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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 23 - 2024

6  
7 AN ORDINANCE AMENDING SECTIONS 945.02, 945.04,  
8 945.06, AND 945.14 OF THE CODIFIED ORDINANCES,  
9 RELATING TO THE CITY CEMETERY, AND DECLARING AN  
10 EMERGENCY.

11  
12 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit,  
13 and State of Ohio, that:

14  
15 Section 1. Sections 945.02, 945.04, 945.06, and 945.14 of the Codified Ordinances  
16 of the City of Cuyahoga Falls are hereby amended to read in full as follows (new text  
17 underlined; deleted text in ~~strikethrough~~):

18  
19 **945.02 Definitions**

20 As used in this chapter, the following terms are defined as follows:

- 21 (a) "Cemetery" refers to all cemeteries owned by the City of Cuyahoga Falls.
- 22 (b) "Columbarium" means a vault with niches for urns containing the ashes of  
23 cremated human remains.
- 24 (c) "Cemetery section" means a subdivision of a cemetery as depicted on a cemetery  
25 map.
- 26 (d) "Cremation garden" means a designated area in Oakwood Cemetery for the sole  
27 purpose of interment of cremations.
- 28 (e) "Crypt" or "vault" means a space in a mausoleum of sufficient size used, or intended  
29 to be used, to entomb uncremated human remains.
- 30 (f) "Designated cremation plots" means those plots designated, due to their size, for  
31 cremation burial only.
- 32 (g) "Director of Public Service" means the Director of Public Service of the City of  
33 Cuyahoga Falls or his/her designee.
- 34 (h) "Entombment" means the placement of human remains in a crypt or vault.
- 35 (i) "Grave" means an interchangeable term describing a plot or niche in which the  
36 remains of a deceased person are interred.
- 37 (j) "Infant plot" means those plots designated, due to their size, for infant burial only.
- 38 (k) "Inurnment," means the placement of human cremated remains in an urn which  
39 is placed into a niche.
- 40 (l) "Lot," means a subdivision of a cemetery section as depicted on a cemetery map.
- 41 (m) "Marker" means a bronze or granite tablet set flush with the established  
42 ground/earth grade.
- 43 (n) "Mausoleum" means any above ground burial structure.
- 44 (o) "Memorial" means a marker, upright monument, or crypt or niche name plate.
- 45 (p) "Niche" means a space in a columbarium used, or intended to be used, for  
46 inurnment of cremated human remains.
- 47 (q) "Nonresident" means a person who is not a resident of the City.
- 48 (r) "Owners" refers to plot or grave owners who are defined as persons who have been  
49 deeded specific plots, or who have established a right to succeed in ownership in  
50 accordance with City ordinances.
- 51 (s) "Perpetual Care Endowment" means monies received for the purpose of perpetual  
52 care of the plots. Such charges shall be paid in full at the time of purchase and shall not  
53 be deferred under any circumstances. Perpetual Care only covers general maintenance of  
54 cemetery plots, it does not cover special care of headstones, plantings, or miscellaneous  
55 items.

56 (t) "Plot" means a space within a lot of a cemetery used or intended to be used for earth  
57 burial; one grave.

58 (u) "Resident" means a person who meets at least one of the following criteria:

59 (1) Currently resides in the City of Cuyahoga Falls;

60 (2) Resided in the City of Cuyahoga Falls immediately prior to entering a care  
61 facility; or

62 (3) In the case where the grave or niche to be purchased is for a deceased person,  
63 one plot or niche may be available to that person at a resident rate provided:

64 A. He/she was a resident at the time of his/her death; or

65 B. He/she was a resident immediately prior to enrolling in a college or university,  
66 or entering active service in the United States armed services.

67 (v) "Vault" or "Crypt" means a space in a mausoleum of sufficient size used, or  
68 intended to be used, to entomb uncremated human remains. means a lined and sealed  
69 outer container for a casket. Vaults must be constructed of steel or concrete.

70 (w) "Veteran" means those individuals recognized for Veteran's status by the Federal  
71 Government.

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73 *Section 945.03 No Changes Required.*

74 **945.04 Deferred Payments; Sale and Cancellation Upon Default.**

75 ~~If not paid for in full at the time of purchase, plots or niches may be sold upon the~~  
76 ~~following terms: one third (1/3) cash on the day of sale, the remaining two thirds (2/3)~~  
77 ~~within one (1) year from the date of the sale. Such deferred payments shall be secured by~~  
78 ~~the promissory note of the purchaser, and such notes shall not bear interest until due.~~  
79 ~~No deed shall be delivered until the entire purchase price has been paid. No marker,~~  
80 ~~memorial or niche plate shall be placed, nor shall a burial be permitted on such plot or~~  
81 ~~in such niche, until the full purchase price has been paid, and in the case of a burial, a~~  
82 ~~burial permit has been received by the Director of Public Service. Upon default in the~~  
83 ~~payment of the purchase price of any plot or niche purchased after June 1, 1968, the~~  
84 ~~City shall have the right, upon first giving thirty (30) days written notice by registered~~  
85 ~~mail addressed to the purchaser of record or, if the name and/or address of such~~  
86 ~~purchaser cannot be ascertained, by publication for one (1) time in a newspaper~~  
87 ~~published in the City or the County, to declare the sale of such plot or niche canceled.~~  
88 ~~Thereupon all rights of such purchaser to such plot or niche shall be terminated and any~~  
89 ~~payments thereon shall stand forfeited to the City as liquidated damages for failure to~~  
90 ~~purchase such plot or niche.~~

91 **945.04 Rules and Regulations**

92 Except as specifically stated herein, the Director of Public Service may establish  
93 rules and regulations for the operation of City cemeteries. A copy of the rules and  
94 regulations shall be maintained in the office of the Director of Public Service.

