

**LAKE FOREST CEMETERY
CITY OF GRAND HAVEN, MICHIGAN**

RULES AND REGULATIONS

(Approved by City Council on November 18, 2019)

1. **Liability.** Neither the Director of Public Works, his duly authorized agent nor City employees working in the cemetery shall be liable for floral designs, nor any other type of decoration items used on cemetery lots, other than to accept such items for use in the cemetery. The City disclaims any liability for damage of any kind that may occur to such items in the normal course of cemetery operations.

2. **Hours.** The cemetery office shall generally remain open Monday, Wednesday, and Friday, with the exception of holidays, 9:00 a.m. to 3:00 p.m. The Cemetery gate shall be closed at dusk each day. All such times are subject to change according to the discretion of the Cemetery Board. Any person who gains entrance or is found in the cemetery after dusk and before dawn the next day shall be treated as a trespasser and prosecuted as such.

3. **Fees.** **All fees or charges for services shall be payable to the City Treasurer's office.** No other person is authorized to accept any monies in payment of any fee or charge. Any person tendering payment to any other person does so at his own risk.

No City employee may solicit or accept any form of payment or gratuity for work or services rendered. City employees at the cemetery are not permitted to do any work for burial rights' holders or interested parties except upon the direct order of the Public Works Director.

4. **Construction During Course of Funeral.** All cemetery work of any description being conducted in the general area of a funeral shall cease while the funeral is being conducted. All trucks and workers shall withdraw a reasonable distance from the location of the funeral. The Public Works Director shall have the authority and discretion to enforce this section as he deems necessary.

5. **Operation of vehicles.**

(a) No person may drive a vehicle in excess of fifteen (15) miles per hour in the cemetery.

(b) All persons within the cemetery shall use only the designated roads, drives, alleys, walks and aisle ways. A person may carefully walk upon or cross lots or graves or lawns when necessary to gain access to a lot.

(c) No person may park a vehicle in such a location as to prevent any other vehicle from passing. Any vehicle parked in such a manner may be ordered removed by the Public Works Director, and the owner and/or operator shall be responsible for all costs.

(d) No person may operate a vehicle in the cemetery for recreational purposes.

(e) No person may park a vehicle in front of an open grave, unless the person is attending the funeral pertaining to such open grave and the parking area is not otherwise reserved.

6. Funerals.

(a) No funeral procession shall enter the cemetery unless authorized by the Public Works Director. Once in the cemetery, a duly authorized funeral procession shall proceed according to and be under the direction of the cemetery employees until completion. Funeral directors must present the necessary burial or transit permit as required by state law.

(b) When services are held at the memorial chapel and remains are present, such remains must be removed at the conclusion of the service. The City shall not be responsible for the retention of any remains.

(c) Charges and fees for service shall be in accordance with rate schedules currently in effect as recommended by the Cemetery Board and approved by the City Council.

(d) Because of possible inclement weather conditions, concern for the safety of persons attending funerals, and other related considerations, all services from November 1 through April 1, inclusive, shall be held at Lee Memorial Chapel. The Director of Public Works may consider a request for a graveside service. In deciding to grant or deny the request, the Director of Public Works may consider, among other factors, weather conditions, the safety of persons attending the funeral and the schedule of pending services.

7. Conduct of Persons.

(a) Within the cemetery, all persons are prohibited from picking flowers (wild or cultivated), breaking or injuring any tree, shrub or plant, or writing upon, defacing or destroying any memorial, marker, fence or other structure. No person may destroy or otherwise disturb the birds or other animal life within the cemetery if not authorized by the City Manager, the Public Works Director or the Cemetery Board.

(b) Within the cemetery, no person may loiter, litter, use profane language, bring in or consume alcoholic beverages, peddle or solicit the sale of any commodity, place signs or notices, possess firearms unless the person is a

duly authorized law enforcement officer or a duly authorized military escort for a veteran's funeral or memorial service, allow animals to run at large, or otherwise be beyond their control, engage in any play or recreational activity, or otherwise interfere with interment activities, without the approval of the Public Works Director, Cemetery Board or City Manager.

