

ORDINANCE NO. 6 of 2011

CHAPTER 45

RESIDENCY REQUIREMENTS

**AN ORDINANCE AMENDING CHAPTER 45 ENTITLED
"RESIDENCY REQUIREMENTS" OF THE ONEONTA MUNICIPAL CODE**

BE IT ORDAINED by the Common Council of the City of Oneonta as follows:

Section 1. That §45-1, entitled "Definitions" shall be AMENDED to DELETE the following definition:

TEN-MILE RADIUS FROM THE CITY OF ONEONTA

Ten miles in a straight line measured in any direction from the Public Safety Building housing the Oneonta Police Department.

Section 2. That §45-2 entitled "Legislative Determination" is hereby AMENDED to read as follows:

The Common Council of the City of Oneonta, New York, recognizes that emergency work situations arise which require members of the Police Department of the City of Oneonta to be near their place of employment and to assume the continuation of police services to protect the health, safety and general welfare of the people. Through the adoption of this article, the Common Council of the City of Oneonta makes a legislative determination that those who are residents of the City of Oneonta, *or who reside within a distance of the City of Oneonta to respond within half of an hour of recall therefrom*, take a greater interest in promoting the public safety and health and in the future of this community than do those who reside at more substantial distances from the City of Oneonta. The Common Council of the City of Oneonta further declares that such a quality is desirable for members of its Police Department. The Common Council of the City of Oneonta considers that residency by the members of the Police Department with the City of Oneonta, *or within half of an hour recall therefrom*, will encourage stability in its neighborhoods and assure continuation of essential police services. It is further determined by the Common Council of the City of Oneonta that the public need is sufficient to require that members of the Police Department hired after the effective date of this article, be residents of the City of Oneonta, New York, *or reside within a distance of the City of Oneonta so as to be able to report to duty within half an hour of recall.*

Section 3. That Subdivision A of §45-3 is hereby AMENDED to read as follows:

A. The Common Council of the City of Oneonta hereby establishes a residency requirement for all prospective sworn members of the Oneonta Police Department. Every

person employed as a sworn member of the Oneonta Police Department by the City of Oneonta on or after the effective date of this article shall be a resident of the City of Oneonta, New York, *or shall reside within such a distance of the City of Oneonta so as to be able to reach the City of Oneonta within half an hour of being called to duty*, or shall become such a resident within six months of the date of the completion of that person's probationary period. During the time of service of such members of the Police Department, no individual shall cease to be a resident of the City of Oneonta or *cease living within such a distance of the City of Oneonta so as to be able to reach the City of Oneonta within half an hour of being called to duty*.

Section 4. This ordinance shall take effect immediately.