

RURAL MUNICIPALITY OF DUFFERIN

By-Law No. 1599

Being a by-law of the R.M. of Dufferin to provide for the granting of Municipal Assistance to persons in need.

WHEREAS the Municipal Act, R.S.M. 1988 requires each municipality to provide, by by-law for the granting of municipal assistance to persons in need and for the regulating and prescribing of conditions thereof:

AND WHEREAS the Social Allowances Act, S.M. 1959 requires a municipality to pass a by-law in accordance with the provisions of the said Act in order to qualify for payments by the Province of Manitoba to the municipality respecting assistance to persons in need;

AND WHEREAS it is expedient to authorize certain officers of the municipality to grant assistance in accordance with the standards hereinafter prescribed:

BE IT THEREFORE ENACTED as a By-Law of the Rural Municipality of Dufferin:

1. Definitions

Whenever used in this By-Law, unless the context otherwise requires:

- (a) Assistance - means aid in any form to or in respect of a person in need, for the purpose of providing basic necessities, services and care;
- (b) Authorized Officer - means the Secretary-Treasurer or Assistant Secretary-Treasurer of the Rural Municipality of Dufferin;
- (c) Municipality - means the Rural Municipality of Dufferin;
- (d) Council - means the Council of the Rural Municipality of Dufferin;
- (e) Financial Resources - means, with the exception of the exemption specified in this By-Law, one or more of the following:
 - (i) All the real and personal property of an applicant, a recipient or a dependant of the applicant or recipient, including the net income from any such property.
 - (ii) Allowances, pensions, insurance benefits, and income from business forming or any other source received by an applicant, recipient or a dependant of the applicant or recipient.
 - (iii) Gifts and gratuities whether in cash or in kind received by an applicant, recipient or a dependant of the applicant or recipient on a one time basis or otherwise.
 - (iv) The value attributed by the authorized officer to free shelter, free board or free lodging, received by an applicant, recipient or a dependant of the applicant or recipient.
- (f) Person in Need - means a person, 18 years of age or over, who resides in or is found in the municipality who is not in receipt of social allowance under The Social Allowances Act and who is in need of assistance within the meaning of the Social Allowance Act;
- (g) Reasonable Employment - means a remunerative work that the person to whom it is offered can reasonably perform, having regard to its physical and technical demands and that complies with the minimum requirement of the applicable labour laws of Manitoba;
- (h) Resident - as defined in The Municipal Act, R.S.M. 1988;

2. Application For Assistance

A person in need who applies to the authorized officer shall:

- (a) make written application in such prescribed form as provided by the authorized officer;
- (b) provide such information and evidence in support of his or her application as may be required by the authorized officer to determine his or her eligibility for allowance;
- (c) upon request by the authorized officer, to give written authorization for release of information by any person, bank, financial institution or any government department or agency respecting the financial, medical or other circumstances of the applicant.

3. Eligibility

- (1) In determining whether an applicant is eligible to receive assistance, the authorized officer shall take into account, according to the circumstances and needs of the applicant, the total cost of the basic necessities of the applicant and his dependants, from which he shall deduct the financial resources of the applicant and his dependants, and if the cost of the basic necessities is in excess of the financial resources he may give assistance.
- (2) An applicant shall not be considered a person in need and shall not be eligible for further assistance in the event that he or she has refused or terminated employment without just cause, unless in the discretion of the authorized officer exceptional circumstances exist permitting the granting of assistance.

4. Irregular Union

Where a man and a woman who are not legally married to each other are living together under circumstances that indicate to the authorized officer that they are living together as if they were married to each other, they shall, for the purposes of this by-law, be considered as legally married to one another and any application by either or both of them for assistance shall be dealt with in every respect as though they were married to one another.

5. Granting of Assistance

- (1) The authorized officer shall give assistance to or in respect of persons in need who are:
 - (a) legal residents of the Rural Municipality of Dufferin, and
 - (b) non-residents of the Rural Municipality of Dufferin where either the Government of Manitoba or the Government of Canada assumes responsibility for the costs thereof;in accordance with rates set out in Schedule "A" hereto attached.
- (2) Where a person is working, but the financial resources are less than the standards set out in Schedule "A", the authorized officer may furnish such persons with the difference between the financial resources and rates indicated in Schedule "A".

