

Board of County Commissioners
Walla Walla County

In Re the Matter of Disposal of
Unclaimed Remains of Indigent
Persons.

Ordinance No. 218

Whereas, RCW 36.39.030 requires the County Legislative Authority to "provide for the disposition of the remains of any indigent person...who dies within the County and whose body is unclaimed by relatives or church organizations;" and

Whereas, the State of Washington, Department of Social and Health Services, previously provided and paid for such disposition prior to July 1, 1993, so as to preclude the need for the County to make such provisions; and

Whereas, the State has declined to continue to provide such services; and

Whereas, RCW 68.50.160 places the duty of disposition of the remains of a deceased person and the liability for the reasonable cost thereof upon the decedent's surviving spouse, surviving adult children, surviving parents, surviving siblings, or a person acting as a representative of the decedent under the signed authorization of the decedent; Now, Therefore,

BE IT ORDAINED that a new Chapter 13.04 and sections be added to the Walla Walla County Code, Title 13, Public Service, as follows:

Chapter 13.04
Disposal of Unclaimed Remains of
Indigent Persons

13.04.010 Definitions

For purposes of this ordinance, the following definitions shall apply:

(1) "Burial" means the placement of human remains in a grave.

(2) "Cremation" means the reduction of the body of a deceased person to cremated remains as defined by RCW 68.04.

(3) "Disposition" means burial or cremation and interment.

(4) "Funeral establishment" means a funeral establishment licensed under RCW 18.39 or a cemetery authority or crematory with a permit or endorsement issued under RCW 68.05.

(5) "Indigent" means without assets sufficient to pay for the cost of cremation provided by this ordinance.

(6) "Interment" means the disposition of human remains by cremation and inurnment, entombment, or burial in a place used, or intended to be used, and dedicated, for cemetery purposes.

(7) "Unclaimed by relatives or church organizations" means none of the following exist:

- (a) the decedent's surviving spouse.
- (b) the decedent's surviving adult children.
- (c) the decedent's surviving parents.
- (d) the decedent's surviving siblings.
- (e) a church organization claiming the decedent's remains.

13.04.020 Administration

(1) The Board of County Commissioners, or its designee, shall review and, after appropriate inquiry, grant or deny applications for the reimbursement of the cost of disposition of the remains of any indigent person who dies within the county and whose body is unclaimed by relatives or church organizations. Applications shall be made in the form specified and provided by the Board of County Commissioners and reviewed by the County Coroner. The person making the application shall certify that the application is for the payment of the cost of disposition of a person who (a) died within the county, (b) is indigent, and (c) whose body is unclaimed by relatives or church organizations as defined by this ordinance, and that the information contained therein is true under penalty of perjury.

(2) All applications for reimbursement shall be accompanied by the original or a copy of a death certificate.

(3) In determining whether a decedent for whom application is made is indigent, the following shall be considered by the Board:

- (a) the decedent's estate and resources, including, but not limited to, real estate, personal property, cash, bank accounts, contents of safety deposit boxes, nursing home trust funds, veteran's death benefits, workmen's compensation, social security death benefits, railroad retirement death benefits, life insurance, or burial insurance.
- (b) the assets of the surviving spouse, surviving adult children, surviving parents and the surviving siblings.

13.04.030 Special Fund Created - Purposes Enumerated

There is hereby created a special account to be known as the Walla Walla County Indigent Remains Account, for the purpose of paying all or any part of the cost of disposition of the remains of any indigent person who dies within the county and whose body is unclaimed by relatives or church organizations.

13.04.040 Provision of Services at County Expense.

The County shall pay only for the cost of transportation of the decedent from the place of death to the mortuary and from the mortuary to the cemetery, crematory, or columbarium, preparation and care of the decedent, and disposition of the remains at the discretion of the funeral establishment and pursuant to state laws and regulations in an amount not to exceed \$350.00 for each application approved by the Board of County Commissioners. In the event the County Coroner determines that direct burial is necessary, an additional sum of \$100.00 shall be paid.

13.04.050 Notification of Next of Kin

Each funeral establishment making application for payment pursuant to this ordinance shall make a good faith effort to determine the names and location of any next of kin of the deceased and notify the same that application for payment for disposition under this ordinance is being made, and said applicant shall further certify that the foregoing attempt of notification has been made. "Good faith effort" shall include but is not limited to obtaining that information supplied by the County Coroner at his or her discretion or during the normal course of his or her investigation.

13.04.060 Severability

If any section, subsection, clause, phrase, or word in this ordinance or any provision adopted by reference herein is for any reason held to be invalid or unconstitutional by a

court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or any provisions adopted by reference herein.

Dated this 14th day of September, 1993.

Board of County Commissioners

Charles A. Maiden
Chairman

David J. Gray
Commissioner

Lewis L. Jacky
Commissioner

Attest:

Donnie R. Junt
Clerk of the Board



FILED FOR RECORD
IN WALLA WALLA CO. WASH.

BY Walla Walla Co Commissioners

SEP 14 3 39 PM '93

JANI L. RATES
COUNTY AUDITOR

AFFIDAVIT OF POSTING

IN THE MATTER OF A
HEARING TO ADOPT AN)
ORDINANCE PERTAINING) ss.
TO THE DISPOSITION)
OF UNCLAIMED REMAINS)
OF INDIGENT PERSONS)

I, Being first duly sworn on oath depose and say;

That on the 17th day of August 1993, I posted three notices,
of which the attached is a true and correct copy, at the following locations:

Bulletin Board at the County Courthouse

Bulletin Board at City Hall

Bulletin Board at Public Library

all in Walla Walla, Washington.

