

CITY COUNCIL RESOLUTION

WHEREAS, Section 190 of the Memphis City Charter addresses the residency requirements for City of Memphis employees; and

WHEREAS, Section 190 of the Memphis City Charter was amended by Home Rule Ordinance No. 5063, approved by City of Memphis voters in a November 2, 2004 referendum election; and

WHEREAS, Home Rule Ordinance No. 5063, amended Section 190 of the Memphis City Charter by requiring all new hires to live and maintain a residence within the boundaries of the City of Memphis; and

WHEREAS, Home Rule Ordinance No. 5063 also provides that “the City Council may exempt therefrom employees of any division, board, department or bureau whose duties as employees of such departments, boards, bureaus or commissions require them to perform services for the city outside the territorial limits therein;” and

WHEREAS, the City Administration has presented information to the Council which provides that certain employee classifications require work to be performed for the City of Memphis outside of the City’s territorial limits; and

WHEREAS, the Council has determined that it would be appropriate to allow limited exceptions to the City of Memphis residency requirement in certain limited situations, consistent with the residency provisions of the Memphis City Charter; and

WHEREAS, persons employed by the Division of Police Services are required to perform services outside the City of Memphis pursuant to a mutual aid agreement that allows City personnel to respond to emergencies outside the limits of the City of Memphis; and

WHEREAS, the City Administration has attempted to fill open positions in the Division of Police Services following the amendment to the Memphis City Charter residency requirement; and

WHEREAS, the number of applicants for these positions has not been sufficient to reach the full complement of 2,600 officers; and

WHEREAS, the large number of vacancies must be filled as soon as possible in order to create and maintain in the City of Memphis and the boundaries contemplated by the mutual aid agreement an environment of public safety recognized for its zero tolerance for crime and its compassion and responsiveness to the needs, rights, and expectations of all its citizens, employees, and visitors; and

WHEREAS, the City Council desires that persons employed with Division of Police Services be exempted from the residency provisions of the Memphis City Charter until the full complement of officers is attained, however there shall be a preference for the hiring of residents of the City of Memphis should all other criteria for employment be met.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that persons employed with the City's Division of Police Services after the date of this Resolution are hereby exempted from the residency provisions of the Memphis City Charter and are hereby allowed to reside within twenty (20) miles of the county line of Shelby County, Tennessee; and provided each non-resident so employed agrees to pay an annual fee of \$1,200.00 to be deducted by payroll on a monthly basis for so long as each person resides outside of the City and for so long as each such person is so employed by the City. This fee will help the City recover the additional tax funded expenses associated with recruitment of police officers.

BE IT FURTHER RESOLVED, that said exemption provision shall expire upon the Division of Police Services attaining a full complement of 2,600 officers and that while said exemption is in effect there shall be a preference for hiring residents of the City of Memphis when minimum qualifications and certifications are met by such applicants; and

BE IT FURTHER RESOLVED, that the City of Memphis shall prepare and officials of the City of Memphis are hereby authorized to execute such documents as may be deemed necessary to carry out this policy on behalf of the City of Memphis.