

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 115.150 OF THE OSAGE BEACH MUNICIPAL CODE TO DELETE THE REQUIREMENT THAT THE CITY ADMINISTRATOR BE A RESIDENT OF THE CITY AT THE TIME OF APPOINTMENT

WHEREAS Section 115.150 of the Osage Beach Municipal Code requires that the City Administrator be a resident of the city at the time of appointment; and,

WHEREAS the Board of Aldermen hereby finds it is in the best interest of the City to hire and retain the best possible employees regardless of their residency; and,

WHEREAS the Board of Aldermen concludes that the residency requirement for City Administrator might eliminate valuable employees or candidates from consideration or retention by the city; and,

WHEREAS the Board of Aldermen finds that many of its valuable employees do not live in the city and are still well connected to our city and dedicated to the health and welfare our community:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. Within Title 1 Article 1, Section 115.150 be and is hereby repealed and a new Section 115.150 be and is there is hereby enacted as set out below with the material repealed and deleted struck through as follows:

Section 115.150 Qualifications.

The person appointed to the office of City Administrator shall be at least twenty-four (24) years of age and ~~shall be a resident of the City at the time of the effective date of such appointment and shall be a graduate of an accredited university or college, majoring in public or municipal administration or shall have the equivalent qualifications and experience in financial administration and/or public relations fields.~~

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: October 6, 2022 READ SECOND TIME: October 20, 2022

I hereby certify that Ordinance No.22.78 was duly passed on October 20, 2022, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6

Nays: 0

Abstentions: 0

Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

October 20, 2022
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker
Edward B. Rucker, City Attorney

I hereby approve Ordinance No.22.78.

Michael Harmison
Michael Harmison, Mayor

October 20, 2022
Date

Tara Berreth
Tara Berreth, City Clerk