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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. *666* - 2015

7
8 AN ORDINANCE AMENDING SECTION 945.10 OF THE
9 CODIFIED ORDINANCES, RELATING TO LOTS AND
10 MEMORIALS FOR VETERANS, AND DECLARING AN
11 EMERGENCY.
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14 WHEREAS, the City of Cuyahoga Falls currently offers plots in the Veterans' Section
15 of Oakwood Cemetery free of charge to honorably discharged resident veterans of the
16 United States Armed Services; and
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18 WHEREAS, the Codified Ordinances of the City of Cuyahoga Falls currently allow
19 only for the burial of the veteran and does not allow for a spouse to share the plot; and
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21 WHEREAS, the United States Department of Veterans Affairs and the National
22 Cemetery Administration allow spouses to be buried with veterans in national
23 cemeteries as part of the burial benefits provided to United States veterans; and
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25 WHEREAS, the size of the plots in Oakwood Cemetery and burial practices allow the
26 city to offer the opportunity to share a veteran's plot to one spouse.
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28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
29 County of Summit, and State of Ohio, that:
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31 Section 1. Section 945.10 of the Codified Ordinances of the City of Cuyahoga Falls
32 is hereby amended to read in full as follows (new text double underlined; deleted text in
33 ~~strikethrough~~):
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35 945.10 LOTS AND MEMORIALS FOR VETERANS.
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37 (a) The following described plot of ground has been set aside in Oakwood Cemetery
38 for the burial of honorably discharged Veterans, and shall be known as the Veterans
39 Section:

40 Beginning at the intersection of the center line of Fourth Street at the center line of
41 Oakwood Drive marked by an iron pin survey monument; thence N. 12° 57' W. along
42 the center line of Oakwood Drive, a distance of 443.42 feet to a point; thence S. 77° 63'
43 W. a distance of 82.88 feet to a point; thence S. 12° 57' E. a distance of 45.95 feet to a
44 point; thence S. 33 ° 03' W. a distance of 98.95 feet to the true radii center of the parcel
45 of land hereby described with a circumscribing circle have a radius of 43.00 feet, a
46 circumference of 270.18 feet containing within the boundary so described 0.1334 acres
47 of land.
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49 (b) The burial plots within the Veterans Section are to be maintained by the City
50 and shall remain orderly and in a uniform fashion free of plantings. A burial plot is
51 provided at no charge to an honorably discharged Veteran. All other charges shall apply
52 where applicable. Veterans include those recognized for veteran status by the United
53 States government, provided the veteran was honorably discharged, and was a resident
54 of the City on the date of enlistment or on the date of death.
55

56 (c) The Charles Faust Post Inc., American Legion, Cuyahoga Falls, is hereby
57 authorized to erect, at their own expense, a suitable memorial in the burial plot under
58 the supervision of the Director of Public Service.

59
60 (d) When a plot in this section has been granted to a veteran, the remains of no
61 more than one spouse of the veteran may share the plot. If the veteran had more than
62 one spouse in his or her lifetime, it shall be the sole responsibility of the veteran's heirs
63 or executor to determine which spouse shall share the plot. A fee will not be assessed
64 for the use of the plot, but all other charges shall apply as applicable. Each plot shall
65 have one marker and it shall be in uniformity with those preexisting, naming the
66 spouse on the back of the marker. Due to space constraints, the spousal remains shall
67 be added as follows:

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69 (1) For plots granted prior to the passage of this ordinance, only spousal
70 cremains shall be added to a plot.

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72 (2) For plots granted after the passage of this ordinance, if at the time of the
73 veteran's burial the City is informed in writing of the possibility of a spouse sharing the
74 plot, the veteran's burial shall be made in such a way as to reasonably accommodate
75 the addition of cremains or an additional casket. These accommodations shall not
76 require the use of more than one plot.

77
78 (3) For plots granted after the passage of this ordinance, if the City was
79 not informed of the possibility of a spouse sharing the plot at the time of the veteran's
80 burial, only spousal cremains shall be added to a plot with a preexisting casket. If the
81 veteran was cremated, spousal cremains or a casket may be added to a plot.

82
83 (e) An otherwise qualifying veteran who resides in Cuyahoga Falls with his or her
84 spouse at the time of the spouse's death may request a plot for the burial of the spouse
85 in the veterans' section. The City shall provide this plot and in exchange the veteran
86 must meet with the City of Cuyahoga Falls Building and Grounds Maintenance
87 Superintendent, or their designee, and sign an agreement with the City stating that the
88 veteran will use the plot upon his or her death and specifying whether the veteran
89 wishes to be cremated. Upon the burial of the spouse, one marker shall be erected for
90 the plot, in uniformity with those preexisting, naming the spouse on the back of the
91 marker and naming the veteran with his or her date of death left blank on the front of
92 the marker. Upon the death of the veteran, he or she shall be buried in the reserved
93 plot as indicated in the agreement with the City. This plot shall be provided at no
94 charge. All other charges shall apply where applicable.

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96 Section 2. Any ordinances or resolutions or portions of ordinances and resolutions
97 inconsistent herewith are hereby repealed, but any ordinances and resolutions not
98 inconsistent herewith and which have not previously been repealed are hereby ratified
99 and confirmed.

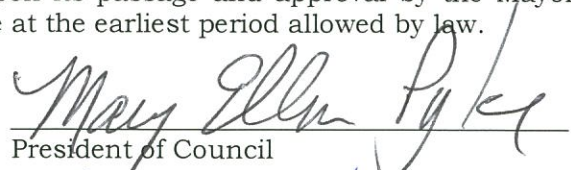
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101 Section 3. It is found and determined that all formal actions of this Council
102 concerning and relating to the passage of this ordinance were taken in an open meeting
103 of this Council and that all deliberations of this Council and of any committees that
104 resulted in those formal actions were in meetings open to the public, in compliance with
105 all requirements including Chapter 107 of the Codified Ordinances.

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107 Section 4. This ordinance is hereby declared to be an emergency measure necessary
108 for the preservation of the public peace, health, safety, convenience and welfare of the
109 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
110 affirmative vote of two-thirds of the members elected or appointed to Council, it shall

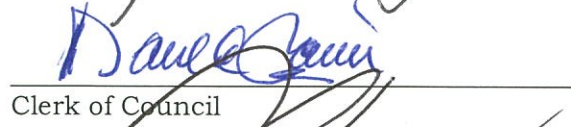
111 take effect and be in force immediately upon its passage and approval by the Mayor;
112 otherwise it shall take effect and be in force at the earliest period allowed by law.

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Passed: Sept. 28, 2015

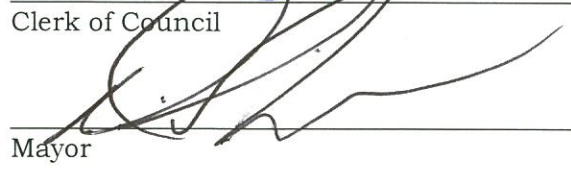


President of Council



Clerk of Council

Approved 10-1-15



Mayor

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