

ORDINANCE NO. 7-2006

AN ORDINANCE AMENDING ORDINANCE NO. 3-2001 AND SETTING FORTH THE RESIDENCY RULE FOR THE CITY OF WASHINGTON COURT HOUSE, FAYETTE COUNTY, OHIO, AND TO FURTHER CLARIFY THE CONTENTS OF SUCH RESIDENCY RULE.

WHEREAS, the Washington Court House City Council is desirous of delineating a clear and concise Residency Rule for covered City employees and to clarify the same; and

WHEREAS, City Council is in agreement as to the contents of the Residency Rule which is delineated below,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WASHINGTON COURT HOUSE, FAYETTE COUNTY, OHIO:

SECTION 1. That the following language shall be an accurate statement of the City of Washington Court House Residency Rule:

Residency Requirement: All employees working within the Fire Division; all employees covered by the collective bargaining agreement between the City of Washington Court House and AFSCME, Ohio Council 8, AFL-CIO, Local 3819 (excluding Service Secretary 1, Secretary 2, Income Tax Clerk 1, Income Tax Clerk 2, and Custodian); and Salaried Employees identified in Appendix A; are required to live within the boundaries of Fayette County, Ohio, or any adjacent county, as a condition of continued employment, except where the employee is grand-fathered, or exempted by City Manager and Council's Personnel Committee. All new employees within the Fire Division; all employees covered by the collective bargaining agreement between the City of Washington Court House and AFSCME, Ohio Council 8, AFL-CIO, Local 3819 (excluding Service Secretary 1, Secretary 2, Income Tax Clerk 1, Income Tax Clerk 2, and Custodian); and Salaried Employees identified in Appendix A (or an employee promoted to a position in Appendix A) must obtain Fayette County, Ohio, or adjacent county residency within six (6) months of permanent appointment (and must continue to reside within Fayette County, Ohio, or an adjacent county as a condition of continued employment, except where exempted by City Manager and the Personnel Committee).

The City Manager may extend the six (6) month limitation referenced above for an additional six (6) month period to allow for sale of residential property and/or purchase of residential property.

SECTION 2. City Council also declares that the Residency Rule requires that all applicable employees who reside outside the jurisdictional boundaries mentioned above as of the date of this Ordinance (and those who have a pending residential property purchase contract as of the date of this Ordinance) shall be grand fathered out of, or exempt from, the requirements of the Residency Rule while such employee resides at that specific residence. However, if a grand fathered employee changes residential location after the effective date of this Ordinance, the employee **MUST** immediately obtain residence within the jurisdictional boundaries of Fayette County, Ohio, or an adjacent county and must maintain residency within Fayette County, Ohio, or an adjacent county as a condition of continued employment. Further, after the employee establishes the new residency, he or she must then abide by all provisions of the Residency Rule.

SECTION 3. The City Council declares that the City Manager, with authorization of Council's Personnel Committee, may grant discretionary, individual waivers of the above rule where it is determined that such action is in the best interests of City of Washington Court House government.

SECTION 4. The City Council declares that the list of Salaried Employees contained in Appendix A may be amended. The City Manager shall prepare any such amendments to Appendix A of the Residency Rule as may be deemed desirable. The City Manager shall report any proposed amendments to City Council in written format. Unless amended or disapproved by resolution of City Council within thirty (30) days of presentation, the proposed amendments shall become effective and shall be a valid and enforceable component of the City's Residency Rule.

SECTION 5. The City Council declares that, following adoption of this Ordinance, copies of the Residency Rule shall be produced and adequate copies distributed among the members of City Council and to all City employees.

SECTION 6. The City Council declares that the Residency Rule described in the instant ordinance is intended to comply with Ohio Revised Code § 9.481.

SECTION 7. That this Ordinance shall take effect and be in full force and after the earliest date permitted by law.

PASSED:

July 26, 2006

B. J. Koby
CHAIRPERSON OF COUNCIL

ATTEST:

Leanne M. Keaton

[Signature]
APPROVED AS TO FORM:

CLERK OF COUNCIL

CITY ATTORNEY

APPENDIX A

City of Washington Court House

Salaried Employees

Service Director

Fire Chief

Safety Director

Deputy Service Director

Police Chief

City Manager