

OLON TOWNSHIP CEMETERY ORDINANCE #95-1

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

Township of Solon, County of Leelanau, Michigan ordains:

Section 1: Title

This Ordinance shall be known and cited as the Solon Township Cemetery Ordinance.

Section 2: Definitions of Cemetery Lots and Burial Spaces

- A. To consist of burial spaces to accommodate from one to eight burial spaces.
- B. An adult burial space to be six (6) feet wide and fourteen (14) feet in length.
- C. An infant or stillborn burial space to be the same as adult burial space, unless burial will be with other family members.

Section 3: Sale of Lots or Burial Spaces

- A. Sold for the purpose of the burial of such purchaser, or his or her heirs at law or next of kin.
- B. Sales shall be made on form approved by the Board, which grants a right to burial only.
- C. Burial rights may only be transferred to persons eligible by an endorsement by original burial permit issued by the township clerk, which will be entered as official records of the Clerk.

Section 4: Purchase Price and Transfer Fees

- A. Each adult burial space shall cost the sum of \$300.00 to a property owner in the Township, or \$700.00 per burial space for a non-land owner.
- B. Burial space for infants or stillbirths will be charged accordingly, unless the burial to take place with other family members.
- C. Transfer of one or more burial spaces to qualified assignee shall cost \$0.00.
- D. Township will allow up to two (2) cremation burials on one burial spot.
- E. Charges shall be paid to the township Treasurer, deposited in Cemetery Fund.
- F. The Township Board, by resolution, may periodically alter fees to accommodate increased costs.

Section 5: Grave Opening Charges

- A. The opening and closing of any burial space shall be determined by resolution of the Township Board.
- B. To be opened or closed under the direction of the cemetery sexton. This provision shall not apply to proceedings for the removal and reinternment of bodies and remains.

Section 6: Markers or Memorials

- A. To be made of stone or other equally durable composition.
- B. Any large monuments, to be located on suitable foundation.
- C. One monument per burial space.
- D. The footing or foundation upon which any monument, marker or memorial must be placed as cost to the owner of the burial right.

Section 7: Interment Regulations

- A. Only one person may be buried in a burial space except for a mother and infant, two children buried at the same time, or in the case of cremation.
- B. Thirty-six hour notice shall be given to the sexton to allow for the opening of the burial space.
- C. The appropriate permit, proper identification, shall be presented to the sexton prior to interment.
- D. All graves shall be located in an orderly manner.

Section 8: Ground Maintenance

- A. No grading, leveling, or excavating to be allowed without the permission of the Sexton or Township Clerk.
- B. No flowers, shrubs, etc. shall be planted without approval of the cemetery maintenance person or the Township Clerk.
- C. The Township Board reserves the right to remove or trim any tree(s), plant(s) or shrub(s), in maintaining proper appearance.
- D. Mounds which hinder the free use of lawnmower are prohibited.
- E. The cemetery maintenance person shall have the right and authority to remove and dispose of any growth, emblems, etc. that through decay have become unsightly, a source of litter, or a maintenance problem.
- F. Surfaces other earth or sod are prohibited.
- G. All refuse of any kind or nature including, among others, dried flowers, artificial flowers, wreaths, etc. must be removed and disposed of by October 1st.

Section 9: Forfeiture of Vacant Cemetery Lots or Burial Spaces

Cemetery lots or burial spaces sold after the effective date of the Ordinance and remaining vacant 40 years from the date of their sale shall automatically revert back to the Township upon occurrence of the following events:

- A. The Township Clerk shall send a written notice by first class mail to the last known address on record, informing him/ her of the expiration, and if he/ she does not affirmatively indicate in writing within 60 days from the date of mailing his/her desire to retain said burial rights. All rights with respect to said lot or spaces will be forfeited.
- B. No written response to said notice indicating a desire to retain spaces in question is received by the Township Clerk, from last owner of record, or his/her heirs or legal representative within 60 days from the date of mailing said notice.

Section 10: Repurchase of Lots or Burial Spaces

The Township will repurchase any cemetery lot or burial space for the original price paid, upon request.

Section 11: Records

All records to be kept by the Township Clerk.

Section 12: Vault

All burials shall be within a standard Concrete vault, or non-collapsible container, installed or constructed in each burial space before interment.

Section 13: Cemetery Hours

Cemetery will be open during daylight hours.

Section 14: 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 \$500.00 and/or imprisonment.

Section 15: 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 16: Effective Date

This Ordinance shall take effect on February 9, 1995. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Patti Keim
Solon Township Clerk

The following resolution was adopted at a regular Township Board meeting held on Thursday, April 11, 2024: Moved by Joan Gauthier and supported by Shirley Mikowski to adopt the following resolution to increase the purchase price for each adult burial space which shall cost the sum of \$300.00 for a Solon Township land owner and \$700.00 for a non-land owner. On a roll call vote: Deering-yea, Yoder-yea, Lautner-yea, Gauthier-yea and Mikowski-yea. 5 “yeas” and 0 “nays. The resolution was dully adopted.

Shirley I. Mikowski
Solon Township Clerk