



# AGENDA

## Chagrin Falls Village Council

Monday

January 9, 2023

7:30 PM

| Village Hall | 21 W. Washington Street | 440-247-5050

This is a public meeting and all are welcome to attend. In-person meetings are held in Council Chambers at Village Hall.

Members of the public wishing to speak to agenda items must advise the Clerk of Council of their intent to do so by noon on the day of the Council Meeting.

1. Moment of Silence/Pledge of Allegiance
2. Roll Call and Action Concerning Absentees
3. Reading and Disposal of Minutes  
November 21, 2022, December 12, 2022  
December 19, 2022, January 3, 2023
4. Administrative Reports
  - a. Mayor  
1. Commission appointments  
William Tomko
  - b. Finance Director  
Angela Gerye
  - c. Law Director  
Dale Markowitz
  - d. Chief Administrative Officer  
Robert Jamieson
  - e. Engineer  
Tim Lannon
  - f. Police Chief  
Amber Dacek
  - g. Fire Chief  
Frank Zupan
5. Council Reports
  - a. Committee Reports
    1. Admin & Comp Subel
    2. Facilities & Services Rockey
    3. Finance Rogoff
    4. Merchant Liaison DeBernardo
    5. Safety Drum
    6. Streets & Sidewalks Grube
    7. Utilities Corkran
  - b. Commission Reports
    1. Arts DeBernardo
    2. Board Zoning Appeals Rockey
    3. Cemetery Grube
    4. Grove Hill Rogoff
    5. Parks Drum
    6. Planning & Zoning Rogoff
    7. Shade Tree Rockey
6. Presentation to Council None
7. Public Hearing None
8. Members of the Public to Speak to Agenda Items (not to exceed 5 minutes per speaker)
9. Legislative Docket: Disposition of legislation, including any public hearings on legislation
  - a. **Ordinance No. 2022-69**  
**(Mobile Food Units)**  
AN ORDINANCE OF THE VILLAGE OF CHAGRIN FALLS TO ESTABLISH REGULATIONS FOR MOBILE FOOD UNIT OPERATIONS IN THE VILLAGE OF CHAGRIN FALLS.
    - Introduced by: Rogoff (Planning & Zoning)
    - 2nd Reading (01/09/23), 1st Reading (12/12/22)

**b. Ordinance No. 2022-70**

**(Amendment to Traffic Control Map – River/N. Main)**

AN ORDINANCE AMENDING APPENDIX A TO TITLE 1 OF PART 3 OF THE CODIFIED ORDINANCES TO AMEND THE TRAFFIC CONTROL MAP PROVIDED FOR IN CODIFIED ORDINANCE SECTION 305.01 AND DECLARING AN EMERGENCY.

- Introduced by: Rockey (Safety)
- 2<sup>nd</sup> Reading (01/09/23), 1<sup>st</sup> Reading (12/12/22)

**c. Ordinance No. 2023-01**

**(Amending Chapter 953 (Cemetery Rules + Fees))**

AN ORDINANCE AMENDING THE RULES AND REGULATIONS FOR CEMETERIES IN THE VILLAGE OF CHAGRIN FALLS AND AMENDING CODIFIED ORDINANCE SECTIONS 953.03, 953.031 AND 953.07 REGARDING FEES AND CHARGES FOR BURIALS IN THE VILLAGE CEMETERIES AND DECLARING AN EMERGENCY.

