

**Ordinance 11.11**  
**Public Assistance, Welfare, Work Relief (R82.9)**

THE VILLAGE BOARD OF THE VILLAGE OF PARK RIDGE ORDAINS AS FOLLOWS:

**Section I. POLICY**

The Village of Park Ridge shall comply with the requirements of Chapter 49 of the Wisconsin Statutes to insure that all eligible dependent persons within the Village are provided general public assistance for themselves and for their school age children, of a kind and quality adequate to support life, health and welfare at a level commensurate with the standards of decency, safety and sanitation expected by citizens of Wisconsin.

**Section II. ORGANIZATION AND DEFINITIONS**

1. **Organization**

- A. The Director of the program shall be the Village Clerk unless provided otherwise by resolution of the Village Board. The Village Clerk shall be responsible for the maintenance of all required records of the program.
- B. The Board of Review shall be the Village Board, unless otherwise provided by the Village Board.

2. **Definitions**

- A. APPLICANT means any person who is or may be eligible for general relief from the Village under these standards and Chapter 49 of the Wisconsin Statutes.
- B. VILLAGE means the Village of Park Ridge.
- C. DENIAL means refusal to approve or grant benefits to an applicant and includes the termination or modification of previously approved benefits or reduction of a public assistance recipient's benefit levels.
- D. BOARD OF REVIEW means the board responsible for making the determination on an appeal from a denial of public assistance.
- E. COUNTY means Portage County.
- F. DEPENDENT PERSON OR DEPENDENT means a person without the present available money, income, property, credit or other means by which the same can be presently obtained, sufficient to provide necessary commodities and services as specified in this ordinance.
- G. DIRECTOR means the relief director or his designee.
- H. ELIGIBLE means a person who is dependent as defined in f. above.
- I. EMPLOYMENT means full time or part time work for compensation.
- J. RELIEF, ASSISTANCE OR PUBLIC ASSISTANCE, mean such services, commodities or money as reasonable and necessary under the circumstances to provide food, housing, clothing, fuel, light, water, medicine, medical, dental and surgical treatment (including hospital care), optometrical services, nursing, transportation and funeral expenses and includes wages for work relief.
- K. GROUP means all eligible persons listed on an application for assistance, who reside with the primary applicant and are dependent on the primary applicant for financial support.

- L. SHELTER COST means rent payments and mortgage payments, escrow account required by, the lender, principal payments made on mortgages and land contracts and reasonable charges for utilities.
- M. WORK RELIEF means any money paid to dependent persons entitled to relief who have been required by the Village to work on any work relief project.
- N. WORK RELIEF PROJECT means any undertaking performed in whole or in part by persons receiving work relief.

**Section III. RELIEF ADMINISTRATION**

- 1. The Village of Park Ridge shall furnish relief only to eligible dependent persons therein.
- 2. The Village Clerk shall be responsible for receiving all initial documentation from applicants and verifying same.
- 3. The Committee on Public Welfare is designated as the Committee which approves or disapproves all Village-eligible applications. Members of the Committee shall be appointed and shall serve at the pleasure of the Village Board. This Committee shall convene as soon as practical, but not later than seven (7) working days, after the request is filed with the Clerk.
- 4. The Village Clerk shall process all non-resident applications and forward documentation to the applicable municipality or county as required by law.

**Section IV. ELIGIBILITY REQUIREMENTS**

- 1. All eligibility definitions shall be as defined in Section 49.01 Wisconsin Statutes.
- 2. All legal settlement determinations shall be in accordance with Section 49.10 Wisconsin Statutes.

**Section V. APPLICATIONS FOR PUBLIC ASSISTANCE**

Each applicant shall complete a written application for public assistance on a form or forms supplied by the Village. Such an application shall be signed, sworn to and dated by the applicant. The completed application shall be retained by the Director and shall be available for inspection by the applicant and the staff or designated representative of a public assistance agency filed upon by non-resident notice or directly involved.

**Section VI. INVESTIGATION**

Upon receiving an application for relief, the Direction and/or Committee on Public Welfare shall examine the applicant regarding the factual circumstances supporting his or her claim to eligibility and needs and the corresponding amounts and thereafter shall make such other investigation as deemed reasonably necessary under the circumstances.

**Section VII. DENIALS OF RELIEF AND APPEAL RIGHTS**

- 1. **Basis for Denial.** Except when an application is withdrawn, public assistance in accordance with these guidelines shall not be denied except for one or more of the following reasons:
  - A. Applicant does not meet the standards of eligibility set forth herein.
  - B. Applicant has refused to submit a written application or to complete any portion of the application form or to sign his or her application.
  - C. Applicant has failed or refused to supply sufficient information from which the Director and/or Committee on Public Welfare can form a good faith belief as to the applicant's identity, residence history, or eligibility for public assistance.

