

162.000 - CEMETERIES Ord. No. 03-03 Adopted: February 17, 2003

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ATLAS, GENESEE COUNTY, MICHIGAN ORDAINS:

162.001 - Title.

Sec. I. This Ordinance shall be known and cited as the Township of Atlas Cemetery Ordinance.

162.002 - Markers or memorials.

Sec. II. All markers or memorials must be of stone or other equally durable composition.

Any large upright monuments must be located upon a suitable foundation to maintain the same in an erect position.

Only one monument, marker or memorial shall be permitted per burial space.

The footing or foundation upon which any monument, marker or memorial must be placed shall be constructed by the township at cost to the owner of the burial right. Any damage, desecration or removal of monuments shall constitute a misdemeanor.

162.003 - Ground maintenance.

Sec. III. No grading, leveling, or excavating upon burial space shall be allowed without the permission of the Township Board.

No flowers, shrubs, trees or vegetation of any type shall be planted without the approval of the Township Board. Any of the foregoing items planted without such approval may be removed by the Township or the cemetery sexton.

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.

Mounds which hinder the free use of lawn mower or other gardening apparatus are prohibited.

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

Surfaces other than earth or sod are prohibited.

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.

162.004 - Records.

Sec. IV. The Township Clerk shall maintain records concerning all 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 the public inspection at reasonable business hours.

162.005 - Cemetery hours.

Sec. V. The cemetery shall be open to the general public from sunrise to sunset each day.

No person shall be permitted in the Township cemeteries at any time other than the foregoing hours.

162.006 - Penalties.

Sec. VI. Violation of this ordinance is a municipal civil infractions. In addition to pursuing a municipal civil infraction proceeding, the Township may also institute an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive. Each day a violation of this ordinance shall exist shall be deemed a separate offense. In addition to a fine to be determined by the township board, the court, at its discretion, may award other costs, attorney's fees, damages, expenses and other remedies as provided by law.

(Amended: Ord. No. 16-02, §§ 1, 2, 6-20-16)

162.007 - Severability.

Sec. VII. The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

162.008 - Effective date.

Sec. VIII. This ordinance shall take effect thirty (30) days after publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.