**MEMORANDUM**

To: City Manager Anthony Carson, Jr.

From: Doug Lewis

Assistant City Manager/Director of Community Development

Date: September 24, 2013

Subject: Definition of “Family”

Per the request of the City Council, staff conducted additional research regarding the “Definition of Family”. A survey was e-mailed to City Manager’s in the State of Ohio and the question was also posted on the Alliance for Innovation’s Knowledge Network. In addition to the research, please see a copy of the recommendation made to the Planning Commission and the memorandum that was provided by Assistant Law Director Jim Lyons.

For your convenience, I have summarized the responses on the attached spreadsheet. Based on a review of all the responses received, Law Director Lyons, City Planner Schaedlich and I prefer the “Definition of Family” from the City of Poughkeepsie, NY (provided by Councilmember Katie Jenkins). Assistant Law Director Lyons recommended one change, which included changing “may” to “shall” as shown below. In addition, we included the recommendations from the Planning Commission with regards to common entrances and exits and a single utility connection to the dwelling unit.

**DEFINITION OF FAMILY:**

(a) One of the following:

(1) One, two or three persons occupying a dwelling unit; or

(2) Four or more persons occupying a dwelling unit and living together as a traditional family or the functional equivalent of a traditional family.

(b) It shall be presumptive evidence that four or more persons living in a single dwelling unit who are not related by blood, marriage or legal adoption do not constitute the functional equivalent of a traditional family.

(c) In determining whether individuals are living together as the functional equivalent of a traditional family, the following criteria must be present:

(1) The group is one which in theory, size, appearance, structure and function resembles a traditional family unit;

(2) The occupants must share the entire dwelling unit and live and cook together as a single housekeeping unit. A unit in which the various occupants act as separate roomers ~~may~~ shall not be deemed to be occupied by the functional equivalent of a traditional family;

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(3) The group shares expenses for food, rent or ownership costs, utilities and other household expenses;

(4) The group shares common entrances and exits;

(5) There is only one set of utility connections to the dwelling unit;

(~~4~~ 6) The group is permanent and stable. Evidence of such permanency and stability may include:

a. The presence of minor dependent children regularly residing in the household who are enrolled in local schools;

b. Members of the household have the same address for purposes of voter's registration, driver's license, motor vehicle registration and filing of taxes;

c. Members of the household are employed in the area;

d. The household has been living together as a unit for a year or more whether in the current dwelling unit or other dwelling units;

e. There is common ownership of furniture and appliances among the members of the household; and

f. The group is not transient or temporary in nature;

(~~5~~ 7) Any other factor reasonably related to whether or not the group is the functional equivalent of a family.

Please review the information and contact me if you have any questions.