

CITY OF CLARE



Photo taken by E.A. Anderson

Circa 1925

Photo courtesy of the Clare Congregational Church Historian

Cherry Grove Cemetery Rules & Regulations

Adopted by the Clare City Commission

April 16, 2001

Amended July 21, 2008

POLICIES & PROCEDURES
for
CHERRY GROVE CEMETERY

Clare, Michigan
July 21, 2008

Table of Contents

Introduction..... 2
Purchasing of Sites/Perpetual Care..... 3
Interments..... 3
Foundations..... 4
Monuments/Headstones..... 5
Plantings..... 5
Decorations..... 6
Cemetery “Clean Up” 6
Veterans..... 6
Replacement of Monuments, Plantings, & Decorations..... 7
Control of Pets..... 7
Curfew..... 7
Abandoned Cemetery Lots..... 7

Attachments

Cemetery Paved Road Map

Purchase/Opening & Closing Price List

Foundation Price List

Introduction

The Cherry Grove Cemetery is a public cemetery owned and managed by the City of Clare. Created as a common final resting place for the inhabitants of this region during the 1800s, the cemetery owes much of its history and its character to the pioneer spirit of the predominantly logging community of this region in the post-Civil War period.

The City of Clare is very proud of the Cherry Grove Cemetery and believes it to be one of its paramount assets. Considered by many as an extension to the City's recreational and park facilities, it is commonplace to see local residents using its pathways and grounds for leisurely strolls and idyllic respites.

The goal of the City is to ensure that the cemetery meets the present and future needs of the local community while simultaneously maintaining its current endearing traits and improving its many pleasing aesthetic and peaceful qualities. The policies and procedures outlined herein and adopted by the City Commission of the City of Clare were developed with the sole intention of supporting that stated goal.

The Clare City Commission sets policies and procedures for the cemetery. The City Commission has appointed a five-member Cherry Grove Cemetery Advisory Board to develop goals and objectives for the cemetery and provide counsel to the Commission regarding policies and practices. The responsibility for day-to-day management of the cemetery rests with the City Manager, who is assisted in these duties by the City's Director of Public Works. Comments relating to the established policies and procedures and suggestions for improving the cemetery are solicited, always welcomed, and should be directed to the City Manager, the Advisory Board, or the City Commission.

The policies and procedures established for the Cherry Grove Cemetery are effective on the date of adoption. Any gravestone, marker, or other similar structure in place within the cemetery that becomes nonconforming due strictly to the adoption of these policies and procedures shall be allowed to remain nonconforming. The City Manager is responsible for enforcement of the adopted cemetery policies and procedures.

1. PURCHASE OF SITES/PERPETUAL CARE.

- A. Rates. Rates for the sale of gravesites in the Cherry Grove Cemetery shall be established by resolution of the Clare City Commission. The current rates may be obtained at Clare City Hall, 202 West Fifth Street, Clare, MI 48617 or by calling City Hall at 989/386-7541. *(See Attachment #1)*
- B. Hardship. The cost of a grave space and opening/closing of a grave space shall not exceed the limits allowed by the Department of Human Services (Family Independent Agency) for individuals qualifying for such assistance.
- C. Single Grave Spaces. The sale of a single grave space shall be limited to Block 25, Block 26, and/or Block 27 (including road lots in these blocks only). The only exception to this will be when there is a single grave space remaining with no bordering unsold grave space, then that remaining space may be sold.
- D. Holding for Purchase. Occasionally the City of Clare has been asked to “hold” lots for purchase. To ensure equity and fairness to all, no lot will be “held” for more than 72 hours. With the exception of the aforementioned 72-hour “hold” clause, purchase of all gravesites shall be on a first-come, first-served basis.
- E. Maximum Purchase. No individual or entity may purchase more than ten (10) grave spaces in any given calendar year without the prior approval of the City Manager. The City will purchase grave spaces from their rightful owners or their respective estates upon request. The City Manager shall be the approval authority for all repurchases. The repurchase shall be at the current Clare resident purchase price for an equivalent grave space.

2. INTERMENT.

- A. Rates. Rates for the interment/disinterment of burials in the Cherry Grove Cemetery shall be established by resolution of the Clare City Commission. The current rates may be obtained at Clare City Hall, 202 West Fifth Street, Clare, MI 48617 or by calling City Hall at 989/386-7541. *(See Attachment #1)*
- B. Interment in Babyland. Infants to be interred in the section known as “Babyland” are to be one year or less in age.
- C. Interment in “Potters Field”. When there is to be an interment in “Potters Field” (pauper/indigent burials), the interment shall be in the next available space.
- D. Double Interment. There shall be no double interment (stacking) allowed in the Cherry Grove Cemetery.

