

ORDINANCE NO. 42

CEMETERY

VILLAGE OF LAKEVIEW, MICHIGAN

AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION AND REGULATION OF THE VILLAGE CEMETERY.

The Village of Lakeview ordains:

SECTION 1. Definitions. Unless the context specifically indicates otherwise, terms used in this Ordinance shall have the meanings set forth in this section:

1. "Cemetery" shall mean the Lakeview Cemetery as theretofore established and located at the juncture of North Street and Tamarack Lake in the Village of Lakeview, Section 9, Town 12 North, Range 8 West, Cato Township, Montcalm County, Michigan.

2. "Burial Space" shall mean a lot or portion of lot designated and maintained for the interment of a human body or bodies and for no other purpose.

3. "Owner" shall mean any person or persons owning or possessing the privilege, license or right of interment in any burial space.

SECTION 2. Lakeview Village Cemetery. The Cemetery shall be under the management, supervision and care of the Cemetery Committee of the Lakeview Village Council and the Cemetery Sexton, they shall, if necessary, cause the cemetery to be laid out in lots, drives and walks; the lots to be numbered, drives and walks therein to be named, and plats thereof to be made and when properly approved, to be filed in the Office of the Village Clerk. The Village Council shall fix the price of lots and other services necessary thereto.

SECTION 3. Rules and Regulations. The Village Council shall, from time to time, make such rules and regulations for the burial of the dead, care, improvement and protection of the grounds, mausoleums, monuments and appurtenances of the cemetery and orderly conduct of person visiting the same, may be deemed necessary. The Cemetery Committee and the Cemetery Sexton shall see that all rules and regulations

in respect to the cemetery are strictly enforced. The Sexton and the Village Clerk shall cause to be kept, a register of all interments made in the Lakeview Cemetery, in which shall appear the name of the deceased the date and place of interment and such other information as may be required.

SECTION 4. Sale of Lots. The Village Clerk shall attend to the selling of lots, and all deeds therefore shall be executed on behalf of the Village Clerk. Any person desiring to purchase a burial space in the Lakeview Cemetery shall make application and pay the required amount for the lot selected to the Village Clerk. Upon the purchase of any burial space, the Village Clerk shall prepare and deliver to the purchaser, a duly executed deed for said burial space. Such deed shall convey to the purchase the right of interment only, and shall be held subject to the provisions of this Code, existing rules and regulations and such ordinances, rules and regulations as may hereafter be adopted by the Village Council. The owner of any burial space in the cemetery shall not sell or convey the burial space to any other party,

other than the Village of Lakeview. If an owner surrenders his cemetery deed back to the Village of Lakeview the said village will refund the original purchase price less any setoff for space used by the owner. The owner of any burial space may transfer his cemetery deed to a member of his immediate family, providing the transfer is made through the office of the Lakeview Village Clerk.

SECTION 5. Lot Owner's Burial Rights. The owner of any burial space in any Village cemetery shall have the right of burial of the dead only and shall allow no interments for remuneration. All interments in burial spaces shall be restricted to members of the family and immediate relatives of the owner thereof, unless special permission by the owner be filed in writing in the Office of the Village Clerk. Vault space will be available at the Lakeview Cemetery. If the Cemetery Sexton and the Cemetery Committee make a determination that weather and/or ground conditions are not suitable for burial, then vault space at the cemetery will be provided to any owner of a burial space until conditions permit burial. The Village council shall set vault storage fees for users of the vault except as provided immediately above.

SECTION 6. Lot Records. The Village Clerk shall keep proper records in which the deeds to all burial spaces shall be recorded at length. In connection with all such records, the Village Clerk shall also keep a general index in which shall be noted alphabetically the name of the party or parties to every such instrument of conveyance.

SECTION 7. Labor Charges. The Cemetery Sexton shall charge such fees for work performed in the Village Cemetery as may be from time to time fixed by the Village Council. All such fees shall be paid to the Sexton. No person other than an employee of the Village, acting under the direction of the Cemetery Sexton, shall dig or open any grave, nor shall any person grade or fill in a burial space or otherwise do any work in connection therewith, unless such work be done under supervision of the Village Sexton in charge of such cemetery.

SECTION 8. Trespass. No person shall trespass on any lot or burial space within the cemetery, nor pick or cut flowers or shrubs except on his own burial space, or cut down, injure or disturb any tree or shrub or otherwise commit any desecration within the cemetery. The Cemetery Committee and the Sexton shall make such additional rules and regulations not inconsistent with the terms of this ordinance, subject to the approval of the Village Council, as may be deemed necessary for the operation and control of the Cemetery.

SECTION 9. Notice to be Published. The Village of Lakeview Clerk shall publish this ordinance in the manner required by law.

SECTION 10.

This Ordinance shall be in full force and effect from and after the 1st day of July, 1980.

This Ordinance shall be published in full in the Lakeview Enterprise on the 5th day of June, 1980.

I hereby certify that the foregoing Ordinance was adopted by the Village of Lakeview through its Village Council in public session held at 8:00 P.M. on the 27th day of May, 1980.

Keith Bucholtz, President of Village of Lakeview

Robert Ule, Clerk of Village of Lakeview