

ORDINANCE NO. 2017 - 21

AN ORDINANCE AMENDING ORDINANCE NO. 1291
ESTABLISHING RESIDENCY REQUIREMENTS FOR CITY
EMPLOYEES.

WHEREAS, on February 9, 1982, the Council of the City of Vineland adopted Ordinance No. 1291 establishing residency requirements for City employees; and

WHEREAS, Ordinance No. 1291 was amended by Ordinance No. 94-9 on March 8, 1994, amended by Ordinance No. 98-58 on September 8, 1998 and amended by Ordinance No. 2003-13 on March 25, 2003, which are presently codified as Chapter 151 of the Vineland City Code; and

WHEREAS, it is the desire of the Governing Body of the City of Vineland to have a preference for hiring new employees based on residency rather than having a residency requirement; and

WHEREAS, a residency preference system will allow for a greater pool of candidates to be considered from outside of Vineland while maintaining preference for Vineland residents.

NOW THEREFORE BE IT ORDAINED, by the Council of the City of Vineland that Ordinance No. 1291 entitled "AN ORDINANCE ESTABLISHING RESIDENCY REQUIREMENTS FOR THE CITY OF VINELAND PURSUANT TO CHAPTER 63, LAWS OF 1978" and its subsequent amending ordinances, together and presently known as Chapter 151 of the Vineland City Code is hereby revised in its entirety as follows:

Chapter 151: Residency Preference

§151-1. Definitions; residence standards.

As used in this chapter, the following terms shall have the meanings indicated:

BONA FIDE RESIDENT: A person having a permanent domicile within the City of Vineland and which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside the City of Vineland's boundaries.

RESIDENCE: A single legal residence. The following standards shall be used in determining legal residence:

1. Whether the locations in question are owned or rented.
2. Whether time actually spent in the claimed residence exceeds that of other locations.
3. Whether the relationship among those persons living in the residence is closer than those with whom the individual lives elsewhere. If an individual claims a residence of a parent, relative or friend because of marital separation, a court order or other evidence of separation may be requested.
4. Whether, if the residence requirement of the anticipated or actual appointment was eliminated, the individual would be likely to remain in the claimed residence.
5. Whether the residence recorded on a driver's license, motor vehicle registration or voter registration card and other documents is the same as the claimed legal residence. Post office box numbers shall not be acceptable.
6. Whether the school district attended by a child(ren) living with the individual is the same as the claimed residence.

§151-2. Residency preference in hiring.

Preference in hiring shall be given to prospective officers and employees who are bona fide residents of the City of Vineland. When hiring is based upon merit as determined by suitable hiring tests or other objective criteria, a resident shall be given preference over a nonresident when, in the discretion of the Appointing Authority or designee, all other measurable criteria are equal. The preference granted by this section shall in no way diminish, reduce or affect the preference granted pursuant to any other provision of law.

BE IT FURTHER ORDAINED, that this ordinance shall not supersede or replace any law, ordinance or part thereof that requires an individual to be a resident of the City in order to serve or be appointed to specific positions within the City of Vineland.

BE IT FURTHER ORDAINED, that this ordinance shall take effect after final approval and publication as required by law.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk