

**VILLAGE OF SAND LAKE  
COUNTY OF KENT  
STATE OF MICHIGAN**

**CEMETERY ORDINANCE NO. 2014-1**

**Adopted: July 21, 2014**

**Effective: August 20, 2014**

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control and management of the Sand Lake Cemetery, owned by the Village of Sand Lake, Kent County, Michigan; to provide penalties for the violation of said Ordinance.

THE VILLAGE OF SAND LAKE, COUNTY OF KENT, MICHIGAN ORDAINS:

8.1 **Village Cemetery**

Council of the Village of Sand Lake

- (a) The Council of the Village of Sand Lake establishes the rules and regulations and reserves the right to adopt additional rules or to amend, alter or repeal any rule or regulation or parts thereof at any time.
- (b) Said Council shall hire the necessary sexton and/or employees for all the work at the cemetery and expend all money for the care and improvement of grounds, enforce the ordinances of the Village made for the management and care thereof, and make such regulations for the burial of the dead.

Sale of Lots or Burial Spaces

- (a) All sales shall be made on a form approved by the Council of the Village of Sand Lake which grants a right of burial only and does not convey any other title to the lot or burial spaces sold.
- (b) No sale shall be made for the ownership of the land, only the right of burial.
- (c) The Council of the Village of Sand Lake reserves the authority to buy back unwanted cemetery sites or lots for the price paid at the time of the original purchase. The owner of such cemetery site(s) or lot(s) must prove ownership, which includes a copy of the Cemetery Lot Certificate/Cemetery Deed before a buy back will be considered.

### Purchase Price for Graves Sites Including Perpetual Care and Transfer Fees

- a) The charges for burial spaces shall be paid to the Village Clerk and shall be split equally between the General Fund and the Perpetual Care Cemetery Fund and deposited in the respective savings accounts.
- b) The cost of 1 individual grave or 1 lot (8 graves) may be contracted for in advance.
- c) The price of cemetery burial spaces, which include perpetual care, will be set by a Resolution adopted by the Council of the Village of Sand Lake.
- d) The Council of the Village of Sand Lake by Resolution may periodically alter the burial space fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

### Grave Openings Charges

- (a) No burial space 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 Kent County Health Department.
- (b) Burial rates shall be as set forth in the contract between the Council of the Village of Sand Lake and the cemetery sexton, at a cost to the owner of the burial rights.
- (c) The cemetery sexton shall be not held responsible for errors in locations of graves on lots arising from improper instruction of lot owners or funeral directors. Orders from funeral directors shall be construed as orders from owners. No grave shall be opened, except by the sexton or by workmen employed by the cemetery sexton.
- (d) The fee for grave opening shall be as set forth in the contract between the Council of the Village of Sand Lake and the cemetery sexton at a cost to the owner of the burial rights.

### Markers or Memorials

- (a) All graves must have individual identifying markers or memorial of a stone or other quality durable composition.
- (b) Footings of all markers, memorials, headstones, or monuments shall be installed by the sexton of the cemetery and are to be constructed of concrete of sufficient size and depth so as to support said headstone, monument, marker or memorial and allow for a two inch border around the entire marker,

memorial, headstone, or monument. Fees for said footings shall be as set forth in the contract between the Council of the Village of Sand Lake and the cemetery sexton, at a cost to the owner of the burial rights.

- (c) Marker, memorial, headstone, or monument shall be located at the head of the gravesite.

#### Interment Regulations

- (a) The allowable number of persons or cremations is as follows:
  1. one person,
  2. one person and one cremation, or
  3. two cremations.
- (b) Not less than 36 hours notice shall be given in advance of any funeral to allow for the opening of the burial space.
- (c) The appropriate permit for the burial is required.
- (d) The appearance of all graves shall be neat and orderly within the confines of the burial spaces involved.

