

ALLEN COUNTY CODE TITLE 1 GENERAL PROVISIONS

ARTICLE 15 POOR RELIEF PROVISIONS

1-15-1 Chapter 1: Notice of Appeal

Within 15 days of the issuance receipt of a written denial from a township trustee, an aggrieved party may request a hearing before the Board of Commissioners of the County of Allen on forms provided by said Board.

Upon receipt of said notice by the Board, the Board shall forward to the township said appeal and said township shall place on file with the Board the appellant's file, all said documentation shall be placed on file with the Board within two working days of the receipt of the notice of appeal. All such evidence shall be available to the aggrieved party prior to the hearing.

1-15-2 Chapter 2: The Hearing

1-15-2-1

The Board shall set a hearing not less than three working days from the date of the appeal nor more than 10 days thereafter. For the purpose of calculating said time period, the day upon which the appeal is filed shall not be counted. Written notice shall be given to the aggrieved party and township trustee of the hearing date.

1-15-2-2

Either party may request that subpoenas for either the attendance or witnesses or production of documents be issued for the hearing. A request shall be in writing, on forms provided by the Board, and must be made at least two working days prior to the hearing. Preparation of the subpoenas shall be the responsibility of the requesting party. Subpoenas for such purposes are available at the Board's office.

1-15-2-3

The hearing of the appeal shall be informal and the rules of evidence, as otherwise applicable in the State of Indiana shall not apply. The township shall proceed first, followed by the appellant, with the township being granted the right to rebut.

1-15-2-4

All persons presenting evidence shall swear or affirm to the truthfulness of same unless such swearing or affirmation is in violation of their religious principles. Each party to the proceeding will be allowed to cross examine any witness and the hearing officer acting on behalf of the Board shall also be allowed to question any witness.

1-15-2-5

The Board shall make a finding, in writing, within five working days after the hearing. Such finding shall state the legal and factual basis for same and advise the losing party of the right to judicial reviews as well as the appellant to his or her right to free legal counsel for the indigent.

1-15-3 Chapter 3: Township Procedures and Rules

1-15-3-1

Each township shall file with Board of Commissioners a copy of its current relief standards for determining eligibility and rules for applicants, if any.

1-15-4 Chapter 4: Effective Date

1-15-4-1

This Ordinance shall be effective July 1, 1996.

1-15-5 Chapter 5: Passage

1-15-5-1

Passed this 26th day of June 1996.