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**RULES AND REGULATIONS**

**OF**

**OAKWOOD CEMETERY**  
**LOWELL, MICHIGAN**

Revised July, 2010  
(Please check with City Hall for Updates)

# CEMETERY RULES AND REGULATION

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**CITY OF LOWELL**

**CEMETERY RULES AND REGULATIONS**

For the mutual protection of grave space and lot burial rights owners, persons interred and the cemetery as a whole, the following rules and regulations have been adopted by the City of Lowell as the rules and regulations of Oakwood Cemetery. All persons interred within the cemetery and all burial rights certificates shall be subject to these rules and regulations, and other rules and regulations, amendments or alternations as shall be adopted by the City Council from time to time.

**ARTICLE I**

**DEFINITIONS**

**Section 1.1 Definitions.** The following words and terms shall have the following meanings in these rules and regulations unless the context in which they are used shall indicate another meaning:

"Burial rights certificate" means the original conveyance given by the cemetery to the original purchaser. The burial rights certificate entitles the person to the privilege of burial on the lot or grave space and the responsibility for the care and maintenance of that lot or grave space. The burial rights certificate is not a deed to a parcel of property.

"Cemetery" means the Oakwood Cemetery.

"Cemetery office" means the general office conducting the business of the cemetery and is located at the Lowell City Hall, 301 East Main Street. Telephone: (616) 897-8457.

"Foundations" means the poured concrete bases required for all memorials which shall be (i) installed in a line and on a level with adjacent memorials, (ii) finished 2 inches below

the lowest point of the grade, and (iii) 3 inches larger on all sides than the memorial that is to be placed thereon. The depth of the foundation shall be:

- (a) 6 inches for pre-need single and double grave spaces;  
and
- (b) 20 to 24 inches for permanent single and double grave spaces.

"Grave space" means a space of approximately 4 feet by 9 feet of sufficient size to accommodate one adult interment.

"Interment" means the permanent disposition of the remains of a deceased person by cremation, inurement, entombment or burial.

"Lot" means the numbered divisions as shown on the record plot of the cemetery which consists of 8 or more grave spaces.

"Lot marker" means a ceramic, metal or granite post used by the cemetery management to locate corners of the lot.

"Marker" means a memorial of granite, marble, bronze or similar material that is flush with the ground.

"Memorial" means a monument or marker located on a grave space and identifying the deceased person whose remains are located there.

"Monument" means a memorial of granite, marble, bronze or similar material which shall extend above the surface of the ground.

## **ARTICLE II**

### **CEMETERY MANAGEMENT**

**Section 2.1. Cemetery Management.** Cemetery management is composed of the administrative officials of the City, including the City Manager, the Director of Public Works and the Cemetery Sexton.

**Section 2.2. Cemetery Sexton.** The Cemetery Sexton is manager of cemetery operations under the direction of the City Manager and Director of Public Works. Responsibilities of the Cemetery Sexton consist of (i) keeping records of interments and lots and lot burial rights owners; (ii) making arrangements and receiving payments for grave openings pursuant to these rules and regulations; and (iii) seeing to it that these rules and regulations and all other matters necessary for the proper operation of the cemetery are complied with.

### **ARTICLE III**

#### **GENERAL RULES**

**Section 3.1. Business Hours.** The cemetery office will be open daily Monday through Friday from 8:00 a.m. to 5:00 p.m. except on Christmas Day, New Year's Day, Fourth of July, Thanksgiving Day, Labor Day, Memorial Day, or any other day declared a holiday by the City Council.

**Section 3.2. Cemetery Hours.** The cemetery will be open 8:00 a.m. to 4:00 p.m. Monday through Friday except on holidays as set forth in Section 3.1 hereof. Employees of the cemetery are not expected to work on Saturday, Sunday or designated holidays unless absolutely necessary in the preservation of public health, safety and welfare. If it is necessary, interments may be made on Saturdays, Sundays or designated holidays or after 4:00 p.m. Monday through Friday, if additional charges are paid according to

the rate schedule established from time to time by the City Council.

**Section 3.3. Public on Cemetery Grounds.** No person shall be allowed in the cemetery from a period beginning one hour after sunset and continuing to one hour before sunrise, without first obtaining permission from the Cemetery Sexton.

**Section 3.4. Payment of Fees and Charges.** All fees and charges for services at the cemetery are payable at the cemetery office and employees are not to accept any fees, payments, or gratuities, provided, however, that the Cemetery Sexton or his authorized representative may accept checks payable to the City of Lowell for interment.

**Section 3.5. Travel in Cemetery.** Automobiles or other means of transportation must observe a 15 m.p.h. speed limit in the cemetery. Driving any motorized or non-motorized vehicle or animal across or upon any grave space, lot or lawn in the cemetery or parking or leaving the same thereon is not permitted. Vehicles must not be parked in such a way to obstruct cemetery roads and, if so parked, will be removed at the owner's expense.

**Section 3.6. Traversing on Cemetery Grounds.** Walking or driving through the cemetery for the purpose of saving time or distance is prohibited.

**Section 3.7 Special Work for Grave or Lot Space Owners.**

Employees of the cemetery are not permitted to do any work for grave or lot space burial rights owners except upon order of the Cemetery Sexton.

**Section 3.8. Conduct of Individuals in Cemetery.** All persons while in the cemetery shall avoid conduct unbecoming a sacred place, including:

- (a) loud or boisterous talking;
- (b) idling or loafing in the cemetery or in any of the buildings;
- (c) bringing and/or consuming lunches or refreshments in the cemetery;
- (d) approaching the bereaved for the purpose of soliciting any business;
- (e) placing notices or advertisements of any kind within the cemetery;
- (f) bringing animals, except those assisting blind or deaf persons or animals on a leash on hard surfaced walkways, into the cemetery or any of its buildings; and
- (g) bringing firearms into the cemetery except by a military escort accompanying a veteran's funeral or memorial service.

**Section 3.9. Picking of Flowers, Damage of Foliage and Defacing and Damaging Memorials, Etc.** Persons visiting the cemetery or attending funerals are strictly forbidden from (i) picking flowers, wild or cultivated; (ii) damaging any trees, shrubs or plants; or (iii) writing upon, defacing or injuring any memorials,

markers, fences or other buildings or structures within the cemetery.

**Section 3.10 Flower Urns.** Concrete urns must be located at the ends of grave space markers. One urn is permitted for each grave space, provided, it must be within 48 inches of the marker of a single grave space and 96 inches of the marker of a double grave space. Artificial flowers, plants and arrangements may only be placed in urns except as otherwise provided in Section 3.13 hereof.

**Section 3.11. Placing of Objects on Grounds Around Marker.** The placing of decorative fencing, boxes, shells, toys, crosses, ornaments, chairs, settees, vases, tin cans, jars, rocks, clay statutes, plaques and similar articles upon the ground of lots or grave space is not permitted. One shepherd's hook per grave space is permitted, provided, when it is not in use it must be promptly removed. Up to three non-glass objects are permitted on a marker. Cemetery employees may remove and dispose of prohibited objects without notice to the owners of lot burial rights.

**Section 3.12. Planting of Flowers and Plants.** The planting of live flowers and plants is permitted during the growing season. Such plantings must be placed at the ends or in front of markers and memorials and may not extend more than 12 inches from the

base of a marker or memorial (note: marker or memorial size may not permit 12 inches on each side for plantings). Flowers and plants that become unsightly or have died may be removed and disposed of by cemetery employees without notice to owners of lot burial rights. Cut flowers and arrangements may also be removed and disposed of by Cemetery employees if they become unsightly without notice to the owners of lot burial rights.

**Section 3.13. Artificial Flowers, Plants and Arrangements.**

Artificial flowers, plants and arrangements are permitted on lots or grave spaces from November 1 through March 31 each year. Such artificial flowers, plants and arrangements remaining from April 1 through October 31 each year may be removed and disposed of by Cemetery employees without notice to the owners of lot burial rights. Artificial flowers, plants and arrangements may be placed only in urns from April 1 through October 31 as provided in Section 3.10 hereof.

**Section 3.14. Special Remembrances.** Special remembrances such as birthdays, wedding anniversaries and anniversary of death are permitted with written notification to City Clerk at City Hall, 301 East Main Street, Lowell, MI 49331 provided they are placed on a lot or grave space no earlier than one week before the date of the remembered event and removed no later than one week after such remembered event.

**Section 3.15. Special Allowance for New Burials.** For a period of one year to the anniversary of a death up to five additional objects are permitted on a lot or grave space with the prior written permission of the Cemetery Sexton.

