

(Published in the Topeka Metro News September 12, 2022)

ORDINANCE NO. 20370

AN ORDINANCE introduced by Policy and Finance Committee concerning employee residency requirements, amending City of Topeka Code § 2.110.020 and repealing original section.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 2.110.020, Residency required, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Residency required.

(a) City employees. All employees must be bona fide residents of the state of Kansas and are encouraged to reside inside the city limits of the City of Topeka.
~~Employees, including d~~

(b) Department directors; municipal court judges; city manager. Department directors, employed after December 31, 1981, by the City and municipal court judges must be bona fide residents of Shawnee County. The City Manager must be a bona fide resident of the City of Topeka, except at the time of appointment or employment when they need not be residents of Shawnee County, but shall establish residency in Shawnee County

(c) Residency; defined. Residency is defined as the actual principal residence of the individual, where the individual normally eats and sleeps and maintains normal personal and household effects. Residency requirements must be established within six months after completion of the initial employment probation one year of the employee's date of hire. Documents that may be used to verify residency include, but are not limited to, voter registration card, proof of vehicle registration, property record card, property tax statement or valuation notice, executed rental agreement, and state

29 issued identification cards showing proof of residency.

30 (d) Critical response positions. ~~Employees employed in a public safety position,~~
31 ~~as defined by the Director of Human Resources, shall, within six months after~~
32 ~~completion of the initial employment probation, reside within the boundaries of Shawnee~~
33 ~~County at a location which is no more than 30 minutes travel time from the assigned~~
34 ~~reporting station or office. Said residency shall be maintained within the boundaries of~~
35 ~~Shawnee County for the duration of the employee's employment. The City Manager~~
36 ~~may grant one extension not to exceed six months for establishment of residency upon~~
37 ~~the request of an individual employee for good cause shown.~~ Employees employed in
38 critical response time positions, or any others that require immediate physical presence
39 on an as-needed basis, may be required to live within a fixed maximum response time
40 from an identified point of report. Such a requirement shall be identified in the job
41 description and will be a condition of employment. The amount of time allowed for the
42 employee to establish such residence shall be established by the City Manager and
43 provided to the employee in writing.

44 (e) Subsection (a) shall expire on December 31, 2027. Any person employed
45 after December 31, 2027 shall be required to be a bona fide resident of Shawnee
46 County. Any person employed before December 31, 2027 shall not be required to be a
47 bona fide resident of Shawnee County.

48 (f) Notwithstanding subsection (b), the city manager may waive the county
49 residency requirement for a department director if: (1) the position remains unfilled after
50 60 days from the date the position or vacancy was posted on the City's web site; and (2)
51 the human resources director determines that removing the county residency
52 requirement may facilitate filling the position.

Section 2. That original § 2.110.020 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 4. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on September 6, 2022.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk