



8555 Kalamazoo Ave., SE
Caledonia, MI 49316

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July 17, 2024

Gaines Township Board of Trustees
8555 Kalamazoo Ave SE
Caledonia, MI 49316

RE: July 22, 2024, Township Board Workshop

Township Board Members:

Greetings! I hope that you are not feeling like summer is flying by like I am.

The agenda for the July 22 workshop has a just few items for discussion. The Township Cemetery Ordinance needs to be reviewed and updated. Staff is asking for direction from the Board on items they would like to see in the updated ordinance. I am hoping that through discussion you will provide direction for an updated ordinance that will be presented to you at a future meeting.

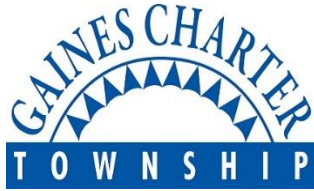
As you are aware, all American Rescue Plan Act (ARPA) funds must be allocated by December 31, 2024, and spent by December 31, 2026. The Township has some funds that have not yet been allocated. I would like to discuss ideas that Board member may have for allocating those remaining funds, and then have the Board do the formal allocation at a meeting in August or September. This will give Board members the opportunity to consider the options and decide what direction they would like to go.

If you should have any questions about any of these items, please don't hesitate to reach out to me.

Best regards,

A handwritten signature in blue ink, appearing to read "Rod Weersing", is written over the printed name and title.

Rod Weersing
Township Manager



CHARTER TOWNSHIP OF GAINES
MEETING LOCATION: 8555 Kalamazoo Ave., SE, Caledonia, MI 49316
Township Board of Trustees Meeting
PRELIMINARY AGENDA
MONDAY – July 22, 2024
Time: 5:30PM

- 1. Opening Prayer ~ Clerk Brew**
- 2. Pledge of Allegiance**
- 3. Call to Order and Attendance ~**
- 4. Declaration of Conflict of Interest**
- 5. Approval of Agenda**
- 6. Communications ~ Informational items ~ *letters, reports, updates, etc.***
- 7. Scheduled Speakers NONE**
- 8. Public Comments – *Public may speak regarding anything on the agenda which is NOT scheduled for a public hearing (comments limited to 3 minutes per speaker)***
- 9. Public Hearings NONE**
- 10. New Business**
 - a. Review current cemetery ordinance and rules**
 - b. Distribution of ARPA Funds**
- 11. Public Comments ~ *On any topic (comments limited to 3 minutes per speaker)***
- 12. Manager's Comments**
- 13. Supervisor's Comments**
- 14. Trustee's Comments**

NEXT SCHEDULED BOARD OF TRUSTEES MEETING: August 12, 2024

ANY INTERESTED PERSONS ARE INVITED TO ATTEND AND PARTICIPATE IN ALL TOWNSHIP BOARD OF TRUSTEE MEETINGS. PERSONS WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS SHOULD CONTACT THE TOWNSHIP OFFICES ONE WEEK PRIOR TO THE MEETING TO REQUEST MOBILITY, VISUAL OR ANY OTHER ASSISTANCE.

Preliminary Agenda – Subject to Change



MEMO

Staff Communication-Action Required

DATE: July 18, 2024
TO: Gaines Charter Township
FROM: Rod Weersing, Township Manager
RE: Township Cemetery Rules, Regulations, Ordinance

SUMMARY OF TOPIC:

Township Clerk, Michael Brew, requested the Board of Trustees review existing Township cemetery rules, regulations, and the Cemetery Ordinance

A copy of our existing rules and regulations, and ordinance, is included in this packet.

I have also included an overview of area municipalities cemetery policies. Please note that in many instances the ordinance and rules do not comply with each other.

While compiling this information, I identified the following items that I feel should be discussed:

- Benches – currently not allowed. Of the six area municipalities we reviewed (including Gaines), 2 allow benches, 4 do not. Clerk Brew requested this item be discussed.
- Ensure our “rules” and ordinance contain the same information.
- Niche fees. As a columbarium is new to our Township, niche fees need to be determined.
- Niche plaques. Does the Township want to set a policy regarding the plaques on the niches? Doing this guarantees a uniformed appearance for the columbarium.
- Plot transfer fees. Township fees and regulations are not referenced in our rules or ordinance and are not listed on our website.