**Section 3.16. Flags and Flag Holders.** Flags will be permitted for one week before and one week after Memorial Day. Flags must then be collected by those persons or groups responsible for placing them. Two (2) metal flag holders will be permitted per grave space.

**Section 3.17. Littering Prohibited.** Receptacles for waste material are located throughout the cemetery. The disposing of any rubbish, garbage, debris or similar material in the cemetery in other than designated receptacles is prohibited.

**Section 3.18. Private Contractors in Cemetery.** Any person, firm, corporation or agent thereof while working in the cemetery shall be (i) responsible for any damage caused and (ii) under supervision of the Cemetery Sexton. Contractors must receive a written permit from the Cemetery Sexton prior to the beginning of any work in the cemetery other than routine maintenance. All work shall cease while a funeral or interment is being conducted nearby and all workmen and equipment shall withdraw to a reasonable distance from the funeral or interment service.

#### **ARTICLE IV**

## **LOTS AND LOT OWNERS**

**Section 4.1. Purchase of Lots and Grave Spaces.** A person desiring to purchase burial rights to a lot or grave space shall visit the cemetery where the Cemetery Sexton will assist him in making a selection and will issue a memorandum describing the lot or grave space to be purchased. The purchaser will then take the memorandum to the cemetery office, where payment will be made and a receipt given. The receipt may be exchanged at the cemetery office for a burial rights certificate. The burial rights certificate will be ready any time after the tenth of the month following the month of purchase. Designation of the use of grave spaces is encouraged at the time of purchase.

**Section 4.2. Lot and Grave Space Price Schedule.** Every lot or grave space is sold subject to the rules and regulations then in force or thereafter adopted. The price for obtaining burial rights in lots and grave spaces shall be in accordance with a price schedule adopted from time to time by the City Council.

**Section 4.3. Repurchase of Lots and Grave Spaces by City.** The owner of burial rights to an unused lot or grave space may request the City repurchase such burial rights and the City will repurchase the burial rights of such lot or grave space for \$100. The City shall not, however, be obligated to make such purchase until or unless the owner of such burial rights has removed all monuments, markers, footings, plantings, urns,

flowers, trees, shrubs, bushes and other objects, obstacles and appurtenances as shall be requested by the City. The owner of burial rights to a lot or grave space may not transfer such interest to any other person or entity without the prior written approval of the City.

**Section 4.4. Location of Lots.** The location of lots will be in accordance with the cemetery plot plan which is kept on file in the cemetery office and at the cemetery. The corner of each lot will be laid out by the Cemetery Sexton.

**Section 4.5. Classification of Lots and Grave Spaces.** Cemetery lots and grave spaces are sold only for the interment of deceased persons. Lot or grave owner means a person who possesses burial rights to a lot or grave space. A single grave space shall be approximately 4 feet by 9 feet. A lot shall consist of 8 or more grave spaces. Grave spaces for indigent persons shall be located in the cemetery at the discretion of the Cemetery Sexton. Repossessed lots or grave spaces are those repossessed by the City for non-payment of amounts owed. Infant graves are grave spaces set aside for the interment of infants in an outside container or vault not more than 4 feet long.

**Section 4.6. Design of Cemetery.** The City reserves the right to enlarge, reduce, replot or change the boundaries or grading of the cemetery, or a section or sections thereof, from time to time, including the right to modify or change the locations of or remove

or regrade roads, drives, walks, or aisles, or any part thereof. The City also reserves the right to lay, maintain, operate, alter or change pipelines or gutters for such activities as sprinkling and drainage. The City may use cemetery property not sold for any purpose necessary, incidental or convenient to cemetery use and operation as determined solely by the City. The City reserves perpetual right of ingress and egress over lots and grave spaces for the purpose of passing to and from other lots and grave spaces.

**Section 4.7. Responsibility for Loss or Damage.** The City will take all reasonable precautions to protect lot and grave burial rights owners from loss or damage to lots and grave spaces and property of burial rights owners placed thereon. The City, however, assumes no liability for any such loss or damage and any lot or grave burial rights owner as a condition for receiving a burial rights certificate agrees that the City shall have no such liability.

**Section 4.8. Change of Address.** It is the duty of the lot or grave burial rights owner to notify the cemetery office in writing of any change in address.

**Section 4.9. Interment in Grave Spaces.** The lot or grave burial rights owner or his legal representative may at any time designate in writing to the Cemetery Sexton whom he wishes interred in his lot or grave space.

