

**DANBY TOWNSHIP**

**ORDINANCE NO.** \_\_\_\_\_

**Adopted** \_\_\_\_\_

**Effective Date** \_\_\_\_\_

**AN ORDINANCE TO AMEND THE DANBY TOWNSHIP ZONING ORDINANCE TO  
DEFINE AND REGULATE PRIVATE BURIAL GROUNDS AS A SPECIAL LAND USE  
IN THE AG ZONING DISTRICT**

WHEREAS, THE TOWNSHIP OF DANBY, COUNTY OF IONIA, STATE OF MICHIGAN,  
ORDAINS:

**Section 1:** Chapter 2 Definitions, Section 2.16- Definitions P. Section 2.16 of the Danby Township Zoning Ordinance is amended to include the following term and definition:

PRIVATE BURIAL GROUNDS- A tract of land on private property that is laid out and surveyed for use as a burial site, intended solely for the interment of members of a family and their descendants. Such grounds are for private use by the family and are not open to the general public. Private burial grounds include in-ground burials, cremation gardens, and natural & green burials, but do not include above-ground entombment.

**Section 2:** Chapter 5 Agricultural (AG) District, Section 5.03 Special Land Uses. Section 5.03 of the Danby Township Zoning Ordinance is amended to include “Private Burial Grounds” as a special land use in the AG District Zoning District.

**Section 3:** Chapter 13 Special Land Uses, Section 13.07. Section 13.07 of the Danby Township Zoning Ordinance is amended to include a new subsection CC to read in its entirety as follows:

**CC. Private Burial Grounds**

1. Applicability. This section applies to any new or expanded private burial grounds.
2. Use Restriction. Private burial grounds shall be limited to the use by a family and descendants for the interment of members of such families and descendants. No buildings, structures, or uses are permitted.
3. Minimum Acreage for Qualifying Lots. The minimum acreage of a lot from which a private burial ground shall be split is 20 acres.
4. Maximum Acreage. The maximum lot size for a private burial ground split from a qualifying-sized lot is one (1) acre.

5. **Minimum Setbacks.** The minimum setback for burial plots and monuments is 25 feet from all lot lines, except that the setback from public road rights-of-way and private street easements is 50 feet.
6. **Maximum Height of Monuments.** The maximum height of monuments is five (5) feet.
7. **Frontage and Access.** Notwithstanding the access requirements of Section 3.04, a private burial ground lot does not require frontage on a public street right-of-way or private street easement. However, in this case, an easement of a sufficient width for reasonable access to the site shall be provided. The access easement shall be included in a survey. The width of the access easement shall be determined through the special land use process and shall be sized according to whether the site will be accessed by foot or motor vehicles.
8. **Health Department Approval.** The applicant shall secure Ionia County Health Department approval.
9. **Additional Special Land Use Standard.** In addition to the standards for special land use approval in Section 13.04, the Township shall find that the establishment and operation of the private burial ground would not be injurious to public health.
10. **Deed Requirement, Survey, and Recording.**
  - a) The deed shall permanently establish the private burial ground and restrict all other uses of the property.
  - b) The deed shall establish the person or persons named trustees and provisions for continuing trusteeship.
  - c) A survey of the private burial ground shall be prepared to accompany the deed. If the lot does not have frontage on a public street right-of-way or private street easement, an access easement to the private burial ground shall be established.
  - d) The applicant shall record the deed, survey, and access easement (if applicable) with the Ionia County Register of Deeds within 30 days of special land use approval and prior to using the property for private burials.
  - e) Copies of recorded documents must be delivered to the Township Clerk immediately after recording.

**Section 4: Severability.** The provisions of this ordinance are hereby declared to be severable, and if any clause, sentence, word, section, or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

**Section 5: Effective Date.** This ordinance shall be effective eight (8) days after the publication of a summary of its provisions in a local newspaper of general circulation in the Township.

**ADOPTED:**

**Yeas:** \_\_\_\_\_

**Nays:** \_\_\_\_\_

**Absent:** \_\_\_\_\_

**STATE OF MICHIGAN** )

)

**COUNTY OF IONIA** )

I, the undersigned, the duly elected Clerk of Danby Township, Ionia County, Michigan, DO  
HEREBY CERTIFY that the foregoing is a true and complete representation of certain  
proceedings conducted by the Board of Trustees of said Township at a meeting held on this  
\_\_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Kristina Platte  
Danby Township Clerk