

2024-09

AN ORDINANCE TO ADOPT AN INDIGENT BURIAL POLICY FOR THE VILLAGE OF BELLAIRE.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BELLAIRE,
COUNTY OF BELMONT, STATE OF OHIO:

SECTION 1: That the Indigent Burial Policy attached as Exhibit A and incorporated by reference is adopted by the Village. The policy will be effective immediately upon passage.

SECTION 2: That all other Ordinances or Resolutions, or portions thereof, which are in conflict with this Ordinance are hereby repealed.

SECTION 3: That 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 all legal requirements including section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Adopted at a regular meeting of the Council of the Village of Bellaire held this 18 day of July, 2024 by the _____ yea votes of its eligible members.

ATTESTED:

Marla L. Krupnik
Marla Krupnik, Fiscal Officer

Edward L. Marling
Edward L. Marling, Mayor

Date: 7-18-2024

Date: 7-18-2024

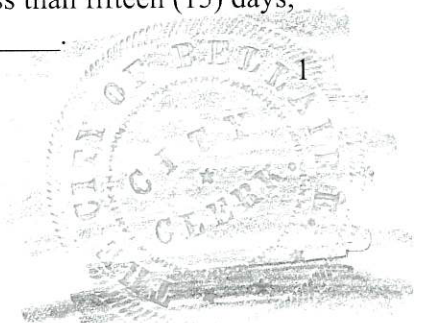
CERTIFICATE OF POSTING

I, Mary Hagley, Clerk of Council, do hereby certify that the foregoing Resolution was published by posting the same in five (5) public places within the Village of Bellaire, Ohio as provided by Ordinance No 1229, for a period of not less than fifteen (15) days, said Ordinance having been first posted on 07/19/24.

06/27 First Reading

07/04

07/18



Indigent Burial Policy for the Village of Bellaire

Generally:

This Indigent Burial Policy is enacted to comply with the provisions of Ohio Revised Code §9.15(C) pertaining to the burial of indigent persons found within the Village who are not claimed by any person for private interment or cremation at the person's own expense, or interment or cremation when the body of an indigent person is claimed by an indigent person. The purpose of this policy is to provide for the burial of indigents, or the burial of an indigent person claimed by an indigent person, for reasons of public health and sensibilities.

Application of Policy:

(a) Unclaimed: When the body of a dead person is found within the Village 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 ORC 1713.34, the Village shall be liable for the cremation and inurnment expenses, in the amounts set forth herein, if:

- (1) The deceased is determined to be an indigent person; and
- (2) The person was a legal resident of the Village of Bellaire at the time of death.

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

- (1) The deceased is determined to be an indigent person; and
- (2) The person was a legal resident of the Village of Bellaire at the time of death; and
- (3) The claimant is determined to be an indigent person.

Provisions:

The Village of Bellaire will provide for indigent burials as follows:

(a) Cremations of person meeting the requirements set forth in this policy will be done only with prior approval of the Village Administrator.

(b) Payment by Bellaire for Burial of Indigents shall not exceed Seven Hundred and Fifty Dollars (\$750.00).

(c) Before any payments are made pursuant to this policy, the funeral director must submit the following to the Village Administrator:

- (1) Two (2) copies of a statement for the amount requested to be paid by the Village pursuant to subsection (b) hereof.
- (2) One (1) certified copy of the death certificate; and,
- (3) The information requested under determination of indigence.

(d) If there is no currently serving Village Administrator, the role will be filled by the Mayor for purposes of this policy.

Determining Indigence:

(a) Determination: Prior to the cremation authorization, the Village Administrator shall make a reasonable attempt to determine whether the deceased person is a resident of the Village and is in fact indigent. Where the deceased person is claimed by an indigent person, the Village Administrator will also determine whether the claimant is in fact indigent.

(b) Information: The deceased's representative or the funeral home representative will provide the Village Administrator with the information necessary to determine if the decedent qualifies under Ohio Revised Code §9.15. This includes providing the decedent's name, residence, any available assets and the income of a claimant.

(c) Definitions:

(1) "Indigent decedent" means a person who dies without leaving an ascertainable estate sufficient to pay part or all of the person's burial expenses and whose burial expenses are not payable by the State or County Veteran's Administration. The estate of the decedent shall include, but is not limited to, the ready availability of real or personal property owned; employment benefits; pensions; annuities; social security; unemployment compensation; inheritances; outstanding debts, obligations and liabilities; and any other relevant considerations concerning the financial condition of the individual.

(2) "Indigent claimant" encompasses individuals who are poor, needy, destitute, or in poverty. The criteria for determining whether an individual is indigent include the ready availability of real or personal property owned; employment benefits; pensions; annuities; social security; unemployment compensation; inheritances; number and age of dependents; outstanding debts, obligations and liabilities; and any other relevant considerations concerning the financial condition of the individual. A person is indigent if their income does not exceed one hundred fifty per cent of the federal poverty line, as revised annually by the United States department of health and human services.