**Section 4.10. Power of Attorney.** A power of attorney to act for a lot or grave burial rights owner must be filed at the cemetery office, to be effective.

**Section 4.11. Transfer of Burial Rights.** The burial rights owner of a lot or grave space may at any time, if the perpetual care has been paid, transfer his rights to another person. The former burial rights owner may not charge the new burial rights owner anything for obtaining burial rights. If the lot or grave space is not under perpetual care at the time of transfer, the new burial rights owner must convert to the perpetual care plan before the transfer is permitted. All applications for transfer must be made on forms as provided by the City and must state the reasons for the transfer. All transfers of burial rights must be approved by and filed with the cemetery management to be effective. Approval of any transfer shall be at the sole discretion of the City.

**Section 4.12. Owner Dies Without Designating Use of Grave Spaces.** If a burial rights lot or grave space owner dies without designating the persons to be buried in the remaining grave spaces in his lot, the Cemetery Sexton will permit the burial of heirs as designated in writing in a court of competent jurisdiction, when presented for recording at the cemetery office. If time does not permit obtaining a court order, the Cemetery Sexton may accept an affidavit by one of the heirs of the burial rights owner together

with a hold harmless agreement, in a form acceptable to the City. Possession of a burial rights certificate is not in itself sufficient evidence of burial rights ownership of a grave space or lot. The legal right to ownership of burial rights must be established.

**Section 4.13. Correction of Errors.** The City reserves the right to correct any errors that may be made by it, in making interments disinterments, or removals, or in the description, transfer, or conveyance of lots and grave spaces by either (i) canceling the burial rights certificate and substituting a burial rights certificate for another lot or grave space of equal value and similar location or (ii) refunding without interest the amount paid for such burial rights. If the error involves the interment of a deceased person in the wrong lot or grave space the Cemetery Sexton reserves the right to remove and transfer the remains so interred to the correct lot or grave space or to a lot or grave space of equal value and similar location.

**Section 4.14. Governing Documents and Rules.** The burial rights certificate, these rules and regulations as amended by the City Council from time to time, or other written agreement signed by the City constitute the sole agreement between the City and a lot or grave space burial rights owner. Any oral statement of any officer, employee or agent of the City, shall not be binding on the City unless confirmed in writing by the cemetery management.

**Section 4.15. Interment of Indigent Persons.** The City will provide grave spaces at the cemetery for indigent persons as required by state law, provided such deceased indigent person is a legal resident of the City or shall have died within the corporate limits of the City and has no legal residence elsewhere.

**Section 4.16. Forfeiture and Termination of Burial Rights.** If the owner of burial rights to a grave space or lot fails and neglects for a period of 7 years or more to care for and maintain a grave space or lot as required by these rules and regulations, the City may, pursuant to the provisions of Act 46 of the Public Acts of Michigan of 1931, as amended, begin proceedings for the termination and forfeiture of such burial rights.

## **ARTICLE V**

### **CARE OF LOTS AND GRAVE SPACES**

**Section 5.1. Perpetual Care.** A portion of the purchase price for burial rights of lots and grave spaces as set forth in the schedule of prices adopted from time to time by the City Council shall be set aside and deposited in the cemetery perpetual care fund. The interest earned on the deposits in such fund shall be used for the care and maintenance of lots and grave spaces. Perpetual care includes (a) the mowing of grass; (b) the trimming around memorials; (c) the filling, sodding and seeding of sunken graves; (d) sodding over the surface of winter graves to lot level; (e) watering as needed to establish growth of plants and

grass that are planted by the City; (f) the raking of leaves and cleaning of grounds; and (g) the pruning of hardy trees. Perpetual care does **NOT** include (a) the trimming of shrubs and the watering of plants and flowers planted by lot and grave space burial rights owners; (b) the care of flower urns; and (c) the maintenance, repair or replacement of any memorial, tomb or mausoleum placed or erected on the lot or grave space, unless caused by a direct act of negligence by a cemetery employee.

**Section 5.2. Lots and Grave Spaces are Subject to Perpetual Care.**

Any person who owns burial rights to a lot or grave space which at the time these rules and regulations are approved by the City Council does not have perpetual care must prior to the use of such lot or grave space enroll the lot or grave space in perpetual care. The charge for perpetual care shall be as established from time to time by the City Council and may be obtained at the cemetery office.

