

**CITY OF ENGLEWOOD**

**ORDINANCE NO. 19-02**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CITY CODE OF THE CITY OF ENGLEWOOD TO ESTABLISH CHAPTER 68 SETTING FORTH PERSONAL RESIDENCY PREFERENCES FOR HIRING IN THE POLICE AND FIRE DEPARTMENTS**

**WHEREAS**, New Jersey Statutes authorize a municipality to enact residency preference requirements for its Police and Fire Department Officers and employees; and

**WHEREAS**, the City Council of the City of Englewood deems it necessary to amend the City Code by Establishing Chapter 68 Entitled “Residency Preference” to address residency requirements;

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Englewood, County of Bergen, State of New Jersey that residency preference for hiring in the Police and Fire Department as set forth in the City Code of the City of Englewood is hereby amended and supplemented as follows:

**Chapter 68. Residency Preference**

**Article I. Residency Preference for the City Police and Fire Departments**

**§68-1 Residency Preferred**

Except as otherwise provided by law, all Candidates appointed to positions of employment by the City Police and Fire Departments subsequent to the date of this Ordinance shall be classified according to residency. Bona fide residents of the City of Englewood shall receive preference in hiring over all other residency classes provided they successfully complete the established testing and/or protocol in place for such a position.

**§68-2 Bona fide residents defined**

A bona fide resident for the purpose of this article is defined as a person having permanent domicile within the City or residency class for a period of 12 months prior to application for employment, and one which has not been adopted with the intention of taking up or claiming a previous residence required outside of the boundaries of the City.

**§68-3 Bona fide residency verification**

Where residence requirements have been established, residence means a single legal residence. The following standards shall be used in determining legal residence:

1. Whether the locations in question are owned or rented;
2. Whether time actually spent in the claimed residence exceeds that of other locations;

3. Whether the relationship among those persons living in the claimed residence is closer than those with whom the individual lives elsewhere. If an individual claims a parent's residence because of separation from his or her spouse, a court order or other evidence of separation may be requested;
4. Whether, if the residence requirement of the anticipated or actual appointment was eliminated, the individual would be likely to remain in the claimed residence;
5. Whether the residence recorded on a driver's license, motor vehicle registration, or voter registration card and other documents is the same as the claimed legal residence. Post office box numbers shall not be acceptable; and
6. Whether the school district attended by child(ren) living with the individual is the same as the claimed residence.
7. Unless otherwise specified, residency must be met prior to the application for date for the examination in order for a candidate to be given preference based on residency.

**§68-4 Insufficient qualified residents**

Whenever the City Manager shall determine there is not a sufficient number of qualified Englewood residents for available specific positions or employments, the City Manager shall through the director of personnel classify all qualified applicants, preferentially according to bona fide residency in the following order:

- |         |                                             |
|---------|---------------------------------------------|
| Class 1 | Residents of the City of Englewood          |
| Class 2 | Other residents of Bergen County            |
| Class 3 | Other residents of the state of New Jersey. |
| Class 4 | All other applicants                        |

All appointments and hiring shall be made in the order listed above. The City Manager shall first appoint all those in Class 1, and then those in each succeeding class in the order listed above, and shall appoint a person in any such class only to a position or employment remaining after all qualified applicants in the preceding class or classes have been appointed or have declined an offer of employment. The preference established by this section shall not diminish reduce or affect the preferences granted pursuant to any other provision of law including but not limited to veteran preference requirements.

**§68-5 Positions and employments requiring special talents or skills**

In the event the City Manager advises the Governing Body that particular positions or employments require special talents with skills such as specialized knowledge, abilities, licenses, or unique training, which are necessary for the operations of the City, then the City Manager may fill the same without preference to residents of the City of Englewood.

This Ordinance shall take effect immediately upon passage and publication as required by law.

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RECORD OF VOTE

FIRST READING DATE:

COUNCIL	MOTION	VOTE
Cobb		Y
Cohen		Y
Glynn		Y
Hamer		Y
Rosenberg	X	Y

DATE PUBLISHED IN THE RECORD:

DATES PUBLIC HEARINGS HELD: May 21, 2019

DATE SECOND READING HELD: May 21, 2019

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Cobb						
Cohen						
Glynn						
Hamer						
Rosenberg						

Y=YES      N=OPPOSED    A=ABSTAINED                      AB=ABSENT

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PRESENTED TO MAYOR:

APPROVED \_\_\_\_\_

REJECTED \_\_\_\_\_ (VETO)

\_\_\_\_\_  
MAYOR MICHAEL WILDES

I do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted and approved by the Mayor and Council of the City of Englewood.

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Yancy Wazirmas, RMC  
City Clerk