

**Administrative Regulations**

**City of Iowa City**

**Title: Residency Requirements**

**Effective Date: 9/18/18 Page: 1 of 3**

**Supersedes: 9/17/2015 A.R. Titled: Residency Requirement**



**I. Purpose**

The following represents a policy establishing the maximum distance police officers, firefighters and other critical municipal employees may live from their place of employment per Chapter 400.17 of the Iowa Code.

**II. Policy**

Employees holding the following positions shall be required to establish and maintain primary residency within 17 miles of the corporate limits of Iowa City, Iowa within one year of appointment to the position:

- Deputy Fire Chief
- Fire Battalion Chief
- Fire Captain
- Fire Lieutenant
- Firefighter
- Police Captain
- Police Lieutenant
- Police Sergeant
- Police Officer
- Maintenance Worker I – Streets
- Maintenance Worker II (Signs) – Streets
- Maintenance Worker II – Streets
- Maintenance Worker III – Streets
- Maintenance Worker III (Lead Sweeper Operator) – Streets
- Senior Maintenance Worker – Streets
- Maintenance Operator – Wastewater
- Maintenance Worker II – Wastewater Treatment Plant
- Maintenance Worker III – Wastewater Collection
- Senior Maintenance Worker – Wastewater Collection
- Senior Maintenance Worker – Wastewater Plant
- Senior Treatment Plant Operator – Wastewater
- Assistant Superintendent – Water
- Maintenance Operator – Water
- Maintenance Worker I – Water Customer Service
- Maintenance Worker II – Waster Distribution
- Maintenance Worker II – Water Service
- Maintenance Worker III – Water Distribution
- Maintenance Worker III – Water Service
- Senior Maintenance Worker – Water Distribution
- Senior Maintenance Worker – Water Plant
- Senior Treatment Plant Operator – Water
- Treatment Plant Operator – Water

This policy supersedes any residency requirement policies adopted at the Department level. Employees in positions covered by this policy who were in compliance with a Departmental residency policy upon the May 2015 adoption of the City policy will be considered grandfathered under the prior documented departmental policy. Grandfather status will be lost upon relocation to a different primary residence which must satisfy the requirements of this policy.

### III. Definition of Primary Residency

For the purposes of complying with this policy, primary residency shall mean the employee's home where he/she lives and usually carries out daily life activities such as eating, sleeping, bathing, socializing and where he/she maintains the normal personal and household effects for day-to-day living.

The facts and circumstances of each case must be examined in determining primary residency. The determination of primary residency shall include a consideration of all relevant factors including, but not limited to, the following:

- Location where the employee's family members reside, work and attend school
- Location where the employee keeps his/her tangible personal property and effects and where his/her family keeps their personal property and effects
- Location where the employee receives his/her mail and packages
- Location where the employee spends his/her off-duty time
- Location where the employee usually eats, sleeps and bathes
- Location where the employee welcomes guests to his/her home
- The community or neighborhood with which the employee and his/her family maintain family and social ties
- Location that the employee lists for official documents such as tax returns, voter registration, and driver's license
- Location which is most suitable in terms of aesthetics, habitability, comparative comfort, convenience, and regular access
- Location where there is an apparent intent to make a permanent home
- Reasonable utility usage at the residence
- Active ownership or lease document in the employee's name

The good faith of the employee is also a factor to be considered. Maintaining a rented room or rooms, maintaining a living quarters with a friend or relative, and/or maintaining a home separate from an employee's family when done principally for the purpose of demonstrating residency is not allowable.

Time spent on-duty does not constitute time living within the required residency area.

### IV. Regulation Update and Responsibility

Periodic review, updates, and questions of interpretation of this policy are the responsibility of Human Resources. Department Directors shall be ultimately responsible for ensuring/monitoring compliance of employees in positions subject to this policy. The City Manager or designee shall be responsible for final interpretation and application of this policy. Any waivers or extensions of this policy shall be subject to the approval of the City Manager or designee.

Approved:

  
\_\_\_\_\_  
City Manager

9-18-18  
\_\_\_\_\_  
Date