6. Continuing Eligibility

As conditions of continuing eligibility, each applicant and recipient is required:


- (a) to register with Canada Manpower and to continue to actively seek employment or job training assistance through Manpower and other sources;
- (b) in the case of a recipient who is not a child, to accept reasonable employment or vocation training necessary to improve or restore his capacity to support himself and his dependants;
- (c) to make application for unemployment insurance benefits if employed at any time in the past fifty-two weeks;
- (d) to make application for any benefits which may be available under any Act of the Province of Manitoba or Government of Canada, or from any other source;
- (e) to report to the authorized officer changes of circumstances as required for adjustment of assistance;
- (f) to use the assistance for the basic necessities and in the best interests of himself and his dependants;
- (g) to inform authorized officers of any plans to convert property assets and to obtain his approval of the plan before acting upon it.

Where the requirements of Section 6 are not met, assistance may be administered, reduced or cancelled at the discretion of the authorized officer.

7. Each recipient's circumstances shall be reviewed by the authorized officer periodically and not less than annually; and assistance shall be adjusted accordingly.

8. Authorized Officer May Discontinue or Vary Amount of Assistance
- (1) Where, on the basis of information received by him, the authorized officer is of the opinion that the assistance payable to a recipient should be discontinued or that the amount thereof should be reduced or increased, he may discontinue, reduce or increase assistance accordingly.
 - (2) The authorized officer shall notify an applicant or recipient in writing of any decision which denies, cancels, suspends, withholds or reduces assistance, setting forth the grounds for such decision, and shall advise the applicant, recipient or person as the case may be, that he has the right under The Social Allowances Act to appeal the decision to the appeal board and the right to be represented on appeal by counsel of his choice.
9. By-Law No. 1246 and any amendments thereto are hereby repealed.
10. Rates in Schedule "A" may be updated by resolution of Council when necessary.

DONE AND PASSED this 9th day of October A.D. 1990 at the
TOWN OF CARMAN in Manitoba.



REEVE



SECRETARY-TREASURER



Family Services

Income Security Division

301 — 267 Edmonton Street
Winnipeg, Manitoba, CANADA
R3C 1S2

(204) 945-2177

DEC 13 1990

TO: ALL MUNICIPAL ADMINISTRATORS

I am writing to advise you that the Government of Manitoba has announced an increase in the basic social allowances rates which cover the cost of food, clothing, personal needs and household supplies.

The rates will be increased by 4.5% effective January 1, 1991. This rate adjustment is based on the increase in the cost of living as measured by the overall Consumer Price Index for Winnipeg. A schedule of the new rates is attached for your information.

If you have any questions about this rate increase, please contact Sheila Gordon, Income Security Programs. Ms. Gordon can be reached at 945-0083.

Yours truly,

A handwritten signature in cursive script that reads "W Hodgins".

Winston Hodgins
Associate Deputy Minister
Income Security and
Management Services

Attachment

cc: Sheila Gordon

SCHEDULE

1 Food, clothing, personal needs for adult recipients and household supplies:

(a) the following amounts, subject to clauses (b) through (h):

Monthly Rates

Number of Children	12-17 Years	7-11 Years	0-6 Years	One Adult Person	Two Adult Persons
0	0	0	0	\$243.10	\$425.90
1	1	0	0	408.70	600.10
	0	1	0	370.80	562.20
	0	0	1	340.10	531.50
2	2	0	0	582.90	763.10
	0	2	0	507.10	687.30
	0	0	2	445.70	625.90
	1	1	0	545.00	725.20
	0	1	1	476.40	656.60
	1	0	1	514.30	694.50
3	3	0	0	745.90	943.50
	0	3	0	632.20	829.80
	0	0	3	540.10	737.70
	2	1	0	708.00	905.60
	2	0	1	677.30	874.90
	0	2	1	601.50	799.10
	1	2	0	670.10	867.70
	1	0	2	608.70	806.30
	0	1	2	570.80	768.40
	1	1	1	639.40	837.00

(b) for each additional child add: \$180.40 for 12-17 year olds, \$142.50 for 7-11 year olds and \$111.80 for 0-6 year olds, per month;