- The matter of pets (being buried with deceased owner) is not addressed by our ordinance.
- Foundations fees are not in ordinance, rules, or on website.
- Engraving is not addressed in ordinance, rules, or on website.
- Current ordinance restricts any individual under the age of 18 from being in the cemetery without a guardian. It appears the average age for this restriction is between 14 and 16.
- Current ordinance restricts bicycles in the cemetery unless the individual is attending a burial. As bicycles are a popular mode of transportation, some areas allow them, but they must be walked (not ridden) while on cemetery grounds.

BUDGET ACTION REQUIRED: NONE AT THIS TIME

STAFF RECOMMENDATION:

Staff recommends these items be discussed at this meeting, with the Board providing direction for the updated ordinance that will be presented for a first reading at the September 9 Board meeting.

FEES:

	CASCADE	GRANDVILLE**	PLAINFIELD	BYRON***	CALEDONIA	GAINES
Single Plot						
Resident	\$0	\$800	\$950	\$500	\$300	\$300
Non-Resident	Not Allowed	\$1,600	\$950	\$2,000	\$600	\$1,000
Niche						
Resident	\$0	\$800	\$750	\$500	\$600	N/A
Non-Resident	Not allowed	\$1,600	\$750	\$1000	\$1,000	N/A
Grave Opening:						
Grave(casket)	\$800-\$1,000*	\$700	\$1050-\$1350**	\$750	\$600**	\$500**
Cremation	\$200-\$400*	\$300	\$250 - \$550**	\$200	\$200**	\$125**
Columbarium	\$100-\$300*	\$750		\$100	\$150**	N/A
Resident			\$500			
Non-Resident			\$1,000			
Transfer of Plots:			N/A	\$200	N/A	N/A
Resident to Resident	\$0	\$25				
Non-Resident to Resident	N/A	\$25				
Resident to Non-Resident	Not Allowed	\$800				
Previous Resident's Plot	\$10					

***Prices increase after 3:30PM M-F or on Saturday**

****Grandville limits ownership to a maximum of six (6) graves or niches (cumulatively) per individual**

****Prices increase after 2PM M-F and on weekends**

****An additional \$100 will be added to the prices for burials on weekends, holidays, winter season**

****Mon-Sat Noon is \$500, after noon on Sat additional charge of \$100**

*****No Weekday Burials after 3PM; No Sunday or Holiday Burials**

ALL CEMETERIES HAVE RESTRICTIONS – NOTE MANY TOWNSHIP’S RULES AND REGULATIONS DO NOT MATCH WHAT THEIR ORDINANCE STATES.

CARE/MAINTENANCE/DECORATING:

DESCRIPTION	CASCADE		GRANDVILLE		PLAINFIELD		BYRON		CALEDONIA		GAINES	
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
Annual flowers	X		X		X		X		X		X	
Perennial flowers	X		X		X		X		X		X	
Urns	X		X		X		X				X	
Metal baskets	X		X		X		X	X				
Artificial flowers	X			X	X		X		X		X*	
Benches		X		X	X			X	X			X
Trees/Shrubbery/Evergreens		X		X		X		X		X		X
Fences/Railings/Edging		X		X		X		X				X
Gravel/Brick/Stone/Wood/Chips/Marble around headstone		X		X		X		X				X
Landscaping lights		X		X								
Stick signs/Yard Art (other than flowers)		X		X		X		X				
Decorations	X		X**							X	X*	

***Artificial flowers allowed in approved containers only (not in ground)**

****Restrictions apply-flowers and holiday wreaths only**

Miscellaneous Restrictions:

- One plaque per niche
- Decorations removed first weeks of October (fall) and April (spring)
- No disturbing of turf – no cutting or other disturbing of turf by anyone except cemetery employees is forbidden (doing so automatically releases the Township from all obligations of resodding/reseeding of same).

Miscellaneous Enforcements:

- Removal of offensive structures, etc. If any monument, effigy, or other structure placed upon any burial unit shall be determined to be improper or offensive by the cemetery, it shall be the right and duty of the cemetery to remove same.

Perpetual Care:

- Perpetual Care INCLUDES:
 - Cutting of grass
 - Raking and cleaning
 - Pruning of existing shrubs and trees
 - General preservation of:
 - Burial units
 - Grounds
 - Walks
 - Roadways
 - Boundaries
 - Structures
- Perpetual Care DOES NOT INCLUDE:
 - Maintenance/repair/replacement of any gravestone/monumental structure/memorial placed or erected on burial units
 - Planting or cost of flowers or ornamental plants
 - Sprinkling
 - Reconstruction of any marble/granite/bronze/concrete work on any burial unit in the cemetery made necessary by the elements/an act of God/common enemy/thieves/vandals/strikers/malicious mischief makers/explosions/unavoidable accidents/invasions/riots/insurrection/or order of any military or civil authority

ITEMS TO DISCUSS:

- Transfer fees are not in ordinance, not on website, not in rules and regulations.
- Niche fees.
- Niche – plaques or engraving/uniform appearance.
- Do we want to list foundation fees?
- Human remains only.