**Section 5.3. Special Care of Lots.** A lot or grave space burial rights owner who desires special care of his lot must make arrangements for such care with a private person, firm, or corporation not employed by or connected to the City. All such arrangements shall be subject to prior written approval by Cemetery Sexton.

**Section 5.4. Endowments for Special Care.** The City will not accept any endowment for special maintenance and care of a lot or grave space.

**Section 5.5. Plants, Trees and Shrubs.** A lot or grave space burial rights owner may beautify his lot or grave space upon prior written approval of the Cemetery Sexton. Plantings must be in harmony with the general landscape design of the cemetery grounds, and should not interfere with adjacent lots or grave spaces. A lot or grave space burial rights owner may choose plantings from a variety of plants, trees and shrubs contained on a list which may be obtained from the Cemetery Sexton.

**Section 5.6. Removal of Plants, Trees and Shrubs.** The Cemetery Sexton has the right to remove and dispose of, without notice, plants, trees and shrubs planted in violation of these rules and regulations. The Cemetery Sexton also has the right to trim, cut down and remove any plantings which are undesirable in their present condition. When it is necessary to remove any trees or shrubs on a lot or grave space in order to make the lot or grave space usable, the cost of removal will be borne by the lot or grave space owner.

## **ARTICLE VI**

### **MEMORIALS AND MARKERS**

**Section 6.1. Requirements for Memorials and Markers.** The following requirements shall apply to memorials in the cemetery:

- (a) Materials used for memorials must be first quality granite from recognized quarries, standard bronze, or certain Vermont, Georgia, and Tennessee marble which is guaranteed by the producer to be of highest quality and finish. Manufactured or cast stone or concrete materials is not permitted. White slab head or foot markers, because of their tendency for rapid deterioration, shall not be placed in the cemetery except for the purpose of duplicating an existing marker on the same grave space or lot.
- (b) All designs and specifications of memorials to be installed in the cemetery must be submitted to the Cemetery Sexton for his approval before commencing installation.
- (c) A memorial may not be erected on any lot or grave space unless all indebtedness on said lot or grave space and services of the City provided in connection therewith is paid in full. This shall include all indigent burials where the difference between any social services burial allowance and the charge for the cost of the grave space and the grave opening and closing charge, shall be paid in full before a memorial is permitted.
- (d) The City assumes no responsibility for (i) the composition or quality of a memorial or marker or (ii) the handling and setting of a memorial or marker.
- (e) A single monument shall not be less than 8 inches nor more than 16 inches wide; not less than 18 inches nor more than 30 inches long; and not less than 4 inches high.
- (f) A single memorial embracing 2 grave spaces shall be allowed if both grave spaces are paid for and the burial rights owner agrees to bear the cost of removing and resetting the memorial if the memorial interferes with a subsequent interment. Where two infant interments are made in one grave space, only one monument is permitted which shall be consistent with other monuments on the lot. A marker is

permitted to mark the other grave. A memorial embracing 2 grave spaces shall have a minimum length of 30 inches and a maximum length not exceeding 60% of the width of the grave spaces.

- (g) A single marker may be installed in the rear one half of a grave space when two infants are interred in the same grave space.
- (h) Markers embracing 2 grave spaces are permitted under the same conditions as monuments. Raised letters are not permitted on markers that are level with the adjacent lawn. Each marker shall consist of one part or piece.
- (i) Except as otherwise provided herein, all markers and monuments must be placed at the head of the grave space and shall not be placed so as to interfere with any other grave space. All memorials must be installed on a foundation which is approved by the Cemetery Sexton. The front edge of memorials shall be in line with the lot line in the case of the front half of the lot, and the front edge of the foundation in line with the north-south centerline, in the case of the back half of the lot.
- (j) The location of any memorial or marker on a lot or grave space must be approved by the Cemetery Sexton. Memorials or markers may not be erected on a lot or grave space which is not paid in full. The face area of a memorial shall not exceed 15% of the area of the grave space and its length shall not exceed 60% of the width of the grave space.
- (k) Mausoleums are prohibited unless the City gives its prior written approval.

## **ARTICLE VII**

### **INTERMENTS**

**Section 7.1. Notice of Funerals.** Notice of funerals with the exact location of the grave space must be given to the Cemetery

Sexton at least 8 business hours in advance of the interment service. Consideration of notice less than 8 business hours will be given, but the City is not required to complete a grave opening upon less than 8 business hours notice. All requests for interments must be signed by the lot or grave space burial rights owner or his legal representative and delivered to the cemetery office. However, when this is impossible because such person is absent from the City, telegraphic, telecopy or telefax permission will be accepted at the cemetery office.

