



LEGAL SERVICES DEPARTMENT

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TO: Members of the Finance Committee

FROM: Christopher R. Behrens, City Attorney

DATE: July 28, 2021

RE: Revisions to Sec. 2-216. Residency Policy

Recently while researching a different matter it came to my attention that Sec. 2-216 of the Municipal Code that addresses the residency policy requires updating to bring it into compliance with state statutes. Specifically, in 2013 the State of Wisconsin adopted Act 20 which prohibits local governments from setting strict residency requirements for their employees. This Act was subsequently codified in § 66.0502 of the Wisconsin Statutes. While the City has been following this state law since adoption, the ordinance was not amended to reflect this change.

Accordingly, I respectfully request the following:

APPROVE amending Sec. 2-216 of the Municipal Code to comply with state statutes.

A copy of the current section with proposed amendments is attached for your reference. Thank you for your consideration.

Attachment

CRB;jlg
21-0028

Sec. 2-216. Residency policy.

Members of boards or commissions shall be residents of the City at the time of appointment. ~~and all department heads shall be residents of the City within twelve (12) months of the date of their hiring or appointment and maintain residency in the City while under the employment or service of the City.~~ If any such ~~City department head or~~ member of a board or commission does not meet this requirement, ~~his~~ their office or position shall be vacated and such vacancy shall be filled in the manner prescribed by law or ordinance. The residency deadline may be extended with the recommendation of the Mayor and approval of the Common Council. This section does not apply to the physician members of the Board of Health, ~~the Director of Parks, Recreation and Facilities Management~~ or non-City members of the Fox Cities Transit Commission. ~~Changes in the names of departments or titles of department heads shall not affect the requirements of this section.~~