

COLFAX TOWNSHIP CEMETERY RULES AND REGULATIONS

DEFINITIONS AND PURCHASE OF GRAVES

SECTION 1 DEFINITIONS

- a. GRAVE: An adult and child grave is 48' x 120'. An infant grave is 24" x 36".
- b. LOT: A lot is any plot of ground containing two or more graves.
- c. SECTION: Any number of lots in a given area of the cemetery.
- d. CEMETERY: The word cemetery in these rules and regulations refers to the grounds of the Colfax Township Cemetery.
- e. INTERMENT: The burial of human remains or cremains.
- f. RESIDENT: A person whose residency is in the Township of Colfax.
- g. NON-RESIDENT: A person whose residency is outside the Township of Colfax.
- h. GRAVE DECORATIONS: Include all structures, ornaments, plantings or embellishments with the exception of monuments and markers or surface mausoleums which are placed on graves with the intent of improving their appearance.

SECTION 2 PURCHASES OF GRAVES AND LOTS

- a. PURCHASE PROCEDURES: All graves and/or lots shall be conveyed to the purchaser by proper deed describing the section, lot and grave(s) upon payment of the purchase price thereof. The purchase price shall be as established by the Township Board from time to time. Such deeds shall convey only the right and privilege of interment. NO REMAINS MAY BE INTERRED IN A GRAVE WHICH HAS NOT BEEN FULLY PAID FOR UNLESS AUTHORIZED BY THE SEXTON BASED UPON SATISFACTORY ARRANGEMENTS TO ASSURE PAYMENT.
- b. LIMITATION ON PURCHASE: Graves sold at the Colfax Township Cemetery are not restricted to residents of Colfax Township. The purchase price to a non-resident of the Township shall be established from time to time by the Township board and may be higher than the charge for a comparable grave or lot to a resident of the Township. The purchase of graves or lots for the purpose of resale and speculation is prohibited.
- c. REPURCHASE: Upon tender of the original deed to the Township Clerk, the cemetery will repurchase unused graves or lots for a consideration equal the original purchase price.
- d. TRANSFER OF BURIAL RIGHTS: The owner of a lot or grave may not permit the interment of anyone, except immediate family therein. The sexton shall be notified of the name of the person whose remains are proposed to be buried and the relationship to the lot owner. For purposes of this provision, immediate family shall include the owner's spouse, parent, grandparent, child or grandchild. No owner may permit burial in or upon any lot or grave held by him/her for monetary consideration.
- e. DEATH OF OWNER: Upon the death of an owner of a lot or grave, ownership will transfer to the spouse or joint owner. If there is no spouse or joint owner ownership will be transferred to the person or persons entitled to inherit the deceased owners personal property under the terms of decedent's will as admitted to probate or under the laws of intestate succession in the event of no will. The right of a party to transfer of ownership of a grave or lot may be established by appropriate court order, transfer documents executed by the duly qualified Personal Representative of the deceased owner's estate or affidavit of heir ship executed by a disinterested third party having actual knowledge of the deceased owner's family and provided to the sexton. A new deed will be issued to the person or persons determined entitled thereto and recorded with the Township Clerk. If available, the original deed should be presented at the time of transfer. The cemetery shall not be responsible for a failure to properly determine the legal successorship to any lot or grave.
- f. LIENS AND TAXES: Burial lots and graves may not be mortgaged and to the fullest extent allowed by law, shall be exempt from debts, liens and taxes of any sort.

g. PERPETUAL AND SPECIAL CARE: The purchase of all lots and graves includes the cost of perpetual care which includes lawn care, refilling graves, and reseeding and such other work necessary to keep the cemetery in good condition. It does not include cleaning of markers or monuments or other special work.

