

**ALPINE TOWNSHIP  
KENT COUNTY, MICHIGAN  
ORDINANCE #03-03  
(Update to Original Ordinance #99-04)**

**AN ORDINANCE FOR THE MUTUAL BENEFIT OF LOT OWNERS, THE TOWNSHIP,  
AND THE TOWNSHIP'S CEMETERIES RELATIVE TO THE OPERATION OF PINE  
GROVE, ALPINE CENTER, AND ENGLISHVILLE CEMETERIES.**

**THE TOWNSHIP OF ALPINE ORDAINS:**

**Section 1. DEFINITIONS**

Cemetery: Cemetery is defined to include any burial park for earth interments or a community mausoleum for vault or crypt interments, owned and under the jurisdiction of the Township.

Deed: A certificate establishing the right to the use of a lot and grave sites given by the Township to the original purchaser.

Footing or Foundation: A cement slab installed by the Township for placement of a marker or monument.

Grave: A grave is a burial site for the interment of one person, or the cremains of up to four persons. Approximate size of grave is 3 x 10 ft.

Interment: Interment shall mean the permanent disposition of the remains of a deceased person in the cemetery.

Lot: A lot is a numbered division in a section of the cemetery the plat map of the cemetery. A lot shall consist of two or more grave sites.

Lot Marker: A lot marker is signage with a Section letter and lot number on it which indicates the southwest corner of the lot (at a minimum), or all four corners of a lot.

Marker: The marker is a specific type of memorial that is flush with the ground.

Memorial: A memorial shall include a monument, marker, tablet, headstone, tombstone, private mausoleum, tomb, urn or crypt for family or individual use.

Monument: A monument is a specific type at memorial consisting of a tombstone of granite or marble which extends above the surface of the ground.

Portable Outdoor Light Fixture: A portable fixture used for illumination.

Section: A group or area of cemetery lots designated by an uppercase letter.

Township: Alpine Township or its' authorized designee.

**Section 2. GENERAL RULES**

1. Township cemeteries shall be open from April 1 through November 1, 8 a.m .until 5 p.m. and shall be closed during the winter except for burials.

2. All fees or charges for services are payable to the Township. Full payment must be received prior to a burial. No other fees or gratuities shall be made to cemetery employees. Employees are not permitted to work for lot owners except with the approval of the Township.
3. Persons within a cemetery shall use only the drives and walkways to walk upon unless it is necessary to cross lots or the lawn to gain access to one's own lot. The Township shall not be held liable for any injuries sustained in violation of this section.
4. Persons visiting a cemetery or attending funerals are prohibited from picking flowers, wild or cultivated, breaking or injuring any tree, shrub or plant, or from writing upon, defacing or vandalizing any memorials, fence, or other structure within the cemetery grounds.
5. Vehicles must be kept under complete control at all times and must stop when encountering a funeral procession. Vehicles shall not be left with the motor running or horns sounded in a cemetery. Vehicles with noisy mufflers should remain outside the cemetery.
6. The following acts are prohibited within a cemetery:
  - (a) Driving of vehicles through the gates or in the cemetery at speeds above 10 m.p.h.
  - (b) Driving any vehicle anywhere but on cemetery driveways.
  - (c) Parking or leaving any vehicle on a driveway in the cemetery so that it prevents another vehicle from passing it. Cemetery management shall have the right to remove any such vehicle without liability to the owner.
7. No bicycles or motorcycles will be admitted to a cemetery unless they are part of a funeral or on specific business.
8. Children under fifteen years of age are not permitted within a cemetery, or its buildings, unless accompanied by an adult. Behavior of all persons visiting the cemetery should be appropriate and respectful. Inappropriate behavior which is specifically prohibited shall include:
  - (a) Loud or boisterous talking.
  - (b) Loitering and solicitation.
  - (c) Consuming lunches or refreshments on the grounds.
  - (d) Placing signs or notices or advertisements of any kind within the cemetery.
  - (e) Bringing dogs into the cemetery or any of its buildings, unless the dogs are "seeing eye" or other specially trained dogs for the disabled and/or police dogs in the line of duty.
  - (f) Bringing firearms into the cemetery except as a military escort accompanying a veteran's funeral or attending memorial services.
9. Disposal of rubbish on any other part of the grounds or buildings within a cemetery is prohibited and all trash and rubbish shall be properly disposed of in receptacles available on the cemetery grounds.
10. The placing of floral arrangements, wreaths, and urns of flowers is permitted. Planting any shrubs, trees, or flowers on cemetery grounds is only permitted with the approval of the Township. Loose boxes, shells, toys, metal designs, ornaments, chairs, settees, unattached glass vases, portable outdoor light fixtures, and similar articles, upon lots or grave sites is **not** permitted. The Township reserves the right to remove any loose items located within a cemetery.

