

Keene Township Cemetery Ordinance

Ordinance # 26-2-10

Date 2-10-2026

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

TOWNSHIP OF KEENE, COUNTY OF IONIA, MICHIGAN ORDAINS:

Section 2: DEFINITIONS OF GRAVE SITE, CEMETERY DEED, APPLICATION FOR CEMETERY GRAVE SITE, NOMINATED PERSON(S) AND BURIAL RIGHTS.

- A. Grave Site: shall consist of a land area four (4) feet wide and ten (10) feet to up to twelve (12) feet in length, located within one of the township cemeteries.
- B. Cemetery Deed: An official document created by the township recording the sale of a specifically numbered grave site between Keene Township and a member of the community to be used for burial purposes for themselves and/or their heir(s).
- C. Application for Cemetery Grave Site: An official document created by the township to be filled out by perspective purchaser(s) of grave sites.
- D. Nominated Person(s): A term on the Cemetery Application to describe the person or persons designated by the purchaser to have the right to be buried in that particular grave site.
- E. Burial Rights: The legal authority given by the Township to the purchaser of a grave site or their heir(s) to occupy a particular space of ground after death, located within one of the township Cemeteries.

Section 3: SALE OF GRAVE SITES

- A. Grave sites shall be sold only to residents or taxpayers of the township for the purpose of burial of such purchaser or his or her heirs at law or next of kin. No sale shall be made to funeral directors or others unless provided otherwise. The Township Clerk, however, is granted the authority to vary this restriction on sales where the purchaser discloses sufficient personal reason for burial within the township through previous residence in the township or relationship to persons interred in the township.
- B. All such sales shall be applied for on an "Application for Cemetery Grave Site" form approved by the township board. Applicant shall fill out the form completely and submit said form along with appropriate payment made out to Keene Township to the township Clerk. Applicant must name at least one (1) person or assign the site to "Heir(s)" as the nominated person to have burial rights within the grave site. Township Clerk will review the application and approve the purchase and

issue a Deed or Notify applicant of any issues and help resolve said issues and either approve the application with amendments or return application and payment to applicant.

- C. All such sales shall be made final on a form called "Cemetery Deed" approved by the township board, which grants the right of burial only and does not convey any other title to the lot or grave site sold. Both the Application for Cemetery Grave Site and the Cemetery Deed form shall be executed by the township clerk, copied and filed, with the originals being issued to the purchaser(s).
- D. Burial rights of Nominated Person(s) may only be transferred by the original purchaser, their power of attorney, executor of their will, heir named in their Will to that specific grave site, or person awarded said grave site via probate court. A new Application for Cemetery Grave Site must be submitted to the township along with the transfer fee and may be effective only by endorsement of an assignment of Cemetery Deed upon the original burial permit form or Cemetery Deed issued by the Township Clerk or by the Clerks' records, approved by Clerk, and entered upon the official records of Clerk. Upon such assignment, approval and record, said Clerk shall issue a new Cemetery Deed to the assignee and shall cancel and terminate upon such records, the original permit (or Deed) thus assigned.
- E. Those persons acquiring burial rights or have purchased a grave site may not resell such, to any person or entity other than to Keene Township.

#### Section 4: PURCHASE PRICE, TRANSFER FEES AND PERPETUAL CARE FEE

- A. Costs for the purchase of grave sites shall be listed on the current Keene Township Cemetery Fee Schedule.
- B. Any transfer of a person(s) nominated for burial rights of a grave sites from an original purchaser to a qualified assignee shall cost the amount designated on the current Keene Township Cemetery Fee Schedule.
- C. The Perpetual care fee shall cost the amount designated on the current Keene Township Cemetery Fee Schedule and be deposited in the cemetery fund to help offset the cost of cemetery maintenance.
- D. The township board, by resolution, may periodically alter these fees to accommodate increased costs and needed reserve funds for cemetery acquisition, maintenance and upgrades.

#### Section 5: GRAVE OPENING CHARGES

- A. The opening and closing of any grave site, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined from time to time by the Keene Township Sexton and be designated on the current Keene Township Cemetery Fee Schedule, payable to the Sexton.
- B. No grave sites shall be opened and closed except under the direction and control of the cemetery Sexton. This provision shall not apply to proceedings for the removal and re-interment of bodies and remains, which matters are under the supervision of the local health department.

