



**CITY OF WHITEHALL**  
**OAKHURST CEMETERY RULES AND REGULATIONS**  
(Adopted by Resolution 98-96)

For mutual protection of lot owners and the cemetery as a whole, the following rules and regulations have been adopted by the Whitehall City Council as the Rules and Regulations for Oakhurst Cemetery. All lot owners and visitors within the cemetery and all lots sold shall be subject to said rules and regulations including any amendments or alterations as adopted by the City Council.

**SECTION 1 - DEFINITIONS**

Cemetery - Land owned by the City of Whitehall designated as a burial park for human remains.

Cemetery Board - Whitehall City Council

Cemetery Supervisor - Employee of the City of Whitehall responsible for the records, sale of lots, care and maintenance of the cemetery and the enforcement of those regulations and laws of the State of Michigan with regard to the operations of cemeteries and the burial of human remains.

Cremations - Incineration of a corpse and resulting ashes.

Decorations - structures, ornaments, plantings, or other embellishments, excluding monuments or markers.

Disinterment - To uncover and remove human remains.

Flower Beds & Openings - An area over the grave space for planting flowers which is confined to an area no larger than (and within a location measured by) the length of the monument and 12 inches out from the base of said monument.

Grave Space - One grave within a platted lot.

Interment - To excavate a grave, place human remains, and cover with earth.

Lot - Three to six graves adjacent to each other in a numbered plat.

Marker - Memorial listing information of the deceased that is flush with the ground.

Mausoleum - Large, above the ground tomb for the burial of more than one human remains.

Monument - Granite, marble, or bronze statue or structure built as a memorial to a family or individual within a lot.

Public Works Director - Employee of the City of Whitehall who provides general supervision to the Cemetery Supervisor as part of his/her duties.

Transfer - The transfer of lots or grave spaces to another individual in accordance to the rules and regulations (or ordinance).

## **SECTION 2 - CARE OF LOTS**

- (A) General maintenance, which refers to repairs and improvements in the appearance and condition of the cemetery, is the responsibility of the City and shall include upkeep of the drives, buildings, sewers, water lines, and fences.
- (B) General maintenance shall not include the maintenance repair or replacement of any marker, memorial, or mausoleum placed or erected upon lots. Nor, does it mean the reconstruction of any damaged marble or granite work on any lot or grave space caused by the elements, an act of God, common enemy, thieves, vandals, explosions, invasions, riots, or by order of any military or civil authority.
- (C) A Perpetual Care Fund shall be established whereby the cemetery will hold and invest the principal sum deposited and use the annual income to defray the costs of the general operation of the cemetery. Such costs include spring clean-up, mowing grass, raking leaves, trimming trees and shrubs, repairing sunken graves, and reseeding grave sites after burial.

## **SECTION 3 - CORRECTION OF ERRORS**

- (A) The City of Whitehall reserves the right to correct any errors that may be made, either in making interments, disinterments, or removals, or in the description, transfer, or conveyance of any interment property; either by canceling such conveyance and substituting and conveying in lieu thereof, other interment property of equal value and similar location, or as may be selected by the Supervisor, or by refunding the amount of money paid on the account of that purchase on the account of said purchase. In the event the error shall involve the interment of the remains of any person in such property, the City of Whitehall reserves the right to remove and reinter the remains to another property of equal value and reasonably similar location as may be substituted and conveyed in lieu thereof.

## **SECTION 4 - INTERMENTS**

- (A) All interments must be made under the direction of the Cemetery Supervisor, who has control of the opening of graves and all matters relating to burials.
- (B) The Cemetery Supervisor must be notified at least eight working hours before a burial is to take place and the location of the grave must be designated when notice of burial is given.
- (C) All orders for interments in a grave must be signed by the owner of the lot or his/her designated representative, and be delivered to the Cemetery Supervisor at least eight business hours before burial is to take place. When such notice is impractical, telephoned requests will be received. After interment, no changes in location of graves will be made except at the expense of the grave owner.
- (D) Funeral Directors must present the Burial Permit at the time of interment.
- (E) The number of burials, including vaults, cremations, and babies in one grave space are at the discretion of the Cemetery Supervisor, but are limited to one adult vault and up to three sets of cremated remains. An unoccupied space can have up to four cremation burials providing they are not buried in separate urn vaults.

- (F) Caskets must be placed in an enclosed, concrete, or steel container (vault) upon burial.
- (G) All interments and disinterments will be made by employees of the City, unless a court order directs otherwise and a proper receipt for the remains is given. No disinterment will be allowed without authorization from the lot owner and approval from City Attorney, except by court order. The City shall not be responsible for damage to the vault, casket, or burial urn when making the disinterment.
- (H) In addition to these rules and regulations, all interments, disinterments, and removals are subject to the orders and applicable laws of the State of Michigan.
- (I) Consideration for winter burials (November 15 - March 15) will depend upon ground and weather conditions only. Storage of remains is provided for this period in the cemetery office building.
- (J) The cemetery will be open for interments from 8:00 a.m. to 3:00 p.m. week days, provided, however, interments will not take place on Sundays and holidays. Interments may be made on Saturdays, the day after Thanksgiving, Christmas Eve Day and New Years Eve Day, but there will be charged an additional fee for same. Holidays are listed as the following: New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Thanksgiving, and Christmas Day. Note: When holidays fall on Saturday, the City observes the holiday on the Friday before. When the holiday falls on Sunday, the City observes the holiday on the following Monday.
- (K) The City will not be responsible for any order given by telephone or for mistakes occurring from the want of precise and proper instructions as to the particular space, size of grave, and location in a lot where interment is desired.
- (L) The City will not be liable for the Burial Certificate of the identity of the person to be interred.