11. All work of any description shall cease while a funeral or interment is being conducted at a Cemetery. Workers, including those employed by outside firms, and their equipment shall withdraw a reasonable distance from the location of the funeral service.
12. Persons erecting, cleaning, or repairing memorials shall obtain a permit from the Township prior to engaging in such work, and, in doing such work, shall comply with the reasonable directions of the Township. The person or firm requesting such a permit may be required to furnish satisfactory evidence of their ability to properly perform the work proposed.

### **Section 3. LOT AND GRAVE OWNERS**

1. Individuals desiring to purchase lots may do so at the offices of the Township Clerk.
2. No lot shall be used for any other purpose than for the burial of the human dead.
3. The Township reserves the right to make modifications in the boundaries, sections, drives, walks, grading, pipelines or any part of a cemetery from time to time. The Township also has the right to use cemetery property which is not sold to individual lot owners for cemetery purposes.
4. The Township shall, at all times, have a perpetual right of ingress and egress over lots for the purpose of passing to and from other lots, and other cemetery business.
5. Descriptions of lots for the purpose of deeds and record keeping will be in accordance with the plat of the cemetery which is kept on file by the Township Clerk.
6. The Township disclaims all responsibility for loss or damage, of any kind or nature, caused by matters beyond its control including, without limitation, losses or damages caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
7. It is the responsibility of the deed holder to notify the Township Clerk of any change in address.
8. Any deed purchased, and all lots or graves related to these deeds, shall be subject to the provisions in this ordinance, which may be amended from time to time by the Township.
9. The general care of the cemetery shall be performed by the Township or its agents and includes the cutting of the grass, the raking and cleaning of the grounds, and the pruning of shrubs and trees that may be placed by the Township. The Township may remove trees or shrubs that are deemed unsafe, dying or diseased, or hazardous, in its sole discretion.
10. The Township shall, under no circumstances, assume liability for the maintenance, repair or replacement of any memorial, tomb, or mausoleum placed or erected upon lots; or the doing of any special or unusual work in a cemetery. The Township shall, further, not reconstruct any marble or granite work on any section or lot, or any portions thereof in the cemetery, in the event of damages caused by vandals, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral.

11. Any person wishing to sell or transfer a deed must submit a letter in writing to the Township. If a grave is being transferred or assigned by someone other than the original owner(s) or their children, at least two family members must confirm the transfer or assignment in writing to the Township and identify their relationship to the original owner. The Township, at its sole discretion, is not obligated to honor an assignment or transfer if the ownership is in question.

#### **Section 4. CORRECTION OF ERRORS**

The Township reserves, and shall have the right to correct any errors that may be made by prior owners or staff or officers, either in making interments, disinterments or removals, or the descriptions, transfer or conveyance and substituting any conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Township, or, in the sole discretion of the Township, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Township reserves, and shall have the right to remove or transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof.

#### **Section 5. DESCENT OF TITLE**

The laws of the State of Michigan govern the descent of title to cemetery lots as well as other matters pertaining to assignments, conveyances, devises, trust deeds and inalienability. The Township will assist any lot owner who desires information or advice on questions pertaining to their lot.