- Foundation Fees
- Engraving Fees

GAINES TOWNSHIP CEMETERIES RULES

For the benefit of all who have loved ones laid to rest in this cemetery and for the proper maintenance of the graves, Gaines Township has the following rules:

Cemetery Rules

- Limit 1 item per marker/headstone. Example: Shepherds hook with hanging basket, planter or urn with flowers, or flowers planted in ground.
- Only Natural flowers are permitted in the ground but must be maintained and have at least a 2" space between them and the grass for maintenance purposes.
(Please no perennials)
- Artificial flowers are permitted but must be in an approved container and kept current.
- No artificial ground cover is permitted. This includes marbles, stone, lava rock, wood chip etc.
- No brick or stone borders may be used. No fencing, railing, or edging is permitted.
- All planters must be placed directly next to the headstone and be in proportion to the headstone.
- No trees, shrubs or evergreens may be planted without the Sexton approval.
- No benches allowed.

Flowers planted in the ground MUST be well maintained or the sexton will remove them.

Items **NOT** allowed on graves:

Glass or plastic vases, solar lights, decorative flags, stuffed animals, whirling and/or twirling devices, mementos and other personal items.

No plastic and/or glass containers of any kind

Flowers are allowed from April 1 to November 1. Holiday wreaths are allowed from December 1 to April 1.

Gaines Township is not responsible for damage to head stone or any items around the grave stone.

The Sexton will use their discretion in removing any display that does not follow these rules or add to the overall order on this cemetery. These items will be placed to the east of the maintenance building.

Per Ordinance of Gaines Charter Township

Chapter 12 - CEMETERIES

Footnotes:

-- (1) --

State Law reference— Authority to acquire and maintain cemeteries, MCL 128.1 et seq.; permit for disposition of body, MCL 333.2850; cemetery regulations act, MCL 456.521 et seq.

Sec. 12-1. - Purpose and scope.

The purpose of this chapter is to provide for the health, safety and welfare of the people of the township in the matter of all township cemeteries by the adoption of proper rules and regulations therefor, and all township cemeteries in the township are subject to this chapter and any and all amendments hereto, and to any fees and charges established by the township board as provided for herein. Reference to any township rules and regulations in any document affecting any township cemetery shall have the same force and effect as those which are set forth in this chapter.

(Ord. of 9-19-1978, § 1)

Sec. 12-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Assignee means any person to whom any lot, plot, grave site, or burial unit has been assigned by the township. Any and all rights of such assignee shall be as defined herein and by statute.

Burial unit means a lot or any portion thereof.

Cemetery means any cemetery owned or operated by the township, and, where appropriate to the context, the term "cemetery" shall include the officials in charge of the cemetery, and/or the township board.

Family means one person or group of two or more persons related by bonds of matrimony, consanguinity or legal adoption.

Interment means the permanent disposition of the remains of a deceased person by cremation and interment, entombment or burial.

Lot, plot or burial unit. The term "lot," "plot," or "burial unit" shall be used interchangeably, and shall apply with like effect to one or more than one adjoining graves; to one or more than one adjoining crypts or vaults; to one or more than one adjoining niches.

Memorial includes a monument, marker, tablet, headstone, private mausoleum or tomb for family or individual use, tombstone, coping, or enclosure, surface burial vault, urn and crypt and niche plates.

Monument includes a tombstone or memorial of granite, or other approved stone, which shall extend above the surface of the ground.

Registrar means the township clerk or other such person as the township board may designate from time to time.

Resident means a person living in the township either owning or renting a dwelling unit. For the purpose of this chapter, the term "resident" shall also include any person who has resided in the township at least ten years. Where such person is not residing in the township at death, such person shall also be classified as a resident if one-half of the years of nonresidency is less than his total years of residency.

(Ord. of 9-19-1978, § 2)

Sec. 12-3. - Interments and disinterments.

