



Roll Call Number

Agenda Item Number

50

Date April 1, 2024


An Ordinance entitled, "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, as heretofore amended, is hereby amended, by amending Section 2-486, relating to residency requirements",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage. Second by _____.

FORM APPROVED:

(First of three required readings)


Thomas G. Fisher Jr.
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

ORDINANCE NO. _____

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, as heretofore amended, by amending Section 2-486, relating to 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, as heretofore amended, by amending Section 2-486, relating to residency requirements, as follows:

Sec. 2-486. Established.

Employee residency shall be required as provided in state statute and City Manager policy relating to categories of similarly situated employees not otherwise covered by Iowa Code 400, except that employees of the Legal Department shall be as required by state statute and City Attorney policy. 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.

~~(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.~~

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

FORM APPROVED:


Thomas G. Fisher Jr.
Assistant City Attorney