

CEMETERY RULES AND REGULATIONS

(2019)

PINE HILL CEMETERY CITY OF KENTWOOD, MICHIGAN

Code of Ordinances, City of Kentwood, Chapter 14, Article 2, Section 33

***The “cemetery caretaker” used in this document shall mean the Superintendent of Public Works or in his absence the Cemetery Sexton.

SECTION I – CONDUCT OF PERSONS WITHIN THE CEMETERY.

1. *Children* – Children under 12 years of age, unless accompanied by an adult, are not permitted on cemetery grounds.
2. *Flowers* – All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants, writing upon, defacing or injuring any memorials, fences or other structures within the cemetery grounds.
3. *Loitering* – Loitering is prohibited on the grounds, graves or monuments in the cemetery.
4. *Soliciting* – Peddling of flowers or plants or soliciting the sale of any commodity, other than by the cemetery caretaker, is prohibited within the confines of the cemetery.
5. *Notices and Advertisements* – No signs or notices or advertisements of any kind shall be allowed in the cemetery, unless placed by the cemetery.
6. *Pets* – No pets of any kind shall be allowed within the cemetery grounds.
7. *Hours* – No person shall be allowed in the cemetery from a period one hour after sunset and continuing to one hour before sunrise, without the prior written consent of the cemetery caretaker.
8. *Funerals* – Strangers are not allowed to approach the grave during a funeral.
9. *Automobiles, Motorcycles, Bicycles* – No bicycles, motorcycles, cars, trucks or other vehicles are permitted within the cemetery grounds except such as may be in attendance at funerals or on cemetery business.
10. *Alcoholic Beverages* – No alcoholic beverages are allowed in the cemetery.

SECTION II – WORK WITHIN THE CEMETERY.

1. *Ingress and Egress* – A perpetual right of ingress and egress over all graves and areas within the cemetery shall be retained by the City for the purposes of operation and maintenance.
2. *Damages* – Any person, firm, corporation or agent thereof shall be held responsible for causing any damages within the cemetery, and shall be at all times under supervision of the cemetery caretaker.
3. *Notice* – The City shall receive not less than forty-eight (48) hours notice prior to any internment or dis-internment except with the prior written consent of the cemetery caretaker.

4. *Sundays and Holidays* – No internment or dis-internment shall be allowed on Sundays or on the following holidays: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and when any of the above mentioned holidays falls, or is legally observed, on a Saturday or Monday, except with the prior written consent of the cemetery caretaker.
5. *No Liability* – Under no circumstances will the City assume or be deemed to assume responsibility for errors made in opening graves in response to instructions received by telephone.
6. *Location of Internment* – When instructions for opening a grave are indefinite or for any reason the grave cannot be opened in the location specified the cemetery caretaker will have it opened at such a place on the lot as may seem best under the circumstances to avoid delaying funerals.
7. *Memorial Work* – All permanent headstones and monuments erected or placed in the cemetery shall be set upon a concrete foundation prepared by the cemetery with the following specifications:

At least as long and wide as the headstone with a two inch border.
 At ground level or one inch below ground level.
 Headstone at least 4 inches in thickness
 Pre-fab foundations of 4 sizes, the sizes are 50x14 38x14 26x14
 and 18x 12.

8. *Grave Grades/Mounds* – No graves shall be filled above the established grade nor shall any graves be permanently mounded.
9. *Headstone Size and Sections*

In all -Sections: except Section four, which is restricted to only a six inch rise.
 The headstones of the following sizes only are permitted:

The size of headstones shall not be more than three foot in height
 Section 4 all markers are limited to 6” in height.
 No markers shall have any obese, vulgar or sexual language or
 image and in good taste determined by the City Sexton, City Clerk
 and Mayor.

The City does not assume any liability or responsibility for any
 damage done to any markers by others or acts of God. It will be the
 responsibility of the owner to repair any marker deemed unsafe by
 the caretaker.

10. *Grave Openings* – All graves shall be opened and closed by the cemetery caretaker.
11. *Internment Criteria* – Every internment of non-cremated remains shall be made enclosed in a concrete vault. The internment of cremated remains shall be at a depth of 18” to 25” with no vault. The second container may be of any material supplied by the crematorium.

SECTION III – CARE OF GRAVES WITHIN THE CEMETERY.

1. *Cemetery Caretaker Directs Improvements* – All improvements or alterations of property in the cemetery shall be under the direction of and subject to the consent,

satisfaction and approval of the cemetery caretaker; provided that the cemetery caretaker shall have the right to remove, alter or change such improvements or alterations at the expense of the plot owner, or, in any event, at any time, in his judgement, they become unsightly or blighted.