#### **Section 6. INTERMENTS**

1. Cemeteries will open for interments from January 1 to December 31st, daily with the exception of all Sundays and holidays as designated by the Employee Policy of the Township. If a holiday causes a delay which will be an unreasonable hardship or inconvenience, interments may be made on such days, but an additional fee will be added to the regular charge.
2. Where immediate burial is required by the laws of the State of Michigan or under the rules and regulations of the Board of Health, interments may be made on Sundays and holidays. An additional fee will be added to the regular interment charge for any Saturday, Sunday or holiday interment. Entrance to the cemetery will be allowed only to the hearse and vehicles in the funeral procession.
3. The costs of interments shall be approved by the Alpine Township Board as established by resolution.
4. Winter burials may be delayed due to frost in the ground, as determined by the Township.
5. All funerals on entering a Cemetery shall be under the charge of the Sexton.
6. Once a casket containing a body is within the confines of the Cemetery, no funeral director nor his embalmer, assistant, employee, or agent, shall be permitted to open the casket or to touch the body without the consent of the legal representative of the deceased or an order

signed by a court of competent jurisdiction. Funeral directors, upon arrival at a Cemetery, must present the necessary burial permit from the local health office.

7. No interment of two or more bodies shall be made in one grave except in the case of mother and child or two infants buried in one casket. Cremated remains of more than one person can be buried in a grave but are limited to no more than the remains of four people.
8. When an interment is to be made in a lot, the location of such interment shall be designated by the lot owner. Should the lot owner fail or neglect to make such designation, the Township reserves the right to make the interment in a location designated by the Township.
9. The Township and/or its agents are the only entities who will be permitted to open graves with the following exceptions:
  - (a) When the Township is directed to make a disinterment by order of a court of competent jurisdiction and a certified copy of such order has been filed with the Township Clerk.
  - (b) When the coroner directs the disinterment for the purpose of holding an inquest and has filed with the management and his lawful agents. In such case the disinterment must be made by the coroner or his lawful agents. Township employees will not be permitted to assist the coroner or his agents.
10. In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wood boxes, all burials are required to be made in outside containers constructed of natural stone, metal or reinforced concrete. All such containers must be so made and installed as to meet specifications established by the Township. Outside containers may be procured from any source provided they meet the established specifications.
11. Arrangements for the payment of any and all indebtedness due to the Township for cemetery purposes must be made before interment will be initiated.
12. A minimum of forty-eight hours notice shall be provided to the Township prior to any interment and at least one weeks notice shall be provided to the Township prior to any disinterment or removal.
13. Besides being subject to these Rules and Regulations, all interments, disinterments, and removal are made subject to the orders and laws of the properly constituted public authorities.
14. The Township will not be responsible for any order given by telephone or for any mistake occurring from the want of precise and proper instructions as to the particular space, size of grave, and location in a lot where interment is desired. The Township will not be liable for the interment permit nor for the identity of the person sought to be interred.

## **Section 7. PLANTS AND SHRUBS**

1. The Township shall maintain, as may be practicable, the planting of trees and shrubs, to preserve and maintain landscape features, but does not undertake to maintain individual planting or urns.

2. There shall be no individual beds of trees, shrubbery or flowers allowed on the grounds except with the express permission of the Township. Application for the same should be accompanied by a scaled sketch of the proposed planting indicating the position and names of the plants suggested.
3. The Township shall not be responsible for any kind of planting damaged by the elements, vandals, thieves or by other causes beyond its control. The Township shall have the authority to remove, in its sole discretion, all floral designs, flowers, weeds, trees, shrubs, plants, or herbage of any kind from the cemetery as soon as they become unsightly, dangerous, detrimental, diseased, or do not conform to the standard maintained.
4. The Township shall not be liable for floral pieces, baskets, or frames in which, or to which, such floral pieces are attached beyond the acceptance of such floral pieces for cemetery services held in the cemetery.

