba, Delta County, Michigan on the 24th day of May, 2021, and shall take effect thirty (30) days following publication in a newspaper of general circulation within Escanaba Township, in accordance with Michigan Statutes. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



Tom Rymkos, Township Supervisor

Date 5-24-2021



Patricia Beauchamp, Township Clerk

Date 5-24-2021