

CEMETERY RESOLUTION – STANDARDS AND GUIDELINES
HATTON TOWNSHIP, CLARE COUNTY

1. TITLE: CEMETERY RESOLUTION (As first amended)
2. DEFINITION OF LOTS:
 - a. Lots and Burial Spaces: A lot shall consist of a burial space sufficient to accommodate one burial.
3. ELIGIBILITY:
 - a. A resident is a person residing in Hatton Township for a period of 60 days or more. (Proof may be required).
 - b. A taxpayer is a person paying taxes in Hatton Township, but not necessarily residing in the township. (Proof may be required).
 - c. A non-resident and non-taxpayer is a person not residing nor paying taxes in Hatton Township.
 - d. After moving from Hatton Township, residents shall have their residential status extended for a number of years equal to the years of residency in the township. (Proof may be required).
 - e. A person who was a resident at the time of burial space purchase and resident before moving into a hospital, nursing home, or foster care home outside of Hatton Township shall be considered a resident of Hatton Township at the time of internment.
4. SALE OF BURIAL SPACES (LOTS)
 - a. Hereafter, burial spaces shall be sold to only residents or taxpayers of Hatton Township for the purpose of the burial of such purchaser or his or her heirs. No sale shall be made to funeral directors or others than as heretofore set forth. The Township Clerk, however, is hereby granted the authority to vary the aforesaid restriction for a non-taxpayer or a nonresident where the individual discloses sufficient personal reason for burial within the township through previous residence in the township or relationship to persons interred therein.
 - b. All such sales shall be made on a form approved by the Township Board which grants a right of burial space sold. Such form shall be executed by the Township Clerk or Deputy Clerk.
 - c. No re-sale of burial rights (or lots) will be allowed and burial rights may only be transferred to those persons eligible to be original purchasers of cemetery lots or burial spaces within the township and may be effected only by endorsement of an assignment of such burial rights upon the original deed form issued by the Township Clerk, approved by the Clerk, and entered upon the official records.
5. PURCHASE OF BURIAL SPACES (LOTS)
 - a. The Township Board will establish prices for burial spaces. Current schedule stated on "Attachment A".

- b. The foregoing charges shall be paid to the Township Treasurer, and shall be deposited into the cemetery fund. One half of the sale price of lots sold each year shall be transferred to the General Fund at the close of the fiscal year.
- c. The Township Board, by resolution, may periodically alter the purchase price of burial spaces (lots) as well as fees for burials (opening and closing) or setting of headstones, etc.

6. POSITION OF BURIAL SPACES (SITES)

- a. The burial spaces (sites) shall be positioned with the opening starting at the foot of the lot, except an infant opening or a cremation opening which may be placed at the head of a burial space.
- b. The grave opening shall be deep enough so the top of the vault will be 18 inches below the ground level.
- c. All burials shall be within a standard concrete, aluminum, or steel vault installed or constructed in each burial space before interment. Vaults must be placed so they will not encroach upon adjoining lots.
- d. The opening and closing of any burial site, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined from time to time by resolution of the Township Board, payable to the Township Treasurer.
- e. No burial space shall be opened or closed except under the direction and supervision of the Cemetery Sexton. This provision shall apply to the proceeding for the disinterment and re-interment of bodies along with the required supervision of the local health department.
- f. Cremation ashes, babies (infants), stillbirths or limbs are to be in a container approved by the State Cemetery Law as to burials.

7. MONUMENTS, MARKERS, AND FOUNDATIONS

- a. A permanent durable marker must be placed at each burial site within the first 12 months after a burial.
- b. All monuments or markers for grave sites must be of stone or other equally durable permanent composition.
- c. Only one monument or marker shall be permitted per lot or burial space. This monument or marker must be placed at the head of the burial space.
- d. Any monument or marker placed must be located upon a firm concrete foundation specified by the Township Cemetery Sexton or Township Board. All monuments or markers must be placed only under the direct supervision of the Sexton.
- e. Any concrete footing, foundation upon which a monument or marker is placed shall be as is the monument or marker, at the cost of the owner of the burial right. Hatton Township shall not be held responsible for damage or loss to and of personal property whether by mankind, acts of God or Nature. (Personal property being defined as but not limited to: monuments, markers, stones, footings, urns or vases.)
- f. Upon receiving an order for a monument or marker, the funeral director or dealer must furnish in writing to the Township Cemetery Sexton and the Township Clerk, the following information:

- i. Name or names on monument or marker
 - ii. Name, address, & phone number of person placing order
 - iii. Lot number
 - iv. Base size in inches
 - v. Approximate height and weight
 - vi. If manufactured footing is part of the order
 - vii. Approximate delivery date
- g. Any person or person who sells a monument, marker, or memorial for installation in the Hatton Township Cemetery must comply with this resolution of standards and procedures and any other cemetery rules and regulations adopted by the Township Board. It shall be the responsibility of said person or persons to obtain a copy of said regulations.

8. INTERNMENT REGULATIONS

- a. Internment/burial shall be limited to those of the human race.
- b. Only one person may be buried in a burial site (lot) except for a parent and infant or two infants or two children, or in cases of burial cementation remain (burial of urns with remains).
- c. No less than 36 hours notice shall be given in advance of any funeral to allow for the opening of the burial site.
- d. The appropriate permit(s) for the burial site involved, together with appropriate identification of the person to be buried therein, shall be presented to the Township Cemetery Sexton prior to internment. Where said permit (deed) has been lost or destroyed, the Township Clerk shall be satisfied, for Township Records that the person to be buried in the site (lot) is an authorized and appropriate person before any internment is commenced or completed.
- e. No burials shall take place during winter. (Winter being defined as when the site, ground, is frozen or when there is snow on the ground). Final decision shall rest with the Sexton and the Clerk.
- f. When weather conditions prevent an immediate internment, storage may be necessary. The Township Cemetery Sexton shall in his best judgment determine when this procedure is required, and so shall inform the funeral director, and/or family. Cost of storage shall be that of the family, and shall be arranged by the family and/or funeral director. (NOTE: The City of Harrison has agreed to accept storage when available. Their charges are subject to change and availability).

