

Sec. 16-23.1. Management residency requirement. [Ord. No. 1228, § I, 8-11-2020]

- (a) Preferred but not required. It is preferred but not required that appointees to management positions live within the City of Pittsfield, with the exception of public safety managers listed in Subsection (b) below.
- (b) Residency required for public safety managers. The following public safety managers employed by the City of Pittsfield must establish a residence in the City within 90 days of appointment.
 - (1) Fire Chief;
 - (2) Police Chief; and
 - (3) Public Services Commissioner.
- (c) Residence defined. "Residence" means the principal place of domicile of the manager. "Principal place of domicile" means a manager's true, fixed and permanent home. In determining principal place of domicile, the Mayor and the City Council may consider any and all records and documents which identify or purport to identify a manager's residence or which otherwise provide evidence of such residence.
- (d) Certification of residency.
 - (1) Annually, on July 1, every manager subject to this section shall file with the Human Resources Department a certificate on a form prescribed, signed under the pains and penalties of perjury, stating such manager's name and place of residence.
 - (2) If upon certification of residency of a place not within the City, or failure to file such certification within the time prescribed, a hearing shall be held by the Mayor on such matter. Any manager subject to such hearing shall receive notice at least 10 calendar days before such hearing containing a general statement of its purpose and the disciplinary action that may result.
- (e) Validity. In the event that this section shall be deemed to be in conflict with a provision of any general or special law, the provision of that general or special law shall govern and shall not defeat the application of this section with respect to any manager not governed by the law. Any action of a court of competent jurisdiction declaring this section invalid with respect to any manager shall not be held to apply to any other manager.
- (f) The Building Commissioner must establish a residence within 10 miles of the perimeter of the City within 90 days of appointment.