

THE CHARTER TOWNSHIP OF PORTAGE
HOUGHTON COUNTY, MICHIGAN

CEMETERY ORDINANCE 119, AMENDED

THE CHARTER TOWNSHIP OF PORTAGE ORDAINS:

I.

An owner of a cemetery lot or their representative shall pay a fee to Charter Township of Portage annually in the amount set forth in the attached Rate Schedule for the use of water sprinkler and/or faucet system existing within the Forest Hill Cemetery. The fee shall be payable to the Charter Township of Portage at its office located at 47240 Green Acres Road, Houghton, Michigan 49931, by the 15th day of May of each year. Any person who shall use the sprinkler and/or faucet system and fail to pay the user fee by the aforesaid date is in default and in violation of this Ordinance, and subject to the penalties hereinafter set forth.

II.

(1) Any person, firm, corporation, or other business entity, which shall be private caretaker of a cemetery lot within the Forest Hill Cemetery, shall obtain a permit each year by the 15th day of May from the Clerk of the Charter Township of Portage and pay an annual permit fee in accordance with the Rate Schedule attached hereto.

(2) Any person, firm, corporation, or other business entity being engaged as a private caretaker shall register with the Sexton of the Forest Hill Cemetery and provide a complete list of all cemetery lots being cared for during a given year, including the name and number of each lot, and the individual(s) name(s) from whom the private caretaker receives payment.

(3) Any person, firm, corporation, or other business entity acting as a private caretaker for a cemetery lot shall collect and pay the annual fee set forth on the attached Rate Schedule for water sprinkler and/or faucet use to the Charter Township of Portage.

(4) Any person, firm, corporation, or other business entity who shall be a private caretaker of a cemetery lot and elect not to provide a complete list of all cemetery lots being cared for during a given year, including name and number of each cemetery lot, and the individual(s) name(s) from whom the private caretaker is receiving payment, shall pay annually by the 15th day of May the sum of \$750.00 to the Charter Township of Portage.

III.

Water provided in Forest Hill Cemetery shall be available for sprinkling and/or facet use from Memorial Day through October 1 of each year dependant upon weather conditions. The Monday through Friday daily water availability schedule shall be 7:00am to 7:00pm at the discretion of the Sexton. Generally 2 hours maximum is sufficient for proper irrigation.

IV.

(1) No person shall operate any vehicle in Forest Hill Cemetery, including alleyways, except on the approved portions of the roads existing therein, without first obtaining permission from the Sexton of Forest Hill Cemetery at least twenty-four hours in advance of the time of contemplated use. The term “vehicle” shall include any motor vehicle, trailer, tractor, front-end loader, or any other type of motor driven equipment with a gross weight in excess of one hundred pounds, excepting a powered riding lawn mower, or a power-driven wheelchair.

(2) No person shall operate a snowmobile, all-terrain vehicle (ATV), or off-road vehicle (ORV) in Forest Hill Cemetery.

(3) No person shall use the confines of Forest Hill Cemetery for any type of athletic activity including, but not limited to cross-country skiing, snowshoeing, horseback riding, baseball, football, hockey, ice skating, rollerblading or Frisbee.

(4) No person shall bring any dog, cat, other pet or wild animal into the confines of Forest Hill Cemetery.

(5) The hours for Forest Hill Cemetery shall be 7:00 a.m. to 9:00 p.m. daily.

(6) No person shall climb on, tamper with, deface, or remove any fence, headstone, or other cemetery lot identification.

V.

It shall be unlawful to place a headstone, monument, or marker on a cemetery lot which is engraved on both sides unless the owner or representative shall own and maintain the lot immediately adjoining the cemetery lot upon which the headstone is placed at the head portion of said lot. The term “adjoining” shall exclude other cemetery lots which are owned to the sides of the cemetery lot upon which said headstone is placed. Any one who violates this provision of the Ordinance shall immediately remove the headstone, monument, or marker.

VI.

(1) Any person who repeatedly abuses the water sprinkler and/or faucet user provision(s) of this Ordinance shall have their right to irrigate terminated.

(2) Any person who damages any portion of Forest Hill Cemetery, its fences, appurtenances, pipes, mains, valves, curbing, or any other portion thereof, shall be subject to a fine in the amount of \$500.00 and the costs of prosecution, and shall be further liable to make restitution to the Charter Township of Portage for the full cost of any labor, repair, replacement, or prosecution.

VII.

Any owner of a cemetery lot or their representative shall:

(1) Bag all debris, flowers, grass clippings, and other litter, and place such on the nearest road for pickup by cemetery personnel.

(2) Remove all natural and artificial flowers from cemetery lots no later than October 1 of each year.

