Legislation Details (With Text)

File #:	19-1245	**Version:**	2	**Name:**	7/15/19 - Cemetery Rules and Regs
Type:	Resolution			**Status:**	Passed
File created:	7/15/2019			**In control:**	City Council
On agenda:	8/5/2019			**Final action:**	8/5/2019
Enactment date:	8/5/2019			**Enactment #:**	R-19-372

Title: Resolution to Approve Fairview Cemetery Rules and Regulations

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fairview Cemetery Rules and Regulations as Amended and Approved.pdf, 2. Fairview Cemetery Rules and Regulations.pdf, 3. Fairview cemetery map.pdf

Date	Ver.	Action By	Action	Result
8/5/2019	2	City Council		
8/5/2019	2	City Council	Approved as Amended	Pass
8/5/2019	2	City Council	Amended	
7/15/2019	1	City Council		
7/15/2019	1	City Council	Postponed	Pass

Resolution to Approve Fairview Cemetery Rules and Regulations
Ordinance No. 17-11 (Cemeteries) was approved by City Council on July 3, 2017, transferring the management of the City cemetery to the City Clerk. At the time of transfer, a draft set of Rules and Regulations was provided to the City Clerk's Office; however, there is no record that any recent drafts of the Fairview Cemetery Rules and Regulations were ever submitted formally to City Council for adoption. Over the course of the first two years of management of the Cemetery, the Clerk's Office staff has reviewed the draft Rules and have made several updates and changes to reflect current circumstances and practices at the cemetery. The attached Rules and Regulations are now being filed with City Council in accordance with Section 3:43 of the City Code.

One section of the Rules that will be a change to current practice is a new prohibition of dogs in the cemetery. This is consistent with many other area cemeteries and was requested by the City's sexton due to the use of the property unofficially as an off-leash dog run. Upon approval, signage will be updated to reflect the new Rules.

August 5 Update:
Approval of the proposed Fairview Cemetery Rules and Regulations was postponed by City Council on July 15 with questions regarding the proposed ban on pets. Since that time, staff has researched existing regulations of other local cemeteries. Most municipal cemeteries, including Lansing, Midland, Grand Rapids, Rochester Hills, Kalamazoo and Farmington Hills outright ban dogs, while several, including Howell and Saline (service animals only) allow for pets only if on leash. Within Ann Arbor, Forest Hills, Bethlehem and Washtenong all prohibit pets on the cemetery grounds. Further, allowing a dog to run off-leash at the cemetery may be in violation of State law, which prohibits domestic

animals to run at large on any cemetery grounds.

A question was also raised regarding the need for the fencing at Fairview. Historically, many municipal cemeteries have been designed with fencing. The fencing serves as a boundary marker of the cemetery grounds and may help prevent vandalism. Staff does not recommend removal of the fence at Fairview, as it is a cemetery and not a public park, and the fencing helps to delineate the boundary of the cemetery, as compared to nearby park spaces.

Finally, a map has been attached to show Fairview's proximity to other public parks where dogs are welcome, including Broadway Park (0.5 miles from Fairview), which has an off-leash dog run. All other surrounding city parks and nature areas allow for leashed dogs.
Prepared by: Jacqueline Beaudry, City Clerk
Reviewed by: Christopher Frost, Assistant City Attorney
Approved by: Howard S. Lazarus, City Administrator
RESOLVED, That City Council adopt the attached 2019 Fairview Cemetery Rules and Regulations; and

RESOLVED, That all other previously approved Rules and Regulations be superseded by these Rules.

See Attached Rules and Regulations as Amended by Ann Arbor City Council on August 5, 2019.