



Police Residency Requirements: A Survey (updated July 9, 2014)

In 2012, the General Assembly passed and the Governor signed legislation that became Act 195. Prior to the Act, Pittsburgh police officers had to become residents of the City as a condition of employment. The state law now says that “a city of the second class *may* require a police officer to become a bona fide resident of the city as a condition of employment”. This meant that residency for Pittsburgh police would no longer be mandated by state law.

Two significant events followed: in November of 2013 voters in the City of Pittsburgh approved a ballot question to add language to its home rule charter mandating residency in the City for all City employees. Earlier this year, a three member arbitration panel convened under the terms of Act 111 determined that the appropriate residency requirement for Pittsburgh police was an area that covered a 25 mile radius from the City-County building in Downtown. The arbitration decision was appealed by the City not long after and is pending in Common Pleas Court. No doubt the ruling will be appealed no matter which side is ruled against. After all, the ruling will establish a critical interpretation of Act 195 the City and the police union will have to live with.

In light of the developments in the City of Pittsburgh, we wondered what other municipalities in Allegheny County require of their police departments on the subject of where personnel must live. There are numerous arguments for and against residency requirements for public employees, and many were raised after the passage of Act 195. It is not the purpose here to take a side in the debate but simply to report on the current use or non-use of these requirements.

We contacted **fourteen** municipalities in Allegheny County with a population of **15,000** or more to ask if there is a residency requirement for police, what the requirement was, and where it was codified. This is part of a larger study that will encompass requirements for other types of municipal, authority, and County employees.

What we found was that eight of the fourteen municipalities currently have a residency requirement for police personnel that stipulates where the employee must live as a condition of employment. Three of these specify that police must reside within the boundaries of the municipality and five require police personnel to reside within a

specific geographic area that encompasses a distance from a point within the municipality or the municipality's borders. Six have no residency requirement.

Police Residency Requirements in Municipalities of Over 15,000 People

| Must Reside Within Municipality | Must Reside Within a Specified Geographic Area | No Residency Requirement |
|--|---|---|
| McKeesport, Monroeville, Shaler | McCandless, Mt. Lebanon, Moon, Penn Hills, Scott | Baldwin Borough, Bethel Park, Hampton, Upper St. Clair, West Mifflin, Wilkinsburg |

When examining the results it is important to look closely at the size and geographic region of each municipality. The City of McKeesport appears to have the most restrictive dwelling range, limiting police employees to reside within the 5.04 square miles of the municipal borders. Larger municipalities such as Shaler (10.74 square miles) and Monroeville (19.5 square miles) also require residency within municipal boundaries, but would appear to offer far more options for residency based on the square mileage occupied by the municipality. Other municipalities that specify a geographic area in which the police must reside obviously stake out a middle ground by requiring personnel to live within a certain distance, but not within the municipality exclusively. We found that this was typically measured in air miles from a specified point or from the boundary lines of the municipality.

Communities with residency requirements have the terms specified in collective bargaining agreements, ordinances, or personnel manuals.

A look at smaller municipalities will be needed to paint a full picture but for the present it appears the use of residency requirements is about fifty-fifty.

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