Signature/Title

Donnie R. Juntti

Clerk of the Board of County Commissioners

Subscribed and sworn to before me this 23rd day of August, 1993.

Signature/Title

Charles A. Marden

Chairman, Board of County Commissioners

Walla Walla County, Washington 99362

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING TO ADOPT AN ORDINANCE PERTAINING TO THE DISPOSITION
OF UNCLAIMED REMAINS OF INDIGENT PERSONS

WHEREAS, RCW.36.39.030 requires the County Legislative Authority
to "provide for the disposition of the remains of any indigent person..who
dies within the County and whose body is unclaimed by relatives or church
organizations; and

WHEREAS, the State of Washington, Department of Social and Health
Services, previously paid for such disposition prior to July 1, 1993, so as
to preclude the need for the County to make such a provision; and

WHEREAS, the State has declined to continue to provide such
services; and

WHEREAS, a new Chapter 13.04 and sections will be added to the
Walla Walla County Code to provide for such disposition; now therefore

IT IS HEREBY RESOLVED by this Board of County Commissioners that
a hearing date of Tuesday, September 7, 1993, at the hour of 10:00 a.m. in
the Commissioners' Chambers, County Courthouse, 315 West Main, Walla Walla,
Washington, be set for hearing public testimony in favor of or in opposition
to the proposed ordinance.



Connie R. Vinti, Clerk of the Board of County Commissioners
Walla Walla County, Washington

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Dated August 17, 1993 at Walla Walla County, Washington

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF SETTING
A HEARING DATE TO ADOPT
AN ORDINANCE PERTAINING
TO THE DISPOSITION OF
UNCLAIMED REMAINS OF
INDIGENT PERSONS

RESOLUTION NO. 93 346

WHEREAS, RCW.36.39.030 requires the County Legislative Authority to "provide for the disposition of the remains of any indigent person...who dies within the County and whose body is unclaimed by relatives or church organizations;" and

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Done this 16th day of August, 19 93

Attest:

Donnie R. Juntti

Clerk of the Board.

Charles A. Maider Chairman
David S. Carey Commissioner
Lewis L. Jacky Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

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IT IS HEREBY RESOLVED by this Board of County Commissioners that a hearing date of Tuesday, September 7, 1993, at the hour of 10:00 a.m. in Commissioners' Chambers, County Courthouse, 315 West Main, Walla Walla, be set for hearing public testimony in favor of or in opposition to the proposed ordinance.



Connie R. Vinti, Clerk of the Board of County Commissioners
Walla Walla County, Washington

= = = = =

Publish dates: August 19 and 26, 1993

Bill to: Walla Walla County Commissioners
P. O. Box 1506
Walla Walla, WA 99362

Thank you!

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Walla Walla County, Washington

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Publish dates: August 19 and 26, 1993

Bill to: Walla Walla County Commissioners
P. O. Box 1506
Walla Walla, WA 99362

Thank you!

*faxed to the
Times 8-17
at 1:45pm*

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

COPY

IN THE MATTER OF SETTING
A HEARING DATE TO ADOPT
AN ORDINANCE PERTAINING
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Done this _____ day of August, _____, 19 93

Attest: _____
Clerk of the Board.

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Commissioner

Commissioner

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IN THE MATTER OF SETTING
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WHEREAS, a new Chapter 13.04 and section be added to the Walla Walla County Code, Title 13, Public Services

WHEREAS, a new Chapter 13.04 and sections will b

BE IT HEREBY RESOLVED, ^{by the Board of Co Comm} that a ~~hearing~~ date of Tuesday Sept. 7th at the hour of 10:00AM or as soon thereafter as practical, be set for hearing public testimony in favor of or in opposition to the proposed ordinance, ~~change~~.

Signed
Mon. 16th

Publish
Advertise
19th
20th

Hearing

7th

Signed

Tues. 17th

Publish
19th

20th
Hearing
7th on 8th

fax to Times

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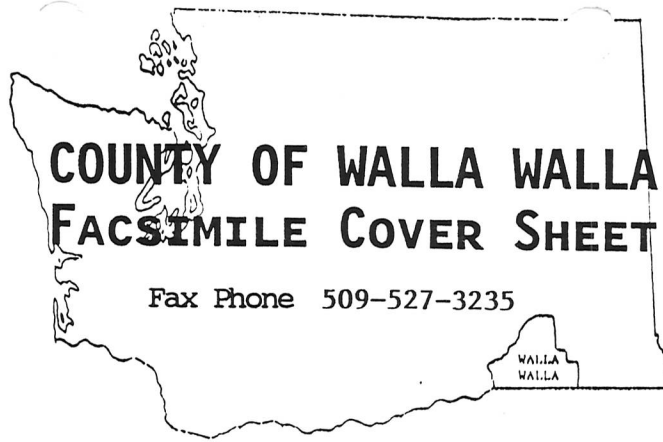
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Walla Walla County, Washington

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To: The Times (Attn: Jane)

Dept: _____

Company: _____

FAX Number: 337-6045

Date: 8-17-93 Total Pages: 2
(Including Cover Sheet)

From: Connie

Dept: Walla Walla County Commissioners' Office

Address: _____

Phone: _____

Message: _____

Here is the notice of public hearing for publishing - thanks!

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Walla Walla County, Washington

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Publish dates: August 19 and 26, 1993

Bill to: Walla Walla County Commissioners
P. O. Box 1506
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