

CITY-COUNTY GENERAL ORDINANCE NO. _____, 2025
Proposal No. _____, 2025

PROPOSAL FOR A GENERAL ORDINANCE to amend Chapter 279 Sections 241 and to repeal Chapter 291 Section 112 of the Revised Code of the Consolidated City of Indianapolis – Marion County with respect to residency requirements for city employees.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 279-241 of the Revised Code of the Consolidated City and County shall be amendment by deleting the portions that are stricken through and adding the portions that are underlined to read as follows:

Sec. 279-241. Residency of members.

The residency of any member shall be in compliance with Indiana Code Section 36-8-4-2.
A member of the department shall reside within Marion County or a county contiguous to Marion County; however, this section does not apply to a member of the department who:
(1) Was a member of the Indianapolis Police Department and becomes a member of the department under section 279-103 of this chapter; and
(2) Resided outside the county on January 1, 1975.

SECTION 2. Section 291-112 of the “Revised Code of the Consolidated City and County” regarding employee residence requirements is hereby repealed in its entirety.

Sec. 291-112. Employee residence requirement.

The residency of any employee shall be in compliance with Indiana Code Section 36-3-5-2(e).

- (a) ~~After August 15, 1977, any person who accepts full time or part-time employment with the City of Indianapolis, or any special service or special taxing district thereof, or Marion County, must have his principal place of residence within the limits of Marion County or become a resident of the county within six (6) months of the date when he accepts such employment; and his position as an employee of such unit of government shall terminate six (6) months from the date that he moves his principal place of residence from the county.~~
- (b) ~~After July 1, 2009, any person who accepts seasonal or temporary employment with the City of Indianapolis, or any special service or special taxing district thereof, or Marion County, must have his principal place of residence within the limits of Marion County on the first day of employment.~~
- (c) ~~This section shall not apply to interns or persons who have specialized skills or training if there is no suitable applicant for the position residing within the limits of Marion County, and the appropriate elected official or his designee approves.~~
- (d) ~~This section shall not apply to members of the fire forces of the city, who are governed by the provisions of IC 36-8-4-2, or to members of the Indianapolis metropolitan police department, who are governed by section 279-227 and 279-241 of the Code.~~
- (e) ~~This section shall not apply to those persons who were nonresident employees of the county, the city, or any special service or special taxing district thereof, prior to August 15, 1977.~~
- (f) ~~This section shall not apply to any person who was a nonresident employee of an entity other than the City of Indianapolis, or any special service or special taxing district thereof, or Marion County and who became an employee of one (1) of those entities as a result of a transfer of the duties of his/her employer to the City of Indianapolis, or any special service or special taxing district thereof, or Marion County. However, if at any time during his/her employment with one (1) of those~~

~~entities, such employee does become a resident, that employee shall thereafter be covered by this section.~~

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.