

**RULES AND REGULATIONS
OF THE MAPLE GROVE CEMETERY
Empire Township, Michigan**

Section 1. Purpose

The following rules and regulations have been adopted by the Empire Township Board for the use and management of the Maple Grove Cemetery and for the mutual protection of the owners and the Cemetery as a whole. All owners, visitors, and contractors performing work within the Cemetery shall be subject to these rules and regulations. Additional rules and regulations, or amendments and alterations as adopted by the Board from time to time, shall have the same force and effect as the rules set forth in full herein.

Section 2. Definitions

- 1.) Block/Section:** An area containing many graves. Currently there are four (4) Blocks or Sections designated in the Cemetery.
- 2.) Cemetery:** Maple Grove Cemetery that is owned by Empire Township.
- 3.) Columbarium:** A vault with niches for urns containing ashes of human remains.
- 4.) Family Lot:** An area of eight (8) graves restricted to a group of persons related by blood or marriage.
- 5.) Grave:** A single burial site for human remains.
- 6.) Immediate Family:** Immediate family of an owner(s) shall mean spouse, children, grandchildren, parents, siblings, nieces/nephews, grandparents, aunts/uncles, and stepchildren.
- 7.) Interment:** The burial of human remains in the ground.
- 8.) Inurnment:** The placing of cremated human remains in an urn in a columbarium.
- 9.) Lot:** Typically, an area of eight (8) graves, but there are lots with less than eight (8) in the Cemetery because of roads or obstructions.
- 10.) Memorial:** A monument, tombstone, grave marker or headstone identifying a grave or graves, or a nameplate with an inscription identifying grave.
- 11.) Monument:** An upright memorial made principally of stone.
- 12.) Niche:** A space in a columbarium used for the inurnment of cremated human remains.
- 13.) Owner(s):** A person or persons to whom the Cemetery has assigned an interment or inurnment right or rights, or a person or persons who have acquired such rights by transfer or sale in accordance with the rules of the Cemetery, or a person or persons who holds such right or rights by inheritance. To qualify for resident rates, an owner must reside or own property in Empire Township or Glen Arbor Township, otherwise nonresident rates will apply.
- 14.) Urn:** A container used for cremated remains.

Section 3. General Rules and Regulations

- 1.)** The Cemetery expressly reserves the right, at any time, with or without notice to owners, to adopt new rules and regulations, or to amend, alter and/or repeal any rule, regulation, article, section, or paragraph in these Rules and Regulations.
- 2.)** The Cemetery retains to itself, for the benefit of all owners, full and complete supervision, control and management of the land, buildings, improvements, roads, walks, utilities, development, books and records, and the full and complete authority, rights and privileges to make, change, administer and enforce all rules and regulations and restrictions not inconsistent with the laws of the State of Michigan.
- 3.)** All graves and niches in the Cemetery are sold in accordance with the provisions of the laws of the State of Michigan and shall not be used for any other purpose than as burial places for the remains of human beings. All lots sold after 1949 are sold with a permanent maintenance provision.
- 4.)** Graves and niches must be paid in full before a Certificate of Interment and Inurnment Rights is issued and a burial is made.
- 5.)** The Cemetery is open during the summer season from approximately May 1st until December 1st from Dawn to Dusk. The cemetery is closed during the winter season from approximately December 1st until the frost leaves the ground. Any person found on the Cemetery grounds after closing hours will be considered a trespasser.

Interments and inurnments are allowed Monday through Friday from 9:00 am to 3:00 pm and on Saturdays from 9:00 am to 2:00 pm. Earlier or later times are subject to overtime fees.
- 6.)** The Cemetery issues to each owner a Certificate of Interment and Inurnment Rights describing the location and naming the owner or owners of the said location. The naming of more than one owner is indicative of joint ownership in common with rights of survivorship. The issuance of such certificate is the Cemetery's sole form of recognition of ownership. Possession of the Certificate by a person whom is not listed on the Certificate is not in itself evidence of ownership.
- 7.)** A Certificate of Interment and Inurnment Rights does not convey title to a gravesite or a niche in the Cemetery, but only transfers the right of use and occupancy for the remains of a human body for interment and inurnment purposes.
- 8.)** The owner of interment/inurnment rights may transfer the rights to an immediate family member. Any grave or niche in which there are no burials or inurnments may be transferred to an immediate family member, provided that the original Certificate of Interment and Inurnment Rights is submitted to the Cemetery together with a proper transfer agreement.
- 9.)** In the event of loss or destruction of a Certificate of Interment and Inurnment Rights and upon the presentation of a written request, accompanied by a properly executed affidavit by the owner setting forth the circumstances of the loss or destruction and indemnification for the Cemetery, the Cemetery will prepare a duplicate Certificate from its records.

10.) All owners are required to notify the Cemetery of any change of address. All notices required to be sent shall be sent to the last recorded address and such notices shall be deemed adequate.

11.) No person, other than employees of the Cemetery, shall be allowed to perform any work within the Cemetery without permission from Cemetery management.