## **SECTION 5 - MEMORIALS**

- (A) No monument work or installation will not be permitted on any lot until the cost of the lot is paid in full.
- (B) No material except granite, high grade marble, or bronze attached to granite may be used for upright monuments. No material except granite or standard bronze may be used for flush markers.
- (C) Prior approval must be obtained from the Cemetery Supervisor for the placement and location of a proposed monument or marker.
- (D) The setting of all stone work is under the control and supervision of the Cemetery Supervisor.
- (E) A concrete foundation is required for all stone work and must be the size of the base or larger if deemed necessary. No foundations will be poured after November 1 nor before April 15.

- (F) Contractors and workers engaged in placing monuments, markers, and foundations will be held responsible for all damages caused by them to the cemetery grounds. A work order for the proposed work must be approved by the Cemetery Supervisor prior to the delivery or installation of such work. Except when prior permission is obtained, no stone work shall be brought into the cemetery or commenced on Saturday, Sunday, or holidays.
- (G) No photographs or objects of curiosity shall be attached to any memorial or placed within the cemetery grounds.
- (H) Copings of cement, metal, wood, or stone will not be permitted around graves.
- (I) Mausoleums are not permitted.
- (J) Not more than one upright memorial may be placed on a single grave space. Markers flush with the ground and not exceeding 24 inches in length and 12" in width may be placed to mark more than one person buried in a single grave space.
- (K) Individual markers must be placed flush with the ground on lots where a family monument is also placed.
- (L) Babies interred in the Baby Section of the Cemetery are allowed flush markers only not to exceed 16 inches in length or 8 inches in width or less than 14 inches in length or 6 inches in width.
- (M) Monument sizes are restricted by the relevant number of grave spaces:

New North Section: Flush Markers Only

Single 24" x 12"

Double 48" x 14"

All Other Sections - Upright or Flush Markers

	<u>MAXIMUM</u>	<u>MINIMUM</u>
Single	36" long 14" wide 26" high	16" long 8" wide
Double	48" long 14" wide 30" high	24" long 10" wide
Triple	54" long 14" wide 36" high	36" long 10" wide
Four	54" long 16" wide 36" high	42" long 12" wide
Family (six or more)	72" long 18" wide 48" high	

## SECTION 6 - DECORATIONS

- (A) Planting or removal of trees and shrubs will be under the direction of the Cemetery Supervisor.
- (B) The enclosure of a lot or grave by a hedge, wall, curbing, fence, or other enclosure is not permitted. Trees and shrubs cannot be used to mark the boundaries of a lot.
- (C) The Cemetery Supervisor reserves the right to remove any article deemed unsightly or undesirable from any lot or grave space. Toys, balloons, rocks, artificial flowers, and bird feeders are forbidden.
- (D) Glass jars, tin cans, etc, are forbidden as holders for cut flowers. Receptacles for cut flowers will only be permitted in the New North Section if installed flush with the ground and in line with the marker.
- (E) Planting flowers on graves in the Baby Sections is forbidden.
- (F) Single grave spaces are limited to urns of 12" in diameter, or an individual flower bed, in ground, but not both. Two or more graves in a lot will be permitted to have either an urn or individual flower bed in the ground, but not both. All urns are to be placed in line with the monuments. Size of the urns placed will be governed by the Cemetery Supervisor.
- (G) Flower openings are allowed in the upright monument sections only but are limited to 12 inches from the monument. Spreading and climbing plants and artificial flowers are not allowed in the flower beds.
- (H) No hanging or suspended baskets will be allowed on any grave.
- (I) All flowers and plants should be removed from lots and graves prior to October 1 of each year. Lot owners wishing to save plants and flowers should remove them before this time. If they are not removed, urns will be emptied and turned over at that time by cemetery staff. Winter decorations cannot be placed until November 30 and should be removed on or before March 15 of each year.
- (J) The City retains the right to remove any flowers, shrubs, trees, or deteriorating marker or urn if it has become unsightly, dangerous, interferes with the proper maintenance of the cemetery, or violates other provisions of these Rules and Regulations.
- (K) Maintenance of flowers and urns or replacement of such due to damage from the elements, thieves, vandals, or accidental mowing or trimming are not the responsibility of the City.
- (L) Urns not used for three (3) consecutive years will be considered abandoned and will be removed.

## SECTION 7 - VISITORS

- (A) The cemetery grounds will be open to visitors from dawn until sundown. Business hours are from 8:00 a.m. until 4:00 p.m.
- (B) Except for maintenance personnel, vehicles are to remain on established drives. Drivers will be responsible for any damage caused by their vehicles.
- (C) Traffic laws of the City of Whitehall which are applicable to the operation of vehicles in cemeteries are to be observed. Funeral processions must not be passed and driving close to a funeral service should be avoided when possible.
- (D) No children under the age of 16 years of age will be admitted unless attended by an adult or someone responsible for their conduct.
- (F) All persons are prohibited from picking any plants, whether wild or cultivated, injuring any tree or shrub, marking any monument or structure, or in any way defacing the grounds of the cemetery. The placing of shells, glassware, metal designs, wire work, or other similar articles on graves is prohibited.
- (G) Boisterous or profane language, loitering, soliciting, or advertising is not permitted in the cemetery.
- (H) Except in the case of military funerals and memorial day exercises, no one is permitted to carry firearms in to the cemetery.
- (I) Dogs are not permitted to enter or remain in the cemetery.
- (J) Depositing rubbish or debris on the cemetery grounds is prohibited except in waste receptacles provided.
- (K) Operating snowmobiles within the boundaries of the cemetery is prohibited.