

The Township of Au Train  
County of Alger

Cemetery Ordinance

Ordinance No. 2008-013

Amendment date: April 13, 2015

**Section 1: Title**

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

**Section 2: Cemetery Lots and Burial Spaces**

A cemetery lot shall consist of burial area that is sufficient to accommodate from one or more burial spaces.

An adult or infant burial lot shall consist of a land area five (5) feet wide and ten (10) feet in length.

A veteran's burial lot shall consist of a land area five (5) feet wide and ten (10) feet in length in areas set aside specifically for such burials.

**Section 3: Sale of Lots**

Hereafter, cemetery lots 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 or others than as heretofore set forth.

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 sold. Such form shall be executed by the Township Clerk.

Burial rights may be transferred to any individual approved by the Township Clerk and may be effected only by the endorsement of an assignment of such burial permit upon the original burial permit form issued by the Township Clerk, approved by the Township Board, 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 as assigned.

**Section 4: Purchase Price and Transfer Fees**

Each adult burial lot shall cost the sum of \$150.00, for a lot size of 5'x10'. A 20% discount per lot will be only be applied for the purchase of multiple lots, purchased at the same time.

Each burial lot for veterans, where located in an area especially set aside for such burials, shall be at no cost.

Any transfer of one or more burial lots from an original purchaser to a qualified assignee shall be charged a \$25.00 administration fee.

The foregoing charges shall be paid to the Township Treasurer and shall be deposited into the General Fund account.

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

### **Section 5: Grave Opening Charges**

The opening and closing of any lot, prior to and following a burial therein, shall be at a cost of \$225.00 for burial and a \$75.00 administration fee, for a total of \$300.00. The opening and closing of any lot for interment of ashes, shall be charged a \$75.00 administration fee. The Township Board, from time to time by resolution, may periodically alter the foregoing fees to accommodate increased costs.

The foregoing charges shall be paid to the Township Treasurer and shall be deposited into the General Fund account, recorded as "charge for services - cemetery".

No burial lots 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. Fees for such proceedings shall be established by the Township board on individual case basis and paid by the individual requestor or agency.

### **Section 6: Markers or Memorials**

All markers or memorials must be of stone or other equally durable composition.

All large upright monuments must be located upon a suitable foundation to maintain the same in an erect position. The footing or foundation upon which any monument, marker or memorial must be placed, shall be the responsibility of the lot owner, arrangements must be made for approval with the sexton.

Only one monument, marker or memorial shall be permitted per burial lot, with the exception of veterans, and a family monument, which can be within a plot, but individual markers will be required at grade level.

### **Section 7: Interment Regulations**

Only one person may be buried in a burial lot, except for a mother/father with an infant or two children in the same casket/container.

Not less than 72 hours notice shall be given in advance of any time of any funeral to allow for the grave opening and closing.

The appropriate permit for the burial lot involved, together with the appropriate identification of the person to be buried therein, where necessary, shall be presented to the Cemetery Sexton prior to interment. Where such permit has been lost or destroyed, the Township Clerk shall be satisfied from his or her records (copies of forms on file), 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 lot involved.

### **Section 8: Ground Maintenance**

No grading, leveling, or excavating upon any burial lot shall be allowed without the permission of the Cemetery Sexton or Township Board.

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 mower or other gardening apparatus are prohibited. Boundary markers are allowed on family plots, but must be made of concrete and placed at ground level to facilitate mowing and maintenance. They must not obstruct current lot markers.

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 or otherwise become unsightly, a source of litter or a maintenance problem, upon notification to the owner.

Surfaces other than earth or sod are prohibited. All refuse of any kind or nature, including, but not limited to dried flowers, wreaths, papers, and flower containers must be removed or deposited in containers located within the cemetery following designated Rules and Regulations.

**Section 9: Repurchase of Lots**

The Township will repurchase any cemetery lots from the owner for the original price that was paid to the Township, upon written request of said owner, or his heirs or legal representative, less a \$25.00 administration fee.

**Section 10: Records**

The Township Clerk shall maintain records concerning all burials, issuance of burial permits separate and apart from any other records of the Township and the same shall be open to public inspection at the request of any person.

**Section 11: Vault**

All burials shall be within a standard concrete vault installed or constructed in each burial lot before interment, as directed by the Cemetery Sexton or Township Board, with the exceptions of urns and infants. Alternative vault methods will be considered upon request to the Township Board.

**Section 12: Cemetery Hours**

The cemetery shall be open to the general public from one hour prior to dawn until one hour prior to dusk. No person shall be permitted into the Township Cemetery at any time other than the foregoing hours, except upon permission of the Township Board or Cemetery Sexton.

**Section 13: Penalties**

Any person, firm, or corporation who violates any of the provisions of the within ordinance shall be guilty of a misdemeanor and shall be subject to a fine of up to \$100.00. Each day that a violation continues to exist, shall constitute a separate offense. Any criminal prosecutions hereunder, shall not prevent civil proceedings for abatement and termination of the activity complained of.

**Section 14: 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 or 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 take effect on May 16, 2008. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Approved by the Au Train Township Board at a Regular Board Meeting held on April 9, 2008.

Motion made for approval by: Supervisor Atherton

Second: Clerk Rogers

Ayes: Atherton, Rogers, Clapp, Steinhoff

Nays: None

Motion declared passed by the Au Train Township Supervisor.

By: Mary F Rogers  
Mary F. Rogers, Clerk

04/09/2008  
Date:

Appeared for publication on: April 16, 2008 In the Munising News.

The foregoing Ordinance was amended by the Au Train Township Board at a Regular Board Meeting held on April 13, 2015.

Motion made for approval by: Clerk Rogers

Second: Trustee Cota

Ayes: Rogers, Cota, Balmes, Doucette, Clapp

Nays: None

Motion declared passed by the Au Train Township Supervisor.

By: Mary F Rogers  
Mary F. Rogers, Clerk

4/13/2015  
Date:

Appeared for publication on: April 22, 2015 In the Munising News.

## Rules and Regulations of the Au Train Township Cemetery

### Serenity Pines - Section 1 and Section 2

Note: Rules may be revised, by vote of the Au Train Township Board, as necessary to accommodate the needs and activities related to the maintenance and day to day function of the cemetery.

1. No flowers, shrubs, trees or vegetation of any type shall be placed, or planted without the approval of the Cemetery Sexton or Township Board. Any of the foregoing items planted without such approval may be removed by the Township or the Cemetery Sexton.
2. Persons are prohibited to be within the cemetery after posted cemetery hours. Any person within the grounds after hours is considered trespassing and the Township shall in no way be held liable for any injury sustained by such trespassers.
3. Parking is allowed on Designated Roadways Only
4. Persons within the Cemetery shall use only the roads, drives or walkways as thoroughfares and no person should walk on the grass unless it is necessary to do so to reach a particular lot.
5. No bicycles, motorcycles, dirt bikes, scooters, ATV's or snowmobiles shall be allowed in the Cemetery.
6. The Township Board may waive the lot fee for indigent Township Residents. Requests for a waiver must be made in writing to the Township Board. Placement within the Cemetery will be determined by the Cemetery Sexton.
7. Only Human Remains are allowed to be buried within the Cemetery.
8. No firearms will be permitted on cemetery grounds, except during a military or service related burial.

(As approved by the Au Train Township Board, dated: April 13, 2015)

