

CITY OF ARDMORE
Parks and Recreation Department

Council Letter No. 5311
Meeting Date: January 18, 2022

Mayor and City Commission
City of Ardmore, Oklahoma

Re: An emergency ordinance amending Chapter 7 of the Ardmore Code of Ordinances (CODE) pertaining to cemetery services, fees and charges by amending section 7-3 to provide that all cemetery services and charges therefor shall be established on a periodic bases by resolution of the city commission and authorizing city commission to establish rates and fees on a periodic basis by resolution; repealing sections 7-3.1,7-6, 7-6.2 of the Code of Ordinances;; providing for repealer and severability of declaring an emergency

Dear Commission Members:

On January 3, 2022 staff proposed a rate increase for cemetery rates. City Commission also voted and agreed to change the rates as proposed. The rate changes prompted an ordinance amendment. Upon discussion with our attorney David Davis he recommended the attached ordinance.

Staff respectfully request that approval is granted for the attached ordinance

Respectfully submitted,



Teresa Ervin
Parks and Recreation Director

Reviewed by: _____



ORDINANCE NO. 3114

AN EMERGENCY ORDINANCE AMENDING CHAPTER 7 OF THE ARDMORE CODE OF ORDINANCES (CODE) PERTAINING TO CEMETERY SERVICES, FEES AND CHARGES BY AMENDING SECTION 7-3 TO PROVIDE THAT ALL CEMETERY SERVICES AND CHARGES THEREFOR SHALL BE ESTABLISHED ON A PERIODIC BASIS BY RESOLUTION OF THE CITY COMMISSION AND AUTHORIZING CITY COMMISSION TO ESTABLISH RATES AND FEES ON A PERIODIC BASIS BY RESOLUTION; REPEALING SECTIONS 7-3.1, 7-6, 7-6.2 OF THE CODE OF ORDINANCES;; PROVIDING FOR REPEALER AND SEVERABILITY AND DECLARING AN EMERGENCY.

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WHEREAS, the Board of Commissioners and Mayor of the City of Ardmore have determined that the best interests of the City and its citizens will be benefited by adopting revised ordinances pertaining to Cemetery regulations, fees and authorizing periodic changes to rates by resolution of the City Commission; and,

WHEREAS, the Board of Commissioners have determined that the changes set forth below are beneficial to the City of Ardmore.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND THE BOARD OF COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA:

SECTION 1. AMENDATORY. Section 7-3 of the Ardmore Code of Ordinances is hereby amended to read as follows:

Sec. 7-3. Fees and charges for cemetery burial spaces and related services.

FEES AND RATES, NOTICE REQUIRED. The fees and rates for gravesites, opening and closing graves, cremations and related services for Rose Hill Cemetery, Clearview Cemetery and privately owned cemeteries are established and amended by resolution of the Commissioners of the City of Ardmore. A copy of the current resolution is on file in the office of the Ardmore City Clerk. The fees may be amended from time to time by resolution of the Commissioners of the City of Ardmore.

The City Cemetery Department will be given a minimum of 24 hours notice before any grave sites are opened in all cemeteries. This does not include direct burials or in an extreme emergency affecting the health and safety of the community.

SECTION 2. SEVERABILITY. If any section subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 3 REPEALER. Sections 7-3.1, 7-6, 7-6.2 of the Code of Ordinances and all other ordinances in conflict herewith are hereby repealed.

SECTION 4. EMERGENCY. It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Ardmore and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and its passage and approval.

PASSED AND APPROVED this _____ day of _____ 2022.

CITY OF ARDMORE
A MUNICIPAL CORPORATION

Mayor

ATTEST:

City Clerk