

**ORDINANCE NO. O-2007-17**

**AN ORDINANCE ESTABLISHING CHAPTER 157 SECTION 157.01 OF THE CODIFIED ORDINANCE OF THE VILLAGE OF WINDHAM TO ESTABLISH THE VILLAGE'S RESPONSIBILITY FOR CREMATION OF INDIGENT DECEDENTS UNDER SECTION 9.15 OF THE OHIO REVISED CODE DECLARING AN EMERGENCY AND REPEALING ALL INCONSISTENT ORDINANCES .**

**WHEREAS**, the Village of Windham has been responsible for the expenses of interment/cremation of indigent residents; and

**WHEREAS**, the Council of the Village of Windham wishes to clearly set forth its position with respect to this requirement; and

**WHEREAS**, the Council of the Village of Windham declares this an emergency measure to further insure the public health, safety and welfare of the residents of the Village of Windham;

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of Windham three-fourths or more of the members elected thereto concurring that:

**SECTION 1:** That there is hereby established Chapter 157 BURIAL OF RESIDENTS Section 157.01 Cremation of indigent residents:

(a) When the Village of Windham is determined to be responsible under Section 9.15 of the Ohio Revised Code to bear the expenses of an indigent deceased resident the Village Fiscal Officer shall ascertain the most reasonable cremation arrangements and is authorized to have the body cremated and a marker with the decedent's name, age and date of death placed thereon.

**SECTION 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**SECTION 3:** This Ordinance be declared an emergency measure and become effective upon its passage by Council and approval by the Mayor, and to further insure the health, safety and welfare of the residents of the Village of Windham.

First Reading December 18, 2007

Second Reading January 22, 2008

Third Reading February 26, 2008

PASSED IN COUNCIL this 26<sup>th</sup> day of February, 2007.

Vote of Council:      Ayes: R. Barrett, S. Garrett, M. McManus, J. Minotti, L. Rininger, P. Snyder  
                                 Nays: None.

APPROVED : \_\_\_\_\_  
                         Mayor

ATTEST: \_\_\_\_\_  
                 Village Fiscal Officer

I hereby certify that the above Ordinance was posted at the five (5) public notice locations in the Village of Windham, Ohio.

\_\_\_\_\_  
Village Fiscal Officer

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_