2. *Floral Maintenance* – The cemetery caretaker reserves the right to remove all floral designs from the cemetery as soon as, in his judgement, they become unsightly, dangerous, detrimental or diseased, or when they do not conform to the standards maintained. The City shall not be responsible for the return of floral designs or their containers to the owners.
 - *All flowers and their containers need to be removed by November 1st. cemetery will not be responsible for any damage to urns, or items left after the appointed time or for theft. Limit one container per grave. Only cement containers will be allowed after November 1st until April 1st.*
 - *Wreaths and grave blankets are only allowed between December 1 and April 1. It is the responsibility of persons who placed items to remove by April 1st.*
3. *Acceptable Containers* – Floral designs will be allowed on the grave area only if they are placed in metal baskets with handles or cement urns acceptable to the cemetery caretaker. Baskets or urns must be placed in line with headstones and must not extend onto graves other than the grave owners.
4. *Planting* – Nothing will be planted on the grave area without permission of the cemetery caretaker.
5. *Special Care* – Grave owners who desire special attention for their graves, other than perpetual care, such as special care for flowers, must make arrangements for such care with a person, firm or corporation not connected with the City.
6. *Temporary Containers* – Containers for floral designs are allowed temporarily following a funeral and during the two weeks before and after Memorial Day until, in the judgement of the cemetery caretaker, such design becomes unsightly to the eye. The City shall not be responsible for the return of floral designs or their containers to the owners.
7. *Offensive Structures* – If any monument, effigy or other structure including but not limited to any item that illuminates, flashes, or change placed upon any grave shall be determined to be improper or offensive by the cemetery caretaker, City Clerk and Mayor, also there shall be no fires, candles or open flames, it shall be the right and duty of the cemetery caretaker, to remove such structure.
8. *There shall be no private signs.*

SECTION IV – PAPERWORK AND PROCEDURES.

1. *Business Dealings* – All cemetery business must be directed through the office of the City Clerk. Visits at the cemetery to view gravesites for purchase will be arranged by the clerk's office. Purchases and other transactions must occur at the clerk's office or be conducted through a funeral home.
2. *Transferring Ownership*– Any transfer of a Grave Purchase Record will require a transfer fee. . *Any owner may sell unwanted graves to others, and the City if desires may buy back graves at the price purchased with proof of ownership. The ownership of all graves stays with the owner or executor of the estate or Probate Court;*

Forfeiture of vacant cemetery plots or burial spaces sold after the effective date of these amended rules (by resolution in 2014) and remaining vacant for forty(40) years or more from the date of their sale shall automatically revert to the City of Kentwood upon the occurrence of the following events: (after 2064)

(a) Notice shall be sent by the City Clerk by first-class mail to the last known address of the last owner of record informing the owner of the expiration of the 40-year period and that all rights with respect to said plots or spaces will be forfeited if the owner does not affirmatively indicate in writing to the City Clerk within sixty (60) days from the date of mailing of such notice of his/her desire to retain such burial rights; and

(b) No written response to said notice indicating a desire to retain the cemetery plot(s) or burial space(s) in question is received by the City Clerk from the last owner of record of said plots or spaces, or his/her heirs or legal representative, within sixty(60) days from the date of mailing of said notice.

3. *Right of Burial* – No internment will be allowed without a proper Right of Burial. The owner of the grave must also sign a Burial Authorization Permit.
4. *The City reserves the right to correct errors that occur during the normal course of work.*
5. *Owners are responsible to notify the city of mailing address change.*
6. *Cenotaphs- may be allowed in lots that cannot be used as a full grave,*
7. *Appeal Procedure* – If any person shall feel aggrieved by any order or decision by the City Clerk’s designee or authorized subordinate, that person may, within 10 days after receipt of such order or decision, appeal in writing to the Mayor. The Mayor may make such decisions as the Mayor deems in the public interest with the scope and intent of the cemetery rules and regulations, and such decision shall be final.

SECTION V-FUTURE CREMATION STRUCTURES OR ANCELARY STRUCTURES.

At a time when the City deems the need shall designate a section for only cremations to be interned in whatever type of structure the City deems proper.

From time to time someone may wish to purchase and install a memorial bench or structure to benefit the people of Kentwood, which may be allowed by the City by approval of the Mayor, City Clerk and Sexton (caretaker) that are under no obligation to permit.

SECTION VI-PENALTY.

Violations of these articles shall be a misdemeanor, punishable by imprisonment for up to 90 days, a fine not to exceed \$500.00, and costs of prosecution. Enforcement by City Clerk, Pinehill Cemetery Sexton (caretaker) or their designee.

COSTS:

All cost incurred to be charged for the burial of a body or cremains shall be adopted by resolution from time to time.

CITY OF KENTWOOD

RESOLUTION 20-19

A RESOLUTION AMENDING THE RULES AND REGULATIONS FOR PINE HILL CEMETERY.

WHEREAS, the City of Kentwood operates Pine Hill Cemetery located at 1102 52nd Street, SE, Kentwood; and

WHEREAS, Ordinance -19 of the City of Kentwood authorizes the City Commission to establish the rules and regulations applicable to the cemetery from time to time;

NOW THEREFORE BE IT RESOLVED, that the attached “Cemetery Rules and Regulations” be the established rules and regulations of Pine Hill Cemetery effective , April 19, 2019

The foregoing resolution was offered by Commissioner Brown, supported by Artz, the vote being as follows:

YEAS: All.

NAYS: NONE.

ABSENT: NONE.

RESOLUTION DECLARED ADOPTED.

Dan M. Kasunic
City Clerk

I hereby certify the foregoing to be a true copy of a resolution adopted at the regular meeting of the Kentwood City Commission held April 18, 2019.

Dan M. Kasunic
City Clerk