

AN ORDINANCE PERTAINING TO GENERAL ASSISTANCE

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapters 46 of the Code of Ordinances of the City of Lewiston, Maine are hereby amended as follows:

CHAPTER 46

GENERAL ASSISTANCE

ARTICLE I. IN GENERAL

Sec. 46-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Eligible ~~person~~Person means a ~~person~~Resident who is otherwise qualified to receive general assistance from the municipality, according to the ~~standards~~requirements of ~~eligibility set forth in this chapter.~~ and 22 M.R.S. §4301(3). For purposes of this chapter, the term “Eligible person” ~~does not include a person who is a fugitive from justice as defined in Title 15, section 201, subsection 4~~ shall include all U.S. citizens and permanent residents aliens who otherwise meet the qualifications of this chapter. Eligible person shall also include a nonresident aliens who:

- (a) has been lawfully admitted or paroled into the United States and who is not unlawfully present under U.S. immigration and nationality law; or
- (b) is seeking benefits under United States immigration and nationality law, as evidenced by: a receipt notice or other documentation of a pending application for benefits or relief, a sworn statement from the Applicant’s attorney identifying the requested relief and confirming that the applicant has a meritorious basis for requesting the relief, or a sworn statement from the applicant identifying the requested relief and confirming that he or she is taking all reasonable steps necessary to obtain the relief; or
- (c) is an unaccompanied minor; or
- (d) is the parent, guardian, or sibling of a U.S. citizen who is a minor; or
- (e) is living in the United States with the knowledge and permission of the Department of Homeland Security (DHS) and DHS does not contemplate enforcing the applicant’s departure.

The term “Eligible Person” does not include a person who is a fugitive from justice as defined in 15 M.R.S. §201 or any person for whom the municipality is ineligible for

reimbursement in accordance with the rules, regulations, and statutes governing the State of Maine's General Assistance program. For purposes of this chapter, applicants who are Eligible Persons under subpart (b) of this definition may receive assistance for a period not to exceed 24 months.

ARTICLE II. APPLICATION PROCEDURE

Sec. 46-31. Right to apply.

- (a) *Who may apply.* ~~Anyone~~Any Eligible Person may apply for general assistance. The head of the family, any other responsible household member, or an authorized representative must apply in person, except in special emergency situations as provided in section 46-39 or except when the applicant is a resident of an emergency shelter and the municipality has made an agreement with that emergency shelter to presume shelter residents to be eligible for general assistance. The administrator may require a duly authorized representative to present a signed statement documenting that he is in fact authorized to apply for general assistance on behalf of the named applicant. The applicant or representative must complete a written application and any other required forms so that the administrator can determine eligibility.

ARTICLE III. ELIGIBILITY FACTORS

Sec. 46-61. Generally.

~~A person will be eligible for~~An Eligible Person may receive general assistance if he is in need and has complied with the eligibility requirements set forth in this article.