

CHAPTER 6A.10
DISPOSITION OF HUMAN REMAINS

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6A.10.010 PURPOSE. The purpose of this chapter is to protect and preserve the health and welfare of the general public by providing for the decent burial or cremation of human remains of a person who dies within the County and whose remains are unclaimed pursuant to RCW 36.39.030 which services prior to July 1, 1993 were provided by the State of Washington.
[Ord. 259 (1994) § 2; Ord. 259 (1994) § 3]

6A.10.020 DEFINITIONS. The following terms, as used in this chapter, shall mean:

(a) "Cremated Remains" means a human body after cremation in a crematory.

(b) "Cremation" means the reduction of the body of a deceased person in a crematory in such manner so that any remaining particle does not exceed five millimeters.

(c) "Decedent" means a deceased individual.

(d) "Disposition" includes necessary costs of a burial and cemetery plot or cremation and disposition site and all services related to interment and the minimal marking of a grave.

(e) "Human Remains" or "Remains" means the body of a deceased person including the body in any stage of decomposition except cremated remains.

(f) "Indigent" means a person who has no resources from which disposal of the remains can be paid.

(g) "Interment" means the disposition of human remains by cremation or burial.

(h) "Transportation" shall mean transport of a body from the place of death to mortuary and transportation to place of disposition.

(i) "Unclaimed" means no living relatives pursuant to RCW 36.39.030 are located to claim the remains.
[Ord. 259 (1994) § 2; Ord. 259 (1994) § 4]

6A.10.030 ADMINISTRATION. The County Coroner shall have the primary responsibility for the administration of this chapter and shall report to the Board of County Commissioners periodically on instances suggesting the need for clarification or revision of the procedures specified by this chapter. The County Auditor, Sheriff and Prosecuting Attorney shall assist the County Coroner in the discharge of the County's responsibilities under this chapter.
[Ord. 259 (1994) § 2; Ord. 259 (1994) § 5]

6A.10.040 REPORTING REQUIREMENTS. Any person knowing of or in possession of human remains suggesting that no one has assumed responsibility for them must report their findings immediately to the County Coroner. RCW 68.50.020. The County Coroner will assume jurisdiction over the remains and conduct a thorough investigation of the circumstances surrounding the death. If the person reporting has custody of the remains, that person shall complete the form designed and made available by the County Coroner to the best of that person's ability and provide it to the County Coroner. Such form shall be essentially like the form attached hereto and

hereinafter referred to as "Exhibit A."
 [Ord. 259 (1994) § 2; Ord. 259 (1994) § 6]

6A.10.050 NOTIFICATION OF NEXT OF KIN AND OF OTHER INTERESTED PARTIES. The County Coroner shall, upon receipt of notification of a deceased person, attempt to notify relatives of the death. If relatives do not exist, the County Coroner shall notify friends or religious organizations who may desire to claim the remains and provide for disposition.

If it is determined that the decedent did not make any prearrangements, or the costs of executing the decedent's remains exceeds a reasonable amount, or directions were not given by the decedent, the right to control the disposition of the remains of a deceased person vests in, and the duty of disposition and the liability for the reasonable cost of preparation, care, and disposition of such remains devolves upon the following in the order named:

- (a) The surviving spouse.
- (b) The surviving adult children of the decedent.
- (c) The surviving parents of the decedent.
- (d) The surviving siblings of the decedent.
- (e) A person acting as a representative of the decedent under the signed authorization of the decedent.

[Ord. 259 (1994) § 2; Ord. 259 (1994) § 7]

6A.10.060 ACCEPTANCE OF COUNTY RESPONSIBILITY. The County Coroner shall, after appropriate inquiry, accept responsibility on behalf of the County for the disposition of the remains and so indicate on the authorization portion of the form attached hereto as Exhibit A. In addition, the County Coroner will indicate whether or not an exception to the county policy on disposition has been approved or requested by the Board of County Commissioners.
 [Ord. 259 (1994) § 2; Ord. 259 (1994) § 8]

6A.10.070 COUNTY POLICY ON DISPOSITION. It is the County policy on the matter of disposition to provide funds for cremation only unless an exception to this policy is made.

In addition, the County shall pay for local transportation.
 [Ord. 259 (1994) § 2; Ord. 259 (1994) § 9]

6A.10.080 DISPOSITION OF THE CREMATED REMAINS. The County Coroner may make the ashes of the deceased available to relatives or friends of the deceased who may wish to conduct a memorial service for the deceased or to dispose of the ashes. Ashes not disposed of in this manner shall be retained by the County Coroner for two years after receipt and, thereafter the County Coroner shall entrust them to the cemeteries for interment or disposal as is applicable.
[Ord. 259 (1994) § 2; Ord. 259 (1994) § 10]

6A.10.090 DISPOSITION OF REMAINS. The County will authorize burial of the remains, where burial as an exception to the policy has been approved by the Board of County Commissioners, at a single facility in adjacent plots and release interred remains pursuant to applicable statutes.
[Ord. 259 (1994) § 2; Ord. 259 (1994) § 11]