- D. Recipient/applicant has failed or refused to seek or obtain employment or to register for employment with the Wisconsin Job Service after applicant has been given notice and opportunity to do so. Notice and opportunity to seek or obtain employment shall be deemed to mean the recipient/ applicant has been notified of at least two suitable job opportunities commensurate with his or her physical ability, training and skills, and has failed or refused to contact the prospective employer or to make application for such job opportunity or to accept the position if offered.
- E. Recipient/applicant has failed to sign an assignment of claim for third-party liability agreement as provided by Section 49.65 of the Wisconsin Statutes.
- F. Recipient/applicant's eligibility or need is dependent on the truth of a representation which the Director and/or Committee on Public Welfare has reasonable cause to believe to be a false representation.
- G. Applicant/recipient has refused a bona fide offer of employment or training without good cause, or has accepted and subsequently given inadequate performance through willful neglect.
- H. Applicant/recipient has refused to or failed to take full advantage of other resources available.
- I. Applicant/recipient has refused or failed to cooperate with the investigation by the Director or Committee on Public Welfare of the validity of his or her application.

2. **Denials**

- 3. **Denials to State Reason.** Denials shall state the specific reasons for the denial in plain language. Written denials shall be mailed out by certified mail to the address given in the application within three working days of the date of denial. Denial shall be deemed delivered when so mailed.
- 4. **Written Denials to be Filed.** The Director shall maintain a file of all written denials and supporting reasons.
- 5. **Denials to Include Notice of Appeal Rights.** Each denial shall include a notice to the applicant of his or her right to appeal such denial as set forth in these standards and policies.
- 6. **Failure to Respond Deemed Denial.** Failure of the Director to respond to a written application for assistance within ten working days shall be deemed denial of the applicant's request. The Director shall nevertheless provide the applicant with the notice of his or her right to appeal such denial as set forth in these standards and policies.

**Section VIII. APPEALS**

- 1. Any applicant denied relief by the Director or Committee on Public Welfare shall have the right of appeal as provided in Chapter 68, Wisconsin Statutes.
- 2. Any hearing so requested shall be held before an impartial person who has not participated in the decision under review. A hearing must be requested within 30 days after receipt of the denial.
- 3. Any hearing so requested must be held within ten days after the request is received. If the hearing is not held within ten days, the applicant shall be provided with relief until such time as a hearing is held and a decision is rendered.
- 4. The applicant at the hearing shall be granted the opportunity to present evidence and argument in person or by a representative.
- 5. The applicant shall be given the opportunity to cross-examine all witnesses relied upon by the relief agency.
- 6. The decision must rest upon evidence presented at the hearing and where there is an issue of credibility or veracity, the decision may not rest on mere uncorroborated hearsay.

7. A written decision shall be issued no later than five working days after the hearing and shall indicate the reasons for the final determination and the evidence relied upon in reaching that determination.
8. In the alternative and in lieu of the foregoing method of appeal, the applicant may seek judicial review by writ of certiorari within thirty days of date of denial. The applicant's rights of review in this respect are set forth in Sec. 68.13 of the Wisconsin Statutes.

#### **Section IX. GENERAL STANDARDS AND STATUS REQUIREMENTS**

1. **Generally.** Relief shall be granted to any eligible dependent person by the proper authorities of the Village in accordance with the standards in this section. Age or transient status or student status of any applicant shall not in itself be a bar to receiving relief from the Village. The Director and/or Committee on Public Welfare may approve prorated daily payments of assistance until such time as arrangements have been completed for relief under another program administered by the County or the State.
2. **Income Standards.** Persons whose monthly incomes equal or exceed the maximum allowance provided under the sub-section entitled "Schedules of Assistance" shall be presumed to be non-dependent and ineligible for aid unless the committee determines that special facts and circumstances exist which pose an immediate threat to life, health or safety. All income on hand or readily available, without regard to deductions for debt payments, must be considered in determining financial eligibility for relief under this program, including any public assistance readily available under other relief programs of the State, Federal or County governments.
3. **Asset Standards.** Except as otherwise specifically provided in this sub-section, all assets which are readily convertible into cash shall be considered in determining financial eligibility for public assistance.
  - A. **Home Ownership.** Owning the home and furnishings where the applicant lives shall not act as a bar to receipt of assistance.
  - B. **Insurance.** An insurance policy with a cash or loan value of \$300.00 or less shall not act as a bar to receipt of assistance.
  - C. **Motor Vehicle.** Ownership of an automobile or truck shall not be a bar to receipt of assistance from the Village except that debt payment on motor vehicles shall not be deducted from income in determining financial eligibility. No payments shall be made for purchases of automobiles or other motor vehicles. No assistance shall be granted for use of unregistered vehicles or for use of a vehicle by persons not holding a valid vehicle operator's license. Assistance for use of automobiles, motorcycles or trucks will be granted when that use is necessary to provide transportation for the following reasons: medical treatment, employment and purchase of basic needs. Liability insurance is recommended. Assistance for the use of privately owned vehicles will only be provided in those cases where mass transit is unavailable or in cases of exceptional hardship. Only one vehicle per person or family shall be deemed necessary.
  - D. Failure to apply or to take necessary steps to apply non-exempt assets to the support of applicant and applicant's dependents shall be cause for the denial or termination of assistance.

