

SCIPPIO TOWNSHIP CEMETERY RULES AND REGULATIONS  
ADOPTED:

*John*

*Adopted  
4-12-93*

A. PURPOSE

For the mutual protection of the lot owners, visitors and the Cemetery as a whole, the following rules and regulations have been adopted by the Scipio Township Board as the rules and regulations for the Mosherville, Johnson and Case Cemeteries. All lots sold shall be subject to said rules and regulations and subject further, to such rules and regulations, amendments or alterations as shall be adopted by the Township Board from time to time. The reference to these rules and regulations in the right to burial deed issued for cemetery lots shall have the same force and effect as if set forth in full therein.

B. DEFINITIONS

1. CEMETERY: a burial park for earth interments.
2. PLOT OR GRAVE: a space of sufficient size to accommodate one adult interment, approximately three by ten feet.
3. LOT: a numbered division as shown on the record plat which consists of one or more plots or graves.
4. INTERMENT: the permanent disposition of the remains of a dead person by burial.
5. MONUMENT: a tombstone or memorial of granite or marble which shall extend above the surface of the ground.
6. MARKER: a memorial flush with the surface of the ground.
7. LOT MARKER: any means used in the cemetery to locate the corners of a lot.
8. RIGHT TO BURIAL DEED: the numbered certificate issued by the Township Clerk as a conveyance of rights to the original purchaser.
9. CARETAKER: the person or persons duly authorized by the Scipio Township Board for the purpose of conducting and administering the Cemeteries.
10. CEMETERY OFFICE: the office of the Scipio Township Clerk.
11. TAX PAYING RESIDENT: a person living in Scipio Township and paying property taxes to Scipio Township.
12. RESIDENT: a person residing in Scipio Township but does not own property nor pay property taxes to the Township.
13. NON-RESIDENT: anyone living outside of Scipio Township.

C. GENERAL

It is the duty of the Caretaker to see that the rules and

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regulations are complied with, to see that order is maintained and to protect and promote the best interests of the Cemeteries.

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. Scipio Township Board therefore reserves the right to make exceptions, suspensions or modifications of any of these rules and regulations, without notice, when in the judgement of the Township Board such action appears necessary. Such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of such rules and regulations.

The Township hereby expressly reserves the right to adopt additional rules and regulations or to amend, alter or repeal any rule, regulation, article, section, paragraph or sentence in these rules and regulations, at any time. Sufficient notice will be given by the Township of any rule change that will create expense, hardship or inconvenience to lot owners or other individuals having business with the Cemeteries.

The Cemeteries will be open from sunrise to sunset daily.

The Caretaker of the Cemeteries is not permitted to do work for any lot owners without prior approval of the Township Clerk, but are required to be courteous to all persons having business at the Cemeteries and visitors.

The speed limit within the Cemeteries is ten miles per hour and driving off the established roadways is prohibited. Driving any vehicle across or upon any grave, lot, or lawn or parking or leaving the same thereon is prohibited. The throwing of rubbish on any part of the grounds or in any building is prohibited.

Persons visiting the Cemeteries or attending funerals are prohibited from picking flowers, wild or cultivated, removing arrangements not belonging to them, breaking or injuring any tree, shrub or plant or from writing upon, defacing or injuring any memorials, fence or other structures within the cemetery grounds.

D. LOTS AND OWNERS

Persons desiring to purchase lots should visit or call the Township Clerk where he/she will aid them in making a selection. The Caretaker may also assist persons with the selection of a lot. Only the Scipio Township Clerk has the authority to issue a deed for a cemetery lot.

No lot shall be used for any other purpose than for the burial of the human dead.

Descriptions of lots will be in accordance with the cemetery plats which are kept on file in the Township Clerk's office.

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Scipio Township disclaims all responsibility for loss or damage from causes beyond it's reasonable control and especially from damage caused by the elements, an act of God, thieves, vandals or unavoidable accidents.

The instrument of conveyance of these rules and regulations and any amendments thereto constitute the sole agreement between the Township and the lot owner. The statement of any employee, caretaker or agent, unless confirmed in writing by the Township, shall in no way be binding.

The general care of the cemeteries is contracted to the caretaker. However, this care shall in no case mean the maintenance, repair or replacement of any memorial or marker placed or erected upon lots; nor the doing of any special or unusual work in the cemeteries. Nor does it mean the reconstruction of any marble or granite work on any section or plot, or any portion or portions thereof in the cemeteries caused by the elements, an act of God, thieves, riots or vandals.

Resale of a lot or plot is prohibited. Scipio Township will purchase lots or plots from deed holder for original purchase price.