**Section 7.2. Supervision of Funerals and Interments.** All funerals and interments in the cemetery shall be under the supervision and direction of the Cemetery Sexton.

**Section 7.3. Rates and Charges.** All rates and charges made by the City for lots, grave spaces, grave openings and closing, removals, or other services shall be in accordance with the schedule adopted from time to time by the City Council.

**Section 7.4. Interments after Normal Business Hours.** An additional charge will be made for burial services which requires cemetery employees to be in attendance after 4:00 p.m. Monday through Friday or on a Saturday, Sunday or City designated holiday. These additional charges shall be part of the schedule adopted from time to time by the City Council.

**Section 7.5. Burial Permits.** A burial permit from the Kent County Department of Public Health must be presented to the Cemetery Sexton before interments may be made.

**Section 7.6. Number of Interments Per Lot.** The number of interments permitted per lot will be recorded on the burial rights certificate when the lot is purchased. The burial of two or more persons in one grave space is not permitted except:

- (a) a parent or guardian and infant in one burial vault;
- (b) two small children;
- (c) two or more cremations; or
- (d) when it is requested that a cremation be interred in a vault with another person.

**Section 7.7. Position of Graves.** Graves shall not be placed in a manner other than as designated on the cemetery lot plan on file in the cemetery office.

**Section 7.8. Opening and Closing of Graves.** All graves shall be opened and closed by cemetery employees only.

**Section 7.9. Orders Given by Telephone.** Under no condition will the City assume responsibility for errors in opening grave spaces when orders are given by telephone. Orders by a funeral director for the opening of a grave space will be considered as an order from the lot or grave space burial rights owner.

**Section 7.10. Misrepresentations or Error.** While the Cemetery Sexton will make all reasonable efforts to establish the identity of the person or persons claiming burial rights ownership of the lot or grave space or making arrangements for the interment, the City and cemetery management shall not be responsible for misrepresentations or errors made by the person or persons purported to be the burial rights owner or his legal representative or other agent.

**Section 7.11. Interment Containers.** In order to maintain a high standard of care and to prevent sunken graves caused by the collapse of wooden boxes, all interments shall be made in vaults made of natural stone, metal, reinforced concrete, or other materials approved by the Cemetery Sexton. Such approval shall be based on permanency, durability and strength. Size of vaults shall be:

- (a) 4 feet or less for infants;
- (b) 4 feet to 4 feet for children; and
- (c) 6 feet or more for adults.

**Section 7.12. Grave Mounds.** Grave mounds are not permitted.

**Section 7.13. Removal of Flowers, Flags, Etc.** As soon as flowers, flags or emblems used at funerals and for adornment of graves become unsightly in the opinion of the Cemetery Sexton, they will be removed and disposed of by cemetery employees without notice to lot or grave space burial rights owners.

**Section 7.14. Opening of Caskets.** Once a casket containing a deceased person is in the cemetery, no person shall be permitted to open the casket without the consent of the legal representative of the deceased or an order signed by a court of competent jurisdiction or otherwise as permitted by law.

**Section 7.15. Disinterments and Removals.** No disinterments and removal to another location within the cemetery of the remains of a deceased person shall be permitted without (i) the written consent of the legal heir of the deceased person or (ii) the written direction of a duly authorized public official. No disinterments and removal to another location outside of the cemetery shall be permitted without a permit from the Kent County Public Health Department, an order by a court of competent jurisdiction or otherwise as permitted by law.

**Section 7.16. Interments in Other Cemeteries.** The cemetery personnel on request may assist other cemeteries in the area with the opening and closing of graves. The City requires that the exact location of the grave to be opened be clearly staked 8 business hours prior to the funeral service. Consideration of notice less than 8 business hours will be given, but the City is not required to complete a grave opening upon less than 8 business hours' notice. The City requires that all the grave markers on adjacent grave spaces be cleared of snow at the time the grave to be opened is staked and that the snow be plowed on the cemetery

roads leading to the grave space prior to the time the grave is opened.

As amended through April 19, 2004.

As amended February 7, 2005.

As amended July 6, 2010.



