

ORDINANCE NO. C.S. 1034

AN ORDINANCE TO AMEND THE INDIGENT CORONER'S FEE ORDINANCE

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Section 4.20.010 of the Stanislaus County code is amended to read as follows:

"Pursuant to Sections 27472 and 54985 of the Government Code the fee to be charged and collected by the coroner of the county, or by his or her designee, for removing the body of a deceased person and maintaining custody of the body of such deceased person which the coroner has taken custody of pursuant to law, shall be: one hundred seventy-five dollars. Provided however, no fees shall be imposed: (1) Upon a person who seeks to obtain recovery of the remains of the deceased if that person can establish indigency pursuant to the applicable provisions of the Welfare and Institutions Code; or (2) In cases in which the body is that of a child not more than fourteen years of age; or (3) In cases in which the coroner ascribes the death to the criminal act of another, unless the coroner has reasonable grounds to believe that the deceased person was involved in any criminal activity which contributed to his or her own death."

Section 2. Section 4.20.020 is added to the Stanislaus County Code to read as follows:

"Pursuant to Sections 7104 and 7104.1 of the Health and Safety Code, when no provision is made by a decedent, or where the decedent's estate is insufficient to provide for internment and the duty of internment does not devolve upon any other

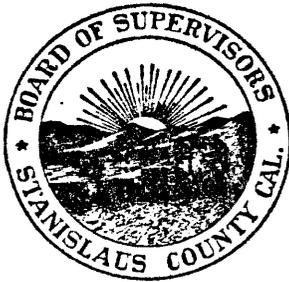
person residing in the state or if such other person cannot, after reasonable diligence be found within the state, the person who has custody of the remains may require the coroner of the county where the decedent resided at the time of death to take possession of the remains and the coroner shall inter the remains in the manner provided for the internment of indigent dead. If the deceased person is an indigent, the cost associated with disposition of the remains shall be borne by the county exercising jurisdiction over the remains. Provided, however, that if within thirty (30) days after the coroner notifies or diligently attempts to notify the person responsible for the internment of a decedent's remains, which remains are in the possession of the coroner, and that responsible person fails, refuses, or neglects to receive and inter the remains, the coroner may inter the remains and may recover any expenses of the internment from said responsible person."

Section 3. This ordinance shall be published once before the expiration of fifteen (15) days after passage of this ordinance, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California, and the ordinance shall take effect thirty (30) days from and after the date of its passage.

Upon motion of Supervisor Monteith, seconded by Supervisor Grover, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus,

State of California, and the 6th day of May 2008, by the following called
vote.

AYES: Supervisors: O'Brien, Grover, Monteith, DeMartini and
Chairman Mayfield
NOES: Supervisors: None
ABSENT: Supervisors: None




Tom Mayfield, Chairman of the
Board of Supervisors of the County of
Stanislaus, State of California

ATTEST:

CHRISTINE FERRARO TALLMAN
CLERK OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By 
Deputy

APPROVED AS TO FORM:
Michael H. Krausnick
County Counsel

By 
DEAN WRIGHT
DEPUTY COUNTY COUNSEL

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

MAY 12, 2008

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at **MODESTO, California** on

MAY 12, 2008


(Signature)

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Section 2. Section 4.20.020 is added to the Stanislaus County Code to read as follows: "Pursuant to Sections 7104 and 7104.1 of the Health and Safety Code, when no provision is made by a decedent, or where the decedent's estate is insufficient to provide for internment and the duty of internment does not devolve upon any other person residing in the state or if such other person cannot, after reasonable diligence be found within the state, the person who has custody of the remains may require the coroner of the county where the decedent resided at the time of death to take possession of the remains and the coroner shall inter the remains in the manner provided for the internment of indigent dead. If the deceased person is an indigent, the cost associated with disposition of the remains shall be borne by the county exercising jurisdiction over the remains. Provided, however, that if within thirty (30) days after the coroner notifies or diligently attempts to notify the person responsible for the internment of a decedent's remains, which remains are in the possession of the coroner, and that responsible person fails, refuses, or neglects to receive and inter the remains, the coroner may inter the remains and may recover any expenses of the internment from said responsible person."

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Upon motion of Supervisor Monteith, seconded by Supervisor Grover, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, and the 6th day of May, 2008, by the following called vote.

AYES: Supervisors: O'Brien, Grover, Monteith, DeMartini and Chairman Mayfield

NOES: Supervisors: None

ABSENT: Supervisors: None

Thomas W. Mayfield, Chairman of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:

Christine Ferraro Tallman Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Elizabeth A. King, Assistant Clerk

APPROVED AS TO FORM:

Michael H. Krausnick

County Counsel

By: Dean Wright, Deputy County Counsel

MAY 12, 2008