

ORDINANCE 16-06

AN ORDINANCE AMENDING SECTION 5.13 OF THE CODE OF ORDINANCES RELATING TO PLACE OF RESIDENCE FOR CERTAIN CITY EMPLOYEES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

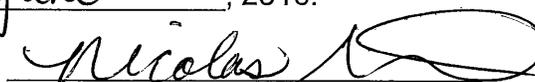
Section 1. Section 5.13 of the Code of Ordinances is amended by deleting the same and inserting in lieu thereof the following:

**5.13 PLACE OF RESIDENCE**

The City Manager, department heads, police officers, firefighters and other critical employees, shall not reside outside the City limits unless the place of residence is within a radius of 10 miles measured from the residence to the employee's department headquarters or is within 30 minutes driving time as per an approved on-line mapping service such as but not limited to Google Maps or Mapquest, as determined by the department head. All Paid-On-Call (volunteer) firefighters must reside in the city limits or within the Marion Township. This section does not require an employee to move and does not constitute grounds for termination if the employee does not reside within the limits established by this section at the time this section becomes effective, except that, should any such employee change his or her residence after the effective date of this section, the employee's new residence must comply with this provision within one year of hiring or within six months of the completion of his or her period of probationary employment, if any, whichever event occurs last. Employees may seek prior approval to obtain a residence beyond the limits set forth in this section. Approvals may be granted with the unanimous agreement of the Mayor, City Manager and affected department head, provided the proposed residence will nevertheless, be within a reasonable response time to the employee's department due to the peculiarities of the particular circumstances. The word "reside" and words "place of residence" as used in this section mean that dwelling or a place where an employee actually lives and from which the employee will normally depart to travel to his or her place of employment within the City. A home, dwelling or apartment owned or rented by an employee but not actually occupied by an employee during his or her customary hours of sleep shall not be considered to be the employee's place of residence. Individual city departments that have departmental rules and regulations may adopt a rule or regulation governing residence requirements for its critical employees that is more stringent than this section.

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

Passed and approved this 23<sup>rd</sup> day of June, 2016.

  
Nicolas AbouAssaly, Mayor

ATTEST:

Wesley A. Nelson  
Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, Iowa  
certifies that the Ordinance  
shown immediately above was published in the  
Marion Times on the 30 day of  
June, 20 16.  
Wesley Nelson, P.C.  
City Clerk