

20.0900

**CEMETERY ORDINANCE  
TOWNSHIP OF GRAND HAVEN, MICHIGAN  
ord. no. 358 eff. April 19, 2002**

An Ordinance to adopt provisions to protect the public health, safety and general welfare by establishing regulations relating to the ownership, operation, repair, maintenance, control and management of cemeteries owned by the Charter Township of Grand Haven, Ottawa County, State of Michigan; to provide penalties for the violation of this Ordinance; and to repeal all conflicting ordinances or parts of ordinances.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN,  
ORDAINS:

**20.0901      Sec. 1            TITLE**

This Ordinance shall be known and cited as the Grand Haven Charter Township Cemetery Ordinance.

**20.0902      Sec. 2            DEFINITIONS**

1.    **Babyland.** A portion of the Cemetery designated exclusively for the burial of children less than three (3) years of age.
2.    **Cemetery.** Any cemetery owned and operated by the Township.
3.    **Double Monument.** A Monument (as described below) that is larger and is placed upon two graves or grave sites.
4.    **Family Monument.** A Monument (as described below) that is larger because it is placed upon a family plot.
5.    **Family Plot.** A family plot for a family or some other group which consists of at least eight (8) individual graves or grave sites in a single block and owned by a single person (as described below).
6.    **Flower Urn.** A receptacle for the planting of flowers made of durable concrete, granite, marble, standard bronze, or other material equivalent in durability approved by the Superintendent of Cemeteries.
7.    **Grave or Grave Site.** A land area four feet wide and ten feet long, except in Babyland where it is a land area three feet (3') wide and three and one-half feet (3.5') long and the Lakeshore Cemetery, Garden of Pines and Veteran's Memorial Gardens where it is forty inches (40") wide and nine feet (9') long. A grave is a grave site at which there has been an interment. A grave site has not yet had an interment.

8. **Interment.** The disposition of the remains of a deceased person.
9. **Marker.** A memorial made of durable granite, marble, standard bronze or other material equivalent in durability approved by the Superintendent of Cemeteries. Flush markers are level with the turf, while bevel or slant markers extend above the turf.
10. **Monument.** A tombstone or memorial that extends above the turf made of durable granite, marble, standard bronze, or other material equivalent in durability approved by the Superintendent of Cemeteries.
11. **Person.** A firm, association, partnership, joint venture, corporation, trust, municipal or public entity, or equivalent entity or a combination of them, as well as a natural person.
12. **Resident.** A person who:
  - A. is an eligible voter or could be an eligible voter in the Township; or
  - B. claims a “homestead” exemption (as defined by State of Michigan law) on property in the Township for which the person paid Township property taxes in the preceding year; or
  - C. claims the Township as the person’s last residence as defined under Medicare, Medicaid, or similar Federal law.
13. **Superintendent of Cemeteries.** The Assistant Director of the Department of Public Works, or his/her designee, or in the absence of the aforementioned, an individual appointed by the Township Superintendent/Manager.
14. **Township.** Grand Haven Charter Township, Ottawa County, Michigan.

**20.0903            Sec. 3            LIABILITY FOR DAMAGES**

Neither the Superintendent of Cemeteries nor Township employees working in the cemeteries shall be liable for floral designs or any other type of decoration items used on graves or grave sites, for monuments, or for markers, other than to accept such items for use in the cemeteries. The Township shall not be liable for damage of any kind that may occur to such items in the normal course of cemetery operations. No officer, agent or employee of the Township shall be liable for any damage that may occur to any persons as a result of any act, decision or other consequence or occurrence arising out of the discharge of duties or responsibilities pursuant to this Ordinance. The Township shall not be held responsible for damages by the elements, acts of God, common enemies, thieves,

vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or the order of any military or civil authority, whether the damages may be direct or collateral.

**20.0904      Sec. 4            HOURS**

The cemeteries shall generally be open at or about 8:00 a.m. and closed at 9:00 p.m. or sunset, whichever occurs earlier. Any person who gains entrance or is found in the cemeteries after 9:00 p.m. and before 8:00 a.m. may be treated as a trespasser.

**20.0905      Sec. 5            FEES**

1. All fees or charges for services shall be payable to the Township and paid at the Township. Such charges or fees shall be established, subject to change from time to time, by resolution of the Township Board.
2. No Township employee may solicit or accept any form of payment or gratuity for work or services rendered. Township employees at the cemeteries are not permitted to do any work for burial rights holders or interested parties except upon the direct order of the Superintendent of Cemeteries.
3. The Township Board may establish lower fees for residents than it establishes for those persons who are not residents.
4. The full purchase price of the designated grave site and the full fee for a grave opening shall be paid before any proposed Interment occurs.
- E. Arrangements for the payment of any further indebtedness due the Township for an interment in the cemetery shall be made before the proposed interment occurs.
6. The charges for any disinterment or removal shall be paid in advance.

**20.0906      Sec. 6            SALE OF BURIAL RIGHTS**

Burial rights shall be sold by the Township at prices established by resolution of the Township Board. The sale of grave sites grants a right of burial only and does not convey any other title to the lot or burial space sold. No sale shall be made to funeral directors in their role as funeral directors; any sales to funeral directors shall be to them as individual persons, to the extent they are eligible to purchase grave sites.

**20.0907            Sec. 7                    TRANSFER OF BURIAL RIGHTS**

No burial rights may be transferred to another person without prior written approval of the Superintendent of Cemeteries, after receiving a written request for transfer from the current owner of the grave site. No burial right shall be purchased or sold or rights transferred for speculative purposes. No burial right shall be used for any other purpose than for burial of human remains. Burial rights may only be transferred to those persons eligible to be original purchasers of cemetery lots or burial spaces.

Transfers of burial rights shall require a payment of twenty-five dollars (\$25.00) to cover administrative costs of generating the certificate and amending the computer records.

**20.0908            Sec. 8                    DESCENT OF BURIAL RIGHT(S)**

Ownership of a burial right shall descend as directed by will or other suitable document signed by the assignor. In the absence of such will or other suitable document, the burial right shall descend as personal property under the applicable statutes of the State of Michigan.

**20.0909            Sec. 9                    CONDUCT DURING A FUNERAL**

All cemetery work of any description being conducted in the general area of a funeral shall cease while the funeral is being conducted. All trucks and workers shall withdraw a reasonable distance from the location of the funeral. The Superintendent of Cemeteries shall have the authority and discretion to enforce this Section as deemed necessary.

**20.0910            Sec. 10                 OPERATION OF VEHICLES; REGULATIONS OF  
ROADS, DRIVES AND WALKWAYS**

1. No person may drive a vehicle in excess of ten (10) miles per hour in the cemetery.
2. No easement or right of interment shall be granted to any person in any road, drive, alley, walk or aisle way within the cemetery. However, such roads, drives, alleys, walks or aisle ways may be used when necessary as a means of access to locations in the cemetery if they are devoted to that purpose.
3. All persons within the cemetery shall use only the designated roads, drives, alleys, walks and aisle ways. However, a person may walk upon or across graves, grave sites or lawns when necessary to gain access to a grave or grave site.

4. Any vehicle parked on the grass may be ordered removed by the Superintendent of Cemeteries, and the owner and/or operator shall be responsible for all costs.
5. No person may operate a vehicle in the cemeteries for recreational purposes.
6. No person shall spin or cause to spin the tires of any motor vehicle in such a manner that damage is caused to the roadway parking area or any ground.
7. No person shall allow a pet to run loose within any portion of the cemeteries. For the purposes of this Ordinance, the phrase “allow a pet to run loose” shall mean that the pet is not on a leash held by the person in custody of the pet.

**20.0911      Sec. 11      FUNERALS**

1. Funeral directors must present the necessary burial or transit permit as required by State law together with appropriate identification of the person to be buried in the grave site.
2. Charges and fees for service shall be recommended and approved by the Township Board.
3. Because of possible inclement weather, concern for safety of persons attending funerals, and other related considerations, there shall be no grave side services from November 1 through April 1, except from time to time as approved according to the discretion of the Superintendent of Cemeteries. In deciding to grant or deny the request, the Superintendent of Cemeteries may consider, among other factors, weather conditions, site conditions (e.g. is there snow or ice on the ground), the safety of persons attending the funeral, and the schedule of pending services. Except as allowed by the Superintendent of Cemeteries, services from November 1 through April 1 must be held off-site or at the Lakeshore Cemetery chapel at a cost established by resolution from time to time by the Township Board.

**20.0912      Sec. 12      CONDUCT OF PERSONS**

1. Within the cemeteries, all persons are prohibited from picking flowers (wild or cultivated), breaking or injuring any tree, shrub or plant, or writing upon, defacing or destroying any memorial, marker, fence or other structure. No person may destroy or otherwise disturb the birds or other animal life within the cemeteries, UNLESS authorized by the Superintendent of Cemeteries.



interments, disinterments, or the description, transfer or conveyance of any grave or grave site.

