



## Legislation Details (With Text)

**File #:** 32626      **Version:** 1      **Name:** Resident requirement for managers  
**Type:** Charter Ordinance      **Status:** Passed  
**File created:** 12/19/2013      **In control:** BOARD OF ESTIMATES (ended 4/2017)  
**On agenda:** 2/25/2014      **Final action:** 2/25/2014  
**Enactment date:** 4/29/2014      **Enactment #:** CHA-14-00001  
**Title:** CHARTER Amending Section 3.30(3) of the Madison General Ordinances to eliminate the Mayor's ability to waive the residency requirement for managers, and providing that the Mayor may grant a reasonable time to establish residency.

**Sponsors:** Paul R. Soglin

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/25/2014	1	COMMON COUNCIL	Adopt Unanimously	Pass
2/17/2014	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT (14 VOTES REQUIRED) - REPORT OF OFFICER	Pass
2/4/2014	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
1/7/2014	1	BOARD OF ESTIMATES (ended 4/2017)	Refer	
1/7/2014	1	COMMON COUNCIL	Referred	
12/19/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

This ordinance would change the Mayor's authority to grant an exception to the residency requirement for managers from one of unlimited duration to no more than 9 months. No appropriation is required.

### Title

CHARTER Amending Section 3.30(3) of the Madison General Ordinances to eliminate the Mayor's ability to waive the residency requirement for managers, and providing that the Mayor may grant a reasonable time to establish residency.

### Body

DRAFTER'S ANALYSIS: By Charter ordinance CHA-13-00005, Legistar No. 32169, the Common Council found that the residency of certain City of Madison employees was a matter of local concern and established a residency requirement for those employees. The prior ordinance had a provision allowing the Mayor to waive the residency requirement, which was continued in the Charter ordinance. This ordinance removes the Mayor's authority to waive the requirement and replaces it with the Mayor's authority to grant a reasonable period of time, not to exceed six (6) months, to establish Madison residency. In unusual circumstances, the Mayor may extend the time by ninety (90) days. In practice, the existing waiver power has been used only to allow for such a reasonable time to establish residency for managerial employees.

This is a charter ordinance since it amends a charter ordinance, and requires 14 votes for approval.

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The Common Council of the City of Madison do hereby ordain as follows:

The City of Madison finds that the residency of its employees is a matter of paramount local concern. The City therefore elects not to be governed by the provisions of Wis. Stat. § 66.0502, adopted in 2013 Wisconsin Act 20. This election is made pursuant to Wis. Stat. § 66.0101(4).

Subsection (3) entitled "Residence of Certain Employees" of Section 3.30 entitled "Qualifications--City Officers, Members of Commissions, and Employees" of the Madison General Ordinances is amended to read as follows:

"(3) Residence of Certain Employees. Each person holding or who is eligible for appointment or employment to a position in Compensation Group 21, Secretary to the Mayor, Mayoral Assistant or Library Development Director shall be a resident of the City of Madison ~~unless permission to reside outside the City of Madison is granted in writing by the Mayor.~~ The Mayor may grant any person covered by this ordinance six (6) months to establish residency in Madison, after which time this ordinance applies in full. In unusual circumstances as determined in the Mayor's sole discretion, the period may be extended by the Mayor for an additional ninety (90) days. In the event any such person no longer resides in the City, such position shall be deemed vacant. In the event any other City employees are required to live within a specified distance of the City and such employee fails to live in the specified area, such position shall be deemed vacant.

This a Charter Ordinance adopted pursuant to Wis. Stat. § 66.0101, and Article XI, Sec. 3 of the Wisconsin Constitution and shall be effective upon sixty (60) days from passage and publication, subject to the referendum procedures of Wis. Stat. § 66.0101(5)."