

Columbia Township Cemetery Ordinances, Rules and Regulations

PREFACE

In compiling the rules herein, the Township of Columbia has tried to safeguard the individual lot owners as well, as the cemeteries as a whole. All lot owners and visitors within the cemetery and all property sold shall be subject to said rules and regulations, as well as such other rules, amendments, or alterations that may from time to time be adopted by the Township Board.

We trust that every lot owner in the cemetery is interested in the enforcement of the rules, as they are necessary to assure the proper management and development of beautiful cemeteries as well as the dignity that they deserves.

The cemeteries are hallowed in our hearts and in our memories and we trust that no one will intentionally violate any of the rules.

The provisions of the these ordinances 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.

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I. GENERAL RULES

1. Columbia Township Cemeteries are owned and operated by the Township of Columbia. The township is under no obligation to maintain any set standard for their care and upkeep, although the township does provide for general maintenance and care of the cemetery grounds.

Planting of rose bushes, shrubs, or trees are **prohibited**. Glass containers, mounds, bark, stones, fences, curbs, inland dividers, benches or steps, structures made of wood or other equally perishable materials and existing items can be removed if they become unsightly or dangerous or cause additional work for ground crews.

The Township and or Sexton has the right and authority to remove, dispose of any or all growth, emblems, displays, existing flowers, trees, shrubs, bushes, or containers that decay, deteriorate, or are damaged and become dangerous or an unsightly problem.

The Township does however have the right to plant slu-ubs or trees inside the cemetery.

2. The cemeteries are set apart for the exclusive burial of human remains and shall forever be used as such.

3. The Township Clerk and or Sexton, at the direction of the Columbia Township Board, are responsible for the administration of the cemetery and the enforcement of all rules, regulation, policies, and procedures approved by the Township Board. The Cemetery Sexton, at the direction of the Township Clerk, supervises all workers within the boundaries of the cemetery. And shall have authority to cause the expulsion from the cemetery any person who violates the rules and regulations or whose conduct is considered obnoxious to the cemetery.

4. The Township shall not be held liable for errors or damages, which may occur as a result of improper misinterpretation or telephone instructions from lot owners, their legal representatives, or funeral director acting on the behalf of the owner or his or her heirs.
5. The Township has the right, without prior approval of the lot owner or his or her legal representative, to correct errors made in good faith in any phase of cemetery administration, operation, or maintenance without incurring liability of any kind whatsoever.
6. The Township has the right to change, modify, or re-plat any part of the cemetery for any said reasons the Township has no past control of.
7. The Township reserves the perpetual right over all lots.
8. The Township shall take reasonable precaution to protect grave owners and the burial rights of owners within the cemeteries. The Township cannot be held liable for loss or damage caused by flooding, fire, windstorm, or other causes deemed an act of God, thieves, vandals, malicious mischief makers, explosions, or unavoidable accidents. Grave Markers provided by family are and will remain family property. Columbia Township is not liable or responsible for damaged markers.
9. The Township Sexton is permitted to do any work for the lot owners at the direction of the lot owner and or the Township Clerk.
10. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Township reserves the right to make exceptions, suspensions, or modifications of any of these rules and regulations without notice when, in the judgment of the management, such action appears necessary. Any such temporary exception, suspension, or modification shall in no way be construed as affecting the general application of these rules and regulations, and shall not act as a waiver of any of the provisions herein.
11. The Township Board reserves the right to adopt new rules, amend or suspend present rules and regulations herein, at any time, without notification to the owners.
12. If a member of a family or friend acting in legal faith has no written receipt verifying the purchase of a grave(s) or lot(s) and cemetery books and maps show no indication of this transaction, the Township is not responsible and cannot be held liable. The Township reserves the right to act in its best interest to resolve this case and is not legally responsible.
13. In the event of any past lot sales, or burials in any of the said cemeteries of Breedsville, Thompson, Grand Junction East and Grand Junction West that may have been improperly placed or written, or owner of said lots disagree, the Township Board reserves the right to make changes, and or appoint new grave(s) or lot(s). The Township of Columbia cannot be held responsible for any actions stated above.
14. Columbia Township cemeteries shall be open to the general public during daylight hours each day.

II. CONDUCT WITHIN THE CEMETERY

1. Visitors are reminded that cemetery grounds are considered sacred and a strict observance of accepted behavior shall be required at all times.
2. Visitors will use the roads provided, except under the direction of the Sexton or Funeral Director during a large funeral. In the event of injuries or accidents the Township is in no way responsible or liable.

3. It shall be unlawful for any person to interfere with the proper conduct of a funeral or with the burying or exhuming of a body in Columbia Township Cemeteries without legal cause.
4. It shall be unlawful for any person to desecrate or vandalize the cemetery. any lot, gravestone, monument, fence, tree, or shrubbery therein.
5. Receptacles for only cemetery waste materials are placed at convenient locations throughout the cemetery. The placing or disposing of debris at any other location is prohibited.

III. CEMETERY CARE

1. The cemetery is not one of perpetual care, however, general care is assumed by the township and includes the cutting and trimming of grass, debris removal, fertilization, and periodic pruning of shrubs and trees. The Township is under no obligation to maintain any set standard for care and upkeep of cemetery grounds.
2. Grave decorations and flowers of all kinds will be placed within 12" inches of the headstone. Urns shall be placed along side of the stone to make it easier for the mowing and upkeep of the cemeteries.
3. The Township and or Sexton are not responsible for loss of any plantings or decorations by any cause whatsoever. Nor are the Township or Sexton responsible for any damage to memorials, which may occur by any cause whatsoever.
4. Grave decorations of all kinds will be removed when in the judgment of the Township or Sexton they do not conform to the rest of the cemetery.
5. All decorations (artificial flowers, plastic baskets, ect.) that owners wish to save shall be removed before April 1st so cleanup crews can do their work. All decorations not removed by owners within the specified time frame shall be removed and disposed of by cemetery personnel.
6. The encirclement of plants, bark, stones, fences, or any other means of encirclement around a gravesite is **prohibited**.
7. The Township retains the authority to intervene at any time to ensure that the maintenance of all lots meet the standards as established by the management.
8. The Township will perform all care, improvements, and alteration work.