- E. Cremation Interment. The City must make **all** cremation *openings* (the family may close). However, the opening/closing cost remains the same.
- i. **Occupied Grave Space.** When cremains are being buried in an occupied regular grave space, they may be buried at either the head or foot of said grave space. (Only one cremation may be buried on an occupied regular grave.)
 - ii. **Unoccupied Grave Space.** There shall be no more than four (4) cremation burials allowed in an unoccupied regular grave space.
 - iii. **Cremation Plot.** Only one cremation burial is allowed per space in the section set aside for cremation burials.
 - iv. **Cremation Containers.** No loose ashes shall be interred in the Cherry Grove Cemetery; all ashes shall be interred in an urn or similar suitable container approved by the City of Clare. All cremation containers shall be constructed of material that is non-degradable.
- F. Disinterment/Reinterment. When a disinterment or reinterment is requested, the requestor shall be required to provide the City of Clare with documented proof of guardianships, executorships, or other appropriate legal relationships. The City of Clare will not disinter or inter any remains unless the remains are in an approved vault.
- G. Vault Requirement. The City of Clare requires a vault for all burials other than cremations (see ‘cremation containers’ above). Infants may be interred in the combination casket/vault unit.
- H. Removal of Flowers Following Burial. The family is responsible for removal all flowers left on the grave following the funeral. The City may remove any items not removed after 30 days from the date of burial to facilitate restoration of the gravesite.

3. FOUNDATIONS. All monuments/headstones in the Cherry Grove Cemetery shall be placed on a concrete foundation that is 3” larger on *each* side than the base of the monument, and no foundation may exceed the space(s) it is being placed on (see Section 4).

- A. Rates. Rates for foundations in the Cherry Grove Cemetery shall be established by Resolution of the Clare City Commission. The current rates are available by contacting City Hall (989/386-7541) or the Director of Public Works (989/386-2182).
(See Attachment #2)
- B. Ordering Foundations. Monument/headstone foundations shall conform to specifications established by the City. The City’s Director of Public Works is the approval authority on all foundations. The city will generally pour foundations once in May and once in October of each year. Foundations to be poured in October must be ordered by September 30th, and foundations to be poured by Memorial Day must be ordered before May 7th.

C. Replacing Foundations. Old (broken/deteriorated) foundations may be replaced when requested by the family/grave space owner or at the discretion of the City's Director of Public Works when a foundation has deteriorated beyond its intended purpose. If the family requests a new foundation, the family shall be charged for all costs associated with the new foundation. The new foundation must be **prepaid** at the current rate before the work will be completed. There shall be no charge for disposing of the old foundation. If the Director of Public Works declares that a foundation needs replacement, the family shall be responsible for all associated charges. If the family cannot be contacted/located or there is no remaining family available, the Director of Public Works may utilize budgeted, available funds to replace the foundation. If no funds are available, the Director shall compile/maintain a list of foundations that need replacement and once annually submit the list to the Cemetery Advisory Board for funding determination.

4. **MONUMENTS/HEADSTONES.** No foundation for a single headstone (one grave space) shall exceed the width of the gravesite.

A. Flush Monuments. Flush monuments may be placed at the head, foot, or center of the gravesite.

B. Upright or Slant Monuments. Individual upright or slant headstone/monuments shall be placed only at the head or center of a gravesite.

C. Family Headstones. Family headstones, markers, and memorials may be placed only at the head/front half of the burial lot. Placement of the family monuments shall be oriented in the same direction as the individual headstones that mark individual gravesites and shall not be placed so as to block the view of adjoining headstones or markers.

D. Adult Burial. Headstones for a full-size single gravesite (which is 48" across) may be flush, upright, or slant, and the base shall not be longer than 42" to allow for the 3" foundation margin on each end and still prevent encroaching on a neighboring gravesite.

E. Cremation Plot. Headstones for cremation plots (where a space is 24" x 24") must be flush-mount style and the base shall be no larger than 18" x 18" for a single cremation gravesite.

F. Babyland. Headstones for infants interred in Babyland (where a space is 24" wide) shall be no larger than 18" x 18" for a single infant gravesite.

5. **PLANTINGS.** Permission must be obtained from the Director of Public Works of the City of Clare prior to planting any live shrubs, flowers, trees, and other live plants in the Cherry Grove Cemetery. The City of Clare reserves the right to trim, shape, prune, and remove any shrubs, trees, bushes, and other live plants. The City of Clare is not responsible for replacing any items removed or lost due to shaping, trimming, or pruning – nor is the City responsible for maintenance of any plantings by individuals. You may also request the removal of trees/shrubbery on your lot upon proving ownership of said lot.

6. DECORATIONS.

- A. Flower Arrangements. All flowers/flower arrangements that have died or are no longer visually appealing due to age, discoloration, etc., may be removed at the discretion of the Department of Public Works.
- B. Grave Blankets. Grave blankets may be placed on gravesites after November 15th and must be removed on or before April 1st each year, or cemetery personnel will dispose of them.
- C. Seasonal Decorations. All ‘summer’ decorations shall be removed on or before October 15th each year. All ‘winter’ decorations shall be removed on or before April 1st each year, to include artificial flowers, artificial wreathes, special flowerpots, etc.

7. CEMETERY “CLEAN UP”.

- A. Spring Cleanup. City crews or the contracted maintenance service shall complete the Spring Cleanup each year between the dates of April 1-15. Anyone having any decorations they wish to keep should remove them from the cemetery prior to April 1st and replace them after April 15th.
- B. Fall Cleanup. City crews or the contracted maintenance service shall complete the Fall Cleanup each year between the dates of October 16-November 1. Anyone having any decorations they wish to keep should remove them from the cemetery prior to October 15th and replace them after November 1st.

8. VETERANS.

- A. Veteran’s Markers. The family of the Veteran is responsible for ordering the Veteran’s Marker (www.va.gov or contact the local V.A. office in the county of death). The family is also responsible for paying any foundation charges not covered by the Veterans Affairs Office.
- B. Marker Placement. Unless otherwise directed, veteran’s markers will be set at the head of the veteran’s grave. In such cases where a monument is already in place, the veteran’s marker shall be placed directly behind the existing monument unless an alternate location was coordinated with the Director of Public Works prior to the mounting or placing of the marker.
- C. Veteran’s Flag & Flag Holder. When the City of Clare is notified that the deceased is a veteran, a “U.S. Veteran” flag holder will be placed on the veteran’s grave. The City of Clare will place an American Flag in the U.S. Veteran flag holder twice a year – Memorial Day through Flag Day (June 14th); and Veteran’s Day (November 11th).

- 9. REPLACEMENT OF MONUMENTS, HEADSTONES, PLANTINGS, AND/OR DECORATIONS.** The City of Clare is not responsible to replace any stone, decoration, shrub, tree, bush, and/or plant damaged (or stolen) by acts of vandalism or natural phenomenon.
- 10. PETS.** All dogs with the City of Clare (to include Cherry Grove Cemetery) are required to be licensed and under the reasonable control of the owner. Dog owners are responsible to clean up all fecal matter of their pets. Pet owners are responsible for all damage caused by their pets.
- 11. CURFEW.** Curfew requirements for minors under the age of seventeen (17) are stipulated in the City of Clare Ordinance Codes and are applicable to the Cherry Grove Cemetery.
- 12. ABANDONED CEMETERY LOTS.** The Cherry Grove Cemetery Board shall make a determination whether any owner of a burial space has abandoned the space. The determination of abandonment can be based on a wide variety of criteria deemed reasonable or appropriate by the City staff and the Cemetery Board. On an annual basis at Memorial Day, the Director of Public Works shall submit, through the City Manager, a report to the Cemetery Board of all lots within the cemetery believed to be abandoned detailing his/her rationale for this belief. Using the Director of Public Work's report as a reference, the Cemetery Board shall meet in public session to make all determinations of abandonment. Any Board determination of abandonment shall be made by adoption of a formal resolution. Once adopted, the resolution(s) shall be served on the owner(s) personally or sent via first class mail to the owner's last known address. If the owner does not respond or does not comply with the violated law, regulation, or rule, within thirty (30) days of mailing the Resolution, the Cemetery Board may cause a petition to be filed in Clare County Circuit Court by the City Attorney. The petition must be set for a hearing before the court. The Notice of Hearing is to be sent both to the owner(s) of the lots and published in the local newspaper once weekly for three consecutive weeks. If the owner fails to appear, the court may enter a default judgment for the City. If the owner appears and defends the action, the City may either enter into a negotiated settlement or have a hearing on the merits of whether the person is the true owner of the lots and entitled to keep them. If the court finds that the lots are abandoned, it may enter a judgment entitling the City to resell the spaces and use the proceeds as provided by law.