

Submitted by: Council President Johnathan F. Austin

Recommended by: Council President Johnathan F. Justin

ORDINANCE NO. 17-50

SECTION 1.

BE IT ORDAINED by the City Council of the City of Birmingham that Section 1 of Ordinance No. 17 adopted February 28, 2017 establishing the Healthy Food Incentive Program for the City of Birmingham and hereby is amended to provide that the starting date for applications shall be May 1 to amend the requirements for the program as follows:

SECTION 4. QUALIFIED PARTICIPANTS

Every person desiring to participate in the program shall submit to the administrator a verified application form signed under oath with the necessary documentation required in accordance with the rules to be adopted by the City Council. Application must be filed between May 1 and June 30 of each year. The administrator shall review applications to determine if the applicant satisfies the qualifications set forth in this ordinance and shall distribute healthy food incentive cards to qualified participants beginning August 1 of each year. Healthy food incentive cards must be used between August 1 of the year in which application is made and approved and June 1 of the following year. Any healthy food incentive cards issued but not used within such time period shall be forfeited. Healthy food incentive cards shall not be transferable.

Each applicant for a healthy food incentive card must satisfy the following requirements to be eligible to participate in the program:

1. (a) Applicant must be at least eighteen years old and have been a full time resident of the City for a full twelve month period prior to making application for the year for which healthy food incentive cards are being applied for. Applicant must provide proof of identity and proof of residency. Proof of identity shall be demonstrated by providing a copy of driver's license or other State of Alabama or Federal photo identification and birth certificate. Proof of residency shall be provided using copies of a deed or a lease, and utility bills for the residence. Proof of residency must demonstrate at least twelve consecutive months residency in the City of Birmingham during the twelve month period.
- (b) Applicants meeting one or more of the following criteria shall be presumed to be eligible for the program:

- i. Applicants whose income at or below 200 percent of the current federal poverty guidelines as defined by the U.S. Department of Health and Human Services ;
- ii. Applicants currently enrolled in SNAP ;
- iii. Applicants currently enrolled in WIC ;

2. If an applicant is an individual, the applicant must establish that he or she has not been claimed as a dependent on anyone other than a qualified participant or applicant's tax return for the year for which a rebate is claimed ;

3. No household shall be eligible for more than one healthy food incentive award ;

4. Termination of eligibility shall be made by the administrator based on information and sworn application from the applicant which shall include a copy of the applicant's tax return for the preceding year. The administrator may require additional documentation of income eligibility, including but not limited to, W-2 forms for 19 forms, Social Security income statements, asset statements, or other similar documentation as necessary ;

5. The City Council shall have the authority to annually adjust the maximum eligible and healthy food incentive amounts consistent with the change in area median family income. The adjusted maximum eligible and healthy food incentive amounts shall be published on the City's website; and

6. No City employee, nor the spouse or a dependent of a City employee, shall be eligible to participate in the program. No City official, nor the spouse, dependent, child or his or her spouse, parent, spouse's parent, son or his or her spouse of a City official shall be eligible to participate in the program.

SECTION 2. SEVERABILITY.

The provisions of this ordinance are hereby declared to be severable. If any of these sections, provisions, sentences, clauses, phrases, or parts is held to be unconstitutional or void, the remainder shall continue in full force and effect.

SECTION 3. EFFECTIVE DATE.

This ordinance shall become effective upon publication as required by statute.

