

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO ESTABLISH RESIDENCY WITHIN THE CORPORATE LIMITS OF PULASKI COUNTYS, ARKANSAS, AS A REQUIREMENT FOR EMPLOYMENT OF EMERGENCY PERSONNEL IN THE LITTLE ROCK POLICE DEPARTMENT AND LITTLE ROCK FIRE DEPARTMENT; TO PROVIDE FOR A NINETY (90)-DAY PERIOD FOR NEW HIRES TO ESTABLISH THEIR RESIDENCE WITHIN THE BOUNDARIES OF PULAKSI COUNTY, ARKANSAS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, according to the 2020 Decennial Census, the City of Little Rock, Arkansas (“the City”), has a population of 202,591 people who live within its corporate boundaries; and,

**WHEREAS**, the 2020 Decennial Census determined that the following population differentials between Pulaski County and the City are as follows:

	PULASKI COUNTY	THE CITY
White	57.2%	43.48%
African-American	39.7%	40.64%
Other	.3%	6.00%
Native American	.4%	.0059%
Pacific	.1%	.0038%
Asian	2.3%	----; and,

**WHEREAS**, figures for the Little Rock Police Department indicate that 61.3% of the Uniformed Officers as white, and for the Little Rock Fire Department 70.1% are white, but African-Americans with the Little Rock Police Department constitute only 30.4%, and for the Little Rock Fire Department only 26.2%; and,

**WHEREAS**, the government of the City employs approximately 2,000 workers in the largest municipality in the State of Arkansas, and the City is also the Capital of the State of Arkansas; and,

**WHEREAS**, a phased-in residency requirement for employment by the Little Rock Police Department and the Little Rock Fire Department enhances the ability to respond more quickly to city needs, especially in times of emergency; and,

**WHEREAS**, a Police and Fire Residency Policy will promote greater community involvement, both during the work period and afterwards, and will enhance the overall quality of life within the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:**

**Section 1.** Except as forth below, from the effective date of this ordinance forward:

- 1 (a) A person shall be a resident in Pulaski County, Arkansas, or agree to become a resident  
2 as set forth in Section 2(a) to be offered employment with the government of the City  
3 in order to serve as a Police Officer or Firefighter; or,  
4 (b) Any person hired after the effective date of this ordinance, who comes into compliance  
5 with the ordinance, but later moves outside the boundaries of Pulaski County becomes  
6 ineligible for continued employment; or,  
7 (c) It is the responsibility of the employee to notify the Human Resources Department in  
8 the event of a change in residence to a location outside the boundaries of Pulaski  
9 County.

10 **Section 2.** The provisions of this ordinance shall not apply in the following circumstances:

- 11 (a) To any person employed by the City on the effective date of this ordinance; or,  
12 (b) To any person later promoted to a new position, or later transferred to a different  
13 position, who was employed by the City on the effective date of this ordinance; or,  
14 (c) To any person who accepts employment with the City after the effective date of this  
15 ordinance, and within ninety (90) days of such acceptance establishes a legal residence  
16 and domicile within the boundaries of Pulaski County; or,  
17 (d) To any person required to live outside the boundaries of Pulaski County after hiring  
18 and the effective date of this ordinance because of an approved participation in a joint  
19 task force or agency with a state or federal department or agency; or,  
20 (e) To any person to live outside the corporate limits of the City after hiring, and the  
21 effective date of this ordinance, if such requirement is protected pursuant to the  
22 Uniformed Services Employment and Reemployment Act (USERRA) – 38 U.S.C. §§  
23 38-4311 to -4319, and 4323, and any Federal Regulations to implement or enforce  
24 USERRA, as may be amended.

25 **Section 3.** Failure to comply with the City's residency requirements as set forth in this ordinance shall  
26 constitute just cause for termination.

27 **Section 4.** The City Manager is directed to implement the terms of this ordinance immediately as a  
28 part of any of the City's Human Resources Policies, or as a term of agreement between the City and any  
29 recognized bargaining unit.

30 **Section 5.** The City Manager is authorized to recognize special circumstances in which strict  
31 compliance with the terms of this ordinance are not possible, and in such situations to grant an employee a  
32 grace period to reestablish residency within Pulaski County for special circumstances such as, but not  
33 limited to, the loss of a home due to fire or natural disaster;

34 **Section 6. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,  
35 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or  
36 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this  
37 ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

1       **Section 7. Repealer.** All ordinances, resolutions, bylaws, and other matters inconsistent with this  
2 ordinance are hereby repealed to the extent of such inconsistency.

3       **Section 8. Emergency Clause.** *The desire that new Police Officers and Firefighters be residents*  
4 *within Pulaski County in order to promote greater community involvement and more efficient response*  
5 *times in cases of emergency is essential to the public health, safety and welfare; further, because hiring*  
6 *decisions may soon be made it is critical that this ordinance be in effect immediately, an emergency is,*  
7 *therefore, declared to exist, and this ordinance shall be in full force and effect from and after the date of its*  
8 *passage.*

9       **PASSED: November 2, 2021**

10       **ATTEST**

**APPROVED:**

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13 **Susan Langley, City Clerk**

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15 **Frank Scott, Jr., Mayor**

16 **APPROVED AS TO LEGAL FORM:**

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18 **Thomas M. Carpenter, City Attorney**

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