(3) Refrain from placing of trees, shrubs, planted flowers, or wall coping on any cemetery lot, unless authorized by the Cemetery Sexton in writing. Any cemetery lot with wall coping, if permitted, shall be no higher than the level of the nearest alley or walkway.

(4) Refrain from placing slag or other rock type material on any cemetery lot, except for the properly inscribed headstone.

(5) Refrain from tampering with cemetery water lines or tapping into the same.

(6) Any violations to the above will result in a fine of no less than \$500.00 plus the costs of prosecution and restitution.

VIII.

The setting of a date and a time for the spring opening each year and the scheduling of spring burials at Forest Hill Cemetery shall be at the discretion of Cemetery Sexton and the Township Supervisor.

IX.

If Charter Portage Township damages a lot, headstone, marker or monument during the course of cemetery maintenance/operation, then the Township will be responsible for said damage; otherwise, Charter Portage Township shall not be liable to the owner of any cemetery lot for loss or damage to any cemetery lot, headstone, marker, or monument.

X.

For many, keeping it simple is a way of life, so the desire for more basic choices has inspired a renewed appreciation for a natural burial. In keeping with this philosophy, natural, or green burials are now being offered at Forest Hill Cemetery. For the purpose of this Ordinance a “green burial” is a burial that takes place without the use of formaldehyde-based embalming fluid, metal caskets, and concrete burial vaults in favor of shrouds and caskets made of wood, wicker, cardboard or other biodegradable materials which hasten the natural cycle of life. Forest Hill Cemetery will allow green burials in a designated portion of Section 17 located in the eastern side of the existing cemetery.

(1) If a person is an existing lot owner and wishes to be interred in a green manner in another section of the cemetery besides section 17, that will be allowed. Upright markers, funerary objects, etc. will also be allowed in that area even though it is a green burial.

(2) At the time of the burial, Forest Hill Cemetery staff will open the grave and will be present during the course of the ceremony/internment.

(3) In that portion of Section 17 set aside for green burials only flat headstones will be allowed at the ground level with a maximum dimensional area of 12” X 18”.

(4) In that portion of Section 17 set aside for green burials there will not be any above ground funerary objects allowed – mowing, which will not be impeded by aboveground objects, will occur at least once a year to encourage a native/indigenous plant species.

XI.

The provisions contained in this Ordinance are hereby declared to be separate and severable, and any Court holding of a section, or portion thereof, to be invalid shall not affect, impair, or otherwise invalidate any other section or portion of the Ordinance.

XII.

The amended ordinance shall take effect 7 days after the final posting and availability on the Township website. Any Ordinance and associated “Schedule of Changes” in conflict with this amended Ordinance is repealed.

This Ordinance and its associated new rate schedule was first introduced and read by the Charter Township Board of Trustees on 13th day of July, 2015.

The adoption of this amended Ordinance by the Charter Township of Portage Board of Trustees will occur on the 10th day of August, 2015.

CHARTER TOWNSHIP OF PORTAGE FOREST HILL CEMETERY

RATE SCHEDULE

Effective May 29, 2015

BURIALS	RESIDENT	NON-RESIDENT
Full size	300.00	400.00
Children	300.00	400.00
Stillborn	100.00	100.00
Cremaains	150.00	200.00
Vault Storage – remains	100.00	100.00
Vault Storage – cremaains	50.00	50.00
Vault Storage – stillborn	50.00	50.00

Saturday, Sundays Evenings and Holiday burials are \$400.00 additional. On those fore mentioned days cremaain burials are \$200.00 additional.

DISINTERMENTS	1000.00	1000.00
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LOT COSTS

Single grave lot	200.00	500.00
Double grave lot	400.00	1000.00
Quadruple grave lot	800.00	2000.00

ANNUAL CARE

Two grave lot	100.00	100.00
Four grave lot	150.00	150.00
Eight grave lot	250.00	250.00
Sixteen grave lot	300.00	300.00

PERPETUAL CARE: The rate for perpetual care services per grave is \$1000.00. Water to the site and site repair are extra prior to perpetual care agreement.

FUNERAL HOME DIRECTORS: All interment charges must be **PAID IN FULL** before services will be provided.

ANNUAL PRIVATE CARETAKERS FEE: \$25.00 Paid Once Annually

WATER: A \$20.00 fee **per sprinkler** per year payable by lot owner or caretaker to defray the cost of water replacement costs and repairs.

SOD ON LOTS: 1 Lot = \$150.00, 2 Lots = \$200.00, 4 Lots - \$400.00, 8 Lots = \$800.00

Transfer deed ownership of grave lot(s): Short letter of transfer assigning ownership to another, deed number, if available, new owner’s name. Three copies needed: one for the Cemetery, one for township office and one for new owner.

Cremaains: We need name, date of death, age at death for card file, grave site location or grave lot name.

LOT USAGE: 2 cremaains + 1 vault or 4 cremaains