

**AN ORDINANCE REPEALING ORDINANCE NO. 90-2020 AND REINSTATING ORDINANCE 66-2020 BY AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SERVICE TO SELL THE REMAINING LOTS 49 THROUGH 60 OF THE FIFTH ADDITION OF THE WEST RICHFIELD CEMETERY, AND DECLARING AN EMERGENCY**

WHEREAS, this Council passed Ordinance 66-2020 on October 20, 2020 that authorized the Mayor and Director of Public Service to sell lots 49 through 60 of the Fifth Addition of West Richfield Cemetery; and

WHEREAS, the land comprising lots 49 through 60 of the Fifth Addition of West Richfield Cemetery had been reserved by Richfield Township, while under its control and ownership, for use a gathering area for the annual Memorial Day parade and commemoration at West Richfield Cemetery; and

WHEREAS, the Village's Cemetery Board met on October 27, 2020 and discussed, among other things, the passage of Ordinance 66-2020 and the potential impact that the authorization for sale of such lots could have on available space for the Memorial Day parade and commemoration; and

WHEREAS, the Cemetery Board passed a motion recommending that Council amend Ordinance 66-2020 to require the Mayor and Director of Public Service to first sell lots 55 through 60 before offering lots 49 through 54 for sale to the public; and

WHEREAS, consistent with this recommendation, Council passed Ordinance No 90-2020 requiring the sale of lots 55 through 60 before lots 49 through 54 to ensure that there is adequate space for the Memorial Day parade and commemoration in West Richfield Cemetery for the immediate near future; and

WHEREAS, since passing Ordinance No. 90-2020, 27 of the 30 spaces in lots 55-60 have been sold; and

WHEREAS, notwithstanding the fact that three spaces remain in lots 55 through 60, this Council now desires to make lots 49 through 54 available for sale again; and

WHEREAS, Council determines that it is in the best interest of the Village to repeal Ordinance 90-2020 and reinstate Ordinance No. 66-2020 in its entirety so that the Mayor and Director of Public Service may sell all remaining lots 49 through 60 to the public on a first-come, first-serve basis.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Richfield, Summit County, State of Ohio that:

SECTION 1. Ordinance 90-2020 is hereby repealed and Ordinance No. 66-2020 is hereby reinstated such that the Mayor and Director of Public Service are authorized to sell lots 49 through 60 of the Fifth Addition to West Richfield Cemetery to the public on a first-come, first served basis.

SECTION 2. All ordinances or parts thereof in effect at the time of passage of this ordinance that are in conflict with the foregoing provisions are hereby repealed to the extent of the conflict

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary to create new burial space within West Richfield Cemetery; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 12/3/2024



\_\_\_\_\_  
President of Council



\_\_\_\_\_  
Mayor

Dated: 12/9/2024

ATTEST:



\_\_\_\_\_  
Clerk of Council