

# Amherst Township Policy Manual

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## **CEMETERY POLICY:**

### **•RULES AND REGULATIONS (Ref Initiating Resolution 2/7/16):**

These Rules and Regulations are provided as required by Ohio Revised code 517.06

### **PURPOSE:**

These rules and regulations are designed for the protection of owners of interment and/or inurnment rights as a group. They are intended, not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. Enforcement will help protect the Amherst Township Cemeteries and create and preserve their beauty. These rules and regulations are hereby adopted as the rules and regulations of the Amherst Township Cemeteries, and all owners of interment or inurnment rights, visitors and contractors performing work within an Amherst Township Cemetery, shall be subject to said rules and regulation, amendments or alterations as shall be adopted by the Amherst Township Board of Trustees from time to time, hereby superseding any and all previous Rules and Regulations.

### **DEFINITIONS:**

**"Burial"** means the disposition of human remains, traditionally below ground.

**"Burial Vault"** shall mean an outside burial container or enclosure made of concrete or steel which is placed in a grave around a casket to prevent the collapse of the grave and/or to protect the casket, or for burial of an urn, as specified or approved by the Trustees, to incase human remains.

**"Cemetery"** shall mean not only the land and the improvements thereon, but Amherst Township Cemeteries, its employees and duly authorized representatives.

**"Certificate of Interment Rights or Deed for Interment Rights"** means the document by which the Township conveys a right of interment, entombment or inurnment in an Interment Space.

**"Contractor"** shall mean any person, firm or corporation or anyone other than an employee of the Cemetery engaged in placing, erecting or repairing any memorial or monument and performing any work on the Cemetery grounds.

**"Cremated Remains"** means the remains after the cremation process is completed.

**"Cremation Vault"** means a container for an urn made of concrete, metal, fiberglass, or durable plastic.

**"HEIRS"** shall mean immediate family, meaning surviving spouse or children, or any person specifically named in a legal will.

**"Interment"** shall mean burial of the remains of a deceased human being.

**"Inurnment"** shall mean the burial of cremated human remains.

**"Memorial or Monument"** shall mean any marker placed upon any lot for the purpose of identification or in memory of the interred.

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"Owner" shall mean the owner of rights of interment or inurnment:

- (1) to whom the Cemetery has conveyed a burial right or burial rights; or
- (2) who have acquired such burial right or burial rights by transfer in accordance with these rules and regulations; or
- (3) who hold such burial right or burial rights by inheritance.

"TOWNSHIP" Amherst Township, Lorain County, Ohio

"Urn" means a container for cremated remains.

"TRUSTEES" Duly elected officers/officials of Amherst Township, Lorain County, Ohio

## **CEMETERY HOURS:**

The Cemetery is open to the public during daylight hours.

## **OWNERSHIP:**

Interment or Inurnment rights shall be used for no other purpose than the disposition of the human dead.

Upon refusal of the Township to permit interment or inurnment because of its requirements, the Township may at its discretion refuse to let anything be done in violation of said requirements.

## **SUPERVISION OF CEMETERY:**

The Amherst Township Board of Trustees reserves the right to compel all persons coming into the Cemetery to obey all rules and regulations adopted by the Board of Trustees.

These rules and regulations may be changed, without notice to any owner by the Amherst Township Board of Trustees.

The Amherst Township Board of Trustees shall take responsible precaution to protect owners and the property rights of owners within the Cemetery from loss or damage but it distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control. The Amherst Township Board of Trustees is not and shall not be liable for damage caused by elements, acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots, or orders of any Military or civil authority, whether the damage be direct or collateral.

The Amherst Township Board of Trustees reserves the right to correct any errors that may be made by it either in making interments, dis-interments, inurnments, dis-inurnments or removals, or in the inscriptions, transfer, or conveyance and substituting and conveying in lieu thereof other interment or inurnment rights of equal value and similar location as far as possible, or as may be selected by the Amherst Township Board of Trustees or, in the sole discretion of the Amherst Township Board of Trustees, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment or inurnment of the remains of any person in such property, the Amherst Township Board of Trustees reserves and shall have the right to remove and transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The Amherst Township Board of Trustees shall also have the right to correct any errors made by allowing the placement

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of an improper inscription, including an incorrect name or date on the memorial or monument. Upon correction no further liability shall exist against the Amherst Township Board of Trustees.

