

ORDINANCE NO. 2018-44
INTRODUCED BY: Mayor & Council
Revised 7-24-18

4119

**AN ORDINANCE
ESTABLISHING A FUNDING MECHANISM FOR THE
CEMETERY-PERPETUAL CARE FUND.**

WHEREAS, the Village of Chagrin Falls maintains the Evergreen Hill Cemetery and grave sites remain available for sale; and

WHEREAS, the Village previously established a Cemetery-Perpetual Care Fund which has been depleted by transfer of the monies in that fund to the general fund for Village purposes other than funding the maintenance and perpetual care of the Evergreen Hill Cemetery; and

WHEREAS, Council has determined that a policy should be mandated to require that a percentage of all revenue generating operations of all cemeteries shall be placed in the Cemetery-Perpetual Care Fund ("Fund") and the Fund be used solely for perpetual care and maintenance of the Evergreen Hill Cemetery and the graves, crypts and columbarium niches at all Village cemeteries, and any other cemetery the Village may establish, unless two-thirds (2/3) of Council determines, due to financial exigencies, that the Fund must be utilized for other Village purposes.

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

SECTION 1. That twenty percent (20%) of the gross revenue received from all revenue generating operations of all cemeteries owned by the Village be placed into the Fund. The Fund shall be used for the purpose of maintaining all cemeteries owned by the Village and for perpetual care of all graves, crypts and columbarium niches in all Village cemeteries.

SECTION 2. In the event that the Village Council determines that the Fund must be utilized for other Village purposes, due to financial exigencies, upon approval of at least two-thirds (2/3) of the Members of Council, the Fund may be utilized for other Village purposes, and in such event, the Village Council shall determine if the percentage of gross revenue from all revenue generating operations from all cemeteries owned by the Village that is placed in the Fund should be increased to make up the deficiency from diverting the Fund to other Village purposes, in which event this Ordinance shall be amended to increase the percentage of gross revenue from all revenue generating operations from all cemeteries owned by the Village to be placed in the Fund until such time as the funds are replenished to a level satisfactory to the Village Council.

SECTION 3. 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 4. 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.

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

PASSED: July 23, 2018



Karl Maersch, Council President

Submitted to the Mayor for his approval on this

24 day of July, 2018

Approved by the Mayor this

24 day of July, 2018



Mayor William Tomko

I hereby certify that Ordinance No. 2018-44 was duly enacted on the 23rd day of July, 2018, 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.



Clerk of Council