6A.10.100 PAYMENT OF COSTS INCURRED. The entity providing the services approved pursuant to this chapter shall complete the application, applicant information, and invoice voucher portion of the form attached hereto as Exhibit A. An invoice shall also be attached which specifies the services provided. These shall be submitted to the County Coroner for processing with other claims pursuant to the county policy pertaining at the time.
[Ord. 259 (1994) § 2; Ord. 259 (1994) § 12]

6A.10.110 RECOUPMENT OF COUNTY EXPENSES. The County Prosecuting Attorney is authorized and requested to pursue recoupment of county expenses in cases where such effort appears to be cost effective.
[Ord. 259 (1994) § 2; Ord. 259 (1994) § 13]

6A.10.120 EXCEPTIONS. In the event the County Coroner is presented with cases which do not, for any number of possible reasons, fall squarely within the process provided for by this chapter, the County Coroner shall exercise discretion consistent with the intent of this ordinance that the county meet its statutory obligation in a fair manner with a minimum expenditure of funds which are otherwise needed for other important governmental services.

In those cases where the statutory eligibility for service is clear and when relatives and/or religious organizations who may wish to assume the responsibility have been found, the County Coroner shall proceed within the constraints requiring promptness in the disposition of the remains.

[Ord. 259 (1994) § 2; Ord. 259 (1994) § 14]

6A.10.130 GRIEVANCE - OPPORTUNITY FOR HEARING. Anyone aggrieved by a decision of the County Coroner may petition the Board of County Commissioners for an opportunity to be heard and the Board may, after hearing from the grievant and the County Coroner, take such further action as it deems appropriate under the circumstances.

The County Coroner is encouraged to report cases which may suggest a need for the modification of the policy embodied in this chapter.

[Ord. 259 (1994) § 2; Ord. 259 (1994) § 15]

Exhibit A

OFFICE OF THE CORONER
BENTON COUNTY, WASHINGTON

NOTICE AND PROCESSING FORM FOR DISPOSITION OF
UNCLAIMED/INDIGENT DECEDENT
AT COUNTY EXPENSE

SECTION I - APPLICATION (TO BE COMPLETED BY FUNERAL DIRECTOR)

NAME OF DECEASED: _____ RELIGIOUS AFFILIATION: _____

LAST _____ KNOWN _____ ADDRESS: _____
STREET CITY STATE ZIP CODE

DATE, PLACE, DETAILS OF DEATH: _____

SECTION II - APPLICANT INFORMATION (TO BE COMPLETED BY FUNERAL DIRECTOR)

APPLICANT: _____
NAME TITLE TELEPHONE NUMBER

ADDRESS: _____
STREET CITY STATE ZIP CODE

APPLICANT'S CERTIFICATE:

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE ABOVE-NAMED DECEDENT DIED INDIGENT AND NO KNOWN RELATIVES OR OTHER PARTIES HAVE MADE PROVISION FOR THE DISPOSITION OF THE DECEDENT.

SIGNATURE: _____ DATE: _____

Exhibit A

SECTION III - AUTHORIZATION (TO BE COMPLETED BY COUNTY CORONER)

1. CREMATION - DISPOSITION OF THE REMAINS OF _____ IS
HEREBY ALLOWED. DISPOSITION SHALL BE MADE ACCORDING TO THE TERMS OF RESOLUTION
_____ DATED _____.

2. OTHER - DUE TO THE EXCEPTIONAL CIRCUMSTANCES LISTED BELOW, ALLOWED ACCORDING TO THE
TERMS OF RESOLUTION, DISPOSITION SHALL BE MADE IN THE FOLLOWING MANNER.

3. AUTHORIZATION IS HEREBY PROVIDED TO: _____
TO PROVIDE SERVICES TO DISPOSE OF THE REMAINS AS SET FORTH ABOVE AND AT A COST NOT
TO EXCEED \$ _____.

By: _____ Date: _____
SIGNATURE TITLE PHONE NUMBER

SECTION IV - INVOICE VOUCHER (TO BE COMPLETED BY FUNERAL DIRECTOR)

CLAIMANT NAME: _____

ADDRESS: _____
STREET CITY STATE ZIP CODE

CLAIMANT'S CERTIFICATE:

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ITEMS AND TOTALS LISTED ON THE ATTACHED STATEMENT
ARE PROPER CHARGES FOR MATERIALS, MERCHANDISE, OR SERVICES FURNISHED TO BENTON COUNTY AND THAT ALL
GOODS FURNISHED AND/OR SERVICES RENDERED HAVE BEEN PROVIDED WITHOUT DISCRIMINATION ON THE GROUNDS
OF RACE, CREED, COLOR, NATIONAL ORIGIN, SEX, OR AGE.

By: _____ Date: _____
SIGNATURE TITLE

(NOTE: PLEASE ATTACH STATEMENTS)