



Lincoln Charter Township  
Cemetery Basic Information & Guidelines

Burial Hours

1. Normal Burial Hours – Monday to Friday begin at 9:00 am and conclude at 3:00 pm (only one burial at a time will be scheduled per cemetery)
2. Saturday and Holiday burials shall be by special arrangement and shall be scheduled beginning at 9:00 am and conclude at 2:00 pm.
3. Burials scheduled on Saturday or holidays will be charged the normal interment rate as well as an additional flat fee charge to cover staff overtime.

Overtime Charges

Burial hours begin at 9:00 am and conclude at 3:00 pm. Therefore, whenever a funeral service remains on site past 3:00 pm overtime charges shall commence immediately and continue until the gravesite has been closed. Please refer to the current fee schedule.

Additional Information

1. All payments are due upon receipt of burial order.
2. No orders will be accepted for Sunday burials.
3. No order will be accepted for burials on the following holidays:
  - a. New Year's Day
  - b. Memorial Day
  - c. Independence Day
  - d. Labor Day
  - e. Thanksgiving Day
  - f. Christmas Day
4. Cremains do not require an urn vault.
5. Burial services must be scheduled with the clerk's office at least 48 hours prior to the burial.

Monument Information

Columbarium – Interior dimensions 12x12x12

Lincoln Township – Single lot base cannot exceed 30 inches height cannot exceed 36 inches.

Double lot base cannot exceed 60 inches height cannot exceed 36 inches.

Hickory Bluff – Single lot base cannot exceed 36 inches height cannot exceed 36 inches.

Double lot base cannot exceed 72 inches height cannot exceed 36 inches.

Memorial Garden - Single lot base cannot exceed 30 inches height cannot exceed 36 inches.

Double lot base cannot exceed 36 inches height cannot exceed 36 inches.

## Chapter 10 - CEMETERIES<sup>[1]</sup>

### Footnotes:

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State Law reference— Authority to acquire and maintain cemeteries, MCL 128.1 et seq.; cemetery regulations act, MCL 456.521 et seq.

### Sec. 10-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Cemetery plot* means an area in a Township cemetery sufficient to accommodate one burial space for one deceased person. It shall consist of a land area at least 38 inches wide and 96 inches in length. Exceptions may be made with Township permission to accommodate infant burial or the burial of cremains.

*Township cemetery or cemetery* means any cemetery owned, operated and/or controlled by the Township.

### Sec. 10-2. - Penalties.

- (a) A violation of this chapter (or of any rule or regulation adopted pursuant to this chapter) constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects or refuses to comply with any provision of this chapter, or any permit or approval issued hereunder, or any amendment thereof, or any person who knowingly or intentionally aids or abets another person in violation of this chapter, shall be in violation of this chapter and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than \$100.00 for the first offense and not less than \$200.00 for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, the term "subsequent offense" means a violation of the provisions of this chapter committed by the same person within 12 months of a previous violation of the same provision of this chapter or similar provision of this chapter for which said person admitted responsibility or was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.
- (b) A violation of any permit or permit condition issued pursuant to this chapter shall also constitute a violation of this chapter.

### Sec. 10-3. - Purpose and intent.

The Township Board of Trustees recognizes and concludes that the proper and reasonable maintenance, appearance and use of the cemetery or cemeteries owned or controlled by the Township is necessary. It is also important that burials, disinterments and other matters associated with a municipal cemetery are handled in a respectful and proper way in order to promote the safety, public health and general welfare of the community. The Township Board of Trustees finds that the adoption and enforcement of this chapter is in the best interests of the property owners and residents of the Township.

### Sec. 10-4. - Sale of cemetery plots; nontransferable.

- (a) Cemetery plots shall be sold to residents and nonresidents by the Township for the purpose of burial/cremations for the purchaser of a cemetery plot, or his immediate family. No sale shall be made to funeral directors or others, except for those acting as an agent for an eligible purchaser.
- (b) All sales and transfers of cemetery plots shall be made on a form approved by the Township Board of Trustees. The form grants a right of burial only and does not convey any other title or right to the cemetery plot or burial space sold. Such forms shall be signed by the Township clerk or deputy Township clerk, and shall constitute a permit when approved.

- (f) All refuse of any kind or nature including, but not limited to, dried flowers, wreaths, papers and plastic flower containers must be removed from the cemetery within ten days after a burial.
- (g) Winter decorations may be placed on the graves no earlier than November 1 and remain until April 1.
- (h) No glass containers are allowed.
- (i) Except for markers, memorials, flowers, and urns expressly allowed by this chapter, and veteran flags as authorized by law, no other item (including, but not limited to, signs, benches (unless bench is memorial), landscaping, bricks, stones, grave border materials or other structures) shall be installed or maintained within a Township cemetery, nor shall any grading, digging, mounding or similar alteration of the ground or earth occur except as authorized by this chapter or by the Township.