- (a) *Subject to laws.* Besides being subject to these rules and regulations all interments, disinterments and removals are made subject to the orders and laws of the properly constituted authorities of the township, county and state.
- (b) *Time and charges.* All interments and disinterments and removals must be made at the time and in the manner and upon such charges as fixed by the township board, as provided herein.
- (c) *Holidays.* No interments, disinterments, removals, cremation or interment service shall be permitted on Sundays, or on any of the following holidays: New Years Day, Decoration Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and when any of such holidays falls, or is legally observed, on a Saturday or Monday, except by approval of the cemetery registrar.
- (d) *Notice.* The registrar shall have the right to insist upon at least 36 hours' notice prior to any interment and at least 48 hours' notice prior to any disinterment or removal.
- (e) *Application for interment.* The registrar shall have the right to refuse interment in any plot, and to refuse to open any burial space for any purpose, except on written application by the plot assignee on record made out on blanks provided by the cemetery and duly filed in the office of the registrar.
- (f) *Use of concrete or acceptable metal required.* Every earth interment shall be made enclosed in a concrete box or a box of acceptable metal.
- (g) *Interment of cremated remains.*
 - (1) Cremated remains must be permanently interred within a period of four weeks. If the arrangements for this interment are not made within the specified time, the cemetery shall be in no way liable for rental space occupied by the remains pending the time they are permanently interred.

- (2) The cemetery shall be in no way liable or held responsible for any cinerary container, receptacle or urn placed in any plot, other than that constructed of cast bronze of standard specification.
- (h) *Authorization of one plot assignee sufficient.* The registrar shall have the right to make an interment of any member of the immediate family of any one of several plot assignees upon the latter's authorization. No other person may be interred in any plot without the written consent of all those assignees of the plot who are recorded as such on the books of the cemetery.
- (i) *Location of interment space.* When instructions regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the registrar may, in his discretion, open it in such location in the plot as he deems best and proper, so as not to delay the funeral; and the cemetery shall not be liable in damages for any error so made.
- (j) *Orders given by telephone.* The cemetery shall not be held responsible for any order given by telephone, or for any mistakes occurring from the want of precise and proper instructions as to the particular space, size and location in a plot where interment is desired.
- (k) *Right to correct errors.* The registrar shall have the right to correct any errors that may be made either in making interments, disinterments or removals, or in the descriptions, transfer or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property in a similar location as far as possible, or as may be selected by the registrar, or, in the sole discretion of the registrar by refunding the amount of money paid by the subject assignee. In the event such error shall involve the interment of the remains of any person in such property, the registrar shall have the right to remove and/or transfer such remains so interred to such other property in a similar location as may be substituted and conveyed in lieu thereof. The registrar shall also have the right to correct any errors made by placing an improper description, including an incorrect name or date, either on the memorial or on the container for cremated remains.
- (l) *Delays in interments caused by protests.* The township and township officials shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where the rules and regulations have not been complied with; and, further, the township reserves the right, under such circumstances, to place the body in the receiving vault until the full rights have been determined. The township shall be under no duty to recognize any protests of interments unless they be in writing and filed in the office of the registrar.
- (m) *No liability for embalming or for identity.* The township shall not be liable for the interment permit nor for the identity of the person sought to be interred or cremated; nor shall the township be liable in any way for the embalming of the body, unless such embalming is done by the township, and then only for negligence in performing the embalming.

- (n) *No interment permitted unless all fees and charges are paid.* No interment shall be permitted or memorial placed in or on any grave not fully paid for except by special consent of the registrar in writing in each and every case, and, in the event such consent is given, any and all interments or memorials placed in or on said plot shall be considered as temporary, and a note shall not be considered as payment, and no rights shall be acquired by the plot assignee of said interments until such charges and fees are fully paid for in cash, including principal and interest; and in case the assignee of said plot shall fail to meet all payments within 30 days after the same are demanded by the cemetery, then the cemetery may re-enter said property and hold the same as of its former estates. The township thereupon, shall be released from all obligations thereunder, and it may retain such payments as may have been made toward the assignment of such property as liquidated damages. The township reserves the right, and shall have the right immediately or at any time thereafter, without notice, at its discretion to cremate, or to remove to single graves, to be chosen by the township, each of the remains then interred in said plot. The township, further, shall have the right to remove any memorial that may have been placed on said property.
- (o) *Classification of burial boxes.* Burial boxes over four feet in length will be classed as adult size.
- (p) *Establishment of funeral zone.* When deemed necessary by the registrar or on request of a lot assignee or his representative, a funeral zone may be established and properly marked, and no one except persons attending the funeral will be permitted to trespass within its boundaries.
- (q) *Recordation of burial rights.* The number of burial rights assigned on any lot will be recorded on the burial certificate when lots are assigned.
- (r) *Care in removal.* The township shall exercise the utmost care in making a removal, but it shall assume no liability for damage to any casket or burial vase or urn incurred in making removal.

