

# **BATH CHARTER TOWNSHIP CEMETERY**

## **RULES AND REGULATIONS**

### **INTRODUCTION**

The Charter Township of Bath, Clinton County, Michigan, through its Township Board administers two Township Cemeteries, Pleasant Hill, and Rose. The Township board has adopted these rules and regulations to provide maximum protection to burial space owners and to best insure and preserve the beauty, orderly development, and care of the cemeteries. The Township Board reserves the right to make such changes or alterations of the rules and regulations as may from time to time be deemed necessary. These rules and regulations continued herein are subject to any and all ordinances of the Township now or hereafter placed in effect.

### **DEFINITIONS**

- A. CEMETERY PLOT: The term plot or cemetery plot is an area of sufficient size to accommodate an interment.
- B. CEMETERY LOT: A lot, or cemetery lot, is an area of two or more cemetery plots.
- C. BURIAL SPACE: The term burial space is used herein to mean a single plot, group of plots, or lot under the ownership of one person or family.
- D. MARKER: A marker is a stone or plaque either flush or above ground indicating the given and/or family name(s) and must be located at the head of the plot/plots.
- E. MONUMENT: A monument is a stone extending above the ground inscribed with the family name only. It is placed at a location approved by Township cemetery maintenance staff.
- F. IMMEDIATE FAMILY: The immediate family is described as follows: spouse, parent, brother, sister, grandparent, children, grandchildren, of the original lot owner(s). The term is also to include "great" to the above, where applicable.
- G. TOWNSHIP: Shall mean the Charter Township of Bath.
- H. TOWNSHIP BOARD: Shall mean the Board of Trustees of Bath Charter Township.

## **GENERAL INFORMATION**

- 1) Pleasant Hill Cemetery (Webster Road approximately ½ miles south of Clark Road) and Rose Cemetery (Upton Road approximately ½ miles north of Stoll Road) are owned and operated by the Charter Township of Bath under the direction of the Township Board. The office for both cemeteries is located at the Bath Charter Township Hall, 14480 Webster Road, Bath, Michigan 48808. Office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday except on holidays. A complete system of ownership of burial rights and burial records is maintained at this location. All information concerning the cemeteries, including records, purchasing procedures, rules and regulations, arrangements and cost of interment services, and other services may be obtained by visiting this office or by calling the Township Clerk's Office during the hours shown above.
- 2) Cemetery Records – The cemetery office maintains record that include the following information: Name of owner of burial rights, name of deceased, date of death, date of interment, place of death, and other miscellaneous information which has increased over the years as records have improved. The amount of information available may vary, depending on when the information was recorded.
- 3) Temporary rules/regulations – The Cemetery Maintenance Supervisor, or the Clerk, shall have the right to establish temporary rules or make exceptions to existing rules whenever, in their judgment, the best interests of the cemeteries demand it. These temporary rules or exceptions must be reported immediately to the Township Board. Temporary rules or regulations shall be in effect for not more than 90 days before being approved by resolution of the Township Board.

## **GENERAL RULES AND REGULATIONS**

- 1) Alcoholic beverages are not permitted in the cemeteries except in conjunction with established burial custom that have been approved in writing by the Township Clerk's Office.
- 2) Animals, except assist dogs, are not allowed in the cemeteries.
- 3) Advertising or posting of signs within the cemeteries is prohibited.
- 4) The brandishing in a threatening manner or discharge of any firearm within the cemeteries is prohibited, except in connection with burial ceremonies or by duly authorized law enforcement officials.
- 5) No entrance to the cemeteries is to be gained except through established entries and only during established times.