IV. SALES AND TRANSFERS

1. The Sexton and or Township Clerk will show available grave locations and prepare the cemetery agreement for selected sites. Sales are not considered final until such time as the buyer completes the transaction and has a receipt stating so. A maximum of 6 graves may be purchased within the Township by any one person.
2. The description to the property shall be issued upon receipt of full payment. Such deed shall be subject to these rules and regulations, the applicable ordinances of the Township of Columbia, and such restrictions as are of record. The sales agreement and the rules and regulations and any amendments thereto shall constitute the sole agreement between the Township and the purchaser and no other agreement, not in writing, shall be recognized by the Township.

3. Grave(s) may be purchased in advanced by contacting the Sexton, and or the Township Clerk.
4. No transfer or assignment of any grave or interest therein shall be valid without prior consent of the Township Clerk and or Sexton.
5. A grave owner may sell or transfer their grave only to a relative by blood or marriage. A grave owner may sell or transfer their grave to a person not related upon township approval. Any deed transfer will be charged a processing fee of \$25 per transaction.

V. DECLARATION OF RESERVATION

- I. The owner of a grave may present their deed to the Sexton and or Township Clerk, designating persons entitled to be buried in the grave or graves owned. This practice is strongly encouraged by cemetery management, as the declaration may prevent future delays and confusion at the time of need for the grave.
2. An owner may only provide designations for relatives by blood or marriage, or has petmission to do differently from the Sexton and or Township Board. Right of burial of the remaining graves shall be by specific bequest in the owner's Last Will and Testament.
3. The burial rights in all graves conveyed shall be presumed to be the sole and separate propelly of the person or persons named as grantee in the deed.
4. Grave owners can appoint whomever they wish to any grave they own.
5. Whenever an internment of the remains of any person is made in a grave, the grave hereby becomes inalienable and shall be held as the grave of the interred person, except as otherwise provided by the owner's declaration of reservation.

VI. INTERNMENTS AND DISINTERNMENTS

- I. All interments, disinterment and removals are subject to Township approval.
2. All earth intennents shall be in a liner or vault of concrete or steel or other type subsequently approved for use by the Township and the State of Michigan.
3. Charges and fees for services rendered under this title are established by the Township Board, and are payable prior to the service.
4. The Sexton must be given a minimum of 48 hours notice prior to any interment. One weeks notice wilt be given for disintennent or removal.
5. No more than the remains of one body can be interred in any one grave, single vault, except in the case of a mother and stillborn child. However, with consent of the owner or heirs of the owner, an exception can be made to permit no more than one regular interment and one cremation or two cremations in any one grave.
6. All cremations must be interred and appropriate arrangements for such interment scheduled with the Sexton. It is prohibited for cremations to be scattered in the cemetery, or buried without the Township's penrrission.
7. In the absence of the owner's declaration of reservation, or legal evidence of ownership, the Township

reserves the right to refuse to open any burial grave and to refuse interment. If for any reason an interment grave in a specified location cannot be obtained, the Township to prevent a delay in the services may provide one in a location the Sexton and the family or executor deems best and proper. If the family or executor cannot come to an agreement with the Sexton, the Township Board shall make the final decision. The Township shall not be held liable in any way as a result of such action.

8. The Township shall not be liable for any delay in interment where protest by legal representatives or heirs have been made, or where rules and regulations have not been complied with. Remains are the responsibility of the decedent's family, heirs, or executor until properly interred. Should any legal process or question prohibit the Township from interring any person, it shall be the responsibility of the family, heirs, or executor to store such remains until the protest is resolved. In the event the Township incurs any costs due to any such protest, it shall be the responsibility of the family, heir, executor, ect. to reimburse the Township for any such expenses before the body is interred.

9. Caskets containing remains, once interred, will not be opened or removed without the written consent of legal representatives of the deceased and or an order from a court of competent jurisdiction. The Township and or Sexton shall not be liable for any damages that may result from a removal.

10. Funeral processions entering the cemetery shall be under the control of the cemetery supervisor. Funeral Directors shall be present and conduct services as provided by existing state laws and Township ordinances.

VII. MEMORIALS

1. Only one stone or marker will be allowed for each grave and this shall be placed at the head of the grave. In a case of a regular interment and a cremation interment in the same grave a second grave stone is allowed but it must be flush with the ground.

2. Every grave that has a regular interment or a cremation interment shall have a non perishable marker placed there by the Township until a foundation and head stone replaces it.

3. Cemetery staff will provide reasonable assistance to licensed memorial representatives in locating graves.

4. All stones or markers in the cemetery are required to have a concrete foundation, except for the ones provided by the Township, which will be poured by licensed memorial representatives or cemetery staff and require a 3" inch border. Larger markers may require approval from Columbia Township for the safety of the grounds keepers and/or grave dimension restrictions. Fees may be added or altered to accommodate uncommon size markers.

5. Fees for foundations are payable in advance.

6. Should a monument dealer need to access areas off the roads in the cemetery, that person must receive guidance from the cemetery staff as to where the vehicle may be driven over the grounds. Payment for any damages that may occur in the course of a monument installation shall be the responsibility of the monument dealer.

The Columbia Township Cemetery Ordinance including rules and regulations of the Columbia Township has been put into effect on this date 1-18-2017

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