

# ORDINANCE TIME LINE

2011-02

**Temporary General Assistance**  
Name of Proposed Ordinance

<b>FIRST READING</b>	(CRS 30-15-406)	11/21/2011
<b>PUBLISH IN FULL</b> ( ) at least 10 days before adoption ( )	(CRS 30-15-406)	12/9/2011 Montrose Daily Press 12/7/2011 Basin Forum
<b>SECOND READING &amp; ADOPTION</b>	(CRS 30-15-407)	12/19/2011
<b>PUBLISH BY TITLE</b> ( ) (Plus any amendments from 1 <sup>st</sup> Reading) ( ) (at least 30 days) ( )	(CRS 30-15-404) (CRS 30-15-405)  (CRS 30-15-405)	12/29/2011  no amendments
<b>ORDINANCE GOES INTO EFFECT</b>		1/30/2012

**ORDINANCE**  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTROSE, STATE OF COLORADO

**ORDINANCE AMENDING THE MONTROSE COUNTY  
STANDARDS AND GUIDELINES FOR  
TEMPORARY GENERAL ASSISTANCE**

WHEREAS, Sections 30-17-101, et seq., C.R.S., authorize counties to provide temporary general assistance to low income persons who reside in the county and to transients, and further authorize the Board of County Commissioners to establish, by ordinance, standards and guidelines for determining who is eligible to receive temporary general assistance, what types of assistance shall be offered, what amounts of assistance shall be paid, and for what periods of time such assistance shall be offered; and

WHEREAS, in Montrose County Ordinance 2009-01, and pursuant to said authority, the Montrose county Board of County Commissioners originally established standards and guidelines for such temporary general assistance; and

WHEREAS, the Board has determined that said standards and guidelines, as adopted by said Ordinance and 2009-01, need to be updated and revised; and

WHEREAS, the update and revision of said standards and guidelines for temporary general assistance serves the public health, safety and welfare of residents of Montrose County.

NOW, THEREFORE, IT IS HEREBY ORDAINED that the standards and guidelines for temporary general assistance in Montrose County, Colorado shall be revised and amended as follows:

**1. PURPOSE**

General assistance is intended to provide temporary relief to individuals or families in need when no other source of funds is available to individual or family. The Temporary General Assistance Program shall be administered by Montrose County Health and Human Services to needy United States Citizens with proven Montrose County residency, or who are needy transients, or any person who dies within the county who does not leave sufficient funds for burial.

Montrose County Health and Human Services is authorized to create such policies and procedures necessary to administer the Temporary General Assistance Program without exceeding or contradicting the rules and regulations established in this County Ordinance.

**2. AVAILABILITY OF FUNDS AND SCHEDULE OF BENEFITS**

Eligibility for any and all applicants under this general assistance program is always contingent upon Montrose County having appropriated and available general assistance funds.

The Montrose Board of County Commissioners shall establish a Schedule of Benefit Amounts as part of this Resolution. The Board may revise the Schedule of Benefit Amounts from time to time as determined by the Board in its judgment to be necessary. The amounts paid to eligible applicants for eligible benefits shall not exceed the amounts set forth in said Schedule of Benefit Amounts for each benefit. Effective January 01, 2012, the Montrose Board of County Commissioners shall establish Temporary General Assistance fund for burial expenses only.

**3. ELIGIBLE PERSONS**

Individuals or families may qualify to receive general assistance only if they:

- A. Are 18 years of age at date of application, the head of their own household, and responsible for the costs for which assistance is requested; and
- B. Are needy, meaning they have no available income or resources to cover burial expenses; and
- C. Furnish proof they have applied and exhausted all other available sources of assistance, including other available government or other charitable resources; and
- D. Do not have immediate family, which shall be defined to include parents, children and siblings, who are financially able to provide assistance; and
- E. Have not refused to apply for and are not in non-cooperative status with regards to other local, State, or Federal assistance programs which could address the current request for assistance; and
- F. Except for the provisions for transients and for burial assistance contained in this Ordinance, applicants must be current residents of and have so resided in Montrose

County for a period of ninety (90) days prior to the date of application for general assistance.

#### **4. BENEFITS**

- A. Burial Expenses- The burial expenses of any person who dies within the county and who does not leave sufficient funds for such burial and whose immediate family is either financially unable to provide for such burial or cannot be contacted within a reasonable time, but in no case longer than that set forth in C.R.S. 12-54-108(2), as amended, and under the circumstances described therein, shall be paid up to the scheduled benefit amount. General assistance payments shall only be paid upon presentation of an invoice from a funeral home and no payments shall be paid for funeral service expenses other than burial or cremation expenses.

#### **5. PAYMENT OF BENEFITS AND REIMBURSEMENT**

Applicants shall be responsible for paying a portion of the cost of the necessary benefit whenever possible. Unless otherwise provided in this Ordinance or where not practical, payments shall be made directly to the vendor supplying the benefit. Payment of benefits may be withheld pending verification of information or completion of documents, forms or other program requirements, including any such forms, documents or other information that may be necessary to determine eligibility for benefits and to ensure that applicants have applied for available benefits from other agencies or resources.

If at any time the recipient of general assistance acquires funds or other property, he or she shall be answerable to the county for the expense of the relief furnished. If the recipient fails to reimburse the county upon demand, the county may assert its claim for reimbursement in any court of competent jurisdiction.

#### **6. APPEALS**

An applicant has the right to appeal a decision regarding the award or denial of benefits to the Montrose County Board of County Commissioners by submitting a written request for a hearing with ten (10) days from the state of such decision.

#### **7. SCHEDULE OF BENEFIT AMOUNTS**

**TIME LIMITS:** Applicants may receive general assistance regardless of amount or purpose only once every twelve (12) month period.

**BURIAL EXPENSES:** Shall not exceed \$500 for cremation and \$1000 for burial.

NOW THEREFORE BE IT ORDAINED, that the Board of County Commissioners of Montrose County, Colorado, does hereby approve and adopt the foregoing revisions and amendments to the Montrose County standards and guidelines for temporary general assistance.

BE IT FURTHER ORDAINED, that the standards and guidelines for temporary general assistance as set forth in the Montrose County ordinance 2009-01 are hereby repealed.

BE IT FURTHER ORDAINED, that these Regulations shall become effective immediately upon adoption and shall apply to all applications for general assistance submitted as of the date of adoption of these standards and guidelines.

Adopted this 21<sup>st</sup> day of November, 2011.

ATTEST:

Marie Simons  
Deputy Clerk to the Board



BOARD OF COUNTY COMMISSIONERS:

Gary Ellis  
David White, Commissioner  
Gary Ellis  
Ron Henderson  
Gary Ellis, Commissioner  
Ron Henderson  
David White  
Ron Henderson, Commissioner  
David White

This Ordinance is scheduled for 1<sup>st</sup> Reading and Public Hearing on Monday, November 21, 2011 at 9:37 a.m in the Commissioners Meeting Room, 161 South Townsend Avenue, Montrose.

This Ordinance is scheduled for 2<sup>nd</sup> Reading and Public Hearing on Monday, December 21, 2011 at 1:48 p.m in the Commissioners Meeting Room, 161 South Townsend Avenue, Montrose.

ATTEST:

I, Marie Simons, Montrose County Deputy Clerk, attest that the foregoing ORDINANCE AMENDING THE MONTROSE COUNTY STANDARDS AND GUIDELINES FOR TEMPORARY GENERAL ASSISTANCE, ORDINANCE #2011-02, was read at a meeting of the Board of County Commissioners and has been published in full in a newspaper of general circulation in compliance with CRS 30-15-406.

Marie Simons  
Deputy Clerk