The rights to enlarge, reduce, replant or change the boundaries or grading of the Cemetery on a lot or grave, from time to time, including the right to modify or change the locations of or any part thereof or remove or re-grade walks or paths, is hereby expressly reserved by the Amherst Township Board of Trustees. The right to lay, maintain and operate, or alter or change pipe lines or gutters for sprinkling systems, drainage, lakes etc., not sold to individual owners, for Cemetery purposes, including the interring and preparing for interment of dead human bodies, or for anything necessary, incidental or convenient thereto. The Amherst Township Board of Trustees reserves to itself and to those lawfully entitled thereto and those permitted by the Board of Trustees to do so, a perpetual right of ingress and egress over lots for the purpose of passage to and from other lots.

## **SALE AND PURCHASE OF INTERMENT/INURNMENT RIGHTS:**

All interment and inurnment rights are sold subject to payment of the amount posted in the Township office for the area of the lot. All interment and inurnment rights shall be fully paid prior to their use.

The sale or transfer of any interment or inurnment right by any owner shall not be binding upon the Amherst Township Board of Trustees unless same shall first be duly approved in writing by the Board of Trustees. The Amherst Township Board of Trustees shall issue a "**DEED FOR CEMETERY LOT**" (see "FORMS" section at the end of this policy) per Ohio Revised Code 517.07 to the new Owner subject to the provisions of said deed or certificate. The same rule shall apply in all cases of assignment for interment or inurnment rights.

Any and all transfers of any interment or inurnment right, whether same be by conveyance or assignment are subject to all rules and regulations of the Township, which are now in full force and effect or which may be hereafter adopted.

The subdivision of interment or inurnment right is not allowed without the consent of the Amherst Township Board of Trustees and no one shall be buried in any lot not having an interest therein, except by written consent of the Amherst Township Board of Trustees.

All work on lots or graves will be done by the employees of the Township under the direction of the Amherst Township Board of Trustees, except when permission is otherwise granted. All grading, landscaping work, and improvements of any kind, and all care of lots or crypts and all plantings, trimmings, removals of trees, shrubs, and herbage of any kind and all openings of lots, all interments, inurnments, disinterment's and removals shall be made under the direction of the Township.

No enclosure of any kind, such as a fence, coping, hedge or ditch, shall be permitted around any grave or lot. Grave mounds shall not be allowed and no lot shall be raised above the established grade. The only exception to this is immediately after burial during the settling process prior to seeding.

No interment or inurnment right can be sold, assigned, transferred, pledged or hypothecated without the written approval of the Amherst Township Board of Trustees.

The Township may exchange interment or inurnment rights, when desired by Owners. When such an exchange is made, the original conveyance must be surrendered by proper assignment, or by re-conveyance, if considered necessary by the Trustees before any change is affected.

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Each owner is vested with the ownership of his or her interment or inurnment right for the sole purpose of interment or inurnment of human dead bodies. Under the rules and regulations of the Township, the interment and inurnment rights cannot be conveyed without the consent of the Amherst Township Board of Trustees, nor any use, division or improvements of them be made which the Trustees prohibits, or may deem improper. The Owner of interment or inurnment rights may dispose of same by will, subject to the foregoing conditions. If Owner dies in estate, the interment or inurnment rights will descend to his or her heirs according to law. The Township cannot be responsible for the carrying out of the intent of the grantor.

The general care of the entire Cemetery grounds and lots is assumed by the Amherst Township.

The Amherst Township Board of Trustees shall direct all improvements within the grounds and upon all lots and graves before, as well as, after interments have been made therein. They shall have charge of the planting, sodding, surveying and general improvements.

No person other than the proper employees of the Township shall be allowed to perform any work within the Cemetery without a written permit from the authorized representative of the Township.

