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COUNTY EXECUTIVE  
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Honorable Members  
New Castle County Council  
Louis L. Redding City/County Building  
800 N. French Street  
Wilmington, DE 19801

September 15, 2021

Re: Ordinance 21-089

Dear Council President and all Members of Council:

On August 31, 2021, County Council adopted Ordinance 21-089, setting a residency requirement for certain senior appointed Executive Branch positions.

I hereby veto Ordinance 21-089. My primary concern with this Ordinance is not that it will affect the hiring and make-up of talent within my Administration, but rather that it will saddle future New Castle County administrations with restrictions on finding the best talent for key roles. In an era where employees with specific skill sets are in high demand, adding residency restrictions or other burdens into the hiring process is contrary to the public interest.

It is unlikely that this Ordinance will impact my Administration. I am extremely hesitant to approve any restriction on my successor's administration that we did not have.

In addition, there are residents of New Castle County who work for government agencies outside our jurisdiction, and I am concerned that this legislation could encourage other jurisdictions to put similar residency requirements in place, harming employment opportunities for current or future residents of our county.

Finally, County Council Members who feel strongly that residency is a critical factor for employment have the authority to vote against those nominations with which they disagree when those nominations come before Council for approval.

Yours in Service,



Matthew Meyer  
County Executive

Introduced by: Mr. Carter, Ms. Durham  
Date of Introduction: July 13, 2021

**ORDINANCE NO. 21-089**

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26  
("HUMAN RESOURCES"), ARTICLE 1 ("IN GENERAL"), SECTION 26.01.003.  
("RESERVED") REGARDING RESIDENCY REQUIREMENTS  
FOR CERTAIN COUNTY EMPLOYEES**

**WHEREAS**, Substitute No. 1 to Ordinance No. 11-068 eliminated residency requirements for the Chief Administrative Officer, each department general manager and director, the County Attorney, First Assistant County Attorney(s), and any other senior Executive appointees as deemed appropriate by the County Executive and conveyed to County Council in writing; and

**WHEREAS**, New Castle County again recognizes that it is reasonable and rational to have senior Executive staff live in the jurisdiction for which they work; and

**WHEREAS**, residency requirements promote public trust and confidence in local government, and promote a feeling of greater personal stake in the County's progress; and

**WHEREAS**, residency in the County increases the likelihood of understanding the cultural and situational context for public policies and programs that comes from living among the residents, reducing the potential for unconscious bias, particularly in marginalized communities that are often outside the mainstream of meaningful public engagement efforts; and

**WHEREAS**, employing County residents also creates economic benefits from local spending; and

**WHEREAS**, having employees that live where they work will also promote identity with the wishes of our County residents, which will help to strengthen the rapport with citizens whom they serve.

**NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

**Section 1.** *New Castle County Code* Chapter 26 ("Human Resources"), Article 1 ("In General"), Sec. 26.01.003. ("Reserved") is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

Sec. 26.01.003. ~~Reserved.~~ Residency requirement for certain County employees.

A. For purposes of this section, "residency" shall be defined as: renting, leasing, or owning property in New Castle County which is used as the primary residence of the appointee, which is designated as his or her legal address and legal residence for voting and tax purposes.

B. The Chief Administrative Officer, each department general manager and director, the County Attorney, and any other senior Executive appointees as deemed appropriate by the County Executive and conveyed to County Council in writing must become residents of the County within six (6) months after assuming such position. The County Executive, with the advice of the County Attorney, may extend the time within which to obtain residency for good cause. Good cause shall include but not be limited to, conclusion of a school year for children of an appointee, difficulties in the sale of a listed home such as during a severe economic downturn, or an unexpected medical condition in an appointee's family after assumption of the position, during which a move would create a hardship.

C. A person who holds such position on or prior to the effective date of the ordinance, but does not have his or her primary residence in New Castle County on the effective date shall not be subject to the residency requirement of this section while that person continues to hold the position without a break in service of more than seven (7) days.

**Section 2.** Effective date of the ordinance. This ordinance shall become effective upon passage by New Castle County Council and approval of the County Executive or as otherwise provided under 9 Del. C. Section 1156.

Adopted by County Council of  
New Castle County on: 8/31/21

  
President of County Council  
of New Castle County

Approved on:

\_\_\_\_\_  
County Executive  
of New Castle County

**SYNOPSIS:** This Ordinance establishes residency requirements for certain appointed positions.

**FISCAL IMPACT:** No discernible fiscal impact.