

ORDINANCE NO. 7 , 2013

**AN ORDINANCE DELEGATING THE RESPONSIBILITIES FOR THE
MANAGEMENT OF THE HOPEWELL CEMETERY TO THE CITY MANAGER**

WHEREAS, the City of Montgomery owns and operates the Hopewell Cemetery; and

WHEREAS, Ohio Revised Code provides that the Director of Public Service shall manage, control and regulate cemeteries on behalf of cities; and

WHEREAS, the City of Montgomery operates under a Council/City Manager form of government without a Director of Public Service; and

WHEREAS, Council does desire to clarify the duties and responsibilities of the City Manager relative to the Hopewell Cemetery by specifically delegating authority to the City Manager consistent with Article IV of the Charter of the City of Montgomery and Chapter 759 of the Ohio Revised Code.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. Consistent with Article IV of the Charter of the City of Montgomery, which identifies the authority of the City Manager, Council does delegate to the City Manager all rights and responsibilities as delineated in Chapter 759 of the Ohio Revised Code, as it may now exist or hereafter be amended, concerning the management, control and regulation of the cemetery. The City Manager shall have the same authority and responsibility as is delegated by the Ohio Revised Code to the Director of Public Service concerning such cemetery operations. He shall be

responsible to manage, control and regulate the cemetery including setting rates and fees for the operation of the cemetery.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: March 6, 2013

ATTEST: *Susan J. Hamm*
Susan J. Hamm, Clerk of Council

Ken Suer
Ken Suer, Mayor

APPROVED AS TO FORM:
Terrence M. Donnellon
Terrence M. Donnellon, Law Director