If any inscription or object is placed on any memorial, monument or other structure, and it is determined by the Amherst Township Board of Trustees to be offensive, the Trustees shall have the right to enter upon such lot to remove, change or correct the offensive inscription or object at the expense of the owner.

If any tree, shrub or plant standing upon any lot, by means of its roots, branches, or otherwise, becomes detrimental to adjacent lots avenues, or if for any other reason its removal is deemed necessary, the Amherst Township Board of Trustees shall have the right to remove such tree, shrub or plant, or any part thereof, or otherwise correct the condition existing as in their judgment seems best.

No person shall pluck or remove any plant or flower, either wild or cultivated from any part of the Cemetery.

## **BURIAL REGULATIONS:**

No interment or inurnment shall be made unless the opening and closing fee for such grave has been paid in advance.

The Amherst Township Board of Trustees reserves the right to compel all persons authorized to order the opening and closing of a grave, crypt or niche to appear at the cemetery more than 24 hours in advance of such interment or inurnment to select the desired grave or niche to be opened. In addition the completion and execution of the cemeteries Interment, Inurnment Authorization form may be required.

No interment or entombment may take place at the Cemetery unless a burial permit for the deceased has first been presented to the Amherst Township Board of Trustees. The Township will comply with the provisions of Section 3705.17 of the Ohio Revised Code.

Funeral processions, upon entering the cemetery grounds shall be subject to the direction of the authorized Township personnel.

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The Township must be notified of an impending interment or inurnment service no later than 12:00 noon of the prior business day. Notification of a Monday service must be received no later than 3:00 PM on the previous Friday.

The Township reserves the right to schedule interment or inurnment services according to the Township's availability of service times and needs.

The Township shall have the right to have the interment or inurnment service at the grave according to the Township's schedule and current weather conditions.

Interments or inurnments are not permitted to be scheduled after 2:00 pm Monday through Friday. Interments or inurnments are not permitted to be scheduled after 1:30 pm on Saturdays.

Interments or inurnments are discouraged on Sundays and on the following holidays; New Years Day, Martin Luther King Jr. Day, President's Day, Good Friday, Easter, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving, and Christmas. Burial is authorized by the trustees on these days only if township personnel are available, and prepayment of township cost of 1.5-times the burial Open/Close fee is made.

When a removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights therein revert to the Owner thereof. If no steel or concrete vault has been used for this original interment one must be furnished by the person requesting the removal. If there is a steel or concrete vault and same is in a removable condition, charge for removal of vault must be paid in advance.

The person or persons requesting disinterment must pay the cost and/or provide an authorized vault company for the actual disinterment, at their own expense.

Application for disinterment or dis-inurnment must comply with the provisions of Section 517.23 of the Ohio Revised Code.

Any person desiring to remove a body from the grave space of another must present a written permit signed by the owner, the next of kin and also himself to have such removal made. These shall remain on file in the office of the Township. No such removal shall be made without the written consent of the Amherst Township Board of Trustees, and then only on such conditions as the Trustees shall prescribe.

All human remains not cremated must be contained in a burial vault specified or approved by the Township prior to burial.

All cremations must be placed in an approved weatherproof container or urn.

No grave space may contain more than two urns of cremated remains or one urn of cremated remains and one body.

The remains of any person who died of a contagious disease will not be permitted in or on the cemetery grounds, except when placed in a hermetically sealed casket. In case of doubt on the part of the Township as to the nature of the disease, satisfactory evidence from the attending physician or otherwise will be required.

## **GENERAL REGULATIONS:**

No children under the age of 16 are permitted within the cemetery without adult supervision. All children must display appropriate behavior while on the grounds of the cemetery.

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No pets shall be permitted in the cemetery.

Bringing lunches, food, beverages or illegal substances for consumption within the cemetery is strictly forbidden.

No article of any kind will be permitted on any grave, lot or tree.

The sitting or leaning on monuments or walls is not permitted. Benches placed within the cemetery are placed for this purpose.

The cemetery is not responsible for theft or damage to anything placed on graves or lots.

Only vaults, grave markers, monuments or vases approved by the Amherst Township Board of Trustees shall be permitted to be used.

