

LAWS OF DELAWARE  
VOLUME 83  
CHAPTER 375  
151st GENERAL ASSEMBLY  
FORMERLY  
HOUSE BILL NO. 422

AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON RELATING TO RESIDENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Section 3-304 of the Charter of the City of Wilmington by making deletions as shown by strike through and insertions as shown by underline as follows:

Sec. 3-304. - Citizenship and residence.

(a) Citizenship—All officers and employees of the city shall be citizens of the United States when the duties of the position require direct participation in the formulation, operation, or review of broad public policy or require the exercises of important discretionary governmental powers over citizens. Positions subject to such requirement shall be designated by ordinance of City Council.

(b) Residence—Except as otherwise required by this Charter, the city may, by ordinance, determine whether, and to what extent, employees ~~All officers, regular employees, and probationary employees~~ of the city shall be residents of the city at the time of their election, appointment, or ~~employment~~ hire and remain residents ~~such~~ during their tenure. ~~tenure, except as provided herein. It shall not be necessary for any non-elected officer, regular employee, probationary employee, or limited service employees to be a resident of the city at the time of appointment or employment, but such residence in the city must be required within six (6) months thereafter. Employees who are subject to the requirements of Title 22 of the Delaware Code, Section 841, regarding duration of employment, shall not be subject to the residency requirement after first meeting the requirements of that section. Appointed members of boards and commissions, shall be residents of the city, but this requirement~~ Any such residency requirement shall not apply to the additional advisory boards appointed by the mayor pursuant to the provisions of section 3-100(g) of this Charter.

Approved July 27, 2022