(Ord. of 9-19-1978, § 3)

Sec. 12-4. - General supervision of township cemeteries.

The township clerk shall keep a record in his office of certificates and receipts for perpetual care of burial units, and a record of burials so reported to him by the registrar, and such other records as deemed necessary by the township board. He shall also maintain complete records of all assignments, receipts, burial records, and all other matters affecting township cemeteries.

(Ord. of 9-19-1978, § 4)

Sec. 12-5. - Service charges and past due indebtedness.

- (a) *Payment of service charges.* The charges for the cemetery services must be paid at the time of the issuance of the order of interment or disinterment and removal.

(b)

Past due indebtedness. Arrangements for the payment of any and all indebtedness due the township must be made before interment will be made in any plot.

(Ord. of 9-19-1978, § 5)

Sec. 12-6. - Control of work by cemetery.

- (a) *Work to be done by cemetery.* All grading, landscape work and improvements of any kind, and all care of plots, shall be done, and all trees and shrubs and herbage of any kind shall be planted, trimmed, cut or removed, and all openings and closings of plots, and all interments, disinterments and removals shall be made only by the cemetery.
- (b) *Improvements/alterations of individual property.* All improvements or alterations of individual property in the cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the registrar; and, should they be made without his written consent, he shall have the right to remove, alter or change such improvements or alterations at the expense of the plot assignee, or, in any event, at any time, in his judgment, they become unsightly to the eye.
- (c) *Cutting or disturbing turf.* Cutting into or otherwise disturbing the turf by any except the cemetery employees is forbidden and automatically releases the township from all obligation of resodding or reseeding of same.

(Ord. of 9-19-1978, § 6)

Sec. 12-7. - Decoration of plots.

- (a) *Floral regulations.* The cemetery shall have the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind, from the cemetery as soon as, in the judgment of the registrar, they become unsightly, dangerous, detrimental or diseased, or when they do not conform to standards maintained. The cemetery shall not be liable for floral pieces, baskets or frames in which or to which such floral pieces are attached, beyond the acceptance of such floral pieces for funeral services to be held in the cemetery. The cemetery shall not be liable for lost, misplaced or broken flower vases. The cemetery shall not be responsible for frozen plants, or herbage of any kind, or for plantings damaged by the elements, thieves, vandals, or by other causes beyond its control. The cemetery reserves the right to regulate the method of decorating plots so that a uniform beauty may be maintained. The cemetery reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs or plans, or herbage of any kind, unless the registrar gives his consent.
- (b) *Plantings on burial units.* All trees planted on or removed from any burial unit shall be done under the supervision of the registrar. All plantings other than annual or perennial flowers, must be approved by the registrar, as to selection of varieties and arrangement. All plantings shall be

subject to proper attention and pruning by the registrar, if not done by the owner upon 30 days notice by the registrar. The township will not be responsible for the destruction of plants or shrubs made necessary in cleaning up any burial unit and putting the same in proper care.

- (c) *Fence, railing, enclosure, etc.* No fence, railing, coping, wall, hedge, or enclosure of any kind or nature shall be placed or erected around or on any burial unit.
- (d) *Removal of offensive structures, etc.* If any monument, effigy, or other structure placed upon any burial unit shall be determined to be improper or offensive by the cemetery, it shall be the right and duty of the cemetery to remove such structures in accord with the terms of notice given by the cemetery.

(Ord. of 9-19-1978, § 7)

Sec. 12-8. - Roadways and replanting.

- (a) *Right to replant, regrade and use property.* The right to enlarge, reduce, replant and/or change the boundaries or grading of the cemetery or of a section, from time to time, including the right to modify and/or change the locations of or remove or regrade roads, drives and/or walks, or any part thereof, is hereby expressly reserved. The right to lay, maintain and operate, or alter or change pipelines and/or gutters for sprinkling systems, drainage, lakes, etc., is also expressly reserved, as well as is the right to use cemetery property, not assigned to individual plot owners, for cemetery purposes including the interring and preparing for interment of dead human bodies, or for anything necessary, incidental or convenient thereto, a perpetual right of ingress and egress over plots for the purpose of passage to and from other plots.
- (b) *No right granted in alleyways.* No easement or right of interment is granted to any plot owner in any road, drive, alley or walk within the cemetery, but such road, drive, alley or walk may be used as a means of access to the cemetery or buildings as long as the cemetery devotes it to that purpose.

(Ord. of 9-19-1978, § 7)

Sec. 12-9. - Conduct of persons within the cemetery.