8. Grave Accounts.

- (a) The full purchase price of the designated lot and grave opening shall be paid before any proposed interment occurs.
- (b) Arrangements for the payment of any further indebtedness due the City per interment in the cemetery shall be made before the proposed interment occurs.
- (c) The charges for any disinterment or removal shall be paid in advance.
- (d) All payments under this section shall be made to the City Treasurer's office.

9. Sundays, Holidays. Interment, disinterment, removals or cremation interment services shall be prohibited on Sundays or any of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, day after Thanksgiving, the day before Christmas, Christmas Day and any additional holidays specified in a collective bargaining agreement covering City employees working in the cemetery. Should any such holiday fall or be legally observed on a Saturday or Monday, funerals will be received on the last business day preceding or first business day following such legal observance. If an interment must be made on a Sunday or a holiday because of applicable Health Department requirements, or if for any other reason an interment is made on a Sunday or a holiday, an additional fee recommended by the Cemetery Board and approved by the City Council shall be added to the regular interment charge.

10. Interments, Time and Fees. Notice of an interment, including exact location of grave, must be given to the Director of Public Works or his representative at least eight (8) regularly scheduled working hours in advance of the proposed interment. One (1) week's notice is required prior to any proposed disinterment or removal. The Public Works Director may delay an interment until a more expedient time if the remains arrive at the cemetery entrance after 3:00 p.m., or if two or more funerals arrive at the same or approximately the same time. For a Saturday interment an additional fee recommended by the Cemetery Board and approved by the City Council shall be added to the regular interment charge.

11. Interment Errors.

- (a) The Director of Public Works and City employees working in the cemetery shall have the right to correct any errors pursuant to interments, disinterment or the description, transfer or conveyance of any interment property.
- (b) When an interment is to be made in a lot, the location of such interment shall be designated by the lot owner(s) or heir(s). **The Director of Public Works may reject any proposed location of interment if deemed that such location would be inconsistent with the appearance of surrounding lots.** Should the lot owner burial rights holder(s) or heir(s) not make an accepted designation, the Director of Public Works shall have the right to designate the location of interment. No damage liability shall attach because of any error made by the Director of Public Works in so designating the location of interment.

(c) All interments, disinterment, removals and cremated interments shall be handled by City employees.

12. Outside Burial Containers. In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wooden boxes, all burials must be made in outside containers made of metal or concrete. Reinforced plastic or combination units may be used for infant interments only.

13. Roads and Drives for Burial. No easement or right of interment shall be granted to any burial rights' holder in any road, drive, alley, and walk or aisle way within the cemetery. However, such roads, drives, alleys, walks or aisle ways may be used when necessary as means of access to locations in the cemetery, as long as they are devoted to that purpose.

14. Decor Removal. The Director of Public Works may remove or order removed all floral designs, trees, shrubs, plants or herbage of any kind from the cemetery as soon as such items become unsightly, detrimental or diseased, in his opinion. The City has no responsibility to return to its owners any item the Public Works Director removes or orders removed hereunder.

15. Winter Decor. Winter Decorations or artificial wreaths may be placed on graves from October 1 through the following May 1, inclusive.

16. Flowers. Artificial or real flowers are allowed in urns.

17. Urn Removal. Urns not filled by May 1 may be emptied of contents. When urns are determined by cemetery personnel to be deteriorated beyond their usefulness they may be removed and disposed.

18. Ground Planting. All ground planting by individuals is forbidden. Trees and shrubs may be purchased by individuals for cemetery use; however, final determination of where trees and shrubs will be planted is up to the Director of Public Works. All tree and shrubs will be planted by cemetery personnel.

19. Urns and containers.

(a) ALLOWABLE - A large cement or metal pail urn or two small cement or metal pail urns are allowed on a lot with two (2) or more adjoining grave spaces. On a lot with less than two (2) adjoining spaces, a small urn is allowed. All urns must be placed on the side of the grave marker. In the flush marker sections, only pail urns are allowed. Artificial or natural flowers may be used in the cement or metal pail urns.