2. When an interment is to be made in the cemetery, the location of the interment shall be designated by the owner(s) of the grave site or by the heir(s) of the owner(s). The Superintendent of Cemeteries may reject any proposed location of interment if the Superintendent deems that such location would not be consistent with the appearance of surrounding graves or grave sites. The Superintendent of Cemeteries shall then have the right to designate an alternative location for the interment. No damage liability shall attach because of any error made by the Superintendent of Cemeteries in so designating the location of interment.
3. All interments, disinterments, removals and cremated interments shall be handled by Township employees.

**20.0916      Sec. 16      VAULTS**

In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wooden or metal boxes, all burials must be made in standard vaults made of concrete or other material approved by the Superintendent of Cemeteries. Reinforced plastic or units of similar materials may be used for infant interments or cremains only. Vaults are not required for interment of cremains.

**20.0917      Sec. 17      DECOR REMOVAL**

The Superintendent of Cemeteries may remove or order removed all floral designs, trees, shrubs, plants or herbage of any kind, and may also remove toys or any other kind of non-green decoration as soon as such items become unsightly, detrimental or diseased, in the opinion of the Superintendent of Cemeteries. The Township has no responsibility to return to its owners any item the Superintendent of Cemeteries so removes or orders removed.

The cemetery staff will remove green pails, urns, and decorations left past the proper dates. Artificial flowers, artificial wreaths, pails, and non-conforming decorations removed by the cemetery staff from the Lakeshore Cemetery will be placed along side the Lakeshore Cemetery Chapel; if removed from the Historic Cemetery, the material will be placed along the side of the Historic Cemetery maintenance building. If left for more than thirty (30) days at either location, such items will be discarded.

**20.0918      Sec. 18      WINTER DECOR**

Winter decorations or artificial wreaths may be placed on graves or grave sites from November 15th through April 1st. Grave blankets are allowed between

November 20th and January 10th. After January 10th, grave blankets will be removed and discarded.  
(amend. by ord. no. 406 eff. April 22, 2005)

**20.0919      Sec. 19      FLOWERS**

Flowers may be placed between May 1<sup>st</sup> and October 15<sup>th</sup>. Artificial flowers are **not** suggested. However, if artificial flowers are placed at the gravesite, the Superintendent of Cemeteries reserves the right to remove any flowers that become unsightly due to weather, wear or for any maintenance reason. Flowers are allowed in Flower Urns only and must be secured. Only one Flower Urn will be allowed per grave or gravesite. All other flowers will be removed.  
(amend. by ord. no. 406 eff. April 22, 2005)

**20.0920      Sec. 20      FLOWER URNS**

1. Historic Cemetery: A small grape, Westminster or square urn, or small green metal cemetery pail is allowed on each plot. All urns or pails must be placed to the side of the grave marker.  
(amend. by ord. no. 499 eff. October 18, 2011)
2. Lakeshore Cemetery: All flowers and decorations must be in either a memorial vase or a small green metal cemetery pail.

**20.0921      Sec. 21      PLANTINGS**

Unless specifically provided in these rules and regulations, all ground planting of trees, shrubs, plants, herbage or flowers on graves or grave sites is strictly prohibited. For safety reasons and for ease of cemetery maintenance, the use of wire, metal rods, shepherd's hooks, wooden posts or crosses, or other such materials for stabilization of decorations or the placing of chairs, settees, glass jars, wood or iron cases or tin cans is strictly prohibited. All items mentioned and any others, which are unbecoming to good decor, according to the discretion of the Superintendent of Cemeteries, are subject to removal.

1. Historic Cemetery: Only within the historic cemetery, when a person purchases a lot with four (4) or more grave spaces, the person is allowed to place one (1) dwarf shrub at each end of a double marker, provided that the interment has been completed on both lots. If shrubs are planted, then flowers in urns or pots are not permitted. The Superintendent of Cemeteries must approve all new dwarf shrub plantings. The lot owner must care for dwarf shrubs. All dwarf shrubs, including existing and new, must be kept within the size limit of thirty-six inches (36") in height and twenty-four inches (24") in diameter. Any shrub allowed to grow larger, or shows lack of upkeep by the lot owner, is subject to removal.

2. Lakeshore Cemetery: Shrubs and plantings are not permitted.
3. The Township reserves the right to remove or trim any tree, plant or shrub located within the Cemeteries in the interest of property maintenance, appearance and use of the Cemeteries.