#### **Section X. EMPLOYMENT STANDARDS**

1. **Employable Applicants.** Employable applicants shall register with Wisconsin Job Service. Persons determined by the Director and/or Committee on Public Welfare to be employable but who refuse to seek employment shall not receive public assistance. An employable applicant or recipient who fails or refuses to register and to maintain a valid registration for employment shall be presumed to be ineligible for assistance under this standard, except initial relief shall not be denied for failure to register for employment prior to application unless the applicant has been given notice and opportunity to register prior to application. Any change of employment status or Job Service registration shall be immediately reported to the Village Clerk, who may recommend the termination of benefits if efforts to seek employment are not maintained by an employable recipient.
2. **Work Relief Program**

- A. Insofar as is practical within the work needs of the Village, the Village of Park Ridge shall maintain a continuing work relief program for all eligible welfare recipients.
  - B. The Village requests each County and/or other municipality to notify each recipient whose legal settlement is presumed to be within the Village of Park Ridge of the work relief program within the Village.
  - C. The Village, upon receiving a non-resident notice pursuant to Section 49.11 (4) Wisconsin Statutes, for recipients whose legal settlement is presumed to be in the Village of Park Ridge shall contact the forwarding county or municipality (if within Portage County) with the request that if such county or municipality has a work relief program, the recipient in question shall be certified for placement therein.
  - D. The Village of Park Ridge shall deny any claims submitted by a county or municipality for general relief for any recipient who refuses to accept a bona fide offer of employment from said county or municipality without good cause. Documentation as to the recipient's refusal shall be submitted to the Village.
3. **Work Relief.** The Committee on Public Welfare through the Director may offer work relief to any applicant for employment directly by the Village or by any other governmental unit under any program established by the County. Persons accepting work relief shall be compensated for such work relief in accordance with the applicable assistance schedule and budget established by this ordinance but not less than the prevailing federal minimum wage rate. Part-time work relief shall be prorated as provided in this ordinance. Any applicant or person receiving assistance from the Village who refuses work relief offered by the Director and/or Committee on Public Welfare without a compelling reason, such as physical incapacity verified by a physician's statement shall be denied or terminated from assistance. The provisions of Section 49.05 Wisconsin Statutes shall apply to work relief granted by the Village.
4. **Eligibility for Other Programs.** An applicant who is awaiting income sufficient to meet basic needs or whose aid or other condition qualifies him or her for Social Security or other benefits shall be eligible for relief on an interim basis if other eligibility requirements for this program are met; provided all applicants who upon initial interview appear eligible for resources other than general relief shall be referred immediately by the Director to proper resources including, but not necessarily limited to:
- A. The County Department of Social Services.
  - B. Veteran's Service Offices.
  - C. Wisconsin Department of Vocational Rehabilitation.
  - D. Social Security Administration
  - E. Unemployment Compensation Division of Wisconsin Department of Industry, Labor and Human Relations.
  - F. Wisconsin Job Service.
5. **Actual Receipt of Other Assistance.** The receipt of public assistance from another agency or program shall not, in itself, act as a bar to receipt of public assistance from the Village provided the applicant demonstrates to the Director or the Committee on Public Welfare the existence of needs which are not being met by such other public assistance agencies or programs, and that the benefit levels received by the applicant are not adequate to meet the applicant or recipient's needs.
6. **Reimbursement Agreements.** Applicants shall be allowed to consult with their attorneys or other counsel before signing a reimbursement agreement pursuant to Section 49.65 Wisconsin Statutes. Aid may be paid pending execution of such agreement.

**Section XI. SCHEDULES OF ASSISTANCE**

1. The Committee on Public Welfare shall grant assistance based on consideration of the following schedule, subject to adjustments or proration permitted or required under this ordinance.

