

**ORDINANCE NO. 2014-10
(AS AMENDED)**

**AN ORDINANCE
AMENDING SECTIONS 143.03(a)(1)(E) AND (a)(5) OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF WAITE
HILL, OHIO, TO MODIFY PRICES AND FEES FOR THE
VILLAGE CEMETERY, AND DECLARING AN
EMERGENCY.**

WHEREAS, Council desires to amend Sections 143.03(a)(1)(E) and (a)(5) of the Codified Ordinance to amend the Village's cemetery fees.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That existing Subsections (a)(1)(E) and (a)(5) of Section 143.03, "Rules and Regulations," of Chapter 143 "Village Cemetery," of the Codified Ordinances of Waite Hill, Ohio, is amended as follows:

"143.03 RULES AND REGULATIONS.

(a) Due to the limitation of the size of the cemetery owned by the Village and the growing population in the Village and in general area surrounding Waite Hill and to preserve and protect such property for the benefit of the residents and their immediate families as hereinafter set forth, the following rules and regulations for the use of the cemetery are hereby adopted:

(1) The remains of the following classes of persons may be interred in the Village Cemetery.

E. A former resident who purchased a lot or lots while a resident, and the spouse, child, grandchild or parent of such former resident.

No person shall be permitted to purchase a cemetery grave space, plot or lot unless the name is furnished to the Village of a person currently eligible for interment in the Village Cemetery under the rules set forth herein. No transfer of a cemetery grave space, plot or lot shall be permitted except to the Village as hereinafter provided. The Village will purchase lots, plots or grave spaces from the owner thereof, for the sum of seventy-five percent (75%) of the price paid to purchase the space, if that price is known, or seventy-five dollars (\$75.00) per lot, plot or space and the Village reserves the right to resell the repurchased lots, plots or space.

* * *

(5) All interments, disinterments or removals shall be made at a time scheduled by the Village and in accordance with the schedule of charges as follows:

PRICES AND FEES

| | |
|---|---|
| Resident grave space, each | \$100.00 <u>\$500.00</u> |
| Nonresident grave space, each | Amount to be determined by Village Council <u>\$750.00</u> |
| Grave opening, other than for cremated remains, which shall be paid to the Village or persons approved by the Village | 125.00 <u>Residents = 350.00</u> <u>NonResidents = 500.00</u> |
| Cremation opening | 75.00 <u>Residents = 200.00</u> <u>NonResidents = 350.00</u> |
| Temporary and permanent foundation installed pursuant to subsection (a)(28)A. hereof | 475.00 <u>600.00</u> |
| Temporary and permanent foundation installed pursuant to subsection (a)(28)B. hereof | 200.00 <u>350.00</u> |
| Temporary and permanent foundation installed pursuant to subsection (a)(28)C. hereof | 350.00 <u>450.00</u> |

All foundations shall be installed by the Village. No foundation shall be poured from November 1 through May 1 in any year.

The charge for disinterment and/or removals of cement or steel from the cemetery shall be at the current hourly rate to be fixed at the time of the performance of the work by the Village; provided, however, that the minimum charge shall be two hundred fifty dollars (\$250.00) for each removal. There shall be no wood box removals. The foundation shall remain in place.

* * *”

SECTION 2. That existing Section 143.03(a)(1)(E) and (a)(5) of the Codified Ordinances of Waite Hill, Ohio, and any ordinances in conflict herewith, be and are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the Village of Waite Hill.

SECTION 4. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the

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inhabitants of the Village of Waite Hill and, further, provides for the increase of fees for cemetery plots and services to provide sufficient revenues to cover the Village's costs of providing cemetery services; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: _____, 2014

Council President

Submitted to the Mayor
for his approval on this
_____ day of _____, 2014

Approved by the Mayor

ATTEST:

_____, 2014

Clerk-Treasurer

Mayor