

Ordinance #2022-5

**ORDINANCE AMENDING CHAPTER 2. ARTICLE IV. SECTION 2-213(b) and (c)
REGARDING RESIDENCY RESTRICTIONS OF THE CITY OF WINSTON-SALEM
CODE OF ORDINANCES**

BE IT ORDAINED, by the Mayor and City Council of the City of Winston-Salem, North Carolina that the Code of the City of Winston-Salem is hereby amended as follows:

Section 1: Sec 2-313. - Residency requirement is hereby amended to read as follows:

“Sec. 2-313. - Residency requirement.

(a) Except as otherwise provided, no person shall be eligible to hold elective office in the city unless such person is a resident of the city.

(b) Effective ~~January 18, 1994~~ January 18, 2022, no person shall be hired, promoted, transferred or reclassified to the position of city manager, ~~deputy city manager, assistant city manager or city attorney or department, division or office head~~ unless that person maintains his or her principal residence within the corporate limits of the city, or establishes his or her principal residence within the corporate limits of the city within 180 days of the effective date of the personnel action. ~~Any city manager, deputy city manager, assistant city manager, city attorney, or department, division, or office head residing outside the corporate limits of the city prior to January 18, 1994, in compliance with the provisions of the city's previous residency ordinance adopted June 26, 1978, may continue to do so unless the employee is promoted, transferred or reclassified to another position which is subject to the residency requirement, or establishes his principal residence within the corporate limits of the city after January 18, 1994.~~ Effective January 18, 2022, no person shall be hired, promoted, transferred or reclassified to the position of deputy city manager, assistant manager, or department, division or office head unless that person maintains his or her principal residence within a thirty-mile radius of the Winston-Salem City Hall, or establishes his or her principal residence within a thirty-mile radius of the Winston-Salem City Hall within 180 days of the effective date of the personnel action. Effective ~~January 18, 1994~~, January 18, 2022 all persons hired, promoted, transferred or reclassified to a public safety position (sworn police personnel or fire suppression personnel below the level of department, division or ~~of~~ office head) shall be required to maintain their principal residence ~~in the county or any county contiguous to the county~~ within a sixty mile radius of City Hall and within the State of North Carolina or establish their principal residence within ~~one of~~ such areas within 180 days of the effective date of the personnel action. Except as otherwise provided herein, employees: (a) in positions, that were previously covered by a residency requirement prior to January 18, 2022, and that will no longer be subject to a residency requirement after said date, may move and establish their principal residence as they deem appropriate, (b) in positions, that were previously covered by a residency requirement prior to January 18, 2022, and that, effective January 18, 2022, will be subject to a more relaxed residency requirement, may move

~~and establish their principal residence in compliance with the new residency requirement, and (c) in positions, that, prior to January 18, 2022, required residency within the city limits and that remain subject to the same requirement, must continue to maintain their principal residence within the city limits. Except as provided herein, there~~ There is no residency requirement for city employees. ~~not covered by this subsection. For purposes of this subsection, the city manager, utilizing job descriptions and considering such factors as the city's need to maintain effective and efficient delivery of public service, will identify all department, division and office heads.~~

~~(c) Subsection 2-313(b) to the contrary notwithstanding, the city/county purchasing director, emergency management director, planning and development services director and utilities director shall maintain their personal residences in Forsyth County. All persons hired, promoted, transferred or reclassified to one of these five positions shall be required to maintain their principal resident in the county within 180 days of the effective date of the personnel action.~~

(dc) This section is not intended to limit or restrict the area of recruitment for city personnel, it being the desire of the city council that the best qualified personnel available should be sought for positions in city employment.

(ed) Due, in part, to the impermanence of annexations, it shall be the policy of the City of Winton-Salem to refrain from approving annexation petitions (satellite or contiguous) that are initiated for the sole purpose, as determined by the city, of allowing a person, seeking to be hired, promoted, transferred or reclassified to a city position, to establish or maintain residence within the corporate limits of the city.

(fe) This section shall not apply to county employees who may become city employees on account of any consolidation of services until two years following the date of any such consolidation.

Section 2. This ordinance shall become effective upon adoption.