- Introduced by: Grube (Cemetery)
- 1<sup>st</sup> Reading (01/09/23)

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10. Members of the Public to Speak to Any Matter (not to exceed 5 minutes per speaker)

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11. Miscellaneous

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a. Riverside Park Playground RFP next steps

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12. Adjournment Time

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**ORDINANCE 2022-69**  
**INTRODUCED BY: ROGOFF**

**4439**

**AN ORDINANCE  
OF THE VILLAGE OF CHAGRIN FALLS TO  
ESTABLISH REGULATIONS FOR MOBILE FOOD  
UNIT OPERATIONS IN THE VILLAGE OF CHAGRIN  
FALLS**

WHEREAS, the Planning and Zoning Commission, at their November 21, 2022 meeting recommended to Council to regulate mobile food units when operating in the Village of Chagrin Falls to add new Chapter 767: and

WHEREAS, Council desires to enact new chapter 767 to be added to the Codified Ordinances to regulate mobile food units as more fully set forth in EXHIBIT “A” attached hereto and made a part hereof.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. That Chapter 767, attached hereto as EXHIBIT “A”, regulating the operation of mobile food units, as defined in new Chapter 767, is hereby adopted and the Codified Ordinances shall be amended to add new Chapter 767.

Section 2. The ordinances of the Village, to the extent inconsistent with the newly enacted provision herein regarding Chapter 767, attached hereto as EXHIBIT “A”, are hereby repealed, except to the extent that such code sections are the subject of an enforcement action they shall be considered effective for the purposes of an enforcement for any violations that occurred prior to repeal.

Section 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

**ORDINANCE 2022-69**  
**INTRODUCED BY: ROGOFF**

Section 5. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2023

\_\_\_\_\_  
Erinn Grube, Council President

Submitted to the Mayor for  
his approval on this

\_\_\_\_\_ day of \_\_\_\_\_, 2023

Approved by the Mayor

\_\_\_\_\_  
Mayor William Tomko

I hereby certify that Ordinance No. 2022-69 was duly enacted on the \_\_\_\_ day of \_\_\_\_\_, 2023, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

\_\_\_\_\_  
Angela Gergye, Clerk of Council

**ORDINANCE 2022-69**  
**INTRODUCED BY: ROGOFF**

**EXHIBIT “A”**

**CHAPTER 767**  
**Mobile Food Units**

767.01 Intent

767.02 Definition

767.03 Conditions for Mobile Food Unit Operation in the Municipality

767.04 General Conditions for Mobile Food Unit Operation in the Municipality

767.05 Permit Application Process

767.06 Permit Suspension and Revocation; Penalties

**767.01 INTENT**

The purpose of this chapter is to establish regulations for Mobile Food Units, also referred to as “Food Trucks,” and other mobile food vending vehicles, in order to prevent safety, traffic, and health hazards, as well as to preserve the peace, safety, and welfare of the Municipality.

**767.02 DEFINITION**

“Mobile Food Unit” means any apparatus or equipment that is used to cook, prepare, or serve food or beverages, and that routinely changes or can change location and is operated from a moveable vehicle or apparatus, including but not limited to motorized vehicles, trailers, and hand or pedal propelled carts. This definition does not include (i) any vehicle used to serve or sell pre-packaged ice-cream or other frozen confections operating in a Residential Zoning District which only stops to vend products; (ii) any “meals-on-wheels” type program vehicles delivering food to residents who need assistance with their daily nutrition; or (iii) any vehicle operating as part of a delivery service for food that is pre-ordered and delivered directly to a residence or business.

**767.03 CONDITIONS FOR MOBILE FOOD UNIT OPERATION IN THE MUNICIPALITY**

Mobile Food Units may operate in the municipality only if the Mobile Food Unit is (i) part of a Municipality-wide public event that has been approved by Council (“Public Event”), or (ii) operates completely on private property for a private event, sponsored by the property owner or resident of such property.

- A. Mobile Food Units at approved Public Events. Council may authorize Mobile Food Unit operation on property owned or leased by the Municipality including, but not limited to, parks, parking lots, streets, alleys, or other rights-of-way only in connection with and as part of a Municipality-wide Public Event.
1. The presence and placement of any Mobile Food Unit shall be approved as part of the Public Event.
  2. The Mobile Food Unit operator or owner shall obtain a Mobile Food Unit permit (“MFU Permit”) from the Municipality.
  3. The placement of the Mobile Food Unit shall be approved by the Chief Administrative Officer and the Municipality Police and Fire Departments. No Mobile Food Unit shall operate in a location fewer than five feet from a driveway or alley and no fewer than ten feet from street intersections.

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**INTRODUCED BY: ROGOFF**

4. The operator or owner of the Mobile Food Unit shall obtain an approved inspection certificate from the Municipal Fire Department.
  5. A Mobile Food Unit operating as part of a Public Event may only operate during the open times of the Public Event. A Mobile Food Unit shall not be left unattended; any Mobile Food Unit that is found to be unattended shall be considered a public safety hazard and may be cited for violation of the Ordinances of the Municipality and impounded.
  6. Unless specially allowed by terms of the Public Event or MFU Permit, no Mobile Food Unit shall be parked on Municipality streets, parking lots, public rights-of-way, park property, or other public property overnight. When allowed to park overnight, any Mobile Food Unit left without active attendance must be secured sufficiently to prevent access, use of equipment, and movement of the unit.
  7. The Public Event organizer or Mobile Food Unit operator shall provide adequate trash containers to receive all garbage created by its operation in the Municipality and shall clear any litter from its area of operation at the end of each day.
- B. Mobile Food Units at Private Events held on private property. Mobile Food Units may operate on private property in the Municipality for a private event sponsored by the property owner or resident. Such an event may not be open to the general public. Attendance at the event requires an invitation or purchased ticket from the property owner or resident at least one business day prior to the event.
1. Mobile Food Units for private events shall not be located on any Municipality property, and shall not obstruct any public right-of-way, including sidewalks, streets, or alleys.
  2. The Mobile Food Unit operator or owner shall obtain an MFU Permit from the Municipality.
  3. The Mobile Food Unit may operate from 9AM to 9PM on Sunday through Thursday and from 9AM to 10PM on Friday, Saturday, or a Federal Holiday if such holiday falls on Sunday through Thursday.
  4. No Mobile Food Unit shall remain on the property where the private event is being conducted overnight.
  5. The Mobile Food Unit operator and the event sponsor shall be responsible for and shall remove all garbage and clear all litter created by operation of the Mobile Food Unit.
  6. No more than two (2) Mobile Food Units shall operate on a private property at any one time.
  7. Mobile Food Unit permits shall be issued for not more than four separate events in a calendar year on a single property. Each day of operation by any Mobile Food Unit on a single property shall be considered a separate event.

**767.04 GENERAL CONDITIONS FOR MOBILE FOOD UNIT OPERATION IN THE  
MUNICIPALITY.**

Any Mobile Food Unit operating within the Municipality shall comply with the following requirements:

- A. Display an appropriate, valid license from the Cuyahoga County Board of Health.

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**INTRODUCED BY: ROGOFF**

- B. Display the MFU Permit issued by the Municipality and all other licenses and certificates signifying compliance with state and county laws, ordinances, codes, orders, and regulations.
- C. Be subject to inspections during operation in the Municipality for compliance with local, state, and county laws, ordinances, codes, orders, and regulations.