INTERMENTS AND DISINTERMENTS

SECTION 3 INTERMENTS

- a. OPENINGS AND CLOSING: All graves shall be opened and closed by cemetery personal or a contractor approved by the cemetery and/or sexton. It will be the cemetery personal or contractor's responsibility to fill the grave to a safe and appropriate level.
- b. RECEPTACLES: Only human remains may be interred in the cemetery and must be in a burial casket or minimum containers constructed of heavy fiber cardboard or wood and in compliance with the laws of the State of Michigan.
- c. OUTSIDE RECEPTACLES: Any interment of human remains except cremains must be placed in a burial vault or minimum grave liner of concrete, steel or fiberglass. The use of surface mausoleums is prohibited.
- d. THE SCATTERING OF ASHES OR CREMAINS IS NOT PERMITTED IN THE CEMETERY.
- e. OCCUPANCY: The interment of the remains of one adult is permitted in a single grave. The interment of two cremains or one cremain and a traditional burial in a single grave or two infants/babies are also permitted.
- f. TIME OF INTERMENT: All burials will take place during regular working hours Monday through Friday and Saturdays before noon. No interment will take place on Sundays or holidays. Such holidays include, New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas. Graveside services are not permitted from January 1st to April 1st except by prior authorization of the sexton. No tents from Thanksgiving to Easter. Cemetery hours are from sunrise to sunset.
- g. RESPONSIBILITY: Vault firms are responsible for damage to turf, landscape, surrounding markers and monuments and shall provide necessary planking to protect the turf even if cemetery employees assist in the vault installation.

SECTION 4 DISINTERMENTS

- a. Private disinterments are allowed upon receipt of a disinterment permit obtained from the county health department. A funeral director must be present in accordance with the law. The Township Board reserves the right to refuse disinterments between October 15th and April 15th.
- b. Disinterments by public authorities may take place at any time provided it is in accordance with the law.

SECTION 5 FEES

Fees for the following services shall be established from time to time by the Colfax Township Board:

- a. Fees for new opening and closing of graves, including that for cremains.
- b. Fees for disinterments shall be the same as for a new interment. If re-interment is to take place in this cemetery, the current fee for this service will also be charged.
- c. Fees for opening and closing of a grave which are to be paid to the cemetery by the family or the funeral home before the service, unless previous arrangements have been made.
- d. Fees for transfer of ownership of lots or graves.
- e. Fees for services other than as specified herein provided by cemetery employees will be determined on an as needed basis.

A complete schedule of fees and of the current rules applicable to the cemetery is available in the Township offices.

MARKERS & MEMORIALS

SECTION 6 MARKERS

- a. GRAVE IDENTIFICATION: All graves, both remains and cremains, must be identified by an appropriate marker provided however no marker, monument or decorations may be placed on any grave for which full payment has not been made.
- b. MATERIALS: Markers and memorials must be made of a good grade of granite or marble and/or bronze.
- c. PLACEMENT: Markers and memorials shall be placed at the appropriate end of the grave as designated by the sexton, so as to be in a line with existing structures and markers.
- d. INSTALLATION: All markers and monuments placed in the cemetery must be set on a foundation. All grade level bronze markers must be attached to a concrete foundation. All grade level markers must be installed level with adjacent turf so that the mower may pass over it without hindrance. In Section E & F no monuments can be over 32" high and 16" wide and cannot be over 36" long on a single lot, or longer if placed on two or more adjacent lots which are side by side. All foundation must be done by cemetery employees or person or persons designated by the sexton. All markers must be placed in accordance with the rules applicable to that section.
- e. SIZE: Marker size is restricted to a length of no less than 14" and no more than 42" (including concrete edging) on a single grave. The height of the marker may be flush with the ground to a height which blends with surrounding structures. The width may be no less than 8" and no more than 24"(including concrete edging).
- f. PLACEMENT: Markers shall be placed at the appropriate end of the grave as to be aligned with existing markers. The foundation shall be even with the edge and centered on the grave. If the marker designates two or more graves it shall be centered accordingly. A marker must identify the remains and/or cremains in that grave or those graves. An additional marker (such as a veteran marker) may be placed on a grave if it is flush with the surrounding turf. No decorations of any kind may be placed by or on the marker.
- g. VAULTS, TOMBS AND MONUMENTS: The construction or alteration of vaults, tombs or monuments shall be subject to, and in accordance with, these rules and regulations.