**Sec. 10-12. - Disclaimer of Township liability and responsibility.**

Every person who enters, remains in and travels within a Township cemetery does so at their own risk. The Township is not responsible for any injury, accident or other calamity that might occur to any person present in a Township cemetery. Furthermore, the Township is not responsible for any damage or vandalism to, theft of or deterioration of any burial monument, headstone, flower urn or other item placed at or near a cemetery plot, burial site or anywhere in a Township cemetery. The purchaser or transferee of any cemetery plot or the equivalent (and all subsequent transferees, assigns, heirs, or beneficiaries) hereby releases, waives, indemnifies and holds harmless the Township for, from and against any injury, damages, causes of action, claims, costs and expenses associated with, relating to and/or involving the cemetery plot or similar right, any headstone, monument or similar items, and any matter related to the cemetery involved. Such waiver, release and hold harmless provision shall apply not only to the Township, but also as to the Township sexton and any Township employee, officer, official or agent.

**Sec. 10-13. - Forfeiture of vacant cemetery plots or burial spaces.**

Cemetery plots or burial spaces sold after the effective date of this Compilation is and remaining vacant for 75 years or more from the date of their sale shall automatically revert to the Township upon the occurrence of the following events:

- (1) Notice shall be sent by the Township clerk by first class mail to the last known address of the last owner of record informing him of the expiration of the 75-year period and that all rights with respect to said plots or spaces will be forfeited if he does not affirmatively indicate in writing to the Township clerk within 60 days from the date of mailing of such notice of his desire to retain such burial rights; and
- (2) No written response to said notice indicating a desire to retain the cemetery plots or burial spaces in question is received by the Township clerk from the last owner of record of said plots or spaces, or his heirs or legal representative, within 60 days from the date of mailing of said notice.

**Sec. 10-14. - Repurchases of plots or burial spaces.**

The Township may repurchase any cemetery plot from the owner for the original purchase price.

**Sec. 10-15. - Records.**

The Township clerk shall maintain records concerning all burials, cemetery plots, issuance of burial permits and any other records of the Township related to Township cemeteries, and the same shall be open to public inspection at all reasonable business hours.

**Sec. 10-16. - Cemetery hours.**

The cemetery shall be open to general public from the sunrise to sunset. No person shall be permitted in the Township cemetery at any time other than the permitted hours except upon permission of the Township Board of Trustees or the Township sexton.

**Sec. 10-17. - Prohibited uses and activities.**

The following prohibitions shall apply within any Township cemetery:

- (1) No person shall destroy, deface, apply graffiti to or otherwise injure any monument, sign, tree or other lawful item located within a Township cemetery.
- (2) No person shall disturb the peace or unreasonably annoy, harass or disturb any other person who is lawfully present on the grounds of any Township cemetery.
- (3) No vehicles shall be permitted to drive on lawns or cemetery plots in a cemetery.
- (4) There shall be no entry or presence in the cemetery by any person when the cemetery is closed or outside of authorized times.
- (5) There shall be no snowmobiles, four-wheelers, go-carts or similar vehicles.
- (6) There shall be no gathering of persons in excess of 75 people without prior Township approval (except during or incidental to a funeral occurring concurrent with burial).
- (7) There shall be no possession or consumption of any alcoholic liquors.
- (8) There shall be no picnicking or consumption of food without prior Township approval.
- (9) There shall be no music, playing of any radio, or the use of any amplification device or similar item, except pursuant to a military ceremony or a funeral.
- (10) There shall be no solicitation or peddling of services or goods or any signs or placards advertising any goods or services.
- (11) There shall be no littering or dumping.
- (12) There shall be no unlawful interference with or disruption of a lawful funeral or funeral procession.
- (13) There shall be no private signs, lighting, moving displays or changeable copy on a sign, with exception of approved solar light.
- (14) There shall be no fires, candles or open flames. (Only enclosed candles are allowed.)
- (15) No children under 12 years of age shall be allowed in any Township cemetery unless accompanied by an adult and are properly supervised by an adult.
- (16) There shall be no exceeding of posted speed limits.
- (17) There shall be no domestic animals of any kind or pets allowed within the cemetery grounds. However, this prohibition shall not apply to dogs assisting handicapped persons.
- (18) No firearms or archery arrows shall be discharged or shot except that military or other veterans' organizations may carry arms for the purpose of firing over the grave at the burial of a member.

Sec. 10-18. - Authority of the Township sexton.

- (a) The Township Board of Trustees shall appoint a Township sexton, who shall serve at the discretion of the Township Board of Trustees. The Township sexton may be a Township employee or independent contractor for the Township at the discretion of the Township Board of Trustees.
- (b) The Township sexton shall assist other Township officials with the enforcement and administration of this chapter.
- (c) The Township sexton shall have such duties and obligations with regard to Township cemeteries as may be specified from time to time by the Township Board of Trustees.

Sec. 10-19. - Applicability of this chapter.

- (a) This chapter shall apply only to cemeteries owned, controlled or operated by the Township.