(b) FORBIDDEN – The use of wire rods or other materials for stabilization of decorations, or the placing of chairs, garden décor, and mementos is prohibited. All the items mentioned and any others which are deemed inappropriate by the Director of Public Works are subject to removal.

20. Flags. The City shall allow to be placed (by volunteers) a flag of the United States of America on servicemen's graves a few days prior to Memorial Day and removal of such flags within fourteen (14) days after Memorial Day.

21. **Grading.** The grading of grave spaces, lots and grounds shall be performed by the City's cemetery personnel or others authorized by the City. Any other grading not authorized shall be corrected by the City's cemetery personnel or others authorized by the City, with costs billed to the burial rights holder(s) or heir(s).

22. **Corner Markers.** Each lot in the cemetery with four (4) or more grave spaces has cement corner markers flush with the turf.

23. **Materials for Memorials.** The materials used in the construction of mausoleums, monuments and markers, where permitted, shall be recognized durable granite, marble or standard bronze.

24. **Photographs on Markers.** Reproduction of photographs on glass, porcelain or other material attached to memorials is not recommended, although neither is it prohibited.

25. **Family Memorials.** Only one (1) family memorial shall be allowed on a family lot, and then only if the lot has at least eight (8) grave spaces (2 of the 8 can only be used for the memorial). A family memorial may not be placed less than three (3) feet from the front or rear lot line. The size of a family memorial must be approved by the Director of Public Works. Only individual markers are permitted when used in relationship to a family memorial, and all such individual markers shall be set level with the turf. Cremains may be approved for burial on the family monument spaces, in accordance with existing policies, without benefit of individual markers.

26. **Marker Placement.** All markers shall be placed on the front boundary line of each grave or lot unless previously existing condition prevents such placement.

27. **Temporary Marker.** A temporary marker or metal name plate may be used to identify a grave for a period not to exceed six (6) months from the date of interment.

28. **Violations.** Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor. Upon conviction thereof, such person, firm or corporation shall be subject for each offense to a fine of not more than Five hundred and no/100 (\$500.00) Dollars and the costs of prosecution, or imprisonment in the County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment together with the costs of prosecution.

29. **Severance Clause.** Selections of these Rules and Regulations shall be deemed to be severable. Should any section, paragraph or provision hereof be declared by the courts to be unconstitutional or invalid, or should any section, paragraph or provision be rejected by referendum, such holdings shall not affect the validity of the balance of these Rules and Regulations, which shall be construed as if the unconstitutional, invalid or rejected portion had never been included herein.

30. **Number of Markers.** Only one (1) individual marker may be used to identify a single grave space.

31. Marker and Memorial Size.

(a) The following is an index to marker and memorial sizing and is a guideline to be followed by all companies and monument dealers who deliver monuments to the cemetery. Because monumental stone is a natural product, it is difficult to conform to absolute dimensions in fabrication. If a written request is made to deviate from this size guideline, the Director of Public Works and the Cemetery Board shall consider the request and issue a written response. Any memorial delivered to the cemetery with oversize dimensions and without proper approval shall be unacceptable and subject to immediate removal. Therefore, a tolerance of one-half (2) inch is allowable for specific dimensions. This tolerance applies to both the base and the die.

Maximum marker size:

<u>Type of Marker</u>	<u>Length</u>	<u>Width</u>	<u>Height</u>
Flush section Surface Markers	24"	12"	4" (below the surface)
Babyland Markers	16"	8"	8"
Single markers	36"	16"	26"
Double Memorials (with or without base)	48"	16"	32"

(b) All Family Monuments will be governed by Rule 25.

(c) Double Memorials: Guidelines for a double memorial to be used on a lot with two (2) or more grave spaces are maximum size of forty-eight (48) inches length by sixteen (16) inches width by thirty-two (32) inches overall height. A double marker may have a base if so desired. The base must be included in the size guidelines.