**767.05 PERMIT APPLICATION PROCESS.**

- A. No Mobile Food Unit shall operate in the Municipality without a valid MFU Permit issued by the Municipality. The MFU Permit must be obtained from the Chief Administrative Officer by the owner or operator of the Mobile Food Unit.
- B. MFU Permits issued in accordance with this Chapter are not transferrable.
- C. Application for a MFU Permit shall be made to the Chief Administrative Officer on a form provided to the applicant at least five (5) business days prior to the date when the Mobile Food Unit will conduct business in the Municipality. The request for a MFU Permit shall contain:
  - 1. A completed application form;
  - 2. The permit fee of \$100 per Mobile Food Unit for each day or part of a day the Mobile Food Unit operates within the Municipality;
  - 3. Evidence that the Mobile Food Unit has obtained all required licenses to operate in Cuyahoga County, Ohio;
  - 4. A signed statement that the permittee shall defend, indemnify, and hold harmless the Municipality, its officers, and employees, from any and all claims for damages to property or death or injury to persons and the reasonable attorney fees incurred in defending any such claims which may occur in connection with an activity carried out under the terms of the permit; and
  - 5. Proof of liability insurance in the form of a certificate of insurance with limits no less than one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) aggregate, five hundred thousand dollars property damage coverage (\$500,000.00) and the Village of Chagrin Falls is named on the certificate as additionally insured during a term at least equal to the term of the MFU Permit, as a condition of the MFU Permit.
- D. The CHIEF ADMINISTRATIVE OFFICER, Municipal Police Department, or Fire Department may request additional information prior to issuing a MFU Permit, in order to carry out the purpose of this Chapter.
- E. The CHIEF ADMINISTRATIVE OFFICER may approve the MFU Permit, approve the MFU Permit with conditions, or deny the MFU Permit if the CHIEF ADMINISTRATIVE OFFICER determines that the application does not comply with this Chapter. If denied, the CHIEF ADMINISTRATIVE OFFICER shall transmit in writing or by electronic mail the reasons for the denial to the applicant.

**767.06 PERMIT SUSPENSION AND REVOCATION; PENALTIES**

- A. The CHIEF ADMINISTRATIVE OFFICER may temporarily suspend any MFU Permit if the location and/or operation of the Mobile Food Unit is in conflict with the public interest, for example if the area occupied by the Mobile Food Unit is needed for a public event, construction, repair, or any other public purpose.
- B. The CHIEF ADMINISTRATIVE OFFICER may revoke a MFU Permit upon finding any provision of this Chapter or condition of approval has been violated or if the Mobile Food

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**INTRODUCED BY: ROGOFF**

Unit is not in compliance with any state, county, or local laws ordinances, orders, codes or regulations. Such action shall be effective immediately.

- C. An applicant may appeal denial or revocation of a MFU Permit as provided in Chapter 1111 of the Planning and Zoning Code of the Municipality.
- D. Whomever violates any of the provisions of this Chapter shall be guilty of a misdemeanor of the first degree. Each day such violation continues shall constitute a separate offense.



**ORDINANCE 2022-70**  
**INTRODUCED BY: ROCKEY**

**4440**

**AN ORDINANCE  
AMENDING APPENDIX A TO TITLE 1 OF PART 3 OF THE  
CODIFIED ORDINANCES TO AMEND THE TRAFFIC  
CONTROL MAP PROVIDED FOR IN CODIFIED  
ORDINANCE SECTION 305.01 AND DECLARING AN  
EMERGENCY.**

WHEREAS, Codified Ordinance Section 305.01 established a Traffic Control Map to show at all times current traffic control matters and amendments may be made to the Traffic Control Map pursuant to Section 305.03 of the Codified Ordinances; and

WHEREAS, the Village Council has determined that the Traffic Control Map needs to be amended to provide that no left turn may be made when traveling eastbound on River Street at its intersection with North Main Street so that vehicles eastbound on River Street will not turn left and go northbound on North Main Street since it has created dangerous conditions for pedestrians who are lawfully in the North Main Street crosswalk at the point where left turning vehicles from River Street would cross the crosswalk when going north on North Main Street.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE  
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. Appendix A to Chapter 305 of the Codified Ordinances is hereby amended, in part, to add the following no left turn requirement:

Vehicles are prohibited from turning left when traveling eastbound on River Street at its intersection with North Main Street and all such traffic shall only turn right and go southbound on North Main Street.

Section 2. The Police Department is hereby directed to amend the Traffic Control Map in accordance with Section 1 and to enforce the no left turn prohibition while traveling eastbound on River Street at the intersection with North Main Street in accordance with the Traffic Control Map, as amended, from and after the effective date of this Ordinance. A copy of the Traffic Control Map, as so amended, shall be attached to and incorporated as part of the Traffic Code.

