

## ORDINANCE NO. 02-02

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 26 – CEMETERY, BY AMENDING SECTIONS 26-2 (BOARD OF TRUSTEES), 26-4 (AUTHORITY OF BOARD TO MAKE RULES AND REGULATIONS), 26-5 (SALE OF LOTS), 26-6 (LOT OWNER'S BURIAL RIGHTS), 26-7 (LOT RECORDS), 26-8 (LABOR CHARGES), AND 26-14 (BURIAL PERMIT) THEREOF.**

### **THE CITY OF CORUNNA, MICHIGAN ORDAINS:**

SECTION I. AMENDMENT TO SECTIONS 26-2 (BOARD OF TRUSTEES), 26-4 (AUTHORITY OF BOARD TO MAKE RULES AND REGULATIONS), 26-5 (SALE OF LOTS), 26-6 (LOT OWNER'S BURIAL RIGHTS), 26-7 (LOT RECORDS), 26-8 (LABOR CHARGES), AND 26-14 (BURIAL PERMIT), OF THE CITY CODE OF THE CITY OF CORUNNA, MICHIGAN, shall be as follows:

#### Sec. 26-2. Board of trustees.

The cemetery board of trustees heretofore established is continued.

- (1) The board shall consist of five **(5) administrative officers** members, ~~one of whom shall be appointed in accordance with section 4-6 4.7 (administrative service) of the City Charter each year, for a term of five years~~ **for indefinite terms serving at the pleasure of the Council. Upon recommendation of the City Manager, the city council shall appoint a Cemetery Sexton who shall be a salaried administrative officer of the City.**
- (2) **Of the board membership there will be a president and vice-president voted upon by the entire board. The Cemetery Sexton shall provide for a secretary to record the meetings. All meetings must have three (3) members present to enact business.**
- (3) **All members of the Cemetery Board shall serve as such without compensation. The five-person board membership shall not include a City Councilperson or the Mayor. A majority of the membership shall be comprised of residents or real property owners of the City of Corunna.**
- (4) **Proposed minutes of the Cemetery Board meetings are to be submitted to the City Manager within ten (10) business days following the Cemetery Board meeting. Approved minutes are to be submitted to the City Manager within five (5) days of approval.**
- (5) **Any board member absent two (2) consecutive meetings or twenty-five percent (25%) of regular meetings in a calendar year, without prior written approval by the City Manager, will be considered for removal from the board. All absences shall be recorded in the meeting minutes.**
- (6) **Upon recommendation of the City Manager, the city council may appoint one (1) ex officio member to the board. The ex officio members so appointed by the city council shall not have a vote at the meetings, but shall sit only in an advisory capacity.**
- (7) **All Administrative officers shall be responsible to the City Manager in and for the performance of the duties of their office.**

#### Sec. 26-4. Authority of board to make rules and regulations.

The board shall, from time to time, make such rules and regulations for the burial of the dead, care, improvement and protection of the grounds, mausoleums, monuments and appurtenances of the cemeteries and orderly conduct of persons visiting them, as may be deemed necessary. The board shall see that this chapter and all rules and regulations in respect to cemeteries are strictly enforced. The City clerk ~~city clerk~~ **cemetery sexton or his/her designated agent** shall cause to be kept a register of all interments

made in any city cemetery in which shall appear the name of the deceased, the date and place of interment and such other information as may be required.

Sec. 26-5. Sale of lots.

All deeds for lots shall be executed on behalf of the city by the ~~City clerk~~ **cemetery sexton or his/her designated agent**. Any person desiring to purchase a burial space in any city cemetery shall make application and pay the required amount for the lot selected to the ~~City clerk~~ **cemetery sexton or his/her designated agent**. Upon the purchase of any burial space, the ~~City clerk~~ **cemetery sexton or his/her designated agent** shall prepare and deliver to the purchaser a duly executed deed for the burial space. Such deed shall convey to the purchaser the right of interment only, and shall be held, subject to the provisions of this Code, existing rules and regulations, and such ordinances, rules and regulations as may hereafter be adopted by the city council. **Any sale, transfer of conveyance of any cemetery lot(s) shall be registered with the cemetery sexton or his/her designated agent.**

Sec. 26-6. Lot owner's burial rights.

All interments on lots in the cemetery are restricted to the members of the family and relatives of the owner of the lot, and no interment shall take place on any lot without a permit in writing from the ~~City clerk~~ **cemetery sexton or his/her designated agent**. No grave in the cemetery shall be opened for any purpose except under the direction of the city council, and only by the authorized employees of the cemetery.

Sec. 26-7. Lot records.

The ~~City clerk~~ **cemetery sexton or his/her designated agent** shall keep proper records in which the deeds to all burial spaces shall be recorded at length. In connection with all such records, the ~~City clerk~~ **cemetery sexton or his/her designated agent** shall also keep a general index in which shall be noted alphabetically the name of the party to every such instrument of conveyance.

Sec. 26-8. Labor charges.

The ~~City clerk~~ **cemetery sexton** shall charge and cause to be collected on behalf of the city such fees for work performed in the city cemeteries as may be fixed from time to time by the board. All such fees shall be paid to the ~~City clerk~~ **cemetery sexton** or his/her designated agent. No person other than an employee of the city acting under the direction of the board shall dig or open any grave, nor shall any person grade or fill in a burial space or otherwise do any work in connection therewith, unless such work is done under supervision of the city employee in charge of the cemetery.

Sec. 26-14. Burial permit.

No interment shall be made in the cemetery nor in any vault in the cemetery, until the proper information as required by law shall have first been furnished to the ~~City clerk~~ **cemetery sexton or his/her designated agent**.

SECTION 2. Severability.

This Ordinance and the several sections, sub-sections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

SECTION 3. Conflicting Ordinances Repealed.

