

ORDINANCE 2012-07.

AN ORDINANCE AMENDING SECTION 4.02.060 OF THE PROVO CITY CODE TO ELIMINATE RESIDENCY REQUIREMENTS FOR PROVO CITY DEPARTMENT DIRECTORS. (11-0350A)

WHEREAS, Provo City Code § 4.02.060 requires Provo City Department Directors to reside within the municipal limits of Provo City; and

WHEREAS, the Provo City Administration has carefully reviewed this code requirement and has prepared a memorandum analyzing the benefits and the disadvantages of requiring Provo City Department Directors to reside within the geographic boundaries of Provo City; and

WHEREAS, the review and the analysis by the Administration recommends elimination of a Provo City Code residency requirement for department directors; and

WHEREAS, on March 6, 2012, March 20, 2012, and April 3, 2012, the Provo City Municipal Council held duly noticed public meetings to ascertain the facts regarding the matter, which facts are found in the meeting record; and

WHEREAS, after considering the administration's recommendations, and facts presented to the Municipal Council, the Council finds elimination of the residency requirement for Provo City Department Directors reasonably furthers the health, safety and general welfare of the citizens of Provo City;

NOW, THEREFORE, be it ordained by the Municipal Council of the City of Provo, Utah, as follows:

PART I:

Section 4.02.060 of the Provo City Code is hereby amended as follows:

4.02.060. Residence Requirements.

There shall be no residency requirement for employment with Provo City, except that ~~a department director must reside in Provo City, and~~ employees who have emergency response responsibilities shall be subject to reasonable regulations, established by the administration, controlling the distance they may reside from the location at which they perform their employment.

PART II:

A. If a provision of this Ordinance 2012-07 conflicts with a provision of a previously adopted ordinance concerning the same title, chapter, and/or section number amended herein, the provision in this Ordinance shall prevail.

B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be

47 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the
48 remainder of the ordinance shall not be affected thereby.
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50 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
51 updated to reflect the provisions enacted by this ordinance.
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53 D. This ordinance shall take effect immediately after being posted or published as required
54 by law.
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56 END OF ORDINANCE.