

ORDINANCE 77-44

To Amend the City Residency Ordinance

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. That the following sections of Chapter 2.64 of the Bloomington Municipal Code, entitled Personnel Policy, are hereby amended to read as follows:

Section 2.64.050 Residency Required for Employment - Penalty. All permanent full-time and permanent part-time employees of the City of Bloomington who are hired after this Ordinance is enacted shall be residents of the City of Bloomington, except those employees living on city property, those who have worked for the City for twenty (20) years, or those who have been granted an exemption pursuant to Section 2.64.090 of this Chapter. Permanent full-time and permanent part-time employees not complying with this section shall be terminated from employment.

Section 2.64.060 Employees at Enactment Excepted in Present Residence. No permanent full-time and permanent part-time employees employed by the City of Bloomington at the enactment of this Ordinance shall move to another address outside the Monroe County limits without being terminated from employment unless granted an exemption pursuant to Section 2.64.090 of this Chapter.

Section 2.64.080 Moving Date - New or Promoted Employees - Penalty. All new permanent full-time and permanent part-time employees must reside in the City of Bloomington no later than one hundred and twenty days (120) from the beginning of their employment or be terminated from employment.

Section 2.64.090 Residency Board - Grounds for Exemption. A Residency Review Board made up of the Mayor or the Mayor's designee, a member from each of the Common Council, the Utilities Service Board, the Board of Public Safety and a representative of an employee's union may grant temporary or permanent exemptions from sections 2.64.050, and 2.64.080 of this chapter in individual cases to avoid extreme hardship or to allow municipal employees who work at a location outside the city limits to reside near their place of work. Whether or not extreme hardship exists, and whether or not municipal employees who work at a location outside the City limits will be residing near their place of work is a question of fact to be determined by the Board. The Board shall elect a Chairperson who shall be responsible for convening the board when necessary. The Board shall have the authority to promulgate rules, regulations and procedures for the enforcement of this ordinance.

Section 2.64.100 Affidavits of Residency Required of Municipal Employees - Penalty. Upon enactment of this ordinance each permanent full-time and permanent part-time employees of the City of Bloomington shall make an affidavit stating his/her address and that he/she will report any changes of address to the city, and swear or... (continued next page)

affirm under penalty of perjury as to the veracity of those statements. Thereafter, an affidavit to the same effect shall be made by new permanent full-time and permanent part-time employees of the City of Bloomington upon employment. Failure to comply with this Section shall result in termination of employment.

Section II. That Chapter 2.64 Bloomington Municipal Code is hereby amended by adding the following section 2.64.110.

Section 2.64.110 As used in this Chapter the following terms mean, unless otherwise designated:

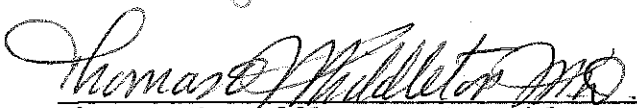
- (a) Permanent Full-Time Employee: Includes all employees who are regularly scheduled to work a minimum of thirty-five (35) hours per calendar week and whose term of employment is intended to exceed six (6) consecutive months.
- (b) Permanent Part-Time Employees: Includes all employees who are regularly scheduled to work between twenty (20) hours per calendar week and thirty-five (35) hours per calendar week and whose term of employment is intended to exceed six (6) consecutive months.
- (c) Temporary Full-Time Employees: Includes all employees who are regularly scheduled to work a minimum of thirty-five (35) hours per calendar week and whose term of employment is intended to expire on or before the last day of the sixth (6th) consecutive month of employment.
- (d) Temporary Part-Time Employees: Includes all employees who are scheduled to work less than twenty (20) hours per calendar week and all employees who are regularly scheduled to work between twenty (20) hours per calendar week and thirty-five (35) hours per calendar week and whose term of employment is intended to expire on or before the last day of the sixth (6th) consecutive month of employment.
- (e) Residency: A factual place of abode or an actual home, in the sense of having no other abode or home.

Section III. Severability. If any section, sentence or provision of this Ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Section IV. This Ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, Indiana, this 17 day of May, 1977.

ATTEST:

  
Karel Dolnick, City Clerk

  
Thomas O Middleton, President  
Bloomington Common Council

Presented by me to the Mayor of the City of Bloomington,  
Indiana, this 20 day of May, 1977, at the hour of  
11 o'clock a.m.

  
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Nora M. Connors, Deputy City  
Clerk

SIGNED AND APPROVED by me upon the 25 day of May,  
1977, at the hour of 4 o'clock p.m.

  
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Francis X. McCloskey, Mayor  
City of Bloomington

SYNOPSIS

ORDINANCE 77-44

TO AMEND THE CITY RESIDENCY ORDINANCE

During 1976 the Common Council approved an ordinance requiring all new employees of the City of Bloomington, as a condition of their employment, to be residents of the City of Bloomington.

This ordinance exempts temporary full-time and temporary part-time employees of the City of Bloomington from the residency requirement, changes the time period from ninety (90) days to one hundred and twenty (120) days for employees covered under the ordinance to reside within the City, and makes certain changes in the operation of the Residency Review Board.

I HEREBY MOVE THAT ORDINANCE # 77-44

BE INTRODUCED AND READ FOR FIRST READING BY TITLE

ONLY AT THE COUNCIL MEETING HELD ON May 5, 1977

Richard W. DeLoach

(Signature)