

Sponsor: Foster/Elliott

ORDINANCE NO. 25-19

AN ORDINANCE REPEALING AND AMENDING ORD. 6-11 REGARDING CEMETERY FEES AS SET FORTH IN THE CITY OF JACKSON CODIFIED ORDINANCES AS SECTIONS 941.11, 941.12, 941.13, 941.15, 941.16, 941.17, 941.18 AND 941.28.

WHEREAS, ORD 6-11 established the cemetery rates charged by the City as set forth in Sections 941.11, 941.12, 941.13, 941.15, 941.16, 941.17, 941.18 and 941.28 of the Codified Ordinances of the City of Jackson; and

WHEREAS, the legislative authority of the City of Jackson has determined it necessary to change the rates so charged as shown in Exhibit A attached hereto where the revised language is shown to be struck through with the new language shown as underlined; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT ORD 6-11 BE AMENDED AND REPEALED AND SECTIONS 941.11, 941.12, 941.13, 941.15, 941.16, 941.17, 941.18 AND 941.28 OF THE CODIFIED ORDINANCES OF THE CITY OF JACKSON BE AMENDED, AS SET FORTH AS ATTACHED HERETO AS EXHIBIT A, WITH THOSE STRUCK THROUGH PORTIONS BEING REMOVED AND REPLACED WITH THE UNDERLINED LANGUAGE SHOWING THE AMENDMENTS TO THE ORIGINAL LANGUAGE AND THAT IT BE REPLACED WITHIN THE JACKSON CITY CODE, IN REGULAR TEXT.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 12 day of August, 2019.



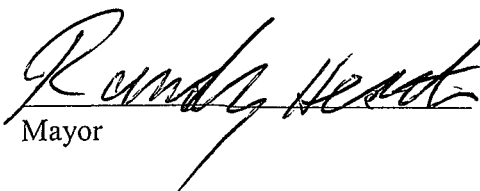
President of Council

ATTEST:



Clerk of the Legislative Authority

Approved this 12 day of Aug, 2019.



Mayor

941.11 RECORDS OF SALES.

Duplicate records of all sales and transfers and of the ownership of all lots shall be made, one of which shall be kept in the office of the Utility Department, and the other in the office of the Service-Safety Director, or his designee.

941.12 TRANSFER OF OWNERSHIP.

No sale or transfer of a lot by an owner, except by descent, shall be effective or binding upon the City until the instrument of conveyance thereof is presented to the Service-Safety Director for transfer on his records. Transfers by descent shall be made by affidavit. A fee of ~~seventy-five dollars (\$75.00)~~ one hundred dollars (\$100.00) shall be charged for making every such transfer.

941.13 OPENING AND CLOSING GRAVES; CHARGES.

Charges for opening and closing graves in any cemetery operated by the City shall be as follows:

	<u>In City</u> <u>Resident</u>	<u>Out of City</u> <u>Resident</u>
(a) Weekdays (except weekends and holidays)	\$450.00	\$550.00
(b) Weekends and holidays	\$600.00	\$700.00
(c) Cremation - Weekdays (except weekends and holidays)	\$100.00	\$200.00
(d) Cremation - Weekends and holidays	\$200.00	\$300.00
(e) When funeral is in compliance with the rules of the Ohio Department of Welfare, the regular fees and charges, as above provided, shall not apply.		
(f) When funeral is that of an infant (except weekends and holidays)	\$150.00	\$250.00
(g) When funeral is that of an infant (weekends and holidays)	\$200.00	\$300.00
(h) <u>Exhumation / Removal of adult</u>	<u>\$1,000.00</u>	
(i) <u>Exhumation / Removal of infant</u>	<u>\$200.00</u>	
(j) <u>Re-internment of infant (after exhumation/removal)</u>	<u>\$300.00</u>	

941.15 CEMETERY FUND, PERPETUAL CARE.

The Service-Safety Director shall accept and receive, by agreement, gift, devise, bequest or otherwise, money to provide a permanent fund of the cemetery, which shall be handled and invested as provided in Ohio R.C. 759.12 and 759.15, and the income of which shall be applied by the Director to the perpetual care of the space or spaces as agreed by the Director. No sums shall be received by the Director which are less than the minimum charges for perpetual care hereinafter. Bequests and devises in wills shall be accepted for a period of one year at the rates and charges for perpetual care heretofore in effect.

941.16 PERPETUAL AND ANNUAL CARE; FEES.

(a) Fees and charges for perpetual and annual care, which shall include seeding, mowing and cleaning, shall be as follows:

- (1) Perpetual care ~~\$50.00~~ \$75.00 per grave space.
- (2) Annual care ~~\$40.00~~ \$50.00 per grave lot.

(b) The City Clerk shall establish an appropriate account for the receipt and disbursement of funds relating to agreements for perpetual care. No funds paid pursuant to an agreement for perpetual care shall be used for any purpose other than perpetual care or the payment of annual fees and charges for the spaces described in such agreement.

941.17 EFFECTIVE DATE OF CHARGES.

The charges and fees provided in this chapter shall be effective on and after ~~March 14, 2011~~ [eff. Date of ordinance], except as to annual care charges which shall be billed at the rates herein provided on or about

May 1, 2011 [eff. Date of ordinance], and each year thereafter. Annual care charges, that are grandfathered in, shall be compulsory for all lots not having perpetual care.

941.18 PRICING OF CEMETERY SPACES.

The cost of burial spaces, which include Perpetual Care, in the Cemetery shall be as follows:

In City <u>Resident</u>	Out of City <u>Resident</u>
\$200.00 400.00 per space	\$400.00 600.00 per space

A space is four feet by twelve feet.

941.28 LOTS/SPACES.

There shall be no changes made to lot/lots or space/spaces without prior approval of the Service-Safety Director, or his designee.