

RESOLUTION 1-9-2024  
Village of North Lewisburg

WHEREAS, the VILLAGE OF NORTH LEWISBURG, OHIO, Champaign County wishes to set into policy the procedures for Indigent Burials

WHEREAS: Ohio Revised Code § 9.15 requires the Village to pay for cremation and/or burial costs of certain indigent persons whose place of residence was within the Village limits at the time of death. An indigent decedent is 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 another political subdivision or person. 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; number and age of dependents; outstanding debts, obligations and liabilities; and any other relevant considerations concerning the financial condition of the individual. An indigent decedent may also be claimed by an individual who is also unable to pay for disposition due to poverty or lack of legal obligation to pay for disposition, such as a guardian. The criteria for determining whether a claimant is "indigent" is determined by submission of the most recent federal tax return which establishes that the claimant's 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 in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the person's family.

NOW, THEREFORE, be it resolved by the Counsel of the Village of North Lewisburg as follows:

1. If an indigent person is claimed, the claimant shall apply for indigent burial to the Village and complete an affidavit of indigency as well. The application must be accompanied by a death certificate and tax return and should be delivered to the Department of Finance.
2. Upon receiving the Indigent Burial Form, the Administrator or designee shall determine whether the deceased qualifies for indigent burial at the Village's expense after examination of the indigent decedent's financial and familiar information, and/or the indigent status of a next of kin or other claimant, in accordance with the federal poverty guidelines published annually. Burial in the

Indigent section is mandatory unless the deceased was a veteran. Opening and closing fees for the burial of ashes shall be waived, but documented. Any funeral home applying for reimbursement under this section shall receive payment for burial services of an adult indigent person who has been cremated, less any amount of contributions, insurance or property, real or personal, or of any other thing of value which may be applied to the disposition expenses. The funeral home shall submit to the Village, an itemized invoice, based on their most current published price list, along with a copy of the cremation permit and the cost from the actual cremation provider.

3. The Village's preferred method of disposition of remains of an indigent person shall be cremation of the body with the remains to be retained by the next of kin or buried in an ash grave. If the decedent was proven to be of a religious faith that prohibits cremation, the decedent shall be buried rather than cremated.

4. In any case when an indigent is buried, the Village shall cover the costs of burial and shall bury the deceased in the Indigent section in the next available space, with a metal, stone, or concrete identifying marker bearing the deceased's name and age, if known, and date of death. No other monument or marker may be placed at the grave site until the Village has been reimbursed for the costs incurred. The burial reimbursement amount shall be determined by the Administrator based on available payment records and pricing of spaces, including opening and closing costs, in effect at the time of disposition.

This resolution shall supercede any prior conflicting resolution. This resolution shall take effect and be in force from and after the earliest date allowed by law.

Date Passed: 1-9-2024 Vote: 5-0

Ted Murphy (Mayor)

Jennifer McCombs (Clerk)