

**BUSHNELL TOWNSHIP
MONTCALM COUNTY, MICHIGAN**

Notice of Cemetery Ordinance (Ord. No. 01092024) Adoption and Synopsis

PUBLIC NOTICE IS GIVEN that at a regular meeting of the Bushnell Township Board of Trustees for Bushnell Township held at the Town Hall on January 9, 2024, and commencing at 6:00 pm., the Township Board adopted Ordinance No. 01092024 entitled the:

BUSHNELL TOWNSHIP CEMETERY ORDINANCE.

THE EFFECT OF ORDINANCE NO. 01092024 (the "Ordinance") IS SUMMARIZED AS FOLLOWS:

Section 1. Title

Provides the Ordinance's official title as the "Bushnell Township Cemetery Ordinance."

Section 2. Purpose and Intent

Provides that the purpose and intent of the Ordinance is to ensure the maintenance, appearance, function, and use of public cemeteries is an important function of the Township government that should be enforced to promote the safety, public health and general welfare of the community.

Section 3. Definitions

Provides key definitions for terms used in the Ordinance.

Section 4. Sale of Cemetery Burial Spaces; Nontransferable

Explains the types of permitted and prohibited sales of burial spaces; approved forms and limitations of burial space ownership rights with permit; process of selecting, identifying, and assigning burial spots; the Township's right to limit burial volume and location and record keeping; and burial space owner notice requirements for address changes.

Section 5. Purchase Price for Burial Spaces

Provides for the price, costs, and fees to be paid to the Township to secure burial space(s) and recognizes the Township may alter the same by resolution.

Section 6. Grave Opening Charges

Provides for the price, costs, and fees to be paid to the Township to open burial space(s) and recognizes the Township Sexton's duties applicable to burial openings.

Section 7. Markers or Monuments

Provides composition, orientation, dimensional, construction, and maintenance and repair requirements for varying types of markers and monuments.

Section 8. Interment Regulations

Provides additional regulations for burial space content limitations and upkeep maintenance; notice provisions for Township to open burial spaces; and the permitting form and record retention requirements for transition of remains.

Section 9. Disinterment

Provides general prohibition against disinterment of occupied graves unless all permits, licenses and written authorizations required by law are received; and the Township Board's right to refuse to allow a disinterment not court ordered.

Section 10. Winter Burials

Provides for additional fees and Township Sexton consent for winter burials.

Section 11. Cremains

Provides that cremains containers must be Township approved and prohibits scattering or dispersion of cremains within a Township cemetery.

Section 12. Grounds Maintenance

Provides for additional regulations particular to prohibited times of year for certain actions, environmental modification prohibitions, and the limitations for placement of monument and decorative items to burial spaces.

Section 13. Disclaimer of Township Liability and Responsibility

Provides the Township's express disclaimer of liability and responsibility for harms occurring to private persons within Township cemeteries.

Section 14. Forfeiture of Vacant Burial Spaces

States and provides that vacant burials spaces for 40 years are deemed and abandoned and provides notice requirements to owners of the same.

Section 15. Repurchases of Burial Spaces

Explains the Township may repurchase any burial space from the owners.

Section 16. Records

States the Township Sexton shall maintain records concerning all burials business which shall be open to public inspection upon request.

Section 17. Vaults

Provides the requirement for approved burial vaults and cremains containers.

Section 18. Cemetery Hours

Provides that the Township cemetery shall be closed during the hours from 9 p.m. until 7 a.m. the next morning with administrative personnel exceptions.

Section 19. Prohibited Uses and Activities

Details prohibited acts within the Township cemetery particular to gathering limitations, noise, advertising, littering, unlawful interferences or disruptions of business, open flames, unsupervised children, certain prohibited vehicles, conduct, and speed limits, domestic animals, firearms, disturbance, vandalizing, and alcoholic beverages.

Section 20. Authority of the Township Sexton

Explains the role and appointment of a Township Sexton and his or her duties to assist in enforcement and administration of this Ordinance, and have such duties and obligations as determined.

Section 21. Fees

Explains that Township Board's the authority to set fees pursuant to this Ordinance.

Section 22. Applicability of this Ordinance

States the scope and applicability of the Ordinance and excepts Township personnel and on-duty police officers or firefighting officials or officers performing their duties.

Section 23. Interpretation/Appeals to the Township Board

Explains and provides the Township Board's or designee's authority to interpret this Ordinance and any rule or regulation; provides aggrieved parties rights to appeal and timelines and that the Township may set fees for an appeal.

Section 24. Authority of the Township to Remove Unauthorized or Unlawful Items from a Township Cemetery

Provides the Township's right to remove without prior notice, consent, or liability to any person who installed, maintained or left such items as defined in a Township cemetery in violation of this Ordinance.

Section 25. Penalties

Provides prohibited conduct, and applicable penalties and fees, for violating the Ordinance.

Section 26. Township Officials Who Can Enforce this Ordinance

Provides the Township personnel designated to enforce the Ordinance.

Section 27. Severability

Provides that if any section or provision of this Ordinance is deemed illegal or invalid then only that portion is severed so the balance remains valid.

Section 28. Effective Date; Conflicts

Provides the effective date of the Ordinance is 30 days after publication and that other contradicting ordinance provisions are repealed.

THIS ORDINANCE WILL BE EFFECTIVE THROUGHOUT BUSHNELL TOWNSHIP

A TRUE AND COMPLETE COPY OF THIS ORDINANCE MAY BE OBTAINED, INSPECTED, COPIED, OR REVIEWED AT THE TOWNSHIP CLERK'S OFFICE AS FOLLOWS:

Town Hall, 2983 East Boyer Road, Fenwick, Michigan 48834; by appointment (989) 248-3349

- Louise Belyou, Bushnell Township Clerk, (989) 248-3349