No bench, chair, or trellis shall be permitted or be brought upon the cemetery grounds.

The Amherst Township Board of Trustees shall have the right to remove any dead or damaged tree, shrub or vine.

No touching, scraping, rubbing or spraying of liquids on the memorials or monuments is permitted for any purpose.

Any person found on the cemetery grounds without permission will be considered a trespasser.

Holdings containing flowers or other decorations will be removed as soon as the flowers fade and wither, and the right is reserved by the Amherst Township Board of Trustees to make such removal. Also winter wreaths, and artificial flowers will be removed at such time as is specified by the Township, and the Owner thereby forfeits all rights, title and interest to the same, and the Township may dispose of them by sale, destruction or in any other way it deems best.

No person shall use profane or boisterous language or in any way disturb the quiet and good order of the Cemetery.

All persons are forbidden to hunt fowls or other animals about the Cemetery.

All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, memorial or monument, or in any manner deface the grounds of the Cemetery.

No money shall be paid to the attendants of the cemetery grounds. The entire time of the persons regularly employed on the grounds belongs to the Township. Visitors and Owners must not otherwise engage them. All orders, inquiries and complaints must be left at the Township office.

All work and planting of any kind on all lots and graves is strictly prohibited. From March 1st to November 15th only natural flowers shall be placed in the urns. From November 15th to March 1st, artificial flowers or wreaths may be used.

All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance and disregard of the rules and the laws of Ohio.

## **MODIFICATIONS AND AMENDMENTS:**

The Amherst Township Board of Trustees may, and it hereby expressly reserves the right at any and all times, with or without notice to Owners, to adopt new rules and regulations, or to amend,

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alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in the Rules and Regulations.

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Amherst Township Board of Trustees, therefore, reserves the right without notice, to make exceptions, suspensions or modifications in any of the Rules and Regulations, when in its judgment, the same appear advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of these Rules and Regulations, or as creating any enforceable precedence.

## ● **BURIAL OR CREMATION OF DECEASED INDIGENTS**

**(Ref Initiating Resolution 2/8/16):**

### **Section 1: General.**

The purpose of this policy is to ensure compliance with Ohio Revised Code §9.15(C) which mandates that a township must bury or cremate a body at the township's expense when the body is claimed by an indigent person. R.C. § 9.15(C) defined indigent person as someone whose income does not exceed 150% of the federal poverty line when adjusted to the correct family size.

This policy provides guidelines intended for use by the Amherst Township Board of Trustees when determining indigency status for the person claiming the body of a deceased person residing within the township. The guidelines below adhere to Ohio's indigency determination as set forth in R.C. §9.15 and federal poverty threshold criterion.

Upon examination of the indigent person's financial and familial data (in conformance with the guidelines below), the Board shall make a determination as to whether the claimant is indigent.

### **Section 2: Claimant's Indigency Status.**

When determining indigency status of the person claiming the deceased's body, Amherst Township Board of Trustees shall consider gross income of all household members, minus the wage or salary income earned by dependent minors under 18 years of age. Persons meeting the requirements, including income of an "indigent person" of R.C. §9.15 shall qualify for cremation or burial at the Township's expense.

Gross income includes:

- Pre-tax wages and earnings from employment, interest, annuities, pensions, Social Security, retirement, employment disability, public assistance, Supplemental Security Income (SSI), alimony, child support, unemployment benefits, Workers' Compensation, and any other indirect income;
  - Do not incorporate noncash benefits, i.e. food stamps and housing subsidiaries, or capital gains and losses

The definitions set forth in "Attachment A" (located after "Section 5") apply to this policy.