12.) Charges for work and services performed by the Cemetery will be at rates as approved by the Cemetery.

13.) The Cemetery will take all reasonable precautions to protect owners and their property within the Cemetery from loss, destruction and damage. However, Maple Grove Cemetery and the Township of Empire will not be held responsible for any loss, destruction, or damage of owner property due to vandalism, acts of nature, or any unforeseen circumstances. Any acts of vandalism will be prosecuted under local or state laws.

14.) The use of the Cemetery land as a thoroughfare is not permitted. The right to use automobiles or other vehicles in the Cemetery is authorized solely and exclusively for the purpose of transporting persons to visit burial plots. The speed limit within the Cemetery is five (5) miles per hour. Parking and driving on any gardens or grassy areas are prohibited for purposes other than those obtained from the Cemetery.

15.) Bicycles, skates, snowmobiles, motorcycles, horses, etc., may not be used on Cemetery lands except with the approval of the Cemetery. Dogs are not permitted except when kept on a leash or in a vehicle.

16.) There shall be no possession or consumption of any alcoholic beverages or illegal drugs within the Cemetery.

17.) No signs, notices, or advertisements of any kind shall be allowed in the Cemetery unless placed by the Cemetery. Peddling of any kind or soliciting the sale of any commodity, other than by the Cemetery, is prohibited within the confines of the Cemetery.

Section 4. Interment Regulations

1.) Interments into a grave are restricted to those entitled to burial according to these rules and regulations.

2.) The Cemetery shall direct all improvements within the grounds and upon all graves before and after interments have been made.

3.) The Cemetery shall have the right to enter upon or use any adjoining lot or graves to carry out its duties as to interments, erection of monuments or markers, etc., without prior notice to the grave owner.

4.) The Cemetery shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made or where the rules and regulations have not been complied with.

5.) The use of one grave space shall be limited to interments as follows unless otherwise permitted by the Cemetery:

(1) One adult burial, or

(2) One adult burial and one infant burial, or

(3) One adult burial and one urn of cremains. A full burial must take place before the cremains, or

(4) Two urns of cremated remains.

- 6.) No burial of a casket over three feet in length shall be made unless there is an outer container or receptacle of concrete or such other material which the Cemetery deems to have comparable strength or resistance to deterioration.
- 7.) No disinterment will be allowed without a written request to the Cemetery and permission from the next of kin, the grave owner, the Cemetery, and the proper authorities.
- 8.) The Cemetery shall in no way be liable for any container, receptacle or urn of cremated remains placed in any grave. A permanent type of urn or vault is required for ground interment of cremated remains. The scattering of cremated remains over a grave is prohibited.
- 9.) The Cemetery does not conduct burials during winter months and does not offer facilities for temporary storage. When weather conditions prevent interment, a written authorization for delayed interment shall be prepared by the chosen temporary storage facility and signed by the next of kin or authorized agent. *

Section 5. Columbarium and Inurnment Regulations

- 1.) A columbarium niche is for the inurnment of human cremains only. Deceased pets and valuables are not allowed in a niche.
- 2.) Niche openings can only be performed by Cemetery employees. Anyone, other than a Cemetery employee, who attempts to open a niche, will be prosecuted under local or state laws.
- 3.) A single niche is 11" (width) x 12" (depth) x 12" (height). The Cemetery will allow one or two cremain urns or two cremains in one urn per single niche as long as the total dimensions of the urn(s) do not exceed 10" x 11" x 11". Urns must be of a material suitable for inurnment, a non-biodegradable container. The Cemetery shall have full authority to refuse any receptacle deemed unsuitable for inurnment. The Cemetery will not be held responsible for damage to or loss of any cremains that are left in unsuitable containers.
- 4.) The cost of engraving is the responsibility of the owner or the family. To maintain the columbarium in a uniform manner, only one font pattern is allowed for engraving on all niche covers. To recognize Veterans, one line will be available for the Veteran's service upon proof of honorable discharge. Swensen Memorials, Traverse City, MI, has agreed to do the engraving for the covers and is the only company allowed to engrave niche covers.
- 5.) At a minimum, a niche cover must be engraved with a family last name, first name, and year of birth and death. Swensen Memorials offers artwork engraving on niche covers at an additional cost. This is arranged through Swensen Memorials by the owner or family. Engraving of the niche cover is allowed before the inurnment of cremains. If the cover must be removed to be engraved, a replacement cover will be installed by the Cemetery, at no cost, and removed when the engraved cover is returned.
- 6.) In the event that the Columbarium requires repairs in order to maintain its integrity, the owner agrees to permit the temporary removal of any cremains until those repairs are completed. The cremains will be returned to the proper niche by the Cemetery.
- 7.) If cremains must be removed from the columbarium by the family or an authorized person, a written request must be made to the Cemetery explaining the reason for removal, who is making the request, their relationship to the deceased, the day and time requested for

removal, and who will take possession of the cremains at the time of removal. An opening and closing fee will be charged at the time of the opening at the current rate.

