

ORDINANCE NO. 11-

AN ORDINANCE REPEALING ORDINANCE NO. 04-27 WHICH REQUIRED THE CITY MANAGER AND DEPARTMENT DIRECTORS TO ESTABLISH AND MAINTAIN CITY RESIDENCY WITHIN 12 MONTHS FROM THE DATE OF APPOINTMENT; ESTABLISHING RESIDENCY REQUIREMENTS FOR NEW CITY EMPLOYEES HIRED AT AN ANNUAL BASE SALARY OF \$100,000 OR MORE; ESTABLISHING HIRING PREFERENCE FOR ALL OTHER EMPLOYMENT APPLICANTS WHO AGREE TO ESTABLISH RESIDENCY WITHIN 18 MONTHS OF EMPLOYMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 04-27 the City Commission adopted a mandatory residency requirement for the City Manager and Directors of Departments of City government; and

WHEREAS, since the ordinance was adopted in 2004 changes have occurred in the organization of City staff and departments and economic conditions; and

WHEREAS, the City Commission has reevaluated the residency requirement and desires to adopt new requirements determined to more adequately address the best interests of the City in promoting City residency among its employees.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF DAYTONA BEACH, FLORIDA:

SECTION 1. Ordinance No. 04-27 establishing a mandatory residency requirement for the City Manager and Directors of Departments of City government is hereby repealed in its entirety.

SECTION 2. Any person hired to a position of employment with The City of Daytona Beach at a beginning annual base salary of \$100,000 or more, shall reside in the City or agree to establish residence in the City within 18 months of his or her date of hire. Any such employee who fails to establish or maintain City residency during his or her employment by the City will be terminated.

SECTION 3. Applicants for positions of employment with The City of Daytona Beach for positions with a beginning annual base salary of less than \$100,000 who reside in the City or agree to establish residence in the City within 18 months of their date of hire shall be given preference in the hiring process. Any employee who receives preference in hiring and who fails to establish or maintain City residency during his or her employment by the City will be terminated.

SECTION 4. "Reside," "residence," and "residency" are defined as the principal domicile of an individual where the individual normally sleeps, maintains personal and household effects, and the address of which the individual lists for voter registration and driver's license purposes.

SECTION 5. This Ordinance shall not apply to any City employee hired prior to the effective date of this Ordinance, or to any employee who, due to internal promotion or City-wide merit or cost-of-living pay increases, achieves an annual base salary of \$100,000 or more. Such employees shall establish residency in the City if they relocate from their preexisting residence during their employment at a salary level of \$100,000 or more. Any employee who fails to establish and maintain residency in the City in violation of this section will be terminated.

SECTION 6. This Ordinance shall take effect immediately upon its adoption.

GLENN S. RITCHEY
Mayor

ATTEST:

JENNIFER L. THOMAS
City Clerk

Passed: September 7, 2011
Adopted: September 21, 2011