**20.0922      Sec. 22            FLAGS**

The Township may at its discretion allow flags of the United States of America to be placed on the graves of service personnel a few days prior to Memorial Day. Such flags shall be removed after the celebration of Independence Day.

**20.0923      Sec. 23            GRADING AND SURFACE**

The grading of graves, grave sites, and grounds shall be performed only by Township employees or others authorized by the Superintendent of Cemeteries. Any other grading not authorized shall be corrected by Township employees or others authorized by the Superintendent of Cemeteries. Any ground surface other than grass or sod is prohibited.

**20.0924      Sec. 24            MATERIALS FOR MEMORIALS**

The materials used in the construction of monuments and markers shall be of recognized durable granite, marble or standard bronze.

**20.0925      Sec. 25            PHOTOGRAPHS AND MESSAGES ON MONUMENTS  
AND MARKERS**

Reproductions of photographs on glass, porcelain or other material attached to monuments or markers are not recommended, although it is not prohibited. If the Superintendent of Cemeteries determines that any monument or marker is indecent, profane, pornographic or otherwise offensive to the community, the monument or marker may be removed from the cemetery five (5) days after written notice is given to the person with burial rights in the grave site with that monument or marker, or to that person's heirs or representatives, if known to the Township.

**20.0926      Sec. 26            FAMILY MONUMENTS**

Only one family memorial shall be allowed on a family lot, and only if the lot has at least eight (8) grave spaces. A family memorial may not be placed less than three feet (3') from the front or rear lot line. The grave spaces that the family memorial spans shall be considered unusable as grave spaces. The Superintendent of Cemeteries must approve the size of a family memorial. However, all family monuments within the Lakeshore Cemetery must still be set level with the turf. Only individual markers are permitted when used in

relationship to a family memorial, and all such individual markers shall be set level with the turf.

**20.0927      Sec. 27            MONUMENT AND MARKER PLACEMENT**

The marker or monument shall be placed according to the discretion of the Superintendent of Cemeteries, taking into account the location of monuments and markers on adjoining graves and grave sites. The Superintendent of Cemeteries shall determine the direction that any marker or monument faces. However, in no event shall the actual placement of the monuments and markers be accomplished by or at the expense of the Township.

**20.0928      Sec. 28            MONUMENT AND MARKER SIZE**

Historic Cemetery: The following is an index to marker and memorial sizing and is a guideline to be followed by all companies and monument dealers who deliver monuments to the Historic Cemetery. If a written request is made to deviate from this size guideline, the Superintendent of Cemeteries shall consider the request and issue a written response. Any memorial delivered to the Historic Cemetery with oversized dimensions and without proper approval shall be unacceptable and subject to immediate removal. Provided, however, because monumental stone is a natural product, it is difficult to conform to absolute dimensions in fabrication. Therefore, a tolerance of one-half (.5") inch is allowed for specific dimensions. This tolerance applies to the base and the die.

Maximum Sizes:

<b>Type of Marker</b>	<b>Length</b>	<b>Width</b>	<b>Height</b>
Flush Section Surface Markers	24"	12"	4" (below the surface)
Babyland Markers	16"	8"	8"
Single Markers	28"	16"	18"
Double Markers with or without Base	48"	16"	32"

Individual markers: Hickey, slant, bevel, etc. The maximum size represents the overall dimension. Individual markers may have a base if so desired. The base must be included in the size guidelines.

Guidelines for a double memorial to be used on a lot with two (2) or more grave spaces are a maximum size of forty-eight inches (48") in length by sixteen inches (16") in width by thirty-two inches (32") overall height. A double marker may have a base if so desired. The base must be included in the size guidelines.

Lakeshore Cemetery:

Maximum Sizes:  
(All markers must be flush with the ground.)

<b>Type of Marker</b>	<b>Length</b>	<b>Width</b>
Companion Memorials Flush	60"	16"
Individual Memorial Flush	28"	22"
Columbarium Memorial* ( <i>Brass with black lettering</i> ) (* <i>Must be this exact size</i> ) (amended by ord. no. 406 eff. April 22, 2005)	10"	4"
Double Crypt Memorial Flush (Ledger) (amended by ord. no. 524 eff. May 26, 2014)	28"	30"

**20.0929      Sec. 29      FOUNDATIONS FOR MONUMENTS**

The footing or foundation upon which any monument is to be placed shall be two inches (2") longer and two inches (2") wider than the above-ground monument. Flush markers at least three inches (3") thick may be placed without a footing or foundation.