- (a) *Use of walkways.* Persons within the cemetery grounds shall use only the avenues, walks, alleys and roads, and no person shall enter the cemetery except through an established gate.
- (b) *Trespassers on cemetery plots.* Only plot assignees and their relatives shall be permitted on a cemetery plot. Any other person thereon shall be considered as a trespasser, and the cemetery shall owe no duty to said trespasser to keep the property, or the memorial thereon, in a reasonably safe condition.
- (c)

Children. Children under 18 years of age shall not be permitted within the cemetery, or the buildings, unless accompanied by proper persons to take care of them or unless special permission is granted.

- (d) *Flowers, etc.* All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants, or feeding or disturbing the birds or fish or other animal life.
- (e) *Refreshment.* No person shall consume refreshments or liquors on a cemetery or carry same on the premises.
- (f) *Lounging on grounds.* Strangers shall not be permitted to sit or to lounge on any of the grounds, graves or monuments in the cemetery, or in any of the buildings.
- (g) *Loud talking.* No loud talking shall be permitted on the cemetery grounds within hearing distance of funeral services.
- (h) *Smoking.* Smoking within any buildings is prohibited.
- (i) *Rubbish.* The throwing of rubbish or debris on the drives and paths, or on any part of the grounds, or in the buildings, is prohibited. Receptacles for waste materials are located at convenient places.
- (j) *Automobiles.* Automobiles shall not be driven through the grounds at a greater speed than ten miles per hour, and must always be kept on the right hand side of the cemetery roadway. Automobiles are not allowed to park or to come to a full stop in front of an open grave unless such automobiles are in attendance at the funeral. Automobiles must not:
 - (1) Drive off the established roads unless permission is given in writing by the registrar of cemeteries.
 - (2) Make a U-turn on a cemetery road.
 - (3) Use a cemetery road as a public thoroughfare.
- (k) *Bicycles and motorcycles.* No bicycles or motorcycles shall be admitted to the cemetery except such as may be in attendance at funerals or on business.
- (l) *Peddling or soliciting.* Peddling of flowers or plants or soliciting the sale of any commodity, other than by employees of the cemetery, is positively prohibited within the confines of the cemetery.
- (m) *Firearms.* No person other than a law enforcement officer or other person authorized by state law shall possess or transport any firearm or weapon within any cemetery within the township. Furthermore, no weapon or firearm shall be discharged in any cemetery within the township. This section shall not apply to any gun, firearm, or rifle discharged in lawful self-defense as defined by the laws of the state of Michigan, nor shall this section apply to any police officer or township official (or security guard for the township) who is authorized to possess, carry or discharge a gun or firearm in carrying out their lawful law enforcement duties. Nor shall this section apply to any gun, firearm, rifle or ceremonial weapon discharged in any cemetery for ceremonial purposes for

a funeral or related matter if done by a nationally recognized veterans or public service group and if approved by the township. Finally, this section shall not apply to the possession of a firearm or weapon where such possession is expressly authorized by federal or state law.

- (n) *Notices and advertisements.* No signs or notices or advertisements of any kind shall be allowed in the cemetery, unless placed by the cemetery.
- (o) *Dogs.* Dogs shall not be allowed on the cemetery grounds or in any of the buildings.
- (p) *Improprieties.* It is of the utmost importance that there should be strict observance of all of the proprieties of the cemetery, whether embraced in these rules or not, as no improprieties shall be allowed, and the registrar shall have power to prevent improper assemblages, and enforce adherence to all commonly known proprieties.
- (q) *Registrar to enforce rules.* The registrar is hereby empowered to enforce all rules and regulations, and to exclude from the property of the cemetery any person violating the same. The registrar shall have charge of the grounds and buildings, and, at all times, shall have supervision and control of all persons in the cemetery, including the conduct of funerals, weddings, traffic, employees, plot owners and visitors.

(Ord. of 9-19-1978, § 8; Ord. No. 11-03, Art. 1, 4-11-2011; Ord. No. 13-03, Art. 1, 5-20-2013)

Sec. 12-10. - Fees, gratuities and commissions.

No person, while employed by the cemetery, shall receive any fee, gratuity or commission, except from the township, directly or indirectly, under penalty of immediate dismissal.

(Ord. of 9-19-1978, § 9)

Sec. 12-11. - Protections against loss.

The cemetery shall take reasonable precaution to protect plot assignees, within the cemetery, but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosives, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage is direct or collateral, other than is herein provided.

(Ord. of 9-19-1978, § 10)

Sec. 12-12. - Change in address of plot assignees.