SECTION 7 DECORATIONS

Colfax Cemetery has decoration rules and can change from time to time. Updated copies are available at the Cemetery Office.

GENERAL REGULATIONS

SECTION 8: CONDUCT IN THE CEMETERY

The cemetery premises are sacredly devoted to the interment of the remains of deceased persons. Anyone who:

- a. Deposits rubbish or debris on cemetery premises,
- b. Picks or mutilate any flowers, either wild or domestic, or disturb any tree, shrub, or other plant material,
- c. Consumes alcoholic beverages in the cemetery or carries same upon premises,
- d. Uses any form of advertising on cemetery premises,
- e. Discharges a firearm on or adjacent to the cemetery except authorized volleys at a burial service,
- f. Participates in a picnic lunch or party of any sort on cemetery premises,
- g. Willfully or maliciously damages or disturbs any grave, monument, marker, memorial, shrub, plant, or any other object within the cemetery,
- h. Brings a dog into the cemetery shall keep the dog on a leash at all times and remove animal waste caused by that dog,

will be responsible for any damage caused by any of the foregoing actions, may be prosecuted, and shall be banned from further entry into the cemetery.

SECTION 9 TRAFFIC REGULATIONS

- a. All traffic laws of the State of Michigan that are applicable to the operation of vehicles in cemeteries shall strictly be observed.
- b. A person driving in the cemetery shall be responsible for any damage done by the vehicle.
- c. The operation of all off-road vehicles is prohibited.
- d. No vehicles will be left unattended in the cemetery and may be towed away at the owner's expense.
- e. No horses are allowed in the cemetery except during a committal or memorial service and with the prior approval of the sexton which approval must be conditioned upon necessary arrangements having been made for removal from the premises of waste material.
- f. No motorized vehicles allowed in the cemetery from DUSK to DAWN. Violators will be prosecuted as trespassers.

MISCELLANEOUS

SECTION 10 FINANCIAL RESPONSIBILITY OF THE COLFAX CEMETERY FOR PROPERTY DAMAGE

The Colfax Township Cemetery, its agents or employees, shall not be responsible for any damage to lots, graves, structures or objects thereon, or for flowers or articles removed from any lot or grave. The Cemetery assumes no responsibility for damage to markers or monuments whatsoever, including, without limitation, those damages occurring during regular cemetery maintenance.

SECTION 11 GENERAL

- a. Contractors and others intending to work in the cemetery must contact the sexton or other authorized cemetery employee before work is commenced.
- b. The Township Board or its authorized representative shall have the right without notice to make exceptions to any rule or regulation contained herein on a case by case basis. No such exception shall be deemed to amend or repeal any rule or regulation.
- c. Employees of the cemetery are not permitted to accept tips or fees. Doing so shall constitute cause for immediate discharge or any lesser disciplinary action.
- d. Comments, suggestions or complaints must be directed to the Sexton or Township Board in writing or during the course of a Board meeting.

SECTION 12 CORRECTIONS

The sexton of the cemetery shall have the authority to correct any errors that may be made, either in making interments, disinterments or removals, or the description, conveyance or transfer of lots or graves. This authority includes the authority to substitute lots or graves of equal value and similar location as near as possible or as may be selected by the cemetery sexton or by refunding the purchase price. In the event the error shall involve the re interment of remains of any person, the cemetery sexton shall have the right to remove and inter the remains in another lot or grave of equal value and similar location which lot or grave will thereupon be conveyed to the owner of the lot or grave for which a substitution was made. Errors and corrections shall be reported to the Township Board.

SECTION 13 GOVERNING LAW

All lots and graves shall be held and used in accordance with the laws of the State of Michigan and these

rules and regulations and amendments and alteration thereof.

SECTION 14 EFFECTIVE DATE

These rules shall become effective April 18, 2024 and supersede any and all prior rules.