- 6) The use of profane, loud, boisterous, etc., language is prohibited within the cemeteries owned by the Charter Township of Bath.
- 7) The speed limit within all cemeteries is 10 miles per hour.
- 8) Driving off the established roadways within the cemeteries is prohibited.
- 9) All trash, trimmings, dead flowers, etc. are to be placed in containers provided.
- 10) Artificial flowers, shrubs, or similar ornamentation shall not be placed on the ground between April 15<sup>th</sup> and October 15<sup>th</sup>, both inclusive. Artificial flowers may be placed in an urn if they are properly secured. Nothing contained herein shall be construed to prohibit the Township from removing such materials if, in the opinion of maintenance staff, such removal is necessary for upkeep and maintenance of the cemetery or in the event such instrumentalities are, or become, unsightly.
- 11) No glass, plastic or clay containers of any type are allowed within the cemeteries and will be removed immediately by cemetery personnel. The cemetery will not be responsible for returning same or its contents to the owner.
- 12) Persons may not park vehicles in the cemeteries for reasons not directly related to business within the cemeteries.
- 13) The use of recreational vehicles within the cemeteries is prohibited.
- 14) Township cemeteries shall be open to the public between the hours of dawn and dusk each day or at such other specific times as approved in writing by the Township Board.
- 15) The Township will not permit any unsightly objects, erected or placed upon lots, out of harmony with the general landscape design of its cemeteries. Whatever objects of such nature are placed on lots or graves, the Township reserves the right to remove them without notice.
- 16) The abuse of monuments, markers, graves, or cemetery appurtenances, whether intentional or otherwise, or the removal of flowers, urns or any of the cemetery equipment will be considered a misdemeanor and so treated. Persons entering the cemetery will be held fully responsible for any damage he or she may do to cemetery property, whether intentional or unintentional. Children must be accompanied by their parents or adults who will be responsible for their conduct in the cemetery.

## **LOT PURCHASING AND TRANSFERS**

- 1) Every burial right is sold subject to the rules and regulations now in force or that may be hereinafter adopted and to such changes of the present rules as deemed necessary by the Township Board.
- 2) Upon purchase of burial rights, the owner will be issued a burial right certificate, which entitles the owner and their heirs, to burial rights of only the human race, subject to the rules and regulations hereinafter in effect.
- 3) Burial rights shall not be purchased for speculative purposes or for resale to third parties not defined as immediate family members.
- 4) When burial rights are purchased by more than one person other than a husband and wife, each person's interest shall be identified on the burial right certificate. The Township will not hold itself liable, or record any private agreements under such ownership.
- 5) When a person has purchased burial rights as a non-resident, and later becomes a resident of the Township, no refund will be given.
- 6) Burial rights may be transferred to a non-resident member of the immediate family; however, there will be a charge of the difference, at the time of transfer, between the cost of a resident plot(s) and the cost of a non-resident plot(s).
- 7) Bath Charter Township may repurchase unused burial rights from the owner at a rate not to exceed the lesser of the original purchase price or current resident price.
- 8) All transfers of burial rights shall be made through the Township Clerk's office. No other transfers of ownership or rights thereto will be recognized by the Township.
- 9) The exchange of lots may be allowed upon written request to the Township and only when due cause as deemed by the Clerk's Office has been determined and only when the appropriate fee has been paid.
- 10) Burial rights may revert to the Township for a cemetery plot, lot, or burial space which has remained unused for a period of fifty (50) years. No such reversion shall occur, however, until the Township has made a reasonable effort to locate the person or persons identified in Township records as having burial rights in said area to ascertain whether said persons continue to exist and/or the intent of such persons.

- 11) The possession of a burial right certificate is not of itself sufficient evidence on which to record the transfer of ownership of a lot or grave. Legal right to ownership should be established and recorded at the Township Clerk's Office. A certified copy of the will and probate proceedings would afford evidence of ownership or heir ship.
- 12) Refunds may be given within 48 hours of the purchase of burial rights, or payment of other requested services, providing the Township has incurred no cost relative to the transaction, and for good and sufficient reasons as determined by the Township Clerk's Office.

### **INTERMENTS AND DISINTERMENTS**

Area funeral directors are familiar with Township rules and procedures for ordering grave openings. If your funeral director has any questions, please have him/her contact this office. Generally, orders must be received at least ten (10) working hours in advance of the funeral service. Below is a list of rules that the owner of burial rights and funeral directors should be aware of:

- 1) No burial shall take place unless the burial rights purchase price, the cost of any services required opening or closing the plot, and all other fees and charges have been satisfied in full.
- 2) Bath Township shall not be responsible for errors in location of burial space arising from improper instruction or information and instructions received over the telephone. Orders from funeral directors shall be construed as orders from owner.
- 3) All Saturday funerals will be assessed an additional charge.
- 4) No funerals will be allowed on Sundays.
- 5) A copy of the burial permit shall be required for all burials including cremations.
- 6) All burials shall be that of the lot owner or his/her immediate family.
- 7) No more than one burial may be made per plot, except in the case of mother/infant buried at the same time, or twin children buried at the same time, or a regular burial and a cremation of the immediate family, or two cremations of the immediate family.
- 8) No burial shall be allowed for other than human remains.
- 9) All burials shall be in a metal or concrete vaults, or concrete rough boxes, except for cremations and infant burials in a casket size of 2 feet 6 inches or less. All vaults and rough boxes shall be installed only by authorized firms.