It shall be the duty of the plot assignee to notify the cemetery of any change in his post office address. Notice sent to an assignee at the last address on file in the office of the registrar shall be considered sufficient and proper legal notification.

(Ord. of 9-19-1978, § 11)

Sec. 12-13. - Perpetual care.

- (a) *Maintenance of burial units.* The term "perpetual care" used in reference to burial units shall be held to mean the cutting of grass upon said burial units at reasonable intervals, the raking and cleaning of the burial units at reasonable intervals, the pruning of shrubs and trees, meaning and intending the general preservation of the burial units and grounds, walks, roadways, boundaries and structures, other than the structures hereinafter excepted or exempted; to the end that said grounds shall remain and be reasonably cared for as cemetery grounds.
- (b) *Exceptions.* The term "perpetual care" shall in no case be construed as meaning the maintenance, repair or replacement of any grave stone or monumental structures or memorials placed or erected on burial units; nor the planting or cost of flowers or ornamental plants; nor sprinkling said burial units with water; nor the maintenance or doing of any special or unusual work in the cemetery; nor does it mean the reconstruction of any marble, granite, bronze or concrete work on any burial unit in the cemetery, or other buildings or structures, made necessary by injuries caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, riots, insurrection, or by the order of any military or civil authority, whether the damage is direct or collateral, other than herein provided for.
- (c) *Investment of funds.* All funds paid for perpetual care shall be placed by the township treasurer to the credit of a fund known as the Perpetual Care Fund to be administered by the township board, and to be held in trust and invested by the township board as provided by law, and the interest thereon shall be used for the care and maintenance of burial units entitled to perpetual care.
- (d) *Fee schedule.* Fees payable for perpetual care shall be those as set by the township board from time to time by resolution.
- (e) *Record of deposits.* The record books of the cemetery, and the receipt issued by the cemetery and/or other person, company or corporation with whom such funds have been deposited, shall show the amount of perpetual care fund that has been required of the individual and set aside in each case.
- (f) *Private memorials.* Before any vault, tomb, sarcophagus, private mausoleum and/or columbarium is erected, the assignee shall furnish a bond in the amount as currently established or as hereafter adopted by resolution of the township board from time to time to the cemetery registrar.
- (g) *Certification issued.* Upon certificate by the township treasurer that perpetual care and additional charges, if any, have been paid to the township treasurer, the township clerk shall issue a

certificate, which shall guarantee perpetual care of the burial unit in the following form:

CERTIFICATE OF PERPETUAL CARE

State of Michigan, Township of Gaines

\$ ____

This is to certify that _____ has paid to the township of Gaines the sum of ____ dollars, and that in consideration of said payment, ____ Lot Number ____, Block lettered ____, Cemetery, is entitled to Perpetual Care, in accordance with the provisions of Ordinance Numbered ____, and the amendments thereto, relative to Perpetual Care of burial units in ____ Cemetery.

In Witness Whereof, I have hereunto set my hand and the official seal of the township of Gaines, this ____ day of ____ A.D. 20__.

Township of Gaines

Township Clerk

If payment for perpetual care is made at the time the burial unit is assigned, receipt shall be acknowledged on the certificate by the township clerk as provided in certification of burial units.

(Ord. of 9-19-1978, § 12)

Sec. 12-14. - Rules for memorial work.

(a) *Markers, stones, monuments, etc.*

- (1) All permanent markers, headstones, monuments, mausoleums, memorials and mementos to be erected or placed in said cemetery shall be of recognized durable granite or recognized hard marble or United States Standard Bronze except by permission of the registrar.
- (2) All foundations for the setting and placing of the foregoing shall be erected by the cemetery upon such type or size of foundation as shall be specified by the registrar of the cemetery, the cost and expense thereof to be borne by the assignee of the burial unit and paid in advance in accord with prices established by the township board.
- (3) No person shall erect or place in the cemetery any permanent memorials or memorial work of any kind or character until plans and specifications therefor shall have been submitted to and approved by the registrar of the cemetery.
- (4) Not more than one upright memorial shall be allowed above the ground level on any one grave space.

(b)

Excavation, grading, etc. All excavations, grading or removal of earth or rubbish shall be excavated, graded or removed in such manner as the registrar may direct and no burial unit or drive shall be graded in shape, or in any manner altered from the general plan of the cemetery without first obtaining the consent of the registrar.

(Ord. of 9-19-1978, § 13)

Sec. 12-15. - Modifications and amendments.

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The township board, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations when, in its judgment, the same appear advisable; and such temporary exception, suspension or modifications shall in no way be construed as affecting the general application of such rule.

(Ord. of 9-19-1978, § 14)

Sec. 12-16. - Assignment of graves.

- (a) Graves will be assigned only at time of need, when a death occurs in the family of the applicant.
- (b) A maximum of four graves will be assigned to any applicant except by permission of the township board.

(Ord. of 9-19-1978, § 15)

Sec. 12-17. - Refunds.

Fees and refunds for grave assignments and opening and closing graves, and refunds in cases where application is made therefor shall be as the township board shall establish from time to time by resolution.

(Ord. of 9-19-1978, § 16)

Sec. 12-18. - Violation a municipal civil infraction.

Any person violating this chapter is responsible for a municipal civil infraction, punishable as provided in section 1-11.

(Ord. of 9-19-1978, § 17)



MEMO

Staff Communication-Action Required

DATE: July 18, 2024
TO: Gaines Charter Township
FROM: Rod Weersing, Township Manager
RE: American Rescue Plan Act (ARPA) Funds Allocation

SUMMARY OF TOPIC:

As you are aware, all ARPA funds need to be allocated by December 31, 2024, and spent by December 31, 2026. I would like to review the current allocations with you and discuss possible options for the funds that are currently unallocated.

BUDGET ACTION REQUIRED:

NONE

STAFF RECOMMENDATION:

I am hoping that Board members will bring any recommendations that they have for allocating the remaining funds for discussion to the workshop. The remaining funds should then be allocated at the August or September Board meeting to make sure that we are well ahead of the deadline.

American Rescue Plan
Grant Funding Activity

12.31.2024	All Funds to be used or allocated					
12.31.2026	All Funds must be expended					
1.1.2027	Unspent funds to be returned					
Date	Item	Amount	Obligated Funds	Comments	Disbursed Funds	Ref #
7.12.2021	Board approved to accept funds					
11.1.2021	Lost Revenue Calculator Sigfried Crandall completed Calcuator -34,939.00					
12.15.2021	Received 1/2 ARPA Funding	\$ 1,431,081.00		Note* Invested in KC Pool		
12.13.2021	DFD Engine 67 Replacement Halt Fire		\$ 250,000.00	Public Safety Total cost of \$821,705.00	\$ 250,000.00	32816
1.28.2022	Additional Funds Received	\$ 5,760.87		Other units refused funds to KC Pool		
3.15.2022	Board Approved to accept grant	\$ -		As all loss revenue.		
4.11.2022	Reported award as revenue loss					
6.29.2022	Second Tranche of grant funds	\$ 1,436,809.16		Invested into KC Pool		
3.9.2023	Picnic Tables, Chairs & Waste Baskets		\$ 8,063.69	Parks Improvements - Approved by Board, March 2023	\$ 8,063.69	50618
2023 Budget	Approved in 2023 Budget		\$ 440,000.00	Public Safety	\$ 440,000.00	50615
			\$ 170,880.00	Streets & Sidewalks Brewer Park to PWP on 84th Street		
	Redirected from Brewer Park		\$ (170,880.00)	Redirected to Parking Lot paving - March 2024 Board		
2.13.2023	Additional Road Repairs		\$ 75,000.00	Streets & Sidewalks Approved by Board February. 2023	\$ 75,000.00	50617
2024	Presented in 2024 Budget		\$ 340,000.00	Public Safety		
	Presented in 2024 Budget for \$193,815		\$ 193,815.00	Streets & Sidewalks Hanna Lake Sidewalk		
				Vriesman & Korhorn 8.11.2023 Inv. #13299	\$ 6,047.00	
				Vriesman & Korhorn 9.11.2023 Inv. #13500	\$ 4,827.83	
				Vriesman & Korhorn 11.1.2023 Inv. 13772	\$ 1,314.00	
				Vriesman & Korhorn 12.4.2023 Inv. 13895	\$ 5,494.50	
				Vriesman & Korhorn 1.28.2024 Inv. 14015	\$ 1,033.50	
					\$ 18,716.83	
3.11.2024	#1011 Cutlerville Fire Truck		\$ 1,200,000.00	Delivery date March of 2025 approved by Board March 2024 Total Cost \$1,711,417.00		
3.11.2024	Reith Reily		\$ 116,765.10	Parking Lot Paving - Gaines lot only Approved March 2024 original quote \$ 107,265.00	\$ 116,765.10	33667
4.20.2023		\$ 2,873,651.03	\$ 2,623,643.79	Amount adjusted in YE23 to avoid single audit .	\$ (791,418.30)	
	Allocated	\$ (2,623,643.79)				
		\$ 250,007.24				