#### Ground Maintenance

- (a) Urns, flower containers, statuary, and any other memorials are to be placed within six (6) inches of the headstones and in-line with the headstones. Shepherd hooks and urns are to be placed in-line with the headstones.
- (b) Maintenance of these items will be the responsibility of the family members of the interred and not be included in perpetual care.
- (c) No grading, leveling, excavating, mounding, and/or construction shall take place upon a burial space without the permission of the Council of the Village of Sand Lake.
- (d) No shrubs, trees, or vegetation of any type shall be planted outside of an urn or hanging basket, without written permission of the Council of the Village of Sand Lake.
- (e) Unsightly dead or dying plants shall be trimmed or removed.
- (f) All artificial flower arrangements will be removed and discarded during spring and/or fall clean up.
- (g) No glass containers will be allowed to be left in the cemetery.

- (h) No fences of any kind shall be placed around or near grave sites.
- (i) Surfaces other than earth or sod are prohibited.
- (j) All refuse of any kind such as dried flowers, artificial flowers, wreaths, papers, and flower containers must be taken from the premise or deposited in the waste containers located within the cemetery.
- (k) The cemetery sexton shall have the right and authority to remove and dispose of any and all growth, emblems, displays, or containers that have become unsightly or a maintenance problem.

#### Vault

- (a) All burials are required to be placed in a concrete vault or concrete box installed or constructed within each burial space before interment.

#### Records

- (a) The Village Clerk shall maintain records of Cemetery Lot Certificates and all burial permits submitted to the Clerk by the cemetery sexton.

#### Cremation

- (a) The remains of any body that has been cremated and that is to be buried in the Sand Lake Cemetery, shall be contained in a concrete, metal, or other type of container so approved and sold for such purpose. Burial of such remains when properly contained shall be buried by the sexton of the cemetery. Fees for such burial shall be as set forth in the contract between the Council of the Village of Sand Lake and the cemetery sexton, at a cost to the owner of the burial rights. The remains of any body that has been cremated shall not be scattered upon the ground of the Sand Lake Cemetery.

#### Disinterment: General Restrictions

- (a) No disinterment will be allowed except by authority of the person owning the lot in which the interment is made, except by order of the Court, when proper receipt of the remains must be given. Graves shall not be opened for inspection except for official investigations. Interment and disinterment may be made only by the regular employees of the cemetery. The cemetery sexton and the Village of Sand Lake shall exercise the utmost care in making the removal, but shall assume no liability for any damages to any casket, burial case, or urn incurred when making the removal. Any markers or monuments designation the location of an interment shall be removed at the time of disinterment and replaced if and when upon reinterment.

### Penalties

- (a) Any person, firm, or corporation who violates any of the provisions within the Ordinance shall be guilty of a misdemeanor and shall be subject to the fine of up to \$500.00 and/or imprisonment of 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 complained activity.

### Severability

- (a) The provisions within the Ordinance are hereby declared to be severable and should any provision, section, or part thereof be declared invalid or unconstitutional by any court of the competent jurisdiction, such decision shall only affect the particular provision, section or part thereof in such decision and shall not affect or invalidate the remainder of such Ordinance which shall continue in full force and effect.

### Effective Date

- (a) All ordinances and parts of ordinances in conflict herewith heretofore adopted by the Village of Sand Lake are hereby repealed.
- (b) This ordinance shall be in full force and in effect 30 days after publication.

Roger Towsley moved the adoption of the foregoing ordinance which motion was supported by Dave Dewey.

YEAS: Council member(s)

Jim Ward, Carol Simpson, Billi Thielke, Dave Dewey, Roger Towsley, Kirk Thielke

NAYS: Council member(s)

None

ABSTAIN: Council member(s)

None

ABSENT: Council member(s)

Duncan Rogers

ORDINANCE DECLARED ADPTED:

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Leticia Nielsen, Clerk  
Village of Sand Lake

**CERTIFICATION**

I, Leticia Nielsen, hereby certify the foregoing to be true copy of an Ordinance adopted at a regular meeting of the Village of Sand Lake of the July 21, 2014, held pursuant to the required statutory procedures and notice.

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Leticia Nielsen, Clerk  
Village of Sand Lake

Introduced: July 21, 2014  
Adopted: July 21, 2014  
Published: July 11, 2014  
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