The Township reserves, and shall have the right to correct any errors that may be made by It either in making interments, disinterments or removals, or the description, transfer or conveyance of any interment property, either by cancelling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as near as possible, or as may be selected by the Township, or in the sole discretion of the Township, 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.

E DESCENT OF TITLES

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

F INTERMENTS

Funeral directors, upon arrival at the cemetery, must present the necessary burial permit.

All orders for interments in lots must be signed by the owner of the lot or his/her legal representative. However, when this is impossible because such person is absent from the area,

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permission will be accepted via telegram or fax in lieu thereof.

Lot owners shall not allow interments in their lots in return for remuneration of any kind.

No interment of two or more bodies shall be made in one grave except in the case of parent and child, in the same casket, two infants buried in ne casket, or two infants in two caskets, one to the east end and one to the west end of the plot.

Cremations are limited to four per grave. Such remains must be in an appropriate container and must be buried.

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.

All charges for interment or services in connection there with, shall be paid to Scipio Township, received and recorded by the Clerk and receipted by the Treasurer.

Arrangements for the payment of any and all indebtedness due the Township, must be made before interment will be made.

The right is reserved by the Township to insist upon at least forty-eight hours notice prior to any interment and at least one week's prior notice to any disinterment or removal.

Besides being subject to these rules and regulations, all interments, disinterments and removals are made subject to the orders and laws of the properly constituted public authorities.

The Township will not be liable for the interment permit nor for the identity of the person sought to be interred.

In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wood boxes, it is required that all burials must be made in outside containers made of reinforced concrete or of metal.

No burial space shall be opened or closed except under the direction and control of the cemetery caretaker.

All funerals on entering the cemetery shall be under the charge of the cemetery caretaker.

Once a casket containing a body is within the confines of the cemetery, no funeral director nor his 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.

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1. There shall be no planting by individuals of trees or shrubs.
2. Plants and urns shall be within eighteen (18) inches of the grave marker and kept in line with the markers.
3. No metal, glass or plastic containers.
4. All summer decorations to be removed by November 1, all winter decorations to be removed by April 1.
5. Mounds which hinder the use of a lawn mower are prohibited.
6. The Caretaker shall have the right and authority to remove and dispose of any and all growth, emblems, displays, containers and/or urns that through decay, deterioration, damage or otherwise become unsightly, a source of litter or a maintenance problem.

H VACANT CEMETERY LOTS

Cemetery lots sold after the effective date of these rules and regulations and remaining vacant for forty (40) years from the date of purchase, shall be subject to reversion of ownership back to the Township.

To retain burial rights beyond forty (40) years from the date of purchase, a written notice of intent, stating the owners full name and address, must be received by the Scipio Township Clerk within sixty (60) days after the forty year period has expired.

If no written notice of intent is received within the sixty day period, as stated above, ownership of the lot(s) will revert back to the Township.

I PURCHASE PRICE

The Township Board shall periodically review and establish lot fees. The charges shall be paid to the Township Clerk, at which time a deed will be issued. Eighty (80) percent of the lot fee shall be placed in a Cemetery Perpetual Fund which will generate interest income, to be used for the operation and perpetual care of the cemeteries. The principal amount of the Cemetery Perpetual Fund, at no time, shall be used for any other purpose. The remaining lot fee (20%) will be recorded in the General Fund of the Township.

J MARKERS OR MEMORIALS

All markers or memorials must be of granite, bronze or other equally durable composition. All markers or monuments must be located upon suitable solid foundation to maintain the same in an erect position. Only one monument, marker or memorial shall be permitted per burial space. The footing or foundation upon which any monument, marker or memorial must be placed, shall be constructed by, or approved by the Caretaker and paid for by the owner of the lot. The Township retains the right to remove broken or irreparable markers on existing grave sites if the owner or

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family give no indication of repairing such. The Township Clerk will record any action taken.

The maximum size for grave markers shall be forty-two (42) inches above the ground. All markers shall be placed at the head of the burial space.

The Township Board may restrict certain burial spaces that may only have flush or ground level markers. In all instances, information as to the type of the allowed grave markers shall be provided prior to purchase of burial spaces.

K ENFORCEMENT OF RULES

The Caretaker is hereby empowered to enforce all rules and regulations and to exclude from the cemetery, any person violating the same. The Caretaker shall have charge of the grounds and buildings including the conduct of funerals, traffic, employees and control of all persons in the cemetery.

SCIPIO TOWNSHIP BOARD

*Marlene M. New, Clerk*

Adopted: April 12, 1993