

**CITY OF SOMERVILLE**  
**ORDINANCE NO. 2022-**  
**IN CITY COUNCIL: \_\_\_\_\_, 2022**

Be it ordained by the Somerville City Council in session assembled, that Chapter 2, Article VI, Section 2-310 of the Code of Ordinances of the City of Somerville is hereby amended ~~by striking the following provisions as follows:~~

**Sec. 2-310. – Residency requirement.**

- ~~(a) Every person first employed by the city on or after July 1, 1978 shall, within six months, become a resident of the city and shall not cease to be a resident of the city during his or her employment by the city.~~
  - ~~(b) The term "employee" as used in this section shall mean any person performing services for or holding an office, position or employment in any city department or agency, whether by election or appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent or consultant basis.~~
  - ~~(c) Upon taking employment with the city, and annually on February 1 thereafter, every person subject to this section shall file with his or her department head, or like officer, a certificate signed under the pains and penalties of perjury, stating his or her name, and place of residence. Upon receipt of a certificate indicating a place of residence not within the city or if no such certificate is filed, the department head or like officer shall forthwith arrange a hearing to be held within 30 days before the department head to show reason why said employee is no longer a legal resident. The department head shall notify the individual in writing two weeks in advance of said hearing.~~
  - ~~(d) If the finding of the hearing is that the individual is no longer a legal resident, that person shall cease to be employed by the city, and the department head or like officer shall give notice of his or her action to the city clerk, who shall transmit the same to the city council, the mayor, and the city auditor.~~
  - ~~(e) No person so stricken from a payroll shall be reemployed by the city for a period of one year following the cessation of his or her employment.~~
- (a) To the extent permitted by Chapter 31 of the General Laws, every examination held to establish a civil service list for employment by the city shall be restricted to city residents.
- (b) If this section shall be deemed to be in conflict with a provision of any general or special law, the provision of that general or special law shall govern, and shall not defeat the application of this section with respect to any position not governed by that law.
- (c) If the mayor, with the approval of the city council determines it to be in the best interest of the city to do so, the provisions of this section may be waived with respect to a particular person or position, and such waiver shall not act to defeat the application of this section to every other person or position.
- (d) The provisions hereof are severable, and the action of any court of competent jurisdiction in declaring any part or portion hereof invalid, shall not act to defeat any remaining part or portion hereof, and any such action declaring this section invalid with respect to any position or person shall not be held to apply to any other person or position.

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(f)(e) In construing this section, residence shall be the actual principal residence of the individual, where he or she they normally eats and sleeps and maintains his or their normal personal and household effects. This section shall be deemed to affect both civil service and noncivil service employees of the city.

Approved:

\_\_\_\_\_  
President

Approved:

\_\_\_\_\_  
Mayor