

1725.

## RELIEF FOR POOR DISCUSSED.

## SYLLABUS:

*Opinion No. 1561, dated January 10, 1928, does not apply to villages.*

COLUMBUS, OHIO, February 17, 1928.

HON. ALBERT T. STROUP, *Prosecuting Attorney, Van Wert, Ohio.*

DEAR SIR:—This will acknowledge your letter dated February 15, 1928, which reads:

“With reference to your opinion Number 1561, will you kindly inform me if that opinion applies to villages as well as cities.”

The syllabus of Opinion No. 1561, dated January 10, 1928, addressed to you and to which you refer, reads as follows:

“1. Outdoor relief, that is, partial and temporary relief, for the poor in cities should be furnished by the proper municipal officers, and provision therefor should be made by the proper authorities in the making of tax levies and the adjustment of budgets.

2. Township trustees are limited in the granting of partial and temporary relief to the poor, to persons who reside in the territory within the township which lies outside the corporate limits of cities.”

In Opinion No. 1561, your attention was directed to two recent opinions of this office, being Opinion No. 1041, dated September 22, 1927, and Opinion No. 1516, dated January 4, 1928. These two opinions construe Section 3476, General Code, which provides:

“Subject to the conditions, provisions and limitations herein, the trustees of each township or the proper officers of each city therein, respectively, shall afford at the expense of such township or municipal corporation public support or relief to all persons therein who are in condition requiring it. It is the intent of this act (G. C. Sections 3476 et seq.) that townships and cities shall furnish relief in their homes to all persons needing temporary or partial relief who are residents of the state, county and township or city as described in Sections 3477 and 3479. Relief to be granted by the county shall be given to those persons who do not have the necessary residence requirements, and to those who are permanently disabled or have become paupers and to such other persons whose peculiar condition is such they can not be satisfactorily cared for except at the county infirmary or under county control. When a city is located within one or more townships, such temporary relief shall be given only by the proper municipal officers, and in such cases the jurisdiction of the township trustees shall be limited to persons who reside outside of such a city.”

I am convinced that upon re-reading these opinions you will observe that Opinion No. 1561, to which you refer, does not apply to villages.

Respectfully,

EDWARD C. TURNER,

*Attorney General.*    ::