

RESOLUTION NO. 13 , 2012

**A RESOLUTION DECLARING AN ERUV DISTRICT WITHIN THE
CITY OF MONTGOMERY, OHIO**

WHEREAS, Jewish law forbids carrying on the Sabbath, except when done within an enclosed area; and

WHEREAS, in the furtherance of Jewish religious tradition, in order to enable increased observance of the Sabbath, the Jewish Community residing within the Montgomery Community has requested the establishment of an Eruv, a ritual neighborhood enclosure; and

WHEREAS, an Eruv District is symbolic in nature and does not contravene any federal, state or local law, it will not violate existing property rights, and it will not otherwise impair the City's right-of-way or violate its Land Usage Code; and

WHEREAS, Eruv Districts have been used for over 2,500 years by countless communities, and Eruvs exist today in hundreds of cities throughout the world including the Cities of Dayton, Columbus and Cleveland, Ohio; Miami, Florida; New York, New York; Paris, France; London, England; and Jerusalem, Israel, and locally there are Eruv Districts within Amberley Village, Golf Manor, the City of Cincinnati, Sharonville, Blue Ash, and Deerfield Township; and

WHEREAS, the Jewish Community of Northeast Cincinnati has requested that the Northeast Cincinnati Eruv, a defined area located in part within the City of Montgomery, as noted on the attached map, be designated as an Eruv District; and

WHEREAS, agreements have been entered into by and between the Jewish Community of Northeast Cincinnati and the necessary third parties to install and maintain an Eruv bounding the Eruv District; and

WHEREAS, as is traditional, the Jewish Community of Northeast Cincinnati has requested permission to ceremonially rent said Eruv District from the City of Montgomery; and

WHEREAS, the Council of the City of Montgomery has determined that it is appropriate to grant such request and the Eruv rights requested, and likewise deems that it be of no public detriment to the rights and general welfare of the members of the Montgomery community.

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

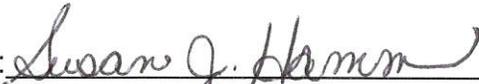
SECTION 1. Council does hereby proclaim the Northeast Cincinnati Eruv as an Eruv District within the City of Montgomery, Ohio as noted on the attached map for the purposes stated within this Resolution and for all purposes consistent with Jewish tradition and law.

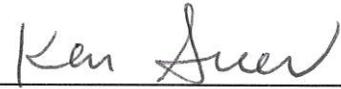
SECTION 2. The Mayor and Council of the City of Montgomery hereby grant to the Northeast Cincinnati Eruv the rights requested in order to define the Sabbath bounds in accordance with Jewish religion and Torah laws at a rental of One Dollar (\$1.00) in hand paid, which rental shall be for a period of ninety-nine (99) years. The rights granted herein shall not prohibit the City of Montgomery from further exercising its rights within any right-of-way where the boundaries are defined, nor shall the rights

granted herein prevent any utility from moving, burying or modifying any poles, structures or appurtenances affecting the Eruv.

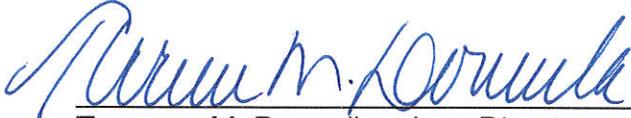
SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: May 23, 2012

ATTEST: 
Susan J. Hamm, Clerk of Council


Ken Suer, Mayor

APPROVED AS TO FORM:


Terrence M. Donnellon, Law Director