95 *Section 945.05 No Changes Required*

96

97 **946.06 Charges Established; Records**

98 (a) The following rates shall be in existence and apply uniformly throughout the City  
99 cemeteries, effective upon passage of this chapter:

	<b>Resident</b>	<b>Nonresident</b>
Purchase of Grave - Adult	\$ 375.00 600.00	\$ 600.00 825.00
Perpetual Care Endowment (Adult)	75.00 200.00	120.00 275.00
Purchase of Grave - Infant	100.00	150.00

	<b>Resident</b>	<b>Nonresident</b>
Perpetual Care Endowment (Infant)	20.00	30.00
Burial - Adult	<del>525.00</del> 700.00	<del>525.00</del> 700.00
Burial - Infant	150.00	150.00
Additional Over-Time Charge for Burials <u>and</u> <u>Inurnments</u> on Saturday/Holiday or after 3:00 p.m. on weekdays	300.00	300.00
Burial of Cremains	<del>200.00</del> 350.00	<del>200.00</del> 350.00
Purchase of Columbian Niche	<del>400.00</del> 1,000.00	<del>600.00</del> 1,200.00
Perpetual Care Endowment- Columbarium	<del>40.00</del> 100.00	<del>60.00</del> 100.00
Niche Inurnment	50.00	50.00
Niche Disurnment	50.00	50.00
Purchase of Grave In Cremation Garden	200.00	300.00
Perpetual Care Endowment in Cremation Garden	40.00	60.00
Purchase of Designated Cremation Plot	<del>200.00</del> 350.00	<del>300.00</del> 500.00
Designated Cremation Plot Endowment	<del>40.00</del> 150.00	<del>60.00</del> 150.00
Niche Plaque Inscription (Plus \$35.00 for Veterans Emblem)	\$150.00	
Foundation Charge - <u>Cement</u>	65.00 per sq. ft.	65.00 per sq. ft.
Veteran Marker Setting	<del>50.00</del> 100.00	<del>50.00</del> 100.00
Flat Marker Setting Foundation Charge- <u>Sand</u>	35.00 per sq. ft.	35.00 per sq. ft.
Transfer Fee	50.00	50.00
Disinterment- Adult	<del>600.00</del> 700.00	<del>600.00</del> 700.00
Reinterment - Adult	<del>600.00</del> 700.00	<del>600.00</del> 700.00
Disinterment- Infant	250.00	250.00
Reinterment - Infant	250.00	250.00
Disinterment - Cremains	<del>300.00</del> 350.00	<del>300.00</del> 350.00
Reinterment - Cremains	<del>200.00</del> 350.00	<del>200.00</del> 350.00

100 (b) Records of all sales and transfers and owners of all plots or niches shall be made  
101 and kept in the Office of the Director of Public Service.

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103 *Section 945.07 through 945.13 No Changes Required.*

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105 **945.14 SUPERVISION OF CHILDREN; CERTAIN FLOWERS PROHIBITED;**  
106 **VEHICLES.**

107 (a) Children shall not be allowed on the cemetery grounds unless accompanied by  
108 parents or other responsible persons.

109 ~~(b) Flowers of the field daisy are particularly noxious and shall not be brought into~~  
110 ~~the cemetery. Any bouquet found containing them will be destroyed.~~

111 (e) (b) Vehicles shall not be driven onto lots or lawns. No vehicle shall be parked or left  
112 on a road or driveway within the cemetery in such a position as to prevent another vehicle  
113 from passing. Vehicles in the cemetery shall obey all posted traffic signs.  
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115 *Section 945.15 through 945.99 No Changes Required.*  
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118 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions  
119 inconsistent herewith are hereby repealed, but any ordinances and resolutions not  
120 inconsistent herewith and which have not previously been repealed are hereby ratified  
121 and confirmed.  
122

123 Section 4. It is found and determined that all formal actions of this Council  
124 concerning and relating to the passage of this ordinance were taken in an open meeting  
125 of this Council and that all deliberations of this Council and of any committees that  
126 resulted in those formal actions were in meetings open to the public, in compliance with  
127 all requirements including Chapter 107 of the Codified Ordinances.  
128

129 Section 5. This ordinance is hereby declared to be an emergency measure necessary  
130 for the preservation of the public peace, health, safety, convenience and welfare of the  
131 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the  
132 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take  
133 effect and be in force immediately upon its passage and approval by the Mayor; otherwise  
134 it shall take effect and be in force at the earliest period allowed by law.  
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Passed: 2-26-2024

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Approved 2-29-2024

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2/12/24

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President of Council



Clerk of Council



Mayor