Section 6. Flower, Planting and Decoration Regulations

1.) The Cemetery reserves the right to remove all flowers, wreaths, or other decorations or mementos from graves and the columbarium area as soon as they become unsightly or violate the Cemetery's rules and regulations. The Cemetery will not be liable for any flower or decoration removed or lost by any cause.

The grounds will be cleared of decorations twice a year. Spring cleanup begins March 1st and Fall cleanup begins October 1st. In order for a family to save any decorations placed on a grave or in the columbarium area, the decorations must be removed prior to these dates. New decorations may be placed beginning April 1st and November 1st respectively.

2.) Planting Policies for graves are as follows:

(1) Fresh flower arrangements are allowed on graves in a disposable vase. Glass containers are prohibited.

(2) Plantings are not permitted to cover substantially an entire grave space or the center or end of a grave away from the headstone.

(3) Plantings are permitted in the area the length and width of a headstone and directly below the same.

3.) Grave blankets and wreaths are allowed as winter decorations from November 15th until the spring cleanup which begins March 1st.

4.) Flags may be placed on graves on Memorial Day, the Fourth of July, Flag Day, and Veterans Day. Flags should be kept to 12" by 18" in size or smaller. Flags are subject to removal by the Cemetery within ten (10) days of the Holiday.

5.) Trees and shrubs are placed throughout the Cemetery by the Cemetery for overall beauty and serenity of the grounds. Owners are not permitted to plant trees or shrubs on individual graves or in the columbarium area. Any such tree or shrub not approved by the Cemetery may be removed without notice to the owner.

6.) Certain graves embrace a tree that may interfere with space that otherwise might be used for burial. In such a case, the Cemetery recognizes that right to the retention of the trees as prior to the right of use of such space for burial. Should any such tree die naturally, the Cemetery will remove it at its own expense.

7.) Glass is prohibited at all times within the Cemetery.

8.) Items not allowed to be placed on a grave within the Cemetery include, but are not limited to: standup decorations, coping, curbing, decorative rocks, fencing, hedging, grave mounds, borders or enclosures. No decorations of any type are permitted in Cemetery trees or plantings.

Section 7. Family Monuments

Monuments are not permitted except on a lot that consists of eight (8) or more single grave spaces and except in accordance with these rules. Where the configuration of a family lot permits a family monument, the size, material and design of the monument must be submitted for prior approval by the Cemetery. No family monument on a family lot, shall be installed without first being reviewed and approved by the Cemetery.

Section 8. Memorials such as Tombstones, Grave Markers, Headstones & Nameplates

- 1.) The Cemetery shall have the authority to reject and remove any memorial or other marker if the size, type, design, inscription, quality, color, or method of construction is deemed unsuitable for the particular lot or grave on which it is to be placed or it does not comply with the regulations of the Cemetery.
- 2.) Corner markers are allowed on all lots and must be installed at grade level.
- 3.) In the event a memorial is placed, and it is necessary to remove it for an interment or disinterment, the Cemetery shall have the right to remove such memorial without notice to the owner.
- 4.) The following items shall not be permitted:
 - (1) Monuments, except as allowed in Section 7.
 - (2) Benches require review of Cemetery management.
 - (3) Hanging baskets.
 - (4) Glass containers.
- 5.) If an owner would like to clean a family memorial, we recommend following The Cemetery Conservators for United Standards at <https://cemeteryconservatorsunitedstandards.org/standards/cleaning/>.

Section 9. Grave and Columbarium Niche Sale and Resale Regulations

- 1.) A maximum of one (1) block of eight (8) gravesites are allowed to be sold. A request to sell more gravesites is at the discretion of the Cemetery.
- 2.) Grave owners are prohibited from selling interments on their graves.
- 3.) Grave Resale Policy:
 - (1) Resale of graves cannot be transferred or sold from the original owner to an unrelated third party. Graves can only be transferred to immediate family according to the Rules of Consanguinity with supporting genealogical documentation or sold back to the cemetery.
 - (2) All graves sold back to the Cemetery shall receive the original purchase price from the Cemetery. Upon return of the graves, the Cemetery may resell the graves. **
- 4.) Columbarium Niche Resale Policy:
 - (1) The Cemetery will not buy back a niche from an owner(s) or the family.
 - (2) The rights to a niche can be sold by an owner(s) or the family, but the Cemetery must be informed of the sale. A new Certificate of Interment and Inurnment Rights in the name of the new owner(s) must be written before any niche sale is considered legal. A certificate transfer fee will be charged at the current rate.
 - (3) If the vacated niche's cover has already been engraved, a replacement cover must be obtained from the Cemetery at the current rate. The cost of a replacement is not the responsibility of the Cemetery.

Adopted by the Empire Township Board on May 12, 2020.

***Amendment June 2023. ** Amendment November 2023.**

All former written or applied Rules and Regulations for Maple Grove Cemetery are hereby declared null and void.