9. GROUNDS

- a. No grading, leveling, or excavating shall be allowed without the permission of the Sexton or the Township Clerk.
- b. No flowers, shrubs, trees, or vegetation of any type shall be planted without the approval of the Sexton and Township Clerk. Any items planted without such approval may be removed by a designated Township Grounds Maintenance Person without prior notice to burial space owners and/or family, and should a cost be incurred for removal, it will be assigned to the owner and/or family.

- c. Individual taste for ornamentation of graves (sites/lots) will be respected, but the right to remove or modify any improvement on any site which the Sexton or Designated Grounds Maintenance Person considers injurious to the general good of the cemetery or to the adjacent site shall be maintained and enforced both before and after interments are made.
- d. Mounds which hinder the free use of a lawn mower or other gardening tools are prohibited.
- e. The Sexton or Designated Township Grounds Maintenance Person shall have the right to remove and dispose of any and all growth, emblems, displays, or containers that through decay, deterioration, damage or otherwise has become unsightly items and a source of litter or a maintenance problem. All refuse of any kind or nature (including but not limited to: dried flowers, wreaths, papers, flower containers) must be removed prior to becoming unsightly.
- f. Mowing and trimming will be completed prior to Memorial Day, otherwise the frequency of grounds maintenance (mowing and trimming) shall be determined by the weather and as required to give the ground a groomed appearance.
- g. Those desiring to have American Flags placed for veterans graves must arrange in advance for the flags to be placed by the Friday before Memorial Day, and said flags shall be removed one week after Labor Day.
- h. Hatton Township shall not be held responsible for vases, urns, or other property left in the Cemetery.

10. GENERAL

- a. All persons are prohibited from plucking flowers, wild or cultivated, breaking or damaging plants, trees, shrubs, writing upon or injuring any monument, marker, or memorial.
- b. All persons disturbing the quiet or good order by noise or improper conduct in and of any manner whatsoever, or violating any rules or regulations of the cemetery will be subject to arrest, prosecution and charged with damages and costs incurred.

11. INTERNMENT REGULATIONS

- a. Cemetery lots or sites sold after the effective date of the original resolution (April 18, 1995 as adopted) and remaining vacant 40 years from the date of their sale shall automatically revert to the Township upon occurrence of the following events:
 - i. Notice shall be sent by the Township Clerk first class mail to the last known address of the last owner of record informing him/her of the expiration date of the 40 year period and that all rights with respect to said site (lot) will be forfeited if he/she does not affirmatively indicate in writing to the Township Clerk within 60 days from the date of mailing of the written notice, his desires to retain said burial rights.
 - ii. No written response to said notice indicating a desire to retain the cemetery site (lot) in question is received by the Clerk from the last owner of the record of said site (lot) or his/her legal representative within 60 days from the date of the mailing of said notice.

12. RE-PURCHASE OF SITES (LOTS)

- a. The Township may re-purchase any cemetery site (lot) from the owner for the original price paid the Township upon written proof of purchased price and upon the written request of said owner or his/her legal heirs or representative. Each request shall be individually considered by the Township Board.

13. RECORDS

- a. The Township Clerk shall maintain records concerning the cemetery, lots, and deeds and burials.

14. CEMETERY HOURS

- a. The Cemetery shall be open to the general public from the hours of 8:00 am to dusk each day. No persons shall be permitted in the cemetery at any time other than the foregoing specified period of time except upon permission of the Sexton or Clerk.

15. PENALTIES

- a. Any person or persons, firm or corporation who violates any of the provisions of this written resolution shall be guilty of a misdemeanor and shall be subject to a fine of up to \$500.00 and/or imprisonment for up to 90 days in jail as many as may be determined by a court of competent jurisdiction. Each day that a violation continues to exist shall constitute a separate offence. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

16. SEVERABILITY

- a. Provisions of this resolution 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 remains of such resolution which shall continue in full force and effect

17. EFFECTIVE DATE

- a. This amended RESOLUTION adopted at the Regularly scheduled Township Board meeting of March 16, 1999 and takes effect this same date of March 16, 1999, does not revoke the previous resolution, but enhance, amend, and further clarify the original resolution as adopted.
- b. Said Resolution and its fee schedule (attachment as revised March 16, 1999 and June 19, 2007) may be amended from time to time by a majority vote of the Township Board, as is its authority.
- c. A copy of Said Resolution shall be henceforth provided to each purchaser of a burial site or deed.

Signed and Witnessed by: **HATTON TOWNSHIP BOARD**

William Hileman
William Hileman, Supervisor

Molly Humphrey
Molly Humphrey, Treasurer

William Guiette
William Guiette, Trustee

Nathanael Farrell
Nathanael Farrell, Trustee

Linda McClain
Linda McClain, Clerk

HATTON TOWNSHIP CEMETERY

Schedule of Prices and Fees

ATTACHMENT A

DATED: July 1, 2022

LOTS (single burial sites; cost includes perpetual care)	\$200.00
Opening and Closing of Sites	\$400.00
Burial of URN/ASHES	\$125.00
**Holiday and Weekend Services	\$100.00 extra charge
Disinter (Relocation or Removal)	\$300.00
Setting of Headstones/Monuments (includes footings)	
Single (One Name)	\$135.00
Double (Two Names)	\$200.00

** If larger, cost will be determined case by case as necessary.