#### **Section 8. PENALTIES AND ENFORCEMENT OF THESE RULES**

The Township is hereby empowered to enforce all rules and regulations and to exclude from the cemetery any person violating the same. Any person, firm, corporation, trust, partnership or other legal entity which violates or refuses to comply with any provision of this Ordinance shall be responsible for a municipal civil infraction and shall be punished by a civil fine of fifty dollars (\$50.00) for a first violation, one hundred fifty dollars (\$150.00) for a second violation, and three hundred (\$300.00) to one thousand dollars (\$1,000.00) for a third or any subsequent violation, and shall be liable for restitution and/or damage costs, if applicable, and the payment of the costs of prosecution in an amount of not less than nine dollars (\$9.00) and not more than five hundred (\$500.00).

- a) Each day during which a violation continues to exist shall constitute a distinct and separate offense, and shall make the violator liable for the imposition of a fine for each day.
- b) The fines and penalties provided for in this section shall be in addition to the abatement of the violating condition and any injunctive or other relief prescribed by the laws of the State of Michigan for the abatement of a public nuisance or the violation of a Township ordinance which is designated as a municipal infraction.

#### **Section 9. MONUMENTS, MEMORIALS, AND FOUNDATIONS**

1. Individual grave markers either above grade or flush with the grade, are to be of sizes approved by the Township. Individual markers whenever possible in lots or singly, should be placed at the end of the grave farthest from the base of the monument. Flush markers should have sawn bottoms and all top edges slightly rounded.
2. To avoid the appearance of congestion, only one central or family memorial should be placed on a family lot. When the memorial is set at the rear of the lot it should be set at least 3 in. from the rear line.
3. All monuments or markers should be of first quality granite, marble or other natural stone, the quarrier to confirm that such material will be free from sap and components which cause rust stains and from natural faults which might cause checks or cracks. Memorials, even for temporary use, of cement, artificial stone, composition woods, tin or iron are not permitted.
4. Where foundations for monuments, markers, or urns are installed by the Township, the charges will be as established by resolution of the Township Board. If any fault resulting

from improper installation of foundations by the Township develops within five years from the date of installation, the Township will rectify the condition without cost. The foundation shall be extended by 4 inches larger on all sides (length and width) than the full size of the base of the memorial and finished below or at grade at the top.

5. Should any monument, marker, or urn become unsightly, dilapidated, a safety hazard to visitors, or unsuitable, the Township shall have the right, at the expense of the lot owner, to correct the condition or to remove the same.
6. The Township, at its expense, may correct any error that occurs in placing the foundation or memorial without liability.
7. Various religious, military, or fraternal symbols, historical data such as date of birth, death, or appropriate epitaphs or inscriptions on the markers or monuments are encouraged for historical research purposes and design.
8. Veteran's flags will be provided. Current burial certificates should specify whether a decedent is a veteran. Veteran flags will be placed by Memorial Day and removed after Labor Day by the Township or its agents. If a flag is found to be deteriorating prior to Labor Day, Township staff shall have the right to remove it earlier than Labor Day.

**Section 10. Effective Date**

This Ordinance shall become effective thirty (30) days after publication of this Ordinance.

At a regular meeting of the Alpine Township Board of Trustees on Monday, February 17, 2003, Steffens offered a motion, with support from Brechting, to approve the foregoing revised Ordinance. The motion was approved as follows:

AYE: Brechting, Chase, Heinbeck, Schweitzer, Steffens, and Wahlfield.  
NAY: None.  
ABSENT: Kober.

ORDINANCE #03-03 WAS DECLARED ADOPTED.

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Cynthia Heinbeck, Supervisor

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Jean Wahlfield, Clerk

I, Jean Wahlfield, the duly elected Clerk of Alpine Township, confirm that the foregoing is a true and accurate copy of the Ordinance adopted by the Township Board at a regular meeting on Monday, February 17, 2003.

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Jean Wahlfield, Clerk

Formerly approved as a Policy in 1991, revised as Policy #98-6,  
and revised as Ordinance #99-04

Public Hearing:	July 19, 1999
Approval/Final Reading:	July 19, 1999
Publication:	July 29, 1999
Effective Date:	August 28, 1999
Revised	February 17, 2003
Publication:	March 27, 2003