- 10) Vault firms are responsible for damage to turf, landscape, surrounding markers and monuments and shall provide necessary planking to protect the turf – even if cemetery staff assists in vault installation.
- 11) All funeral processions in the cemeteries are under the supervision of cemetery employees.
- 12) All interments and disinterments shall be performed by, or under the direction of, cemetery personnel.
- 13) Scattering of cremains over a family lot or anywhere in the cemetery is prohibited.
- 14) Disinterment and/or relocation may be permitted for due cause and then only with permission of the Department of Public Health or Court Order.
- 15) Graves cannot be opened for inspection except under Court Order.
- 16) Cemetery staff will remove funeral designs and floral pieces as soon as they become unsightly, and assume no responsibility for their return.

#### **MONUMENTS, MARKERS, FOUNDATIONS**

- 1) All monuments or markers shall be made of recognized durable materials such as granite or bronze. Marble or wood is not permitted.
- 2) No more than one monument shall be placed on a lot and no more than one marker shall be placed on a plot.
- 3) Markers and monuments shall not be smaller than 16” by 8” in base size nor shall they exceed 40” in length for single burial space, 90” in length for double space and 18” in width. Height shall not exceed 30 inches plus the base without approval of the Township Board.
- 4) Inscriptions on markers and monuments must not be offensive or improper as judged by the cemetery staff or Clerk’s Office. The owner of said monument or marker shall be responsible for all expenses or removal of same upon due notice.
- 5) Monuments and markers shall not be delivered to lots until foundations have been installed and paid for. Foundation pour dates will occur at the end of May, end of July, and end of September. Orders for foundations shall be placed a minimum of two weeks in advance.

- 6) Foundations are required before the placement of any monument or marker is placed and must be paid for in advance. Foundations are required to be two (2) inches larger than the outside dimensions of the marker, creating a two inch "lip" around the marker to be installed. This requirement should be taken into consideration and paid for at the time of ordering the foundation. Example: A marker with dimensions of 12" x 24" will require a foundation size of 16" x 28" and should be paid for accordingly.
- 7) Monument companies are responsible for all damages to cemetery grounds and surrounding monuments and markers occurring during their installation.
- 8) All foundation installation fees are based on square inch area. Including the two inch lip requirement. Foundations shall be installed by cemetery personnel only.
- 9) The Township assumes no responsibility for damage to markers or monuments whatsoever, including regular cemetery maintenance.
- 10) Mausoleums and crypts are prohibited in cemeteries owned by Bath Charter Township.
- 11) Footstones are strictly prohibited within cemeteries owned by Bath Charter Township.

#### **LOT CARE, MAINTENANCE AND IMPROVEMENTS**

- 1) Regular maintenance of turf, shrubbery, and trees shall be performed only by cemetery personnel.
- 2) The planting of trees and shrubbery shall be done only after approval of cemetery staff as to species, variety, location, and time of planting.
- 3) Flowers may be planted only within 12" of the front of the monument or marker and under no circumstances will such planting be allowed outside the boundaries of the owner's burial space(s).
- 4) Structures of wood or other equally perishable materials, fences, curbs, hedges, and copings are prohibited.
- 5) The placing of stone, limestone, woodchips, etc. anywhere within cemetery lots is prohibited.
- 6) Glass, clay, or plastic pots or containers of any type are not allowed and will be removed immediately by cemetery personnel with no responsibility for return of same or its contents.
- 7) Chairs, settees, and benches on lots are not permitted.

- 8) Lot corner posts shall be installed by cemetery personnel flush with the ground at the owner's expense.
- 9) The mounding of graves is prohibited.
- 10) Grave blankets and other types of winter decorations shall not be placed before October 15<sup>th</sup> and shall be removed by April 15<sup>th</sup>.
- 11) The Township reserves the right to remove, and dispose of, without notice to the owner, any unsightly, deteriorated, neglected, or prohibited items except monuments or markers.
- 12) Urns must be placed in line with the headstone or placed directly back of the headstone as close as possible.

Effective April 4, 1994

Updated August 6, 2018