**20.0930      Sec. 30      INTERMENTS PER GRAVE OR GRAVE SITE**

Except as otherwise provided, the remains of only one human body, which shall include a vault and coffin, may be interred in a grave or grave site. A parent and an infant child, or two (2) children of less than three (3) years of age, may be interred together if they are interred at the same time; however, they may not be interred together in Babyland.

If a lawn crypt is utilized in the Garden of Freedom or Garden of Prayer, the remains of two human bodies may be interred in a grave or grave site. Without exception, burial will occur in the bottom section of the crypt followed by the top section.

In extraordinary circumstances, after consulting with the Township Superintendent/Manager, the Superintendent of Cemeteries may approve other multiple interments in a single grave site.  
(amend. by ord. no. 406 eff. April 22, 2005)

**20.0931      Sec. 31      INTERMENT OF CREMAINS**

Cremaains sent or delivered to the Township shall be permanently interred within a period of four weeks after receipt. If cremaains are received between November 1st and April 1st, they must be permanently interred within four weeks after April 1st. If arrangements are not made for permanent interment within these time periods, the Township shall not be liable or responsible for damage to or loss of cremaains or the container holding the remains.

The cremation section is the area of the cemeteries reserved for cremaains only. No monuments other than the designated monument established by the Township are permitted. Each grave site in the cremation sections shall be sixteen inches (16”) by sixteen inches (16”). Cremaains shall be identified on the designated monument by name and dates of birth and death. Husband and wife may be interred side by side only if they are interred at the same time. Names may be placed on the designated monument prior to interment, or even prior to death, so that persons such as husbands and wives may be listed together.

Cremation vaults are not required, but are permitted.

Outside of the cremation sections, up to six (6) cremaains may be interred in a single grave site, with or without cremation vaults. Up to five (5) cremaains may be interred in the same grave as a full-sized interment, but only without cremation vaults.

**20.0932      Sec. 32            TEMPORARY MEMORIAL**

A temporary metal nameplate may be used to identify a grave for a period not to exceed six (6) months from the date of interment.

**20.0933      Sec. 33            NUMBER OF MONUMENTS OR MARKERS**

Only one individual monument or marker may be used to identify a grave or grave site.

**20.0934      Sec. 34            EXISTING CONDITIONS**

Notwithstanding any provisions to the contrary, conditions that exist prior to the adoption this Ordinance and the rules and regulations contained within shall be governed at the discretion of the Superintendent of Cemeteries.

**20.0935      Sec. 35            GRAVE OPENING FEES**

Grave Opening Fees are as follows:

<b>SERVICE</b>	<b>RESIDENT</b>	<b>NON-RESIDENT</b>
Adult Interments	375.00	750.00
Cremation Interments	200.00	400.00

Child Interments	250.00	500.00
Cremation Entombments	50.00	100.00
Disinterment	800.00	1,200.00
Cremation Disinterment	400.00	600.00
Saturday Interments, <b>Add</b>	150.00	300.00
Burials after 3:00 p.m., <b>Add</b>	100.00/hour	150.00/hour
Use of Chapel	150.00 for 2 hours	200.00 for 2 hours
Winter interments from November 1 <sup>st</sup> through April 30 <sup>th</sup> at the discretion of the Superintendent of the Cemetery, <b>Add</b>	100.00	150.00

(amend. by ord. no. 406 eff. April 22, 2005; amend. by ord. no. 499 eff. October 18, 2011)

**20.0936      Sec. 36      PLOT COSTS**

Costs of single grave sites are as follows:

<b>CEMETERY or SECTION</b>	<b>RESIDENT</b>	<b>NON-RESIDENT</b>
Historic	650.00	1,300.00
Lakeshore, Sermon on the Mount	600.00	1,200.00
Lakeshore, Chapel Hill Garden	550.00	1,100.00
Lakeshore, Garden of Freedom*	550.00	1,100.00
Lakeshore, Garden of Pines	550.00	1,100.00
Lakeshore, Garden of Prayer*	550.00	1,100.00
Lakeshore, Garden of Hope ( <i>only for cremains</i> )	200.00	400.00
Lakeshore, Columbarium (Garden of Prayer Niches)	900.00	1,800.00
Babyland, both Cemeteries	200.00	400.00
Scattering Garden	300.00 w/nameplate	600.00
Scattering Garden	50.00 w/out nameplate	100.00
*If a lawn crypt is pre-installed on the site, increase the cost by . . .	1,100.00	1,300.00

(amend. by ord. no. 499 eff. October 18, 2011)

**20.0937      Sec. 37      APPEALS**

Special circumstances or cases may arise in which the literal enforcement of a provision of this Ordinance may impose an undue or unnecessary hardship. Notwithstanding any such provision to the contrary, the Township Superintendent, after due consideration, may make such exceptions, suspensions or modifications of any applicable provision as it is deemed necessary. The Township Superintendent shall be required to offer written explanation to the Board within five (5) business days of any decision to grant an exception, suspension or modification of this ordinance.

