

Riverside Cemetery

Rules and Regulations

City of Three Rivers



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1. Introduction

History

Riverside Cemetery is located at the intersection of East Michigan Avenue (Highway M-60) and Jefferson Street on the eastern boundary of the City. The south boundary of the Cemetery abuts the St. Joseph River. The Cemetery contains approximately 87 acres with over 13,000 graves sites with room for approximately 10,000 additional grave sites. The Cemetery originally known as the Oak Dale Cemetery was established in 1858 on 20 acres of land acquired from Orville and Mary Dougherty. The Cemetery name was changed from Oak Dale Cemetery to Riverside Cemetery on January 10, 1859. In 1945, the City of Three Rivers acquired the Cemetery, and continues to own and operate the cemetery. The Cemetery Board is an advisory body whose members are appointed by the City Commission. The Board meets on a regular basis at the Cemetery Office. The Board offers advice and recommendations to the City Commission and City Manager regarding the care, upkeep and management of the Cemetery.

General information

It is the desire of the City to maintain the Cemetery as a quiet, beautiful resting place. The founders called it the Quiet City. To secure these effects, the City has expended and will continue to expend considerable sums of money; however, the preservation, care and improvement of the Cemetery will require the cooperation of every grave owner and visitor to the Cemetery. Anything that might detract from the general beauty and harmony of the Cemetery must be avoided. Peace and good order must be maintained with the sacredness of the place maintained at all times.

It is most important that the Cemetery be maintained as much as possible in the original historic condition. It is with this end in mind that these Rules and Regulations have been adopted.

2. Definitions

As used in these Rules and Regulations, the following terms shall have the following meanings:

Cemetery: Riverside Cemetery located on the St Joseph River at the intersection of East Michigan Avenue (Highway M-60) and 201 Jefferson Street on the eastern boundary of the City.

City: The City of Three Rivers, a Michigan Municipal corporation, and the owner and operator of Riverside Cemetery.

Cremains: An ashen body placed in the ground in an approved container.

Director: The Department of Public Services Director.

Fetal Burial: The burial in the Cemetery of the remains of dead human fetus following a gestation period of less than twenty (20) weeks.

Fetal Burial Grave: A single burial space in the Cemetery being twelve (12) inches by (24) inches.

Full Burial: A body placed in the ground in a full-body vault and casket.

Grave: A single burial space in the Cemetery.

Grave Markers: These are temporary markers and are removed sixty (60) days after an interment.

Grave Owner: The holder of a Certificate of Burial Rights issued by the City, or a person who is entitled to the collateral right of use of any grave by transfer or devise from the holder of an original certificate.

Headstone – A memorial of granite or marble which extends above the surface of the ground, and is for 1-2 graves.

Interment: The permanent disposition of the remains of a deceased person.

Infant Burial: The burial in the Cemetery of the remains of dead human with a gestation greater than twenty (20) weeks and less than 1-year of age.

Memorial: A monument, marker, or headstone for family or individual use.

Monument: A memorial of granite or marble which extends above the surface of the ground, and is for 3 or more graves.

Marker: A permanent memorial flush with the ground.

3. Ownership and Management

Authority of Director: The Director or Cemetery Sexton and such other employees of the City as the City Manager may designate shall enforce these Rules and Regulations, and may exclude from the Cemetery any person who shall violate any Rule or Regulation. The Director shall have charge of the Cemetery grounds and buildings, and shall supervise and control all persons and activities in the Cemetery, including the conduct of funerals, traffic, grave owners and visitors.

Special Cases: Special cases may arise in which strict enforcement of these Rules and Regulations may impose an unnecessary hardship. The City may, in such cases, make exceptions, suspensions, or modifications of any Rule or Regulation, when in the judgment of the City Manager, it appears reasonable and proper. Any temporary exception, suspension or modification shall not be construed as affecting the general application of these Rules and Regulations.

Cemetery Hours: For the purposes permitted by these Rules and Regulations, the public may have access to the Cemetery grounds between **sunrise and sunset**. Entry to and exit from the Cemetery shall be at the main Jefferson Street entrance only.

Office of Cemetery Sexton: The Sextons office is located at 201 Jefferson St. within the Cemetery grounds. The office is open Monday through Friday from 8:00 AM to 3:00 PM, or as posted on the building door. Questions pertaining to cemetery records, the purchase of graves, interment arrangements and other Cemetery services may be directed to the Cemetery Sexton. Sexton can be reached at the Cemetery office or by telephone **269-273-2821**.

Cemetery Services

- Interments and disinterments.
- Installation of memorial, marker, monument and urn foundations.
- Perpetual care of all graves including the mowing of grounds at reasonable intervals; the seasonal removal of leaves and other debris; the trimming of grass around markers and monuments; and the repair of sunken graves.
- General Cemetery maintenance.

4. Conduct in Cemetery

Admission of Visitors: The City reserves the right to require all persons entering the Cemetery to

present proper identification and to refuse admission to anyone not a grave owner or a relative of a person interred in the Cemetery. The City may refuse the use of any of the Cemetery's facilities at any time to any person who the Director or Cemetery Sexton reasonably believes to have no proper purpose in entering the Cemetery grounds.

Children: Children under twelve years of age are not permitted in the Cemetery unless accompanied by a responsible adult.

Firearms: Firearms are not permitted in the Cemetery except as permitted by law, or part of an authorized volley at a military burial or during authorized memorial services. No hunting is allowed in the Cemetery, with firearms or other means (traps, birds, etc).

Alcoholic Beverages: Alcoholic beverages are not permitted within the Cemetery.

Litter: No person shall deposit rubbish or debris of any kind on the Cemetery grounds. Receptacles for waste materials are located at convenient places and are for use for cemetery waste only. No home waste is allowed.

Flowers and Shrubs: No person shall pick or mutilate any flower, or disturb or break any tree, shrub or plant in the Cemetery except with the written permission of the Director or Cemetery Sexton.

Traffic Regulations: Operators of motor vehicles within the Cemetery shall observe a maximum speed limit of **(10mph)** ten miles per hour and shall observe all provisions of the City's Traffic Code. All drivers should keep an eye out for walkers within the Cemetery. No persons shall operate a motor vehicle off the established roads of the Cemetery without the specific permission of the Director or Cemetery Sexton, nor shall the Cemetery grounds be used as a public thoroughfare. Motorized pleasure vehicles, including snowmobiles, ATV's, go-carts, and golf carts, are not permitted in the Cemetery.

Supervision of Funerals: After entering the Cemetery, all funerals shall be under the supervision of the Director or Cemetery Sexton. Funeral designs and floral pieces may be removed by the Cemetery Sexton when they become unsightly.

5. Canines

Canines: Are permitted in the cemetery under the control of an adult. They shall be on a leash and under the control of the adult walking the canine. The adult walking the canine shall be responsible for picking up any waste the canine may deposit and dispose of it. They should be respectful and give a wide berth around any graveside services or people visiting a deceased loved one. The Sexton shall ask any person violating these rules to leave the Cemetery. A second violation would result in the City prohibiting that owner from bringing their canine onto Cemetery property.

Frisbee and Play Area: Located at the east end of the cemetery. Open field east of the last north-south road. Dogs will be allowed to play and run without a leash in this area only. Note that the east wood line has no fence to contain your dog, so if your dog tends to not mind you and run away, you should not allow them in the play area. If any funeral is in progress inside the cemetery, all activity in the play area SHALL stop. The cemetery sexton will check the area before the funeral so that activity can stop before the funeral arrives. No activity can resume until all mourners have left the area.

Respect for grieving families: Respect shall be provided for grieving families visiting a grave site. If walking your dog give them a wide berth so as to not disturb them. If you are in the dog play area and a grieving family member(s) are in close proximity, all activity in the play area should stop.

The bottom line is, if you see people visiting the cemetery, be respectful, quiet, and see that you and your pet do not disturb them.

Remember this is a year to year period, if we get complaints about dogs and owners not following the rules it could result in going back to no dogs allowed in the Cemetery. The purpose of the cemetery is for burying loved ones, and visiting loved one's grave sites.

It is a privilege to be able to walk a dog in the cemetery not a right, and that privilege could be taken away if the rules are not honored.

6. Burial Graves

Sale and Use of Burial Graves - All graves in the Cemetery, regardless of time of purchase, are subject to these Rules and Regulations, as may be amended from time to time, are specifically subject to the following:

- Graves are sold only for the eventual interment of human remains and shall not be purchased for speculative purposes.
- All graves are sold with the provision for perpetual care.
- A Certificate of Burial Rights shall be issued by the City Clerk to the purchaser or purchasers upon full payment of the purchase price. If graves are purchased by more than one person, each purchaser's interest shall be specified on the Certificate. If the Certificate is lost or destroyed, the City Clerk may issue a duplicate Certificate upon presentation of an appropriate affidavit setting forth the circumstances of the lost or destroyed Certificate.
- Installment purchases of graves shall be subject to the approval of the City Manager

Transfer of Burial Graves - Graves may be transferred only through the City Clerk's Office. All applications for transfer must be accompanied by an affidavit showing good and sufficient reasons for the transfer. Transfers are not permitted for speculative purposes. Each transfer shall be recorded in the Offices of the Director, Cemetery Sexton and the City Clerk. Upon approval of the transfer, a new Certificate shall be assured by the City Clerk. *No persons shall be recognized as a grave owner whose name does not appear on a Certificate of Burial Rights.*

Burial - Burial Rights certificate or Proof of ownership shall be required before any interment can take place. It is the responsibility of the person(s) handling the funeral to provide that information to the Cemetery Sexton before Burial.

7. Interments/Disinterments

Opening of Graves and Disinterments: No grave shall be opened or any body disinterred except for good cause shown and upon the written authorization of the legal heirs of the deceased. The City may refuse to open any grave or disinter anybody for good cause. Persons desiring a grave opening or disinterment shall secure the necessary disinterment permit from the Department of Health and present the permit to the Director, Cemetery Sexton and the City Clerk. Charges made by the City for disinterment shall be charged in accordance with the difficulty of the work and shall be payable in advance. The City shall exercise due care in making a disinterment and removal, but shall assume no liability for the damage to any body, casket, burial vault, urn or decorations in making a disinterment and removal.

Interments: All interments are subject to the following conditions and requirements:

- i. All interments in graves shall be restricted to the grave owner or members of his or her immediate family. All graves shall be dug by the City under the supervision of the Director or Cemetery Sexton. A charge for opening and closing a grave and the seeding of the mound will be made pursuant to Cemetery fees and charges in effect at the time of interment, which charges shall be paid in advance of interment.
- ii. No burial shall be permitted until a legal burial permit has been presented to the Director or Sexton and filed.
- iii. If the deceased is not the grave owner (named on the burial rights certificate), written permission for the interment shall be filed with the Director, Cemetery Sexton and City Clerk prior to interment. Permission is limited to immediate family (parent/child/grandchild). Written permission shall include the notarized signature of all interested parties on the specified permission form provided by the City.
 - An example of “interested parties” would be:
 - Granddaughter has passed away and there is an open grave on grandparent-owned grave where grandparent is already buried.
 - Signatures are required from all children of grandparent, along with their children.
 - We also require proof of will or other document showing who inherited property when grandparent passed away.
- iv. Only one full burial may be interred in each grave. Cremation remains may be buried above another grave; however, there shall be no more than two remains per grave. No interment of any body other than that of the human being shall be permitted.
- v. The grave owner(s) or funeral director shall designate the location of the burial on the lot (group of graves) or family plot, if not identified when graves were sold. Once the locations is designated to the Cemetery Sexton, any change of location shall be at the expense of the grave owner(s).
- vi. A grave opening requested by a funeral director shall be construed as requested by the grave owner(s). The City shall not be responsible for compliance with any order not in writing, or for any mistake due to lack of precise and proper instructions as to a particular grave space, size, and location of a grave in a family plot where interment is desired.
- vii. Interments shall not be made on a Sunday or legal holiday recognized by the City except upon order of the Department of Health.

8. Monuments and Markers

All monuments and markers in the Cemetery shall be installed and maintained according to the following requirements:

- i. No monument or marker shall be installed without the prior written approval of the Director or Cemetery Sexton, who shall designate the location thereof.

- ii. Monuments and markers shall be constructed of durable granite, cut stone from recognized quarries, standard bronze, quality marble or standard metal as authorized and approved by national veterans' organizations. Monuments with audio are prohibited.
- iii. Only one monument or marker is permitted on each grave; however, one upright monument may be allowed for two or more graves.
- iv. All monuments and markers shall be installed upon a foundation constructed by the City at the expense of the grave owner. No foundation shall be constructed if there is damage due to frost action.
- v. Memorials shall have a minimum three (3) inch foundation (non-ribbon section) showing outside of the bottom perimeter.
- vi. Memorials shall be located in the center of the grave (side to side).
- vii. For second burials on one grave, the memorial shall be a marker and placed at the foot of the grave.
- viii. Single headstones not to exceed fourteen (14) inches wide, two (2) feet long. Headstones greater than three (3) feet high shall be reviewed by the Sexton prior to ordering. The single headstone shall be the only monument on each individual grave, except for grave markers, and war veteran or fraternal order markers.
- ix. No headstone for two graves shall exceed three (3) feet in height without special condition. Double markers, of a die and base, shall be considered as monuments and shall be placed in the monument row.
- x. Monuments placed in the section of the Cemetery designated for the burial of infants shall not exceed eight (8) inches by sixteen (16) inches and shall be flush with the ground.
- xi. Authorized persons engaged in the placing of memorials in the Cemetery shall provide and use adequate planking to protect the turf. Following placement of a memorial, the area shall be left in a clean and orderly condition.
- xii. A monument, once placed on its foundation, shall not be removed except with the written permission of the Cemetery Sexton.
- xiii. The City reserves the right to refuse permission to erect or place any memorial on a grave not in keeping with the good appearance of Cemetery grounds or in conformance with the objectives stated in *Item 1* of these Rules and Regulations.
- xiv. If any memorial or structure on any grave or graves becomes unsightly or in need of repair, the Director or Sexton shall attempt to notify the owner(s) by certified mail, directing that the memorial or structure be repaired or replaced within ninety (90) days. Upon failure of the owner(s) to comply with the notice, the Director may cause the necessary repairs to be made or remove the memorial or structure, if beyond repair.

9. Grave Care

Veterans: The Cemetery includes a Veteran's section which is reserved for the burial of veterans and their spouses. The City provides and installs veteran's markers/flag holders for placement on veteran's graves in accordance with State law. Only flat markers or bronze plaques installed flush with the ground

are allowed in the Veteran's Section.

- Urns and shepherd hooks shall not be permitted in Veteran's section.
- Non-flush decorations are permitted two weeks before Memorial Day thru Flag Day.
- Flag Holders will be put out by Cemetery Staff (or volunteers), before Memorial Day and will remain in place thru Flag Day, after this period all flags, flowers and decorations will be removed. The American Legion, or their designee, will install flags and pick up the flags after the Memorial Day period. Flag Holders in Veterans area will be picked up by Cemetery Staff only. These flag holders are the property of the Cemetery.
- Non-flush decorations are permitted during the "winter" decoration time.

Cremation and Infant: The Cemetery includes cremation and infant sections which are reserved for the burial of cremains and infants.

- Urns and shepherd hooks shall not be permitted in cremation and infant sections.
- Non-flush decorations are only permitted two weeks before Memorial Day thru Flag Day.
- Flag Holders will be put out by Cemetery Staff (or volunteers), before Memorial Day and will remain in place thru Flag Day, after this period all flags, flowers and decorations will be removed. The American Legion, or their designee, will install flags and pick up the flags after the Memorial Day period. Flag Holders in Veterans area will be picked up by Cemetery Staff only. These flag holders are the property of the Cemetery.
- Monuments are flush type and no larger than 8" by 16".
- Non-flush decorations are permitted during the "winter" decoration time.

Cemetery-wide

Urns: Urns are the liability and responsibility of the grave owner(s) and are governed by the Rules and Regulations of the Cemetery. The Cemetery assumes no obligation as to the care, maintenance, protection or damage which may result to urns placed upon graves. The City shall not be held responsible for breakage or damage due to freezing and thawing. Only one urn is permitted per grave. **The urn shall be placed in line with and to the right of the headstone or marker one (1) urn per stone.** Urns shall be installed upon a foundation constructed by the City at the expense of the grave owner(s), who shall be responsible for the planting and maintenance of the urn. Urns shall be placed to the right of the marker only. Any urn which becomes broken, unsightly in appearance will be removed from the grave. All urns should be made of material that will withstand the freezing and thawing of the dirt inside. Urns shall be no larger than 12 inches and no higher than 24 inches.

Shepherd hooks: Only one shepherd hook per grave, and all shepherd hooks must be approved by the Cemetery Sexton, shepherd hooks cannot be decorated. Shepherd hooks shall be placed behind the headstone or marker centered, and as close to the head stone or marker as possible. Shepherd hooks shall not be more than 4 feet above the headstone or marker.

Plants: All plants shall be in a pot and the pot must be placed in a hanging basket from the shepherd hook or sitting on the headstone base (if room allows). Plants in pots may not exceed ten (10) inches in diameter and are limited to one (1) per grave. This includes artificial plants, and/or flowers.

Decorations: In addition to an urn, no more than one decoration, natural or artificial, may be placed on

each grave. Excess decorations may be removed by the City. Decorations must be placed in a hanging basket, or sitting on the headstone base (if room allows), and in a non-breakable container.

Temporary Grave Markers: Temporary grave markers as customarily issued by funeral directors shall be removed within sixty (60) days following an interment.

Decorations from Funerals: Any decorations, flowers, plants, wreaths, emblems, etc., used at funerals or placed upon graves, which become unsightly faded or dead will be removed.

Prohibited decorations: The following items are prohibited as decorations in the cemetery. Although the intention of the list is to be all-inclusive, the City reserves the right to remove decorations not listed below if they are deemed a nuisance or safety hazard.

- Boxes
- Toys
- Shells
- Images
- Wire screens
- Arbors
- Trellises
- Statues
- Figurines
- Noisy decorations
- Decorative lighting (including solar)
- Copings, fences, curbs, hedges, mounds
- Structures of wood or perishable materials
- Balloons

Seasonal Decorations (raised stone sections ONLY): Decorations remaining beyond the time permitted shall be removed and destroyed by the City.

Summer: May 1st through October 1st.

Winter: December 1st through April 1st of the following year.

Tripods, decorative balls and other such standing decorations are welcome between December 1st and April 1st.

Cleanup - Spring / Fall: Cemetery employees shall remove all decorations during the cleanup periods. **Owners wishing to save decoration must remove them before the March 1st or October 1st cleanup deadline.**

Spring: April 1st thru May 1st

Fall: October 1st thru December 1st.

Shrubs: New installation of shrubs of any kind are not permitted on grave sites.

If any existing tree, shrub, plant, vine, etc. growing on any grave or graves shall by reason of its branches, roots, appearance or otherwise, become detrimental to adjacent graves, alleys or roadways, or an inconvenience to the public, it shall be the duty of the Sexton to have it, or such

parts removed.

Shrubs that are already in the ground will be left as long as they are maintained and cared for.

Private Mausoleums:

Persons desiring to erect a private mausoleum or vault in the Cemetery shall file a written application with the City Manager with proposed plans and specification for the construction thereof and such additional information as the City Manager may reasonably require.

The application shall be presented to the City Commission for consideration at its next regular meeting. Upon approval by the City Commission, the City Manager shall issue a permit for construction of the mausoleum or vault subject to such conditions as the City Commission may reasonably require.

Benches: No settee, benches or chairs will be permitted without the written permission of the Director and Cemetery Sexton. Bench shall be in designated areas only and only of an approved type.

Ash Scattering: **General ash scattering is not permitted on cemetery property.**

Green Burials: Green burials are not permitted in Riverside Cemetery.

10. Cemetery Fees and Charges:

Copies of currently effective Cemetery fees and charges, as approved by the City Commission are available in the City Clerks, Directors or Cemetery Sextons office or the City's website www.threeriversmi.org. Fees and charges are subject to change from time to time.

11. Amendments/Appeals

- i. Amendment of Rules and Regulations. These Rules and Regulations may be amended, altered or repealed at any time by action of the City Commission. Any person aggrieved by any change in these Rules and Regulations may appeal to the City Commission upon showing that such change shall cause an unreasonable expense or undue hardship.
- ii. Corrective Action. The City shall have the right to correct any mistake made by any employee of the City with regard to an interment or disinterment by the removal or transfer of a body or cremation to another grave of equal value and similar location. The City shall have the right to correct any mistake made by a City employee with regard to the description of any grave or grave transfer description by certificate and substituting in lieu thereof a grave or graves of equal value or similar location so far as may be possible.
- iii. Appeals. Persons having suggestions as to the operation and management of the Cemetery may present their suggestions in writing to the Director, Cemetery Sexton or the City Manager, who shall refer such suggestions to the Cemetery Board for consideration. Grave owners aggrieved by any action or decision of the Director or Cemetery Sexton in the enforcement of these Rules and Regulations may file a written appeal with the City Manager. If the appeal is not resolved by the City Manager within ten (10) days following the filing of the appeal, the matter shall be referred to the City Commission at its next regular meeting. The decision of the City

Commission shall be final following its due consideration of the appeal.

12. Funeral Days and Hours

Regular Hours: The times listed below are based on arrival time at the cemetery. For arrivals outside the regular hours, additional fees will be charged, with a minimum 1-hour additional charge. Rates are based on the current fee schedule adopted by the City Commission.

Monday thru Friday until 3:00 pm

Saturday until 12:00 pm (noon)

Closed:

Sunday

City Holidays

- i. Special permission from the City Manager, Director, or Cemetery Sexton must be obtained to have a funeral on Sunday, Holiday or after 12:00PM (noon) on Saturday.

The foregoing Rules and Regulations were approved and adopted by the City Commission of the City of Three Rivers at a regular meeting held on the 5th day of June, 2018, pursuant to Resolution No. 18-18.

Full copies of the Rules and Regulations can be obtained at the Cemetery Office or the Clerk's office at City Hall.