




April 17, 2006

TO: All City Employees

SUBJECT: Residency Rule

Many of you may be aware that Governor Taft signed SB 82 into law on January 27, 2006. This law, which has been called an anti-residency law, actually provides for the establishment of residency requirements under certain conditions. More importantly to Charter Cities this action by the State legislature and the Governor has struck a blow to Home Rule. It is anticipated that some Charter Cities will be challenging the constitutionality of the law in the court system. If the Charter Cities prevail, this law will be struck down. Therefore, this memorandum will serve to notify you that although the State law goes into effective May 1, 2006, the City's Civil Service Residency Rule and the other residency requirements for employees not covered by the Civil Service Commission's Residency Rule will remain. The City will not take any action to rescind these requirements. The Administration will wait to see what the outcome, if any, there will be regarding any lawsuits filed by other municipalities regarding this action by the State. Furthermore, the City will not take any action against employees who move and/or reside outside the established residency boundaries during this interim phase; however, should the State law be overturned, employees will be expected to comply with the City's residency requirements within 90 days of such Court decision.



John B. Quinn
Mayor

bf

pc: file



May 12, 2005

RESIDENCY RULE – REVISED

A. All employees under the jurisdiction of the Civil Service Commission that are appointed to full-time positions on or after February 24, 1990, must within 90-days of the end of their probationary period reside within the limits established by the following paragraphs.

B. All Division Heads or comparable level employees (except for the Water Supply Superintendent) must live within the corporation limits. The classifications included in the category of division level or comparable level positions are:

- Grants Administrator
- City Engineer
- Information Technology Manager
- Income Tax Commissioner
- Fire Chief
- Police Chief
- Public Works Superintendent
- Water Pollution Control Superintendent
- Electric Superintendent
- Water Distribution/Wastewater Collection Superintendent
- Utilities Business Office Manager/Deputy Finance Director

The Water Supply Superintendent shall be required to live within a 10-statute mile radius of the Bowling Green Water Treatment Plant, except that he/she must reside within Wood County. Any community bisected by the 10 statute mile radius shall, as a whole, be included within the permissible living area.

C. All other employees shall live within Wood County.

D. Employees residing outside the 8-mile limit at the time that the previous residency requirement was adopted by the Civil Service Commission on March 14, 1978 were authorized then and continue to be authorized to reside in their same place of residency or at a distance no greater from Bowling Green.

Civil Service Residency Rule

May 12, 2005

Page 2

E. Employees hired on or after March 14, 1978, who reside beyond the 15-mile limit/Wood County limit, must comply with the residency rule by November 24, 1990, otherwise their employment will be terminated.

F. Employees in positions listed in paragraph (B.) who do not reside within the corporation limits as of February 24, 1990, or in the case of the Water Supply Superintendent within a 10-mile radius of Main and Wooster Streets, shall be authorized to continue to reside in their same place of residence or at a distance no greater from Bowling Green.

However, employees who subsequently are promoted into a position listed in paragraph (B.) shall be required to comply with the residency rule within nine (9) months of their promotion.


John Cheetwood
Chair


Albert Newlove
Vice Chair


Colleen Smith
Recording Secretary