(c) for each child not living with his or her own family additional costs for clothing as required may be authorized by the director;

(d) for each employed adult an amount of \$22.80 per month may be added for work clothing;

(e) where a recipient is a patient in a hospital or prescribed institution, the amount may be apportioned in accordance with the terms authorized by the director;

(f) where a recipient by living arrangement does not require one or more of the basic necessities stated in clause (a) of this section, the amount may be apportioned in accordance with the terms authorized by the director;

(g) where assistance is provided in cases of short term unemployment or unemployability in accordance with subsection 12(6) of the regulation, the amount may be apportioned in accordance with the terms authorized by the director;

(h) the amount shall be apportioned in accordance with the terms authorized by the director to provide an allowance for clothing and personal needs for adult recipients where an allowance is provided under section 4 of this schedule.

- 4 Food and shelter away from home:
- (a) for board and room, general:
- (i) single person in the home of a relative: actual cost up to \$240. per month,
 - (ii) single person in a private boarding home: actual cost up to \$316. per month,
 - (iii) for a couple, add \$186. per month to the amount paid under subclause (i) or (ii), as the case may be;
- (b) for board and room, special for persons requiring care or supervision, or both:
- (i) single person in the home of a relative: actual cost up to \$374. per month,
 - (ii) single person in a private boarding home: actual cost up to \$478. per month,
 - (iii) for a couple where one requires special care, add \$133. per month to the amount paid under subclause (i) or (ii), as the case may be,
 - (iv) for a couple where both require special care, add \$261. per month to the amount paid under subclause (i) or (ii), as the case may be,
 - (v) single person whose living arrangement requires restaurant meals may be granted up to \$264. per month plus actual cost of room in lieu of room and board,
 - (vi) children boarding in foster homes and institutions: foster home or institutional rates as approved by the director,
 - (vii) in exceptional circumstances the director may approve the payment of actual costs in excess of the maximums stated in subclauses (i) through (vi),
 - (viii) maintenance in a licensed institution for care of the aged and infirm: the per diem rate approved by authorized governmental authority,
 - (ix) maintenance of a recipient of social allowances
 - (A) suffering from mental retardation, the aftermath of mental illness, or the infirmities associated with age, in a licensed or approved residential care facility at a level of care needed by the recipient and provided at the facility and as determined by the designated departmental staff, shall be at the rates established by the minister as follows:
 - Level 1 care up to \$479. per month
 - Level 2 care up to \$535. per month
 - Level 3 care up to \$591. per month
 - Level 4 care up to \$647. per month
 - Level 5 care up to \$703. per month
 - but a recipient in a residential care facility owned by a relative of the recipient is eligible for social allowance under subclause (b)(i) of this section and is not eligible for any further allowance under this paragraph,
 - (B) notwithstanding paragraph (ix)(A) and the repeal of Manitoba Regulation 59/79, those recipients who were receiving a social allowance in accordance with the rates specified in paragraph (ix)(A) as enacted by Manitoba Regulation 59/79 shall continue to be eligible to receive and shall continue to receive a social allowance in accordance with that regulation until the minister determines otherwise.

... in the cost of living as measured by the overall Consumer Price Index for Winnipeg. Since each item of need (e.g., food, clothing, personal needs and household supplies) will be adjusted by the overall CPI, the increase will not vary depending on each family's composition and needs. The new rates are as follows:

Food, clothing, personal needs for adult recipients and household supplies:

(a) the following amounts, subject to clauses (b) through (h):

Number of Children	Monthly Rates				One Adult Person	Two Adult Persons
	12-17 Years	7-11 Years	0-6 Years			
0	0	0	0		\$232.60	\$407.60
1	1	0	0		391.00	574.30
	0	1	0		354.70	538.00
	0	0	1		325.30	508.60
2	2	0	0		557.70	730.40
	0	2	0		485.10	657.80
	0	0	2		426.30	599.00
	1	1	0		521.40	694.10
	0	1	1		455.70	628.40
	1	0	1		492.00	664.70
3	3	0	0		713.80	903.00
	0	3	0		604.90	794.10
	0	0	3		516.70	705.90
	2	1	0		677.50	866.70
	2	0	1		648.10	837.30
	0	2	1		575.50	764.70
	1	2	0		641.20	830.40
	1	0	2		582.40	771.60
	0	1	2		546.10	735.30
1	1	1		611.80	801.00	

