

**ORDINANCE NO. 92000-0412**

**An Ordinance Amending Title 1 Administrative,  
Chapter 6 Mayor and City Council,  
Section 7 Qualifications of the Mayor and Council Members**

BE IT ORDAINED by the City Council of the City of Muscatine, Iowa, as follows:

Section 1. Title 1, Administrative, Chapter 6 Mayor and City Council, Section 7 Qualifications is hereby amended to read as follows:

1-6-7 Qualifications of the Mayor and Council Members. The Mayor shall be a resident of the City and the Council members shall be residents of the City and of the Ward which they are elected to represent at the time a petition for election is filed, at the time of election, and continuing throughout the term of office.

The terms “reside” and “residence” shall mean the Mayor and Council members’ permanent abodes, whether owned or rented, in which they maintain their actual living quarters. In order to have their residence in a particular place, they must establish a physical presence there and have the intent to make that place their permanent residence. Neither voting in the City nor payment of taxes to the City shall be deemed adequate to satisfy the requirements of this definition, nor shall “residency” be satisfied by the maintaining of a rented room or rooms solely for the purpose of establishing residency when it appears that their actual residence is outside the City. Factors to be considered include frequency of presence, property ownership, location of personal belongings, as well as social and family ties with the community.

The failure of the Mayor or Council members to maintain their residence within the corporate limits of the City shall be grounds for removal. A Committee shall be established and authorized to investigate complaints made to the City with respect to residency requirements of elected officials. Upon notification or discovery of an official who has violated the necessary requirements, the Committee shall make a finding with respect to whether or not such individual is or is not a resident of the City in accordance with the requirements. The Committee shall then recommend such finding to the City Council for a final determination in accordance with Iowa Code Chapter 66.

Section 2. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall become effective upon passing and publication as provided by law.

PASSED, APPROVED AND ADOPTED ON THIS 19<sup>TH</sup> day of April, 2012.



ATTEST

  
Gregg, Mandsager, City Administrator

  
DeWayne Hopkins, Mayor

First Reading: March 15, 2012

Second Reading: April 5, 2012

Third Reading: April 19, 2012

Publication: April 28, 2012

**PROOF OF PUBLICATION**

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk  
Ordinance No. 92000-0412

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

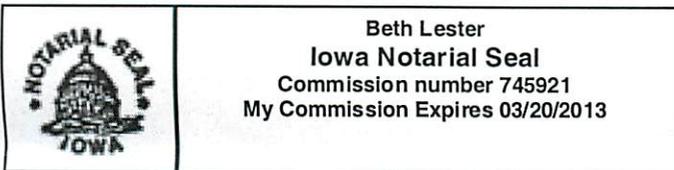
April 28, 2012

Jeff Lee 

**STATE OF IOWA  
MUSCATINE COUNTY**

Subscribed and sworn to before me this  
30th day of April, 2012

  
Beth Lester, Notary Public



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