

ORDINANCE NO. 14,325

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by amending Section 2-486 thereof, relating to the city's residency requirements.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by amending Section 2-486 relating to the city's residency requirements, as follows:

Sec. 2-486. Established.

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

City includes any territory with respect to which a petition for annexation has been approved by voters in accordance with I.C. ch. 368.

Residence means the actual domicile of the employee where that employee normally eats and sleeps and maintains the normal personal and household effects necessary for day-to-day living. Residence shall not include a place secured solely for the purpose of meeting the requirements of this section which is maintained in addition to the employee's actual place of residence outside the city.

- (b) All persons hired by the city after April 30, 1984 shall reside in the city during any period of non-civil-service employment for the city. City employees hired on or before April 30, 1984 shall not be subject to this section during any period of civil service or non-civil-service employment unless their city employment is terminated and they subsequently seek rehire.
- (c) Residency within the city established and/or maintained because of this section must be established no later than one month after successful completion of the initial probationary period of city employment and shall be

maintained throughout the period of non-civil-service employment; should an employee subject to this section move out of the city, the employee shall be deemed to have thereby voluntarily resigned from city employment.

- (d) However, the requirements of paragraphs (b) and (c) above shall not apply to any non-civil service employee who has been employed for ten years or more by the city whose job is reduced by the city council from full-time to half-time or less than half-time. If such employee's job is restored to full-time, however, the requirements of paragraphs (b) and (c) shall become applicable.
- (e) If it be determined that no qualified city resident is available to fill a particular position, upon recommendation of the appropriate city official, the residency requirement established in this section for non-civil-service employees may be waived by the city council.
- (f) Every employee subject to this section shall maintain an up-to-date current residence address on file with the city manager or his or her designee and shall promptly report any change of residence address to such official.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Bruce E. Bergman, City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 04-626), passed by the City Council of said City at a meeting held March 22, 2004 signed by the Mayor on March 22, 2004 and published as provided by law in the Business Record on April 5, 2004 Authorized by Publication Order No. 4033.

Diane Rauh, City Clerk