	FOOD	CLOTHING	PERSONAL NEEDS FOR ADULTS
Adults	\$117.00	\$30.70	\$51.30 (single adult)
12-17 years	130.00	39.20	38.10 (each adult in a family)
7-11 years	106.80	26.10	
0-6 years	77.40	26.10	25.70 (general hospital and prescribed institutions)
<u>Add-ons:</u>			<u>Household Supplies</u>
one person		23.40	10.20 (unit)
each of two persons		11.20	3.40 (each additional person)
each of three persons		5.50	

These separated rates will add up to the combined rates in all cases.

6. The following changes and additions will be made to the therapeutic diet rates effective January 1, 1990:

- i) Diabetic Diets:
 - 10,500 KJ (2,500 kcal) add \$ 94.42 to the budget
 - 12,000 KJ (2,800 kcal) add \$115.66 to the budget
 - 12,500 KJ (3,000 kcal) add \$120.51 to the budget
- ii) Controlled Fat Diet No. 2 add \$32.40 to the budget
 - (Low total fat)
 - (Gall Bladder)
 - *(Restricted Fat)

*denotes an addition

7. In accordance with policy, the work clothing rate for those working half-time or less will be \$10.90.

8. The rent guidelines ~~will increase by 3.0% effective January 1, 1990. The new guidelines are as follows:~~

Family Size	Basic Rent	Inclusive of Fuel and Utilities
1 person	\$225.00 232 ⁰⁰	\$ 263.00 271.00
2 persons	263.00 271 ⁰⁰	358.00 369.00
3 persons	287.00 296.00	398.00 410.00
4 persons	325.00 335.00	435.00 448.00
5 persons	342.00 352.00	451.00 465.00
6 persons	358.00 369.00	474.00 488.00

The above rates become effective January 1, 1990.

- b) for each additional child add: \$172.60 for 12-17 year olds, \$136.30 for 7-11 year olds and \$106.90 for 0-6 year olds, per month;
- (c) for each child not living with his or her own family additional costs for clothing as required may be authorized by the director;
- (d) for each employed adult an amount of \$21.80 per month may be added for work clothing;
- (e) where a recipient is a patient in a hospital or prescribed institution, the amount may be apportioned in accordance with the terms authorized by the director;
- (f) where a recipient by living arrangement does not require one or more of the basic necessities stated in clause (a) of this section, the amount may be apportioned in accordance with the terms authorized by the director;
- (g) where assistance is provided in cases of short term unemployment or unemployability in accordance with subsection 12(6) of the regulation, the amount may be apportioned in accordance with the terms authorized by the director;
- (h) the amount shall be apportioned in accordance with the terms authorized by the director to provide an allowance for clothing and personal needs for adult recipients where an allowance is provided under section 4 of this schedule.

Food and shelter away from home:

- (a) for board and room, general:
 - (i) single person in the home of a relative: actual cost up to \$230. per month,
 - (ii) single person in a private boarding home: actual cost up to \$302. per month,
 - (iii) for a couple, add \$178. per month to the amount paid under subclause (i) or (ii), as the case may be;
- (b) for board and room, special for persons requiring care or supervision, or both:
 - (i) single person in the home of relative: actual cost up to \$358. per month,
 - (ii) single person in a private boarding home: actual cost up to \$457. per month,
 - (iii) for a couple where one requires special care, add \$127. per month to the amount paid under subclause (i) or (ii), as the case may be,
 - (iv) for a couple where both require special care, add \$250. per month to the amount paid under subclause (i) or (ii), as the case may be,
 - (v) single person whose living arrangement requires restaurant meals may be granted up to \$253. per month plus actual cost of room in lieu of room and board,
 - (vi) children boarding in foster homes and institutions: foster home or institutional rates as approved by the director,
 - (vii) in exceptional circumstances the director may approve the payment of actual costs in excess of the maximums stated in subclauses (i) through (vi),
 - (viii) maintenance in a licensed institution for care of the aged and infirm: the per diem rate approved by authorized governmental authority,