

ORDINANCE NO. 77-20

AN ORDINANCE TO AMEND CHAPTER 1062 OF THE AVON CODIFIED ORDINANCES TO REVISE REGULATIONS FOR THE AVON CEMETERY AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Department of Commerce requires that all registered cemeteries file Rules and Regulations with the Division of Real Estate and Professional Licensing, and

WHEREAS, the Avon Cemetery is a registered cemetery subject to the Commerce Department's Rules and Regulation; and

WHEREAS, the Service Director for the City of Avon desires to promulgate a formal set of Rules of Regulations regarding the Avon Cemetery to be filed with the Division of Real Estate and Professional Licensing and thereby be in compliance with Ohio Department of Commerce requirements; and

WHEREAS, City Council, upon review of the proposed amendments to Chapter 1062 of the Avon Codified Ordinances, finds that adoption of same to be in the best interests of the health, safety and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That Chapter 1062 of the Codified Ordinances of the City of Avon which currently reads as follows:

1062.01 BURIAL CHARGES.

- (a) The body of a deceased resident of the City may be buried in the Avon Cemetery upon payment to the Finance Director of four hundred dollars (\$400.00) for opening and closing the grave.
- (b) A charge of five hundred dollars (\$500.00) per grave space shall be paid to the Finance Director.
- (c) A charge of one hundred dollars (\$100.00) shall be paid to the Finance Director for the construction of a cement monument footer.
- (d) Upon payment of the above sums a proper deed shall be issued for a one-grave lot used for such burial. (Ord. 96-92. Passed 9-14-92.)

Shall be amended to read as set forth in the Attached Exhibit A

Section 2 – That Chapter 1062, as amended, is hereby adopted as set forth in the attached Exhibit A, which is incorporated herein by this reference. The City's codifier is hereby instructed to remove the existing Chapter 1062 and replace it with the version set forth herein.

Section 3 – That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this

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Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 – That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to adopt revisions to Chapter 1062 of the Avon Codified Ordinances to be in compliance with rules and regulations of the Division of Real Estate and Professional Licensing of the Ohio Department of Commerce for registered cemeteries in the State; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director