



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: February 5, 2014

Sponsored by Council Members: Berg, Papastrat, Motsavage, Mihalko, Rennia, Matzo

Introduced by Committee: Employees

ORDINANCE

entitled

AN ORDINANCE AMENDING THE CHARTER
OF THE CITY OF BINGHAMTON REGARDING
RESIDENCY REQUIREMENTS FOR CITY OF
BINGHAMTON EMPLOYEES

WHEREAS, the City Charter § C-13, *Eligibility*, provides that no person shall be eligible for appointment to a City office or as a City employee, unless, at the time of his or her appointment, he or she is a bona fide resident of the City of Binghamton; and

WHEREAS, Section C-13.A provides, “Whenever it shall be established to the satisfaction of the [Municipal Civil Service Commission] (the “Commission”) that there are no applicants residing in the City of Binghamton who meet the necessary requirements of education, professional training or experience for a position to be filled in the City of Binghamton, waiver may be granted to enable a nonresident to take a civil service examination for such position, but residents of the City of Binghamton shall be preferred in appointment from the list established after such examination prior to the appointment of any nonresident”; and

WHEREAS, Section C-13.C provides, “The Municipal Civil Service Commission shall, on or before the first day of January of each year, submit a complete list to the employees' committee of the Council of the City of Binghamton, setting forth the name of all employees for the previous calendar year, to whom a waiver of residence requirement was granted, the date to which such waiver was granted, and the reason for the granting of the waiver”; and

WHEREAS, the Council of the City of Binghamton wishes to amend § C-13.C to provide that City Council shall be notified of any requests for waivers of the residency requirement at the time such request is made.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Charter of the City of Binghamton, § C-13.C shall be amended to read as follows:

§ C-13. *Eligibility*. [L.L. No. 1-1951, § 1; L.L. No. 3-1955, § 1; L.L. No. 4-1962, § 1; L.L. No. 1-1963, § 1; L.L. No. 3-1966, § 2; L.L. No. 6-1977, § 1; L.L. No. 8-1977, § 1; L.L. No. 5-1978, § 1; Amended 1-22-08 by Ord. No. 3-2008; Amended 2 - 5 -14 by Ord. No. 5 -2014]

C. The Commission shall advise the Council of the City of Binghamton of all requests for a waiver of residency prior to making any determination. Final approval of such requests rests

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solely with the Commission. If a waiver is granted, the Commission shall forward its determination to the Council of the City of Binghamton, including the date the waiver of residence requirement was granted and the reason for the granting of the waiver.

Section 2. That this Ordinance shall take effect immediately.

Legislation was adopted by City Council on February 5, 2014 and sent to the Mayor on February 6, 2014. The legislation was returned by the Mayor on February 18, 2014 un-signed. The legislation is deemed approved without the Mayor's signature.



Introductory No. 014-5
 Permanent No. 014-5

Sponsored by City Council Members:

AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF BINGHAMTON REGARDING RESIDENCY REQUIREMENTS FOR CITY OF BINGHAMTON EMPLOYEES

The within Ordinance was adopted by the Council of the City of Binghamton.

Date FEBRUARY 5, 2014
 City Clerk Douglas Holmer

Date Presented to Mayor FEBRUARY 6, 2014

Date Approved _____

Mayor _____

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Miatzo	✓			
Berg	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted Defeated

7 Ayes Nays Abstain Absent