HANOVER TOWNSHIP

BOARD MEETING

June 9, 2021

Held at Hanover Township Hall

Meeting called to order at 7:30 PM by Supervisor, Jeffery Heath

Board members present: Jeff Heath, Jason Dorian, Rachel Heath, Steve Keller, Tim Evans

Absent: None

Pledge of Allegiance: Led by Supervisor Heath

Public Comment: Residents concerned about 7025 Tripp Road and the state of Tripp Road.

Announcements:

Supervisor Heath gave updates on the following:

1. There may be a settlement on the sewer coming up.

Motion by Evans, support by Dorian, to forgo the reading of the minutes for the May 12, 2021 Board Meeting. Ayes all. Motion passed.

Motion by Evans, support by Keller to accept the reading of the minutes for the June 1, 2021 Fire Board Meeting as read by Supervisor Heath. Ayes all. Motion passed.

Chief Johnston gave updates on Fire Department calls and trainings.

Motion by Dorian, support by Keller, to accept the Treasurer’s report. Ayes all. Motion passed.

Motion by Evans, support by Dorian, to approve the General Fund, Post-Audit, Round/Farwell, and Fire Department bills as presented for payment, with the addition of the following: Apollo $701.31, Apollo $197.49, and Riley’s Apparatus $488.61.

Roll Call: Dorian, yes; Evans, yes; J. Heath, yes; R. Heath, yes; Keller, yes. Ayes all. Motion passed.

New Business:

Motion by Keller, support by Dorian to approve Hanover Township paying for the Port-a-Johns for the Hanover-Horton 4th of July Celebration.

Roll Call: Keller, yes; R. Heath, yes; Dorian, yes; Evans, yes; J. Heath, yes. Ayes all. Motion passed.

Motion by Evans, support by Dorian to approve 4th of July fireworks in Hanover Township by Ace Pyro, LLC.

Roll Call: J. Heath, yes; Keller, yes; R. Heath, yes; Dorian, yes; Evans, yes. Ayes all. Motion passed.

Motion by Evans, support by Dorian to increase the price for cemetery foundations to the following: $350 for 18x42 and $700 for 18x84. Any other size will be $.50/sq. inch.

Roll Call: Evans, yes; J. Heath, yes; Keller, yes; R. Heath, yes; Dorian, yes. Ayes all. Motion passed.

There was discussion regarding clarifying fences in the zoning ordinance. This will be discussed again at a later date.

Motion by J. Heath, support by Evans to refund the $450 variance fee to Dennis Bergmooser since a variance meeting was not held, and will not be held in the future.

Roll Call: Dorian, yes; Evans, yes; J. Heath, yes; R. Heath, yes; Keller, yes. Ayes all. Motion passed.

Old Business:

Motion by J. Heath, support by Evans to require a certificate of occupancy form to be completed before certificate is issued. This is similar to the form used by many Townships, and does not create any extra work for the property owner.

Roll Call: J. Heath, yes; Keller, yes; R. Heath, yes; Evans, yes; Dorian, yes. Ayes all. Motion passed.

**HANOVER TOWNSHIP**

**ORDINANCE NO. 2021-14**

**AMENDMENT TO THE HANOVER TOWNSHIP CEMETERY ORDINANCE**

*An ordinance to amend Ordinance No. 2020-01, entitled “Hanover Township Cemetery Ordinance,” to allocate the re-sale proceeds from forfeited burial spaces to costs incurred in removing abandoned foundation and markers, to permit the placement of markers on burial spaces where there are no remains or cremains buried, and to include waiver requirements.*

**THE TOWNSHIP OF HANOVER, JACKSON COUNTY, MICHIGAN ORDAINS:**

**SECTION 1. AMENDMENT TO SECTION 9. FORFEITURE OF VACANT BURIAL SPACES:** The Hanover Township Cemetery Ordinance, No. 2020-01, Section 9, entitled “Forfeiture of Vacant Burial Spaces”, shall be amended to read as follows:

**SECTION 9. FORFEITURE OF VACANT BURIAL SPACES.** If the owner of a Burial Space in a Township Cemetery fails and neglects for a period of 7 years or more to care for and maintain the Burial Space in accordance with this Ordinance and all applicable state or federal laws, rules, and regulations relating to the care and maintenance of Burial Spaces, the Township Board may institute proceedings for the termination and forfeiture of the owner's rights and interest in the Burial Space in accordance with the Public Cemeteries Act, Act 46 of 1931. Any Foundation or Marker placed on a forfeited Burial Space may be removed and discarded by the Cemetery Sexton or any other Township designee. The proceeds derived from the re-sale of a Burial Space forfeited under this Section shall first and foremost be used to defray any costs incurred in removing any Foundation or Marker placed on the forfeited Burial Space.

**SECTION 2. AMENDMENT TO SECTION 12. FOUNDATIONS AND MARKERS:** The Hanover Township Cemetery Ordinance, No. 2020-01, Section 12, entitled “Foundation and Markers”, shall be amended to read as follows:

**SECTION 12. FOUNDATION AND MARKERS.** Except for Markers existing in a Township Cemetery before the effective date of this Ordinance, all Markers must conform to the following provisions:

1. No Marker may be installed, moved, altered, or removed at any Cemetery until the Cemetery Sexton has been notified by the individual(s) requesting a foundation to be prepared and the foundation has been installed.
2. All Markers in a Township Cemetery shall be comprised of stone or other equally durable composition and shall face the same direction as the Markers around them.
3. A Monument, mausoleum(s), above ground casket(s), columbarium(s), and other similar markers or burial options in style or use, are prohibited unless approved by the Township Board.
4. Any large upright Marker must be located upon a suitable Foundation to maintain the same in an erect position; and, any Markers placed flush with the ground require a foundation.
   1. The Foundation shall be constructed by the Township. The Township may charge reasonable fees for the construction of the Foundation. Such fees shall be set as provided by Section 7 of this Ordinance.
   2. All Foundations shall extend three (3) inches beyond the base of the Marker.
   3. Foundations for a Marker shall be twelve (12) inches thick, with corner piers. They shall extend a minimum of three (3) inches around each side of the Marker.
5. One (1) Marker shall be permitted per Burial Space or Burial Plot. The Marker shall be no more than thirty (30) inches in width, with an overall height of no more than thirty (30) inches above ground level, including the Foundation.
6. One (1) Marker shall be permitted where there are two (2) adjoining spaces. The Marker permitted on two (2) adjoining spaces shall not exceed forty-eight (48) inches in width and shall not exceed an overall height of no more than thirty (30) inches above ground level, including the Foundation.
7. Markers for cremains or Markers placed flush with the ground shall be no more than twelve (12) inches by twenty-four (24) inches in size.
8. Before a Marker is placed, the proper form and documentation must be submitted to the Cemetery Sexton or Township Clerk.
9. A Marker will be allowed on a Burial Space where there is no remains or cremains buried. The name(s) of the individual(s) to be buried in the Burial Space must be on the Marker. If not placed before interment, a Marker must be placed on the Burial Plot within one (1) year of interment.

**SECTION 3. AMENDMENT TO SECTION 16. INTERPRETATIONS:** The Hanover Township Cemetery Ordinance, No. 2020-01, Section 16, entitled “Interpretations”, shall be amended to read as follows:

**SECTION 16. INTERPRETATIONS.**

1. The Township Board shall have the authority to render binding interpretations regarding any of the clauses, provisions or regulations contained in this Ordinance and any rule or regulation adopted pursuant to this Ordinance, as well as their applicability. The Township Board (or its designee) is also authorized to waive application of the strict letter of any provision of this Ordinance or any rules or regulations promulgated under this Ordinance where practical difficulties in carrying out the strict letter of this Ordinance or any rules or regulations related thereto would result in hardship to a particular person or persons or the public.An individual seeking a waiver pursuant to this Section must satisfy the following requirements:
   * 1. The problem is unique to the individual, and not shared by others.
     2. A grant of a waiver would do substantial relief to the individual.
     3. A grant of a waiver would not unreasonably, adversely affect other Burial Spaces or Plots.
     4. A waiver can be granted in such fashion that the spirit of this Ordinance will be observed and public safety and welfare secured.
2. Any party aggrieved by any interpretation or decision made pursuant to this Ordinance, as well as any matter relating to a Township cemetery, rights to a cemetery plot, or other matter arising pursuant to this Ordinance, shall have the right to appeal that determination/decision or matter to the Township Board. Any such appeal shall be in writing and shall be filed with the Township within thirty (30) days of the date of the decision, determination or other matter being appealed from. The Township shall give the aggrieved party who filed the written appeal with the Township at least ten (10) days’ prior written notice of the meeting at which the Township Board will address the matter unless an emergency is involved, in which case the Township shall utilize reasonable efforts to notify the aggrieved party who filed the appeal of a special or emergency meeting of the Township Board at which the matter will be addressed. Pursuant to any such appeal, the decision of the Township Board shall be final.The Township Board may set a fee for such appeal as provided by Section 7 of this Ordinance.

**SECTION 4. SEVERABILITY.** The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

**SECTION 5: EFFECTIVE DATE.** This Ordinance shall become effective the day after publication.

On a roll call vote: Motion by Keller, support by Evans:

YEAS: Evans, Dorian, Keller, R. Heath, J. Heath\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAYS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ABSENT/ABSTAIN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

Public Comment: None.

Dorian moved the meeting to be adjourned at 8:55 PM.

Submitted by:

Rachel L. Heath, Clerk