Section 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

**ORDINANCE 2022-70**  
**INTRODUCED BY: ROCKEY**

Section 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the Village and for the further reason that in order to avoid injury or death to pedestrians utilizing the crosswalk on North Main Street just north of its intersection with River Street, that left turns from River Street should be immediately prohibited; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2023

\_\_\_\_\_  
Erinn Grube, Council President

Submitted to the Mayor for  
his approval on this

\_\_\_\_\_ day of \_\_\_\_\_, 2023

Approved by the Mayor

\_\_\_\_\_  
Mayor William Tomko

I hereby certify that Ordinance No. 2022-70 was duly enacted on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

\_\_\_\_\_  
Angela Gergye, Clerk of Council

**ORDINANCE 2023-01  
INTRODUCED BY: GRUBE**

**4446**

**AN ORDINANCE  
AMENDING THE RULES AND REGULATIONS FOR  
CEMETERIES IN THE VILLAGE OF CHAGRIN FALLS  
AND AMENDING CODIFIED ORDINANCE SECTIONS  
953.03, 953.031 AND 953.07 REGARDING FEES AND  
CHARGES FOR BURIALS IN THE VILLAGE CEMETERIES  
AND DECLARING AN EMERGENCY.**

WHEREAS, the Charter of the Village of Chagrin Falls provides that rules and regulations for the cemeteries are adopted by the Village Council; and

WHEREAS, the Village Council deems it appropriate to amend Ordinances 2017-14 and 2019-28 to amend the rules and regulations for the use of public cemeteries within the Village of Chagrin Falls; and

WHEREAS, the Village is authorized by Revised Code Section 759.03 to pass and provide for the enforcement of ordinances necessary to carry into effect Sections 759.02 to 759.48, inclusive, of the Revised Code, and the Village may regulate public burial grounds and cemeteries owned by the Village, the improvement thereof, the burial of the dead therein, define the tenure and conditions on which lots therein shall be held, and protect such burial grounds and cemeteries and all fixtures thereon; and

WHEREAS, Council has determined that Chapter 953 of the Codified Ordinances, and Ordinance 2017-14 and Ordinance 2019-28 regarding the pricing and regulation of mausoleums should be amended and supplemented to add the following provisions.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE  
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. Section 953.03 of the Codified Ordinances is hereby amended, and supplemented to read as follows:

**953.03 PURCHASE OF GRAVES**

Evergreen Hill Cemetery is provided for the residents of the Village of Chagrin Falls. All sales or purchases of graves and crypts must be made through the office of the

**ORDINANCE 2023-01**  
**INTRODUCED BY: GRUBE**

Cemetery Clerk for purpose of record. All purchases of graves and crypts must be purchased from the Village at the prevailing rate.

(a) A nontransferable Right to Bury form will be issued by the Village to each purchaser of a grave. For a deceased resident who has a Trust, the Trust is limited to the purchase of one grave only.

(b) A maximum of four graves may be purchased, per family, by Village residents only. The cost of a 4' x 12' full size grave that allows three cremation urns or one casket & two cremation urns is \$1,500.00. The cost of a 4' x 12' full size grave in sections that allow three cremation urns only shall cost \$700.

(c) Graves in Section 3-C are for cremations only, and cost \$3,000.00 each for residents and are limited to three cremation urns.

(d) Village residents may not purchase graves for a non-resident.

(e) In ground graves are not offered to non-residents; however, exceptions may be made at the discretion of the Cemetery Commission upon receipt of a written request from a non-resident. When an exception is made, a maximum of two graves may be purchased per family. The cost to a non-resident for a 4' x 12' full size grave is \$2,350.00.

(f) The purchase of a Right to Bury for a grave site is a final sale and nonexchangeable. It cannot, for any reason, be transferred, exchanged, or switched. Only the Village may repurchase unused graves at a rate of 75% of the current sales price, at the discretion of the Village.

