

## City Council – Action Request Form

**Date:** January 11, 2022

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**To:** Mayor, Mayor Pro Tempore, and Members of the City Council

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**From:** Ben Rowe, Assistant City Manager  
Dr. Marquis H. Barnett, Human Resources Director

**Council Action Requested:**  
Ordinance Amending Chapter 2. Article IV. Section 2-213(b) and (c) Regarding Residency Restrictions of the City of Winston-Salem Code of Ordinances

**Strategic Focus Area:** Service Excellence  
**Strategic Objective:** No  
**Strategic Plan Action Item:** No  
**Key Work Item:** No



**Current Residency Requirements**

Chapter 2. Article IV. Section 2-313(b). – Residency Requirement of the City of Winston-Salem Code of Ordinances requires that the positions of City Manager, Deputy City Manager, Assistant City Manager, City Attorney, or Department, Division, or Office Head maintain their principal residence within the corporate limits of the City.

Chapter 2. Article IV. Section 2-313(b) goes on to require that public safety positions (Sworn Police Personnel or Fire Suppression Personnel below the level of Department, Division, or Office Head) shall be required to maintain their principal residence in the county or any county contiguous to the county or establish their principal residence within one of such areas within 180 days of the effective date of the personnel action.

Subsection 2-313(c) requires that the City/County Purchasing Director, Emergency Management Director, Planning and Development Services Director and Utilities Director maintain their principal residences in Forsyth County.

**Committee Action:**

<b>Committee</b>	CDHGG 1/11/22	<b>Action</b>	Approval
<b>For</b>	Unanimous	<b>Against</b>	
<b>Remarks:</b>			

## Senior Staff Residency Requirement Benchmarks

A policy review of surrounding municipalities shows varying residency requirements for senior level staff ranging from no adopted policy to policies requiring all senior level staff to maintain their principal residence within the corporate limits of the City. Forsyth County and Raleigh have no residency requirements for staff, and Greensboro and Charlotte allow most senior staff to live within a 30-mile radius from City Hall. Below is a summary chart describing the policies of peer organizations:

Jurisdiction	Charlotte		Durham		Greensboro		High Point		Raleigh		Winston-Salem (current)		Forsyth County		Winston-Salem (proposed)	
	City Limits	30mi Radius	City Limits	Radius	City Limits	30mi Radius	City Limits	30mi Radius	City Limits	Radius	City Limits	Radius	City Limits	Radius	City Limits	30mi Radius
City Manager	✓		✓		✓		✓				✓				✓	
Deputy City Manager							✓				✓					✓
Assistant City Manager		✓			✓		✓				✓					✓
City Attorney		✓	✓				✓				✓				✓	
City Clerk		✓	✓				✓				✓					✓
Department Director						✓		✓			✓					✓
Deputy Dept Director											✓					✓
Division Head											✓					✓
Office Head											✓					✓
Notes							Within current land use plan map		No policy				Previous residency requirements were repealed in June, 2018			

## Public Safety Residency Requirement Benchmarks

Review of the surrounding municipal public safety residential requirements reveals a similar trend to requirements for senior staff. Agencies in close geographic proximity such as Forsyth County, Greensboro, High Point and Durham have much less restrictive requirements than those in place in Winston-Salem. Police Officers in these agencies either have no residency policy or are restricted to maintaining a primary residence within the boundaries of North Carolina.

Below is a summary chart describing the policies of peer organizations:

**Police Residency Requirement Summary**

<b>Jurisdiction</b>	<b>Residency Requirement</b>
Asheville	30mi from City Hall
Cary	None
Charlotte	45mi from Public Safety Center
Durham	None
Forsyth County Sheriff	None
Greensboro	Within North Carolina
High Point	None
Raleigh	60mi from City Hall
Winston-Salem (current)	Contiguous county
Winston-Salem (proposed)	60mi from City Hall

**Rationale for Proposed Change to City Ordinance**

Due to the professional requirements of public safety positions, the NC State mandated minimum standards for qualified applicants are more selective than those of other City service departments. The narrow qualification standards reduce the size of the potential applicant pool considerably. Combined with the current economic and social complexities, improvements to recruitment and retention of talent have become a top priority.

Police Trainees who are accepted into Recruit School in Winston-Salem represent a significant investment in personnel. Trainees are paid approximately \$22,000 plus benefits during their participation in the department’s 28 week basic law enforcement program. The City currently has 89 vacant public safety positions that are being actively recruited by Human Resources and the Police Recruiting Unit. Staff expects this number to rise with several anticipated retirements. Fire Trainees follow a similar schedule representing a \$22,000 plus benefits investment and 28 weeks of instruction time. The separation of public safety employees represents a significant loss of investment by the City. There are also associated costs with recruitment, evaluation, and a host of negative social and economic impacts for our community resulting from the department being under resourced.

Initiatives from City leadership to combat difficulties include the commission of a market study, adoption of adjustments to competitive market rates in the general pay plan, performance-based merit adjustments, increasing the minimum wage, implementation of a comprehensive leadership development mentoring program, and assigned police vehicle program. Expanding the potential applicant pool for senior staff and public safety positions improves the likelihood of attracting talented, qualified individuals as well as matching the flexibility offered by peer organizations

competing to fill positions, while also ensuring timely response (approximately one hour travel time) in an event of emergency.

**Recommendation**

Building upon prior recruitment and retention personnel initiatives, staff recommends amending the Code of Ordinances to require the positions of Deputy City Manager, assistant City Manager, City Clerk, Department Director, Deputy Department Director, Division, or Office Head to maintain their principal residence within a 30-mile radius of City Hall. (Exhibit A)

Staff further recommends amending the Code of Ordinances to permit public safety positions (Sworn Police Personnel or Fire Suppression Personnel below the level of Department, Division, or Office Head) to maintain their principal residence within a 60 mile radius from City Hall and within the boundaries of the State of North Carolina. (Exhibit B)

The amendment is recommended for your consideration.