**CITY COUNCIL  
CITY OF LOWELL  
KENT COUNTY, MICHIGAN**

**RESOLUTION NO. 5 -05**

**RESOLUTION APPROVING AN AMENDMENT TO THE RULES AND REGULATIONS FOR OAKWOOD CEMETERY**

Councilmember Mathews, supported by Councilmember Pfaller, moved the adoption of the following resolution:

**WHEREAS**, the City as adopted rules and regulations for operation of the City-owned Oakwood Cemetery (the "Rules and Regulations") pursuant to the provisions of Section 9.3 of Chapter 9, "Cemeteries," of the Code of Ordinances of the City; and

**WHEREAS**, the City has determined to amend the Rules and Regulations as they relate to the repurchase by the City of lots and grave spaces.

**NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:**

1. That the first sentence of Section 4.3 "Repurchase of Lots and Grave Spaces by City," of Article IV, "Lots and Lot Owners," is amended in its entirety to read as follows:

The owner of burial rights to an unused lot or grave space may request the City repurchase such burial rights and the City will repurchase the burial rights of such lot or grave space for \$100.

2. That the Rules and Regulations are otherwise ratified and confirmed.
3. That all resolutions or parts of resolutions in conflict herewith are rescinded.

YEAS: Councilmembers Hodges, Mathews, Pfaller and Mayor Pro Tem Myers.

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NAYS: Councilmembers none.

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ABSTAIN: Councilmembers none.

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ABSENT: Councilmembers Mayor Shores.

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**RESOLUTION DECLARED ADOPTED.**

Dated: February 7, 2005

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Betty R. Morlock, City Clerk

**CERTIFICATION**

I, the undersigned qualified and acting Clerk of the City of Lowell, Kent County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, at a regular meeting held on February 7, 2005, the original of which is on file in my office, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: February 7, 2005

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Betty R. Morlock, City Clerk

**CITY OF LOWELL  
KENT COUNTY, MICHIGAN**

**RESOLUTION NO. 17 - 06**

**RESOLUTION APPROVING RATES AND CHARGES RELATED TO  
THE OAKWOOD CEMETERY**

Councilmember Shores, supported by Councilmember Pfaller, moved the adoption of the following resolution:

**WHEREAS**, Section 5.9 of Chapter 5 of the City Charter gives the City Council general control over the management and operation of the City-owned Oakwood Cemetery; and

**WHEREAS**, the City Council has determined that it is necessary to increase cemetery rates and charges to cover increased costs of operating and maintaining Oakwood Cemetery.

**NOW, THEREFORE, BE IT HEREBY RESOLVED:**

1. The fees for burial rights at Oakwood Cemetery shall be as follows:

Adult Lot

Resident	\$250.00
Non-Resident	\$500.00

Infant Lot

Resident	\$50.00
Non-Resident	\$100.00

The amount collected for each lot shall be used towards the perpetual care of such lot.

2. The charges for grave opening and closing shall be as follows:

Resident and Non-Resident Adult or Child Burial

	<u>April 1 through November 30</u>	<u>December 1 through March 31</u>
Weekdays	\$450.00	\$550.00
Saturday	\$525.00	\$625.00
Sunday/Holiday	\$635.00	\$735.00

Resident and Non-Resident Infant

	<u>April 1 through November 30</u>	<u>December 1 through March 31</u>
Weekdays	\$140.00	\$240.00
Saturday	\$180.00	\$280.00
Sunday/Holiday	\$235.00	\$335.00

Resident and Non-Resident Cremations

	<u>April 1 through November 30</u>	<u>December 1 through March 31</u>
Weekdays	\$60.00	\$160.00
Saturday	\$130.00	\$230.00
Sunday/Holiday	\$190.00	\$290.00

3. The rates and charges set forth in this resolution shall be effective immediately upon adoption of this resolution.

4. That all resolutions or parts of resolutions in conflict herewith are rescinded.

YEAS: Councilmembers Hodges, Pfaller, Shores and Mayor Myers.

NAYS: Councilmembers none.

ABSTAIN: Councilmembers none.

ABSENT: Councilmembers Mayor Pro Tem Mathews.

**RESOLUTION DECLARED ADOPTED.**

Dated: July 5, 2006

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Betty R. Morlock, City Clerk

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lowell at a regular meeting held on July 5, 2006, and that public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: July 5, 2006

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Betty R. Morlock, City Clerk