### **Section 3: Provisions.**

Amherst Township will provide for indigent burials as follows:

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- A. Cremations of person meeting the requirements of R.C. § 9.15 shall be done only with prior approval of the Board of Trustees.
- B. Payment by Amherst Township for Burial of Indigents shall not exceed Seven Hundred Fifty Dollars (\$750.00) for the cost of professional services rendered by funeral directors for cremation or preparation of the body of a deceased indigent for burial less the amount of any contributions, insurance or property, real or personal or of any other thing of value which may be applied toward the burial expenses.
- C. Before any payments are made pursuant to this policy, the funeral director must submit the following to the Board of Trustees:
  - 1) Two (2) copies of a statement for the amount requested to be paid by the Township pursuant to subsection (b) hereof.
  - 2) One (1) certified copy of the death certificate and one (1) copy of the cremation permit; and,
  - 3) Original Application for Indigent Burial Funds completed by the deceased's representative and funeral home representative for the purpose of determining whether the deceased qualifies to be cremated at the Township's expense pursuant to R.C. § 9.15. This application shall be prescribed by the Board of Trustees and shall be completed, signed and notarized prior to or on the day of the cremation.
- D. If the deceased indigent is proven to be of a faith that prohibits cremation, then the deceased will be buried at the expense of Amherst Township.
- E. If the decedent's cremains are not claimed within a reasonable period, the cremains shall be left with the funeral home for a period of 12 months. After this 12 month time period, arrangements shall be made between the Township and the funeral home to inter the cremains. The Township will supply an appropriate marker with proper inscriptions as required by R.C. § 9.15.
- F. If the cremains are claimed after the 12-month period, a fee shall apply should the claimant desire to disinter the cremains.
- G. The Township will supply an appropriate marker with proper inscriptions as required by R.C. § 9.15, for the burial or inurnment of a deceased indigent.

## **Section 4: Limitations.**

- A. Amherst Township shall not be responsible for burying or cremating any body found within Amherst Township, which is claimed by a person not found to be indigent.
- B. All expenses made by a non-indigent claimant shall be paid for by the claimant. When the claimant is determined to be indigent, the manner of cremation, burial, and aspects thereof shall be solely the decision of Amherst Township and in accordance with R.C. § 9.15.
- C. An indigent person claiming a body may not make independent funeral arrangements and have the bill submitted to Amherst Township. Should this occur, Amherst Township is not liable for costs under these circumstances.
- D. Should it be ascertained, after payment by the Township pursuant to section 2 hereof, that such payment was made for a decedent whom the Township did not have the responsibility



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to cremate or bury pursuant to R.C. § 9.15, the Township shall be entitled to any benefits payable on behalf of such decedent by any person or agency who had the responsibility to pay burial benefits pursuant to R.C. § 9.15, up to an amount totaling the payment made pursuant to section 2 hereof plus the fees for the grave space and the opening and closing.

## **Section 5: Public Records Notification.**

Some of the records submitted by claimants, as part of the indigency determination process, may be confidential and not a public record under applicable State and Federal Law. Amherst Township will consult with legal counsel prior to releasing any such documents to third parties.

## **“ATTACHMENT A”**

### **Definitions**

The following definitions are taken from the US Census Bureau:

#### **Income**

Income consists of the following 22 components:

1. Earnings (wages, salaries, and self-employment income)
2. Interest income
3. Dividend income
4. Rents, royalties, estate, and trust income
5. Non-government retirement pensions and annuities
6. Non-government survivor pensions and annuities
7. Non-government disability pensions and annuities
8. Social Security
9. Unemployment compensation
10. Workers' compensation
11. Veterans' payments other than pensions
12. Government retirement pensions and annuities
13. Government survivor pensions and annuities
14. Government disability pensions and annuities
15. Public assistance (includes TANF and other cash welfare)
16. Supplemental Security Income (SSI)
17. Veterans' pensions
18. Government educational assistance
19. Child Support
20. Alimony
21. Regular contributions from persons not living in the household
22. Money income not elsewhere classified

Income does not include the following:

1. Noncash benefits (such as food stamps and housing subsidies)
2. Capital gains or losses

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## **Household, Size of**

The term “Size of household” includes all the people occupying a housing unit. “Size of family” includes the family householder and all other people in the living quarters who are related to the householder by birth, marriage, or adoption. “Size of related subfamily” includes the husband and wife or the lone parent and their never-married sons and daughters under 18 years of age. If a family has a related subfamily among its members, the size of the family includes the members of the related subfamily.

## **Alimony**

Includes all periodic payments people receive from ex-spouses. Alimony excludes one-time property settlements.

## **Child Support**

Includes all periodic payments a parent receives from an absent parent for the support of children, even if these payments are made through a state or local government office.

## **Dividends**

Includes income people receive from stock holdings and mutual fund shares. Does not include capital gains from the sale of stock holdings as income.

## **Earnings**

The Census Bureau classifies earnings from longest job (or self-employment) and other employment earnings into three types:

- 1.) Money wage or salary income is the total income people receive for work performed as an employee during the income year. This category includes wages, salary, armed forces pay, commissions, tips, piece-rate payments, and cash bonuses earned, before deductions are made for items such as taxes, bonds, pensions, and union dues.
- 2.) Net income from nonfarm self-employment is the net money income (gross receipts minus expenses) from one’s own business, professional enterprise, or partnership. Gross receipts include the value of all goods sold and services rendered. Expenses include items such as costs of goods purchased, rent, heat, power, depreciation charges, wages and salaries paid, and business taxes (not personal income taxes). In general, the Census Bureau considers inventory changes in determining net income from nonfarm self-employment; replies based on income tax returns or other official records do reflect inventory changes. However, when respondents do not report values of inventory changes, interviewers will accept net income figures exclusive of inventory changes. The Census Bureau does not include the value of saleable merchandise consumed by the proprietors of retail stores as part of net income.
- 3.) Net income from farm self-employment is the net money income (gross receipts minus operating expenses) from the operation of a farm by a person on their own account, as an owner, renter, or sharecropper. Gross receipts include the value of all products sold, payments from government farm programs, money received from the rental of farm equipment to others, rent received from farm property if payment is made based on a percent of crops produced, and incidental receipts from the sale of items such as wood, sand, and gravel. Operating expenses include items such as cost of feed, fertilizer, seed, and other farming supplies; cash wages paid to farmhands; depreciation charges; cash rent; interest on farm mortgages; farm building repairs; and farm taxes (not state and federal personal income taxes). The Census Bureau does not include the value of fuel, food, or

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other farm products used for family living as part of net income. In determining farm self-employment income, the Census Bureau considers inventory changes in determining net income only when they are accounted for in replies based on income tax returns or other official records which reflect inventory changes; otherwise, the Census Bureau does not take inventory changes into account.

## **Educational assistance**

Includes Pell Grants; other government educational assistance; any scholarships or grants; or financial assistance students receive from employers, friends, or relatives not residing in the student's household.

## **Financial Assistance from Outside of Household**

Includes periodic payments people receive from non-household members. This type of assistance excludes gifts or sporadic assistance.

## **Interest**

Includes payments people receive (or have credited to accounts) from bonds, treasury notes, IRAs, certificates of deposit, interest-bearing savings and checking accounts, and all other investments that pay interest.

## **Other Income**

Includes all other payments people receive regularly that are not included elsewhere on the questionnaire. Some examples are state programs such as foster child payments, military family allotments, and income received from foreign government pensions.

## **Pension or Retirement**

Includes payments people receive from eight sources: companies or unions; federal government (Civil Service); military; state or local governments; railroad retirement; annuities or paid-up insurance policies; individual retirement accounts (IRAs), Keogh, or 401(k) payments; or other retirement income.

## **Public Assistance or Welfare Payments**

Includes cash public assistance payments low-income people receive, such as aid to families with dependent children (AFDC, ADC), temporary assistance to needy families (TANF), general assistance, and emergency assistance.

## **Rents, Royalties, and Estates and Trusts**

Includes the net income people receive from the rental of a house, store, or other property, receipts from boarders or lodgers, net royalty income, and periodic payments from estate or trust funds.

## **Social Security**

Includes social security pensions and survivors' benefits and permanent disability insurance payments made by the Social Security Administration prior to deductions for medical insurance.

## **Supplemental Security Income**

Includes federal, state, and local welfare agency payments to low-income people who are 65 years old or over or people of any age who are blind or disabled.

## **Unemployment Compensation**

Includes payments the respondent received from government unemployment agencies or private companies during periods of unemployment and any strike benefits the respondent received from union funds.

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## **Veterans' Payments**

Includes payments disabled members of the armed forces or survivors of deceased veterans receive periodically from the Department of Veterans Affairs for education and on-the-job training, and means-tested assistance to veterans.

## **Workers' Compensation**

Includes payments people receive periodically from public or private insurance companies.

See forms: "APPLICATION FOR INDIGENT BURIAL FUNDS"

"AFFIDAVIT OF DECEASED'S REPRESENTATIVE"

"AFFIDAVIT OF FUNERAL HOME DIRECTOR"

## **•DONATION OF CEMETERY LOTS (Ref Initiating Resolution 2/9/16):**

The donation of cemetery lots is authorized under Sections 517.07(C) and 505.10(A) of the Revised Code Board.

The donor shall return to the Township the lot deed. If the donor is unable to locate the deed, the donor may submit a sworn affidavit that the deed has been lost and that the donor is the true and lawful owner of the cemetery lot.

The Board of Trustees shall issue a statement of value to the donor. The value assigned to the donation shall be the amount that a Township resident would pay to acquire such lot.

## **•FORMS**

**DEED FOR CEMETERY LOT**

**APPLICATION FOR INDIGENT BURIAL FUNDS**

**AFFIDAVIT OF DECEASED'S REPRESENTATIVE**

**AFFIDAVIT OF FUNERAL HOME DIRECTOR**

**DEED FOR CEMETERY LOT**

Rev. Code Secs. 517.07 .14; 759.12, 31

*Lot No.                      Section*

**KNOWN ALL MEN BY THESE PRESENTS:**

*That we, the undersigned                      AMHERST TOWNSHIP TRUSTEES  
in the County of                      LORAIN                      and the State of Ohio, for and in consideration of the  
sum of -----Dollars*

*to us paid by,  
of the    **TOWNSHIP**                      of                      **AMHERST**                      County of                      **LORAIN**                      and State of  
Ohio,*

*the receipt whereof is hereby acknowledged, do hereby    **GRANT, BARGAIN, SELL AND CONVEY***

*to the said    and                      heirs forever,                      the following described lot or parcel of land                      **KENDEIGH**  
Cemetery, to wit:*

*Lot No.                      in Section                      as described upon the plat of said Cemetery, on file  
in the office of the                      TRUSTEES                      of said                      AMHERST TOWNSHIP*

**To Have And To Hold** *the same to the said                      and                      heirs, to be used for the purposes of burial only, subject to the  
laws of this State regarding Cemeteries and the regulations of the officers having control of said Cemetery.*

**In Witness Whereof,** *We have hereunto set our hands on this                      day of                      A.D.2016*

**Signed and Acknowledged in the presence of**

**WITNESS**

**TRUSTEES**

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*The State of Ohio LORAIN County, ss.*

*Be It Remembered, That on this    14th                      day of                      April                      A.D, 2008                      before*

*me, the subscriber, a -----AMHERST TOWNSHIP FISCAL OFFICER-----in and for said County, personally  
came the above named AMHERST TOWNSHIP TRUSTEES : Dennis Abraham, Neil Lynch, David Urig  
in LORAIN County, State of Ohio, as such officers, acknowledged the signing and sealing of the foregoing conveyance to be  
their voluntary act and deed, for the uses and purposes therein mentioned.*

*Fiscal Officer -----*

**(SEAL)**

Howard Akin

# AMHERST TOWNSHIP

LORAIN COUNTY, OHIO

## APPLICATION FOR INDIGENT BURIAL FUNDS

*Certain information contained in this application is a matter of public record subject to disclosure. Payment by Amherst Township for Burial of Indigent shall not exceed Seven Hundred Fifty Dollars (\$750.00) for the cost of professional services rendered by funeral directors for cremation or preparation of body of deceased indigent for burial less the amount of any contributions; insurance; property, real or personal; and any other thing of value which may be applied toward the burial expenses. Pursuant to Ohio Revised Code Section 9.15, "indigent person" means a person whose 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.*