(g) Graves may be transferred by will or the laws of Ohio if intestate, and a new deed will be issued by the Cemetery Clerk for purpose of record. No other transfers shall be permitted, except resale to the Village of Chagrin Falls pursuant to Subsection 953.03(g).

Section 2. Section 953.03 of the Codified Ordinances is hereby amended, and supplemented, with strikeouts for deletions and underlining for additions, to read as follows:

**953.03 PURCHASE OF GRAVES**

Evergreen Hill Cemetery is provided for the residents of the Village of Chagrin Falls. All sales or purchases of graves and crypts must be made through the office of the Cemetery Clerk for purpose of record. All purchases of graves and crypts must be purchased from the Village at the prevailing rate.

(a) A nontransferable Right to Bury form will be issued by the Village to each purchaser of a grave. For a deceased resident who has a Trust, the Trust is limited to the purchase of one grave only.

**ORDINANCE 2023-01**  
**INTRODUCED BY: GRUBE**

(b) A maximum of four graves may be purchased, per family, by Village residents only. The cost of a 4' x 12' full size grave that allows three cremation urns or one casket & two cremation urns is ~~\$800.00~~ \$1,500.00. The cost of a 4' x 12' full size grave in sections that allow three cremation urns only shall cost \$700.

(c) Graves in Section 3-C are for cremations only, and cost ~~\$1,300.00~~ \$3,000.00 each for residents and are limited to three cremation urns.

(d) Village residents may not purchase graves for a non-resident.

(e) In ground graves are not offered to non-residents; however, exceptions may be made at the discretion of the Cemetery Commission upon receipt of a written request from a non-resident. When an exception is made, a maximum of two graves may be purchased per family. The cost to a non-resident for a 4' x 12' full size grave is \$2,350.00.

(f) The purchase of a Right to Bury for a grave site is a final sale and nonexchangeable. It cannot, for any reason, be transferred, exchanged, or switched. Only the Village may repurchase unused graves at a rate of 75% of the current sales price, at the discretion of the Village.

(g) Graves may be transferred by will or the laws of Ohio if intestate, and a new deed will be issued by the Cemetery Clerk for purpose of record. No other transfers shall be permitted, except resale to the Village of Chagrin Falls pursuant to Subsection 953.03(g).

Section 3. Section 953.031 of the Codified Ordinances is hereby amended to read as follows:

**953.031 PURCHASE OF COLUMBARIUM NICHE**

(a) The purchase of a Right to Bury for a niche is a final sale and nonexchangeable. It cannot, for any reason, be transferred, exchanged, or assigned. Notwithstanding the previous sentence, the Village may repurchase a niche at 75% of the current resident price, at the discretion of the Board of Cemetery Trustees.

(b) No Village resident may purchase a niche for a non-resident.

(c) The sale of a niche to a nonresident will be considered on a case-by-case basis upon receipt of a written request.

(d) The cost of a memorial bench is \$7,500, which includes the foundation and engraving.

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**INTRODUCED BY: GRUBE**

(e) Niche prices: Two cremains may be interred in each niche.

	RESIDENT		NON-RESIDENT	
One Niche:	Tier A	\$1,600.00	Tier A	\$2,400.00
	Tier B	\$1,500.00	Tier B	\$2,300.00
	Tier C	\$1,400.00	Tier C	\$2,200.00
	Tier D	\$1,300.00	Tier D	\$2,100.00
Engraving:		\$400.00 (one name)		\$400.00 (one name)
		\$575.00 (two names)		\$575.00 (two names)

(f) NICHE BURIAL PROCEDURES & COSTS (OPENING & CLOSING):

(g) The cost for a niche interment before 3:00 pm on a weekday is \$400.00 and \$450.00 after 3:00 pm and on a Saturday.

(h) Payment is due upon the scheduling of a burial. Interments shall not be made until full payment is made.

(i) The Sexton shall request the family to produce their Right to Bury form. In the absence of a Right to Bury form the family shall sign an affidavit stating that they are the sole beneficiary of the burial site.

(j) There shall be no burials on Sundays nor legal holidays.

(k) The Village must receive 12-hour notice (one business day) for an interment. There will be no burials after 12:00 p.m. (noon) on Saturdays.

(l) The niche is 12" long, 12" wide, and 12" high. For two urns, each one must measure less than 5" wide, 5" long, and 11" tall. For one urn, it shall measure 11" long, 11" wide, and 11" tall or less.

(m) Engraving of the face plat is \$400.00 for one name and \$575.00 for two names. All engraving is done through the Village. Only the name and date of birth & death are permitted on the face plate.

(n) All interments will be done by Village employees.

(o) Human remains only may be interred. No objects are permitted other than an urn.

(p) The cost for a disinterment is \$375.00 plus the cost of replacing the face plate.

Section 4. Section 953.031 of the Codified Ordinances is hereby amended, with strikeouts for deletions and underlining for additions, to read as follows:

**ORDINANCE 2023-01**  
**INTRODUCED BY: GRUBE**

953.031 PURCHASE OF COLUMBARIUM NICHE

(a) The purchase of a Right to Bury for a niche is a final sale and nonexchangeable. It cannot, for any reason, be transferred, exchanged, or assigned. Notwithstanding the previous sentence, the Village may repurchase a niche at 75% of the current resident price, at the discretion of the Board of Cemetery Trustees.

(b) No Village resident may purchase a niche for a non-resident.

(c) The sale of a niche to a nonresident will be considered on a case-by-case basis upon receipt of a written request.

(d) The cost of a memorial bench is \$7,500, which includes the foundation and engraving.

(e) Niche prices: Two cremains may be interred in each niche.

	RESIDENT	NON-RESIDENT
One Niche:	Tier A \$1,600.00	Tier A \$2,400.00
	Tier B \$1,500.00	Tier B \$2,300.00
	Tier C \$1,400.00	Tier C \$2,200.00
	Tier D \$1,300.00	Tier D \$2,100.00

Engraving: ~~\$350.00~~ \$400.00 (one name) ~~\$350.00~~ \$400.00 (one name)  
~~\$525.00~~ \$575.00 (two names) ~~\$525.00~~ \$575.00 (two names)

(f) NICHE BURIAL PROCEDURES & COSTS (OPENING & CLOSING):

(g) The cost for a niche interment before 3:00 pm on a weekday is \$400.00 and \$450.00 after 3:00 pm and on a Saturday.

(h) Payment is due upon the scheduling of a burial. Interments shall not be made until full payment is made.

(i) The Sexton shall request the family to produce their Right to Bury form. In the absence of a Right to Bury form the family shall sign an affidavit stating that they are the sole beneficiary of the burial site.

(j) There shall be no burials on Sundays nor legal holidays.

(k) The Village must receive 12-hour notice (one business day) for an interment. There will be no burials after 12:00 p.m. (noon) on Saturdays.

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(l) The niche is 12" long, 12" wide, and 12" high. For two urns, each one must measure less than 5" wide, 5" long, and 11" tall. For one urn, it shall measure 11" long, 11" wide, and 11" tall or less.

(m) Engraving of the face plat is ~~\$350.00~~ \$400.00 for one name and ~~\$525.00~~ \$575.00 for two names. All engraving is done through the Village. Only the name and date of birth & death are permitted on the face plate.

(n) All interments will be done by Village employees.

(o) Human remains only may be interred. No objects are permitted other than an urn.

(p) The cost for a disinterment is \$375.00 plus the cost of replacing the face plate.

Section 5. Section 953.07 of the Codified Ordinances is hereby amended to read as follows:

**953.07 CEMETERY SERVICE CHARGES.**

The following costs will be charged by the Cemetery. The Owner is responsible for any and all additional costs that may be charged by Contractors involved in the service.

**(a) BURIALS**

	Weekday	Saturday	
Adult Casket	\$850.00	\$950.00	(per person/burial-transit permit)
Infant Casket	\$500.00	\$600.00	(per person/burial-transit permit)
Cremation Urn	\$450.00	\$500.00	(per person/certificate of cremation)

**(b) DISINTERMENT**

	Weekday:	Saturday:
Adult Casket	\$1,000.00	\$1,100.00
Infant Casket	\$ 500.00	\$ 600.00
Cremation Urn	\$ 475.00	\$ 575.00

**(c) GRAVE MARKER FOUNDATION FEES:** All monuments shall have a concrete foundation built by the cemetery sexton, pursuant to municipal specifications.

2' x 12"	\$ 325.00
3' x 12"	\$ 375.00
4' x 12"	\$ 425.00
5' x 12"	\$ 500.00
6' x 12"	\$ 550.00

No charge for 2' x 12" foundation for approved Veterans Administration marker.



**ORDINANCE 2023-01**  
**INTRODUCED BY: GRUBE**

Section 6. Section 953.07 of the Codified Ordinances is hereby amended, with strikeouts for deletions and underlining for additions, to read as follows:

953.07 CEMETERY SERVICE CHARGES.

The following costs will be charged by the Cemetery. The Owner is responsible for any and all additional costs that may be charged by Contractors involved in the service.

(a) BURIALS

	Weekday	Saturday	
Adult Casket	\$850.00	\$950.00	(per person/burial-transit permit)
Infant Casket	\$500.00	\$600.00	(per person/burial-transit permit)
Cremation Urn	\$450.00	\$500.00	(per person/certificate of cremation)

(b) DISINTERMENT

	Weekday:	Saturday:
Adult Casket	\$1,000.00	\$1,100.00
Infant Casket	\$ 500.00	\$ 600.00
Cremation Urn	\$ 475.00	\$ 575.00

(c) GRAVE MARKER FOUNDATION FEES: All monuments shall have a concrete foundation built by the cemetery sexton, pursuant to municipal specifications.

2' x 12"	<del>\$ 275.00</del>	<u>\$325.00</u>
3' x 12"	<del>\$ 325.00</del>	<u>\$375.00</u>
4' x 12"	<del>\$ 375.00</del>	<u>\$425.00</u>
5' x 12"	<del>\$ 425.00</del>	<u>\$500.00</u>
6' x 12"	<del>\$ 475.00</del>	<u>\$550.00</u>

No charge for 2' x 12" foundation for approved Veterans Administration marker.

Section 7. The Chief Administrative Officer is hereby authorized to revise the Cemetery Rules and Regulations, consistent with this Ordinance and previous Ordinances to the extent not amended by this Ordinance, which shall be available for inspection and copying at the office of the Chief Administrative Officer. The Rules and Regulations adopted by the Chief Administrative Officer of the Village may be amended from time to time and shall be enforceable in accordance with Sections 953.09 and 953.99 of the Codified Ordinances of the Village of Chagrin Falls.

Section 8. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

**ORDINANCE 2023-01**  
**INTRODUCED BY: GRUBE**

Section 9. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 10. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the Village and for the further reason that this Ordinance must be immediately effective so that the new rules and orderly usage of the cemetery and the costs related thereto are in effect immediately to avoid individuals from taking undue advantage of a price change for cemetery facilities; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2023

\_\_\_\_\_  
Angela DeBernardo, Council President

Submitted to the Mayor for  
his approval on this

\_\_\_\_\_ day of \_\_\_\_\_, 2023

Approved by the Mayor

\_\_\_\_\_  
Mayor William Tomko

I hereby certify that Ordinance No. 2023-01 was duly enacted on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

\_\_\_\_\_  
Angela Gergye, Clerk of Council