## Section 6: MARKERS OR MEMORIALS

- A. All markers or memorials must be of stone or other equally durable composition.
- B. All monuments or memorials shall be placed on suitable foundations or footing, constructed according to industry specifications, and at the discretion of the Keene Township Sexton at the cost to the owner of the grave site. Only one monument, marker or memorial shall be permitted per grave site.

## Section 7: INTERMENT REGULATIONS

### NUMBER PER GRAVE SITE

- 1. Traditional. A vault is required, and one (1) person may be buried in a grave site.
  - 2. Cremation. If cremation is utilized, then up to four (4) ashes may be in a grave site.
- A. Not less than a 36-hour notice shall be given in advance of any funeral to allow for the opening of a grave site.
  - B. The appropriate permit (Cemetery Deed) for the grave site involved, together with appropriate identification of the person to be buried, here necessary, shall be presented to either the cemetery sexton or the township clerk prior to the interment. Where such permit has been lost or destroyed, the township clerk shall be satisfied, from his or her records, that the person to be buried in the grave site is an authorized and appropriate one before any interment is commenced or completed.
  - C. All graves shall be located in an orderly and neat appearing manner within the confines of the grave site involved.

## Section 8: GROUND MAINTENANCE

- A. No grading, leveling, or excavating upon a grave site shall be allowed without the permission of the cemetery sexton or the township clerk.
- B. No shrubs, trees or vegetation of any type shall be planted without the approval of the cemetery sexton or the township clerk. Any of the foregoing items planted without such approval may be removed by the township or the cemetery sexton.
- C. The township board reserves the right to remove or trim any tree, plant or shrub located within the cemetery in the interest of maintaining proper appearance and the use of the cemetery.
- D. Mounds which hinder the free use of a lawn mower or other gardening apparatus are prohibited.
- E. Surfaces other than earth or sod are prohibited.
- F. All refuse of any kind or nature including, among others, dried flowers, wreaths, papers, and flower containers must be removed or deposited in containers located within the cemetery.

- G. The cemetery sexton or Township shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers that through decay, deterioration, damage or otherwise become unsightly, a source of litter, or a maintenance problem.

#### Section 9: VACANT GRAVE SITES

Grave Sites sold after the effective date of this original Ordinance and remaining vacant 40 years from the date of sale:

- A. Notice shall be sent by the township clerk by certified mail to the last known address of the owner of record informing that the Grave Site has been owned for more than 40 years but remains vacant. An owner must affirmatively indicate in writing to the township clerk within 90 days from the date of mailing of the notice of his or her desire to retain said burial rights.
- B. If no written response to said notice indicating a desire to retain the grave site(s) in question is received by the township clerk from the owner of record of said grave site(s) or his/her heirs or legal representative within 90 days from the date of mailing, of said notice, then such grave site(s) shall automatically revert back to the Township.

#### Section 10: REPURCHASE OF GRAVE SITES

The Township will repurchase any grave site from the owner for the original price paid the township upon written request of said owner or his legal heirs or legal representation.

#### Section 11: RECORDS

The township clerk shall maintain records concerning all grave site purchases, burials, issuance of burial permits, and any perpetual care fund, separate and apart from any other records of the township and the same shall be open to public inspection at all reasonable business hours.

#### Section 12: VAULT

All traditional burials shall be within a standard, state approved vault, installed and constructed in each grave site before interment.

#### Section 13: CEMETERY HOURS

- A. The cemetery shall be open to the general public from the hours of sunrise to sunset each day.
- B. No person shall be permitted in the township cemeteries at any time other than the foregoing hours, except upon permission of the township board or the sexton of the cemetery.

#### Section 14: PENALTIES

Any person, firm or corporation who violates any of the provisions of this Ordinance shall be guilty of a municipal civil infraction for which the fine shall be not less than \$100.00 nor more than \$500.00 for the first offense and not less than \$250.00 nor more than \$1000.00 for each subsequent offense, as may be determined by the discretion of the court, and in addition to all other costs, damages, expenses, and other remedies provided by law. For purposes of this section, "subsequent offense" means a violation of the

provisions of this ordinance committed by the same person within 12 months of a previous violation of the same provision of this ordinance for which said person admitted responsibility or was adjudicated to be responsible.

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 valid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part involved in such decision and shall not affect or invalidate the remainder of such Ordinance which shall continue in full force and affect.

Section 16: EFFECTIVE DATE

This ordinance shall take effect 30 days after publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed. Posted Date: *2-13-2026* Effective date: 3-15-2026.

*Holli Melton* Holli Melton - Township Clerk

Date: 2-10-26