**MONTHLY ALLOWANCE**

<b>Group Size</b>	<b>Minimum Allowance</b>	<b>Maximum Allowance</b>
1	\$150	\$192
2	\$266	\$341
3	\$314	\$402
4	\$373	\$478
5	\$429	\$550
6	\$463	\$594
7	\$500	\$644
8	\$532	\$682
9	\$550	\$715
10	\$550	\$732

2. The allowances provided above are maximum allowances, and a lesser allowance may be provided, based on the budget deficit determined.
3. These schedules may be reviewed at least annually by the Village Board to adjust for increases or decreases in the cost of living.
4. Funeral and burial expense shall not exceed necessary and reasonable charges authorized by the Committee on Public Welfare on an as needed basis.

**Section XII. BUDGET AND DISTRIBUTION OF AID.**

1. **Assistance Budget.** The Director and/or Committee on Public Welfare shall prepare a budget for each applicant. All income and nonexempt assets on hand or readily available to the applicant shall be subtracted from the budgeted needs. The amount of the resulting budget deficit, if any, shall be the amount of assistance to which the applicant is entitled.
2. **Assistance Limited to Need.** In determining the amounts of the budgetary deficit, no allowance shall be provided for relief unless a demonstrated need exists, and shall be limited to the extent of such demonstrated need.
3. **Assistance Prorated.** The assistance allowed for any applicant or recipient may be prorated on the basis of any part-time work relief received, or on the basis of any support received from non-dependent persons because of a shared living arrangement.
4. **Excess Aid.** Aid in amounts greater than those provided in the "Schedules of Assistance" shall be granted by the Committee on Public Welfare only for significant additional needs that are not otherwise being met. The Director shall maintain records for any deviation from the schedule of aids set forth herein and shall make such records available for inspection by the designated representative of a public assistance agency filed upon by non-resident notice or directly involved.
5. **Form of Grant.** Assistance may be granted in cash, in kind or by the vendor/voucher system payable directly to the merchant, medical facility, physician, grocery store, furnishing merchant or other vendor.

**Section XIII. HEALTH AND MEDICAL ASSISTANCE.**

1. **Nonemergency Assistance.** Nonemergency relief in the nature of medicine, medical, dental and surgical treatment (including hospital care), optometrical services, nursing and funeral expenses shall require prior written authorization from the Director and shall be given in amounts that are reasonable and necessary under the circumstances. In determining whether to approve any particular request for nonemergency health services, the Director and/or Committee on Public Welfare shall contact the

professional involved, if appropriate, to ascertain directly whether such services are reasonable and necessary.

2. **Emergency Assistance.** The Director and/or Committee on Public Welfare shall grant emergency medical, hospital or drug assistance to persons within the Village who are determined by him to be dependent persons and in need of immediate assistance to protect life or health, subject to the provisions of Chapter 49, Wisconsin Statutes.
3. **Limitation on Liability for Medical and Dental Care.** Chapter 317, Laws of 1981, contains provisions which authorize a municipality to limit its liability for medical and dental care furnished as general relief, including emergency care as provided under Section 49.02 (5) to the amount payable by medical assistance for similar care. The Village of Park Ridge does therefore limit its liability for all medical and dental care furnished as general relief to the amount of medical assistance for similar care. All Health and Dental Care Providers shall certify that the amount billed in a particular case is not greater than the amount they would be reimbursed for by Medical Assistance.

#### **Section XIV. PRORATION OF ASSISTANCE**

The Director and/or Committee on Public Welfare may provide assistance on a daily, weekly, bimonthly or monthly schedule prorating the benefits furnished. Grants made on a weekly basis shall be prorated on the basis of 7/30th of the monthly allowance. Bimonthly grants shall be 50% of the monthly allowance.

#### **Section XV. PENALTIES**

Any person shall be subject to the penalties stated in Section 49.12 of the Wisconsin Statutes, if he or she commits any of the following acts:

1. Willfully makes a false representation on an application.
2. Does any act designed to interfere with the proper administration of public assistance.
3. Sells or exchanges supplies or articles furnished him/her as assistance or who disposes of such supplies or articles in any way other than as directed.
4. Sends or brings or causes to be sent or brought or advises any dependent person to go to any municipality for the purpose of making him a charge upon such municipality.
5. Receives or solicits any commission or derives or seeks to obtain any personal financial gain through the administration of public assistance.
6. Fails to notify the Village Clerk of receipt of income or assets.
7. Uses money, checks, vouchers or other things of value as relief for purposes other than as directed.
8. Makes any statement in a written application for aid not correct or valid.
9. Obtains for himself/herself or any other person or dependents or both, assistance when the facts as originally stated have changed.

#### **Section XVI. EFFECTIVE DATE**

This ordinance shall become effective upon passage and publication.

#### **Section XVII. NOTIFICATION TO COUNTIES**

Upon passage and publication, the Village Clerk is directed to contact each County within the State of Wisconsin and notify same of the passage of this ordinance.

Passed and adopted by the Village Board of the Village of Park Ridge on this first day of January, 1996.