### Pages 1 thru 3 to be completed by deceased's representative

#### DECEASED/INDIGENT PERSON INFORMATION

Full Name of Deceased: \_\_\_\_\_ D.O.B. \_\_\_\_\_

Last Known Address: \_\_\_\_\_  
Street City State Zip Code

Social Security Number: \_\_\_\_\_ Sex: \_\_\_\_\_ Race: \_\_\_\_\_

Date of Death: \_\_\_\_\_ Place of Death: \_\_\_\_\_

#### DECEDENT'S NEXT-OF-KIN INFORMATION

1) Full Name: \_\_\_\_\_ Relationship \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

Social Security Number: \_\_\_\_\_ D.O.B. \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

2) Full Name: \_\_\_\_\_ Relationship \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

Social Security Number: \_\_\_\_\_ D.O.B. \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**ATTACH TO THIS APPLICATION: (1) Number and ages of household members, (2) each income source, and corresponding monthly or annual amount. Include Social Security, Pay Stubs, Income Tax returns, etc. (3) Proof of residency of deceased, (4) Affidavit of Deceased's Representative.**

**AFFIDAVIT OF DECEASED'S REPRESENTATIVE**

**STATE OF OHIO §  
COUNTY OF Lorain §**

I, \_\_\_\_\_ (the "Affiant"), as the representative of the deceased  
\_\_\_\_\_ (the "Decedent"), being first duly sworn, do depose and state  
that:

1. Decedent died a resident of the unincorporated area of Amherst Township.
2. To the best of Affiant's knowledge, neither the funeral director nor the funeral home has received any compensation, either directly or indirectly, in any form, for the cremation of the Decedent.
3. To the best of Affiant's knowledge, the Decedent is indigent and has not real or personal property, employment benefits, pensions, annuities, social security, unemployment compensation, inheritances, insurance, or other assets.
4. Affiant agrees to reimburse Amherst Township for disposition expenses, if it is determined that the Decedent died owning assets, property, and/or insurance sufficient to cover the Decedent cremation and/or burial expenses.
5. Affiant certifies he or she has read and understands the Amherst Township Policy for Indigent Burial or Cremation and agrees to comply with all the requirements set forth therein.
6. Affiant says he or she is the individual making the forgoing application; and that the answers to the foregoing questions and other statements contained herein are true to the best of his or her knowledge.

Further Affiant sayeth naught.

\_\_\_\_\_  
(Signature)

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

**To be completed by Funeral Home Representative**

**(Application must be submitted within thirty (30) days from the date of death.)**

**FUNERAL DIRECTOR'S INFORMATION**

Full Name of Deceased \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Name of Funeral Home: \_\_\_\_\_

Address of Funeral Home: \_\_\_\_\_

Funeral Home Phone: \_\_\_\_\_ Federal ID: \_\_\_\_\_

You must include one (1) certified copy of the death certificate and one (1) copy of the cremation permit; two (2) copies of an itemized statement for the amount requested to be paid by the Township; and a copy of the obituary, if any, along with this application.

**AFFIDAVIT OF FUNERAL HOME DIRECTOR**

**STATE OF OHIO           §**  
**COUNTY OF LORAIN     §**

I, \_\_\_\_\_ (the "Affiant") being first duly sworn that:

1. I am a duly license funeral director of \_\_\_\_\_ ("Funeral Home") located at \_\_\_\_\_;
2. As the funeral director I am responsible for all aspects of the burial or cremation of the deceased including the funeral arrangements and the funeral rites.
3. Neither the Affiant nor the Funeral Home has received any type of compensation for the cremation and/or burial services associated with the Decedent.
4. To the best of Affiant's knowledge, Decedent died an indigent resident of the unincorporated area of Amherst Township and qualifies for indigent disposition pursuant to Ohio Revised Code section 9.15.
5. Affiant certifies he or she has read and understands the Amherst Township Policy for Indigent Burial or Cremation and agrees to comply with all the requirements set forth therein.
6. Affiant certifies he or she is the individual making the forgoing application; and that the answers to the foregoing questions and other statements contained herein are true to the best of his or her knowledge.

Further Affiant sayeth naught.

\_\_\_\_\_  
(Signature)

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC