

TUSCOLA TOWNSHIP  
TUSCOLA COUNTY, MICHIGAN

**NOTICE OF ADOPTION/SUMMARY OF ORDINANCE**

TO: THE RESIDENTS AND PROPERTY OWNERS OF TUSCOLA TOWNSHIP,  
TUSCOLA COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that at its regular meeting held April 17, 2018, the Township Board of Tuscola Township adopted Ordinance No. 2018-1 to establish regulations for the operation, control, maintenance, and management of cemeteries owned, controlled or operated by Tuscola Township. The Ordinance is to take effect 30 days after the date of this publication. A summary of the Ordinance follows:

**ORDINANCE 2018-1  
TUSCOLA TOWNSHIP CEMETERY ORDINANCE**

**SECTION 1. Title.** The Ordinance is titled the "Tuscola Township Cemetery Ordinance".

**SECTION 2. Purpose and Intent.** The Ordinance regulates the appearance and use of the cemeteries owned or controlled by the Township. It addresses cemetery burials and all other matters associated with maintaining a municipal cemetery.

**SECTION 3. Definitions.** Provides definitions for various words and phrases used in the Ordinance.

**SECTION 4. Purchase of lots, graves and burial rights.** The Township sells burial rights to Township residents and taxpayers, and non-residents and non-taxpayers on an as needed basis. Burial rights are transferable. Indicates that the Township Board may limit the number of graves sold to a particular person; sets fees for the purchase and re-purchase of graves and payment options. Indicates that the Township has absolute discretion to determine whether a particular grave(s) will be sold and where such grave(s) will be located.

**SECTION 5. Grave opening and closing.** The Township may establish a fee for grave opening and closing, and for the interment of cremains. Indicates that no graves shall be opened or closed except under the direction and control of an individual designated by the Township Board. No cremains shall be interred into a headstone or columbarium without written notification to the Township Clerk.

**SECTION 6. Markers, Memorials, Headstones, Memorial Benches or Family Markers.** Specifies standards for markers; disallows headstones over 36 inches in height and 24 inches in width (single) or 60 inches in width (double). Sets minimum standards for foundations. Limits four markers per grave; one marker per cremain grave. Variances from the requirements must be approved by the Trustees.

Limits one family marker per lot; requires family to own the entire lot. Allows the Township Board to remove any unsightly or damaged marker, memorial headstone or similar items.

**SECTION 7. Interment Regulations.** Provides regulations for interment of bodies and cremains in the Township cemeteries.

**SECTION 8. Vaults.** Vaults are required for burials.

**SECTION 9. Ground Maintenance.** Prohibits excavating upon a grave without permission of the Management. Indicates the Township has the discretion to maintain proper appearance and use of the cemetery.

**SECTION 10. Items allowed in Cemetery within the chosen Parameters.** Allows certain items are to be placed near the headstone.

**SECTION 11. Items not allowed in Cemetery.** Prohibits certain items from being placed in the cemetery. Indicates the Township Board has the discretion to remove questionable items.

**SECTION 12. Forfeiture of Vacant Cemetery Lots or Graves.** Indicates that burial rights for cemetery lots that remain vacant 40 years from their date of sale shall revert to the Township. Requires the Township Clerk to send notice to the last owner of record at the expiration of the 40-year period.

**SECTION 13. Records.** The Township Clerk shall maintain records for all sales of burial rights, permits and transfers of burial rights.

**SECTION 14. Areas Designated for Cremations only.** Indicates Township cemeteries will have certain areas reserved for cremations only.

**SECTION 15. Cemetery Hours.** Township cemetery hours are from sunrise to sunset.

**SECTION 16. Penalties.** Indicates a violation of this Ordinance constitutes a municipal civil infraction and sets a civil fine schedule. Indicates that each day which a violation continues shall be deemed a separate offense.

**SECTION 17. Township Officials who can Enforce this Ordinance.** Unless otherwise specified by resolution, the Township Clerk, Ordinance Enforcement Officer and any sheriff's deputy can enforce the ordinance.

**SECTION 18. Damage to Cemetery Properties.** The Township is not responsible for any kinds of damage beyond its control.

**SECTION 19. Vehicles and Speed Limit.** Operators of vehicles are liable for any damage caused by the vehicle. The speed limit on cemetery roads is ten miles per hour. Recreational vehicles are prohibited.

**SECTION 20. Disinterments and Reinterments.** Sets regulations for disinterments and reinterments. Requires a permit from the County health Department. Indicates notice is required prior to any disinterment.

**SECTION 21. Applicability of this Ordinance.** This Ordinance applies only to cemeteries owned, controlled or operated by Tuscola Township.

**SECTION 22. Interpretation by the Township Board.** The Township Board has the authority to interpret the Ordinance and can waive strict application of it in certain situations.

**SECTION 23. Severability.** The various provisions of the ordinance are severable from each other.

**SECTION 24. Effective Date: Conflicts.** The Ordinance is effective 30 days after this publication. All conflicting ordinance provisions are repealed.

**SECTION 25. Disclaimer of Township Liability and Responsibility.** Entry into the Township cemeteries is at the risk of the person entering. The Township is not responsible for vandalism and/or other damage to cemetery plots and markers. Purchasers of burial rights hold the Township harmless.

PLEASE TAKE FURTHER NOTICE that the full text of the Ordinances have been posted at the Tuscola Township Hall, 8561 Van Cleve Road, Vassar, MI and that copies of the Ordinances may be purchased or inspected by contacting the undersigned.

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