

**BURIAL OF UNCLAIMED OR INDIGENT BODIES
AT THE EXPENSE OF THE TOWNSHIP
RESOLUTION**

8-3-2020-2

The *Board of Trustees* of Canaan Township, in Morrow County
Ohio met in Regular session on the 3rd of August 2020, at the office
of Canaan Township, 2170 State Route 95, with the following members present:

Matthew Carwell

Edward Sayers

John Bayles

Mr. Carwell moved the adoption of the following Resolution:

BE IT RESOLVED by the *Board of Trustees* of Canaan Township,

Mr. Bayles seconded the **Resolution** and the
roll being called upon its adoption the vote resulted as follows:

Mr. Sayers, yes

Mr. Bayles, yes

Mr. Carwell, yes

Adopted August 3, 2020

Fiscal Officer

Jill Retterer

POLICY FOR THE BURIAL OF UNCLAIMED OR INDIGENT BODIES AT THE EXPENSE OF THE TOWNSHIP

PREAMBLE

WHEREAS; Canaan Township (herein after referred to as “the Township”) will pay for cremation of any unclaimed or indigent person, who at the time of death was a legal resident of the Township, in accordance with the Ohio Revised Code §9.15. Prior to the authorization of cremation, the Township or his or her authorized designee, shall make reasonable attempt to determine whether the deceased person was a legal resident of the Township. As used herein, “legal residency” means a physical presence in a particular location, coupled with the choice to make that place home, or the place with which a person is most intimately connected.

Purpose: This indigent burial policy is enacted to comply with the provisions of Ohio Revised Code §9.15 for reasons of public health, safety, and welfare and sensibilities pertaining to: (i) the burial of indigent persons found within the Township who are not claimed by any person for private interment or cremation at the person’s own expense, or (ii) cremation and interment when the body of an indigent person is claimed by an indigent person.

Unclaimed: When the body of a dead person is found within the Township and such person was not an inmate of a correctional, benevolent, or charitable institution of this State, and the body is not claimed by any person for private interment or cremation at the person’s own expense or delivered for the purpose of medical or surgical study or dissection in accordance with Ohio Revised Code §1713.34, then the Township shall be liable for the cremation and interment expenses, in the amounts set forth herein, if:

- a.) The deceased is determined to be an indigent person; and
- b.) The person was a legal resident of the Township at the time of death.

Claimed: When the body of a dead person is claimed by an indigent person simply as that of a loved one, without undertaking to arrange and pay for private interment, the Township shall be liable for the cremation and interment expenses, in the amounts set forth herein, if:

- a.) The deceased is determined to be an indigent person; and
- b.) The deceased was a legal resident of the Township at the time of death; and
- c.) The claimant is determined to be an indigent person.

Pursuant to the Ohio Revised Code §517.06 and §9.15, the Township shall provide a grave, a grave marker, and the opening and closing for burial of the cremation remains of any unclaimed or indigent person who was at the time of death a legal resident of the Township. The Township shall not pay for any other costs associated with embalming, funeral, transportation, services of any kind, visitation charges, etc.

Policy: Upon finding that the deceased was a legal resident of the Township and after verifying indigency of the decedent and the claimant of the decedent's body, if any, as described herein, the Township or his or her designee shall authorize the funeral director to cremate the decedent. The Township shall dispose of the remains of indigent persons by cremation only. The Township will choose the funeral home to conduct the cremation and will enter into an agreement with said funeral home for a specific price for the cremation and inurnment or interment of the remains of the deceased. The cremated remains of the deceased may be released to the decedent's family or loved ones.

An indigent person claiming the body of an indigent decedent may not make independent funeral arrangements and have the bill submitted to the Township. Should this occur, the Township is not liable for costs under these circumstances. The Township shall set aside a section of cemeteries where unclaimed indigent persons may be buried. If the cremated remains are not claimed, the Township shall cause the cremains to be buried. The Township shall also provide at the grave of the person's cremated remains, if such remains are buried, a metal, stone, or concrete marker on which the person's name and age, if known, and date of death shall be inscribed.

Determining Indigence: Prior to the cremation authorization, the Township or his or her designee, shall make reasonable attempt to determine whether the deceased person is in fact indigent, and, where the deceased person is claimed by an indigent person, whether the claimant is in fact indigent.

Definitions: Ohio Revised Code §9.15 defines an "indigent person" as someone whose income does not exceed 150% of the federal poverty line as revised annually by the United States Department of Health and Human Services in accordance with Section 673(2) of the "Omnibus Budget Reconciliation Act of 1981", as amended for a family size equal to the size of the person's family.

a. "Indigent decedent": A deceased person whose body is found in the Township and who was a legal resident of the Township at the time of death, and the person was not an inmate of a correctional, benevolent, or charitable institution of this State, and the body is not claimed by any person for private interment or cremation at the person's own expense or delivered for the purpose of medical or surgical study or dissection in accordance with §1713.34 of the Ohio Revised Code, and the person is determined to be indigent as described herein. The criteria used to evaluate indigency status shall include, but is not limited to, the income components as defined by the most recent version of the United States Census Bureau and any other relevant considerations concerning the financial condition of the individual, including but not limited to, fundraising revenue and/or insurance intended for funeral, cremation, and/or burial expenses. Once the income information described herein has been verified, then the most recent version of the United States Department of Health and Human Services Poverty Guideline Publication will be used to determine whether the person's income does or does not exceed 150% of the federal poverty line. In determining indigency, the wages or salary income earned by dependent minors under 18 years of age shall not be considered.

b. "Indigent claimant": A person who claims the body of an indigent decedent and also claims he or she is indigent. The criteria used to evaluate indigency status shall include, but is not limited to, the income components as defined by the most recent version of the United States Census Bureau and any other relevant considerations concerning the

financial condition of the individual, including but not limited to, fundraising revenue and/or insurance intended for funeral, cremation, and/or burial expenses. Once the income information described herein has been verified, then the most recent version of the United States Department of Health and Human Services Poverty Guideline Publication will be used to determine whether the person's income does or does not exceed 150% of the federal In determining indigency, the wages or salary income earned by dependent minors under 18 years of age shall not be considered.

WHEREAS; Ohio Revised Code §1713.34 and §9.15 indicate that the Township Board of Trustees may deliver the body to a college or the Board of Embalmers and Funeral Directors in lieu of burial or cremation. The Township Trustees reserve the right to donate a deceased person's body for this purpose. If an indigent is a veteran, the Township may contact family or friends and assist them in applying to the county for an appropriate burial or cremation in accordance with Revised Code §5901.25 to §5901.32.

The Township requires a completed, notarized, application by the deceased's representative and a funeral home representative.

The Township may seek bids for the cost of cremation from more than one funeral home.

The Township may select the funeral home that will provide the cremation service.

NOW THEREFORE BE IT RESOLVED

This Resolution shall become effective immediately upon its passage.

Mr. Bayles seconded the motion.

The roll being called upon its adoption the vote resulted as follows:

Mr. Carwell, yes

Mr. Sayers, yes

Mr. Bayles, yes

THE STATE OF OHIO, MORROW COUNTY, ss:

I, Jill Retterer, Fiscal Officer of the Board of Trustees

of Canaan Township, in Morrow

County Ohio, and in whose custody the Files, Journals and Records

of said Board are required by the Laws of the State of Ohio to be

kept, do hereby certify that the foregoing

Resolution is taken and copied from the original Resolution now on
file with said Board, that the foregoing Resolution has been compared
by me with the said original and that the same is a true and correct

copy thereof.

WITNESS my signature, this 3rd day of August 2020.

Jill Retterer, Fiscal Officer