

Ordinance No. 2006-

An ordinance to revise the City's residency requirement.

1. THE CITY OF YPSILANTI ORDAINS That Division 2, Residency Requirements for Certain Employees, be revised to read as follows:

DIVISION 2. RESIDENCY REQUIREMENTS FOR CITY MANAGER CERTAIN EMPLOYEES

~~Subdivision I. In General~~

~~Sec. 2-66. Nonunion, nondepartment head.~~

~~All nonunion, nondepartment head personnel shall reside within a 25-mile radius of city hall. Within 90 days after employment such new employee shall reside with a 25-mile radius of city hall, or if the position involves a probationary period, then within 90 days after successful completion of the established probationary period.~~

~~Sec. 2-67. Exceptions.~~

~~(a) Persons who change position within the city to one of the covered key official positions may accept such promotion and maintain their residence under section 2-66.~~

~~(b) If such person changes his place of residence after such promotion such person shall comply with subdivision II of this division.~~

~~Secs. 2-68-2-80. Reserved.~~

~~Subdivision II. Key Personnel~~

~~Sec. 2-81. Definitions.~~

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

Residence means a place where one resides. A factual place of abode. Living in a particular locality, including maintaining a home and sleeping there a majority of the time. Voter registration and the place where one receives mail may be considered in determining one's residence.

Resident means one who resides at a certain place.

~~Sec. 2-82. Statement of intent.~~

~~The council for the city specifically finds and determines:~~

~~(1) That it is important and in the public interest that key officials of the city live within the geographic boundaries of the city.~~

~~(2) That residency within the city of key officials increases public confidence and trust of the citizens in the city government.~~

~~(3) Residency of key officials within the city aids in the understanding and appreciation by such officials of the unique problems of the city.~~

~~(4) It is in the public interest for key officials to experience the same costs and expenses and living conditions as other residents of the city.~~

~~(5) Residency within the city of key officials will aid, help and foster closer and better communication between the government and citizens of the city.~~

~~(6) Residency within the city of key officials will help to make them immediately accessible and aware of happenings and problems within the city.~~

~~Sec. 2-6783. City manager.~~

The city manager shall become a resident **within a 25-mile radius of Ypsilanti City Hall** ~~of the city~~ within 90 days of appointment.

~~Sec. 2-84. Other key officers.~~

~~All other key officers, including the city clerk, city treasurer, city controller, city attorney, city assessor, and all department heads, including the police chief, fire chief, head of the department of public works, personnel director, finance director, recreation director, community and economic development director, and any other person holding a position of authority approximately the position of any of such offices, except temporary appointees, shall become a resident of the city within 90 days after appointment, or if the position involves a probationary period, then within 90 days after successful completion of the established probationary period.~~

~~Sec. 2-6885. Extension of time limits.~~

~~With the exception of the city manager and city clerk, †~~ The time limits specified above may be extended only by the affirmative vote of not less than six members of the city council. Extensions of such time limit for the city manager ~~and the city clerk~~ will be as provided in section 4.01 and section 4.08 of the Charter.

~~Sec. 2-6986. Residency through term of office.~~

**The City Manager** ~~All such key officials~~ shall remain a residents of the city throughout **his/her** ~~their~~ terms of office.

~~Sec. 2-87. Exempt positions.~~

~~Persons presently holding office or employed by the city at the time of the effective date of the ordinance from which this subdivision is derived are exempted from the provisions of this subdivision, unless such person:~~

~~(1) Changes position within the city to one of the covered key official positions.~~

~~(2) Changes their place of residence.~~

~~(3) Is, at the time of the effective date of the ordinance from which this subdivision is derived, already a resident of the city.~~

~~Sec. 2-88. Personnel rules.~~

~~The personnel rules of the city are hereby modified to include the provisions of this subdivision. All inconsistent personnel rules are hereby declared void and of no further force and effect. The city manager is directed to promulgate new personnel rules in accordance with this subdivision.~~

~~Sec. 2-89. Temporary appointees.~~

~~Temporary appointments to the position of a key officer (generally known as "acting" positions) shall be valid for no more than six months, unless extended by the affirmative vote of not less than six members of the city council.~~

Sec. 2-7090. Penalty.

Any person violating this chapter will be guilty of misconduct in office and shall forfeit such office.

**2. Copies to be available.** Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

**3. Publication and Effective Date.** The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ypsilanti Courier. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2006.

\_\_\_\_\_  
CHERRY LAWSON, City Clerk

Attest

I do hereby confirm that the above Ordinance No. \_\_\_\_ was published in the Ypsilanti Courier on the \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
CHERRY LAWSON, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
CHERRY LAWSON, City Clerk

Notice Published: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_