

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2017

COUNCIL BILL NO. CB17-
COMMITTEE OF REFERENCE:

Safety, Housing, Education & Homelessness

A BILL

For an ordinance amending Article IV, Chapter 29 of the Denver Revised Municipal Code relating to temporary general assistance.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That section 29-81 et seq. of the Denver Revised Municipal Code ("D.R.M.C.") shall be amended by adding a new section 29-87 with the language underlined and deleting the language stricken, to read as follows:

Article IV. – Temporary general assistance

Sec. 29-81. - Intent.

It is the intent in the enactment of this article to establish by ordinance a temporary general assistance program pursuant to C.R.S. 1973, 30-17-101, et seq. It is not the intent to create a new or different program or to increase city expenditures, appropriations or commitments beyond those existing prior to the enactment of C.R.S. 1973, 30-17-101 et seq., on June 8, 1981.

(Ord. No. 634-00, § 4, 8-14-00; Ord. No. 90-07, § 1, 2-26-07)

Sec. 29-82. - Resident defined.

As used in this article, "resident" means any individual who is living within the state other than temporarily and who is present in the city.

(Ord. No. 634-00, § 4, 8-14-00; Ord. No. 90-07, § 1, 2-26-07)

Sec. 29-83. - Emergency assistance.

(a) *Eligibility.* Temporary general assistance may be granted for temporary emergency housing or shelter needs.

(b) *Limitations.* The temporary general assistance granted under this section shall be limited to emergency housing and shelter or costs related directly thereto as determined in accordance with the rules of the department of human services.

(c) *Duration.* Temporary general assistance granted under this section shall not extend more than ninety (90) consecutive days or be paid in excess of ninety (90) total days in any calendar year.

(d) *Conditions.* No temporary general assistance shall be paid under this section until the applicant therefor shall have established in accordance with the rules of the department of human services that an emergency exists for housing and shelter and that there are no funds available with which to meet the emergency.

(e) *Amount.* The amount of assistance paid under this section shall be limited by the rules promulgated

1 by the department of human services.

2 (f) *Agreements with third persons.* In carrying out the provisions of this section the department of
3 human services may make arrangements and agreements with persons and organizations to provide
4 services.

5 (g) *Delegation.* The department of human services is authorized under this section to delegate, in
6 accordance with the rules of the department of human services, determination of the eligibility of
7 persons to receive services hereunder.

8 (h) *Payments to vendors.* There will be no money payments made to recipients under this section.
9 Payments for services will be made directly to the providers thereof who have been selected by the
10 department of human services.

11 (Ord. No. 634-00, § 4, 8-14-00; Ord. No. 90-07, § 1, 2-26-07)

12 **Editor's note**— Ord. No. 90-07, § 1, adopted Feb. 26, 2007, repealed section 29-84 in its entirety and
13 renumbered former sections 29-85—29-87 as new sections 29-84—29-86. Former section 29-84
14 pertained to emergency short term food and shelter, and derived from Ord. No. 634-00, § 4, adopted
15 Aug. 14, 2000.

16 **Sec. 29-84. - Special emergencies.**

17 In addition to the temporary general assistance specified hereinabove in section 29-83, the manager of
18 human services shall have authority to expend temporary general assistance not more than ten (10)
19 percent of the monies appropriated in any fiscal year to meet special emergencies as defined and limited
20 in rules adopted by the department of human services.

21 (Ord. No. 634-00, § 4, 8-14-00; Ord. No. 90-07, § 1, 2-26-07)

22 **Editor's note**— See editor's note following section 29-83.

23 **Sec. 29-85. - Burials and cremations.**

24 A decent burial or cremation shall be furnished for any person, in accordance with the rules of the
25 department of human services and public health and safety standards, who is a resident of or who dies
26 within the city who does not leave sufficient funds for such burial or cremation and whose family is
27 either financially unable to provide for such burial or cannot be contacted within a reasonable time.

28 (Ord. No. 634-00, § 4, 8-14-00; Ord. No. 90-07, § 1, 2-26-07)

29 **Editor's note**— See editor's note following section 29-83.

30 **Sec. 29-86. - Repayment of assistance.**

31 If at any time any person who has received temporary general assistance acquires funds or other property,
32 that person may be liable to repay all temporary general assistance granted, within the statute of
33 limitations. The recipient of temporary general assistance may repay such assistance from public
34 assistance grants or other public benefits covering the same period of time if no other funds are available.
35 Where appropriate, the applicant for temporary general assistance may be required to execute
36 assignments, transfers, notes or mortgages to insure repayment of temporary general assistance from
37 assets, resources or anticipated income.

38 (Ord. No. 634-00, § 4, 8-14-00; Ord. No. 90-07, § 1, 2-26-07)

1 **Editor's note**— See editor's note following section 29-83.

2 **Sec. 29-87. Records of general assistance.**

3 (a) Use and disclosure. Use and disclosure of general assistance records shall be restricted to purposes
4 directly connected with the administration and billing or invoicing for the general assistance program. It
5 shall be unlawful for any person to solicit, disclose, or make use of or to authorize, knowingly permit,
6 participate in, or acquiesce in the use of any lists or names of or any information concerning persons
7 applying for or receiving general assistance, including directly or indirectly derived from records or
8 acquired in the course of the performance of official duties.

9 (b) Outstanding felony arrest warrants. Unless prohibited by state or federal law, based upon a written
10 request of a law enforcement agency, the department of human services shall provide law enforcement
11 agencies with information concerning the location of any person whose name appears in the department's
12 records who is the subject of an outstanding felony arrest warrant. Location information provided pursuant
13 to this section shall be used solely for law enforcement purposes.

14 (c) No civil liability. Neither the department of human services nor its employees or agents shall be
15 liable in civil action for providing information in accordance with part (b) of this ordinance.

16 (d) Law enforcement agency. As used here, "law enforcement agency" means any agency of the state or
17 its political subdivisions that is responsible for enforcing the laws of this state. "Law enforcement agency"
18 includes but is not limited to any police department, sheriff's department, district attorney's office, the
19 office of the state attorney general, and the Colorado bureau of investigation.

20 (e) Authorization. By requesting or accepting general assistance, an individual authorizes the
21 department of human services to use and disclose general assistance information consistent with this
22 ordinance.
23

24 COMMITTEE APPROVAL DATE: [REDACTED]

25 MAYOR-COUNCIL DATE: [REDACTED]

26 PASSED BY THE COUNCIL: _____
27 _____ - PRESIDENT

28 APPROVED: _____ - MAYOR _____

29 ATTEST: _____ - CLERK AND RECORDER,
30 EX-OFFICIO CLERK OF THE
31 CITY AND COUNTY OF DENVER

32 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

33 PREPARED BY: Debra R. Knapp, Assistant City Attorney DATE: [REDACTED]

34 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
35 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
36 ordinance.

37 Kristin M. Bronson, Denver City Attorney

38 BY: _____, Assistant City Attorney DATE: _____