Any decision of the Superintendent may be appealed to the Grand Haven Charter Township Board. Such request for appeal must include a written explanation of the request for appeals, and the special circumstances that the applicant believes impose an undue or unnecessary hardship. The Board will be required to act upon such a request appealing the decision of the Township Superintendent within thirty (30) days after the township receives the written explanation of the request for appeal.

**20.0938            Sec. 38            VIOLATIONS**

Any Person violating any of the provisions of this Ordinance shall be responsible for a municipal civil infraction, subject to enforcement procedures as set forth in the municipal civil infraction ordinance adopted by the Township. A Person who commits a civil infraction shall be issued a notice advising the Person of the violation and granting the Person a 14-day period to remedy the violation. If the violation is not remedied within fourteen (14) days, the Person shall be subject to a fine of fifty dollars (\$50.00), plus costs and other sanctions, for each infraction. Each day during which any violation of this Ordinance continues shall be deemed a separate and distinct offense. Increased civil fines may be imposed for repeat violations of this Ordinance, a repeat violation means a second or subsequent municipal civil infraction violation committed by a Person within any 12-month period and for which a Person admits responsibility or is determined to be responsible. The increased civil fine for repeat violations shall be one hundred dollars (\$100.00), plus costs and other sanctions.

The Township Ordinance Enforcement Officer, the Director of Public Works, the Assistant Director of Public Works, members of the Ottawa County Sheriff's Department assigned to the Township, members of any law enforcement agency whose services are contracted for by the Township, and any other individuals who may from time to time be appointed by resolution of the Township Board, are designated as the authorized Township officials to issue municipal civil infractions citations (directing alleged violators to appear in court) or municipal civil infraction violations notices (directing alleged violators to appear at the Grand Haven Charter Township Municipal Violations Bureau) as provided by Township Ordinance.  
(amend. by ord. no. 363 eff. Dec. 1, 2002)

The Township Ordinance Enforcement Officer, the Director of Public Works, the Assistant Director of Public Works, members of the Ottawa County Sheriff's Department assigned to the Township, members of any law enforcement agency whose services are contracted for by the Township, and any other individuals who may from time to time be appointed by resolution of the Township Board, shall have the authority to determine, in their discretion, that immediate enforcement of this Ordinance is required and that the above-referenced 14-day period to remedy a violation of this Ordinance is not in the Township's best interests. In that event, either a shorter warning period shall be allowed or the Person who commits a civil

infraction shall immediately be subject to a fine of fifty dollars (\$50.00), plus costs and other sanctions for each violation of this Ordinance (or subject to the increased civil fines for a repeat violation of this Ordinance.)  
(amend. by ord. no. 363 eff. Dec. 1, 2002)

**20.0939            Sec. 39            SEVERANCE CLAUSE**

The sections of this Ordinance shall be deemed to be severable. Should any section, paragraph or provision be declared by the courts to be unconstitutional or invalid, that holding shall not affect the validity of the balance of this Ordinance, which shall be construed as if the unconstitutional, invalid or rejected portion had never been included.

**20.0940            Sec. 40            REPEAL**

All ordinances, parts of ordinances or amendments to ordinances, any of which are in conflict with the provisions of this Ordinance, are repealed to the extent of such conflict.

**20.0941            Sec. 41            ADMINISTRATIVE LIABILITY**

No officer, agent or employee of the Township, or member of the Township Board, shall be personally liable for any damage, which may occur as a result of any act, decision or other consequence or occurrence arising out of the discharge of his or her duties and responsibilities pursuant to this Ordinance.

**20.0942            Sec. 42            EFFECTIVE DATE/REPEAL**

This Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan, on April 8, 2002, after introduction and a first reading on March 25, 2002, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective on April 19, 2002. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.  
(ord. no. 406 eff. April 22, 2005; amend. by ord. no. 499 eff. October 18, 2011)