

Hartford Township, Van Buren County, Michigan  
Ordinance Number 31  
Hartford Township Cemetery Ordinance

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, and management of cemeteries owned by the Township of Hartford, Van Buren County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

**Section 1. Title.** This Ordinance shall be known as the Hartford Township Cemetery Ordinance.

**Section 2. Definitions of Cemetery Lots and Burial Spaces.**

A cemetery lot shall consist of burial spaces sufficient to accommodate from one to four burial spaces.

An adult burial space shall consist of a land area three and one half (3 ½) feet wide and twelve (12) feet in length.

An infant or stillborn burial space shall consist of a land area three and one half (3 ½) feet wide and six (6) feet in length in areas set aside specifically for such burials.

**Section 3. Sale of Lots or Burial Spaces.**

All 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. The Township Clerk shall execute such form.

**Section 4. Purchase Price.**

The purchase price of burial spaces shall be at a cost to be determined from time to time by resolution of the Township Board, payable to the Township.

**Section 5. Grave Opening Charges.**

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.

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.**

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

All monuments must be located upon a suitable foundation to maintain the same in an erect position.

Only one upright monument, marker or memorial shall be permitted per burial space.

The footing or foundation upon which any monument, marker or memorial must be placed shall be constructed by the Township Sexton at cost to the owner of the burial right.

**Section 7. Interment Regulations.**

Burials allowed per space: one full burial and one cremation burial or two cremation burials.

Not less than three (3) days notice shall be given in advance for the opening of the burial spaces.

**Section 8. Ground Maintenance.**

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

No bushes, shrubs, or trees of any type shall be planted in the cemetery. The Cemetery Sexton may remove any of the foregoing items planted.

No fencing of any type permitted in the cemeteries.

The Township Board or the Cemetery Sexton 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 that hinder the free use of a lawn mower or other gardening apparatus are prohibited.

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.

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Surfaces other than earth or sod are prohibited.

Only Township Employees are authorized to mow grass in the cemetery.

Only the owners of the markers or memorials placed on a grave (or those receiving permission from said owners) are authorized to place flowers, decorations, etc. at said marker or memorial.

All displays, decorations, flowers, etc. shall be removed from the graves by October 15<sup>th</sup> of each year. The Cemetery Sexton shall have the right to remove any of the said items after October 15<sup>th</sup>.

**Section 9. 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 10. Vault.**

All burials shall be within a standard concrete vault installed in each burial space before interment.

**Section 11. Cemetery Hours.**

The cemeteries will be closed from dusk to dawn.

No person shall be permitted in the township cemeteries from dusk to dawn, except upon permission of the Township Board or the Cemetery Sexton.

No skateboards, rollerblade, bicycles, sledding, off-road motorized vehicles or the like are permitted in the cemeteries.

No minor children permitted in the cemeteries unless accompanied by an adult.

The speed limit in the cemeteries is not to exceed 5 mph.

**Section 12. No Parking Area.**

A "No Parking Area" is hereby established on the west side of the Pioneer Cemetery between the fence and 65<sup>th</sup> Street.

**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 and/or imprisonment for up to 90 days in jail as may be determined by a court of competent jurisdiction. 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.~~ \*Amended June 17, 2013 with Ordinance No 38a

**Penalties and Enforcement.** Any person, firm association, partnership, or corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 <sup>st</sup> Offense within 3-year period*	\$ 75.00	\$500.00
2 <sup>nd</sup> Offense within 3-year period*	\$150.00	\$500.00
3 <sup>rd</sup> Offense within 3-year period*	\$300.00	\$500.00
4 <sup>th</sup> or More offense within 3-year period*	\$500.00	\$500.00

\*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

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**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 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 15. Effective Date.**

This ordinance shall take effect on December 11, 2008. All ordinances or parts of ordinance in conflict herewith are hereby repealed.

*Adopted by the Township of Hartford, Van Buren County, Michigan on December 11, 2008  
Effective December 11, 2008*