

SUBSTITUTE ORDINANCE NO. 5395

AN ORDINANCE TO ASSIGN NEWLY ANNEXED AREAS
TO COUNCIL DISTRICTS AND TO REVISE AND CHANGE
ALL COUNCIL DISTRICTS AS A RESULT OF NEWLY ANNEXED AREAS AND
POPULATION CHANGES REFLECTED ON THE 2010 FEDERAL CENSUS SO THAT ALL
SUCH DISTRICTS
WILL REMAIN AS EQUAL AS PRACTICABLE AND ALL SUCH
DISTRICTS WILL COMPLY WITH THE INJUNCTION DECREE
ISSUED BY UNITED STATES DISTRICT JUDGE JEROME
TURNER PERTAINING TO VOTING RIGHTS ACT REMEDIES

P R E A M B L E

WHEREAS, Judge Jerome Turner ruled that the electoral system established in 1968 with seven districts and six at-large positions violates federal law; and

WHEREAS, the Memphis City Council adopted a plan on May 16, 1995 to remedy the problems with the current electoral system; and

WHEREAS, on June 19, 1995 Judge Jerome Turner entered an injunction decree which provided that the City Council plan was not a violation of the Constitution or the Voting Rights Act; and

WHEREAS, the citizens of Memphis adopted this proposed plan for the City of Memphis elections and made it a part of the Charter of the City in a referendum election held November 5, 1996; and

WHEREAS, the Constitution of the United States requires each Council District be as equal in population as practicable in order to satisfy the "one-man, one vote" principle; and

WHEREAS, the Home Rule Charter of the City requires the Council to assign newly annexed areas to Council Districts and to make revisions and changes in all Districts by ordinance as a result of the assignment of newly annexed areas so that all Council Districts will remain as equal as practicable; and

WHEREAS, the most recent revisions and changes to Council Districts was made by Ordinance No. 5221, adopted by the Council on September 5, 2007 to which reference is hereby made and which Ordinance is referred to herein as "Ordinance No. 5221".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS:

Section 1. Redistricting Amendment. That the Council districts 1 through 7, both inclusive, which are represented, by one council member each and multi-member districts 8 and 9, which are composed of approximately one-half the total city's population and are each represented by three (3) council members elected by position, shall each be amended and reconstituted to include the following Wards and Precincts:

DISTRICT ONE shall consist of the areas, within the corporate limits of the City of Memphis and those areas within "split wards and precincts, encompassed by the Wards and Precincts set forth below:

Memphis 53-3
Memphis 68-1
Memphis 72-5
Memphis 72-1 [only including 72-5]

Memphis 84-2
Memphis 86
Memphis 87-1
Memphis 87-3
Memphis 88-2
Memphis 88-3
Memphis 88-4
Memphis 88-5
Memphis 89-1
Memphis 90-1
Memphis 90-2
Memphis 90-3
Memphis 95-1
Memphis 95-2
Memphis 95-3
Memphis 95-5 [Cordova 2]
Split Precincts
Memphis 96-01
Memphis 72-7 [72-4, 72-7]
Eads
Cordova 5 [Ø]
Cordova 6[Ø]
Bartlett 14

Forest Hill 1[Ø]

DISTRICT TWO shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Memphis 67-3
Memphis 74-6
Memphis 80-2
Memphis 81-1
Memphis 81-2
Memphis 81-3
Memphis 81-4
Memphis 81-5
Memphis 81-6
Memphis 81-7
Memphis 89-2
Memphis 91-2
Memphis 91-3
Memphis 93-1
Memphis 93-2
Memphis 94-5
Memphis 94-8[Ross 10]
Memphis 95-7 [Cordova 8]
Memphis 95-8 [Cordova 10]
Split Precincts
Cordova 5
Cordova 6
Cordova 9
Forest Hills 1
Germantown 6
Memphis 66
Memphis 91-1
Memphis 94-7
Memphis 95-6
Memphis 96-1
Ross Store 5
Ross Store 13
Ross Store 14[Ø]

Ross Store 15 [Ø]

Ross Store 16[Ø]

DISTRICT THREE shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Capleville 1

Capleville 5

Memphis 60-5

Memphis 60-7

Memphis 73-4

Memphis 74-1

Memphis 74-4

Memphis 74-9

Memphis 78-1

Memphis 78-3

Memphis 79-1

Memphis 79-2

Memphis 79-3

Memphis 79-7

Memphis 79-8

Memphis 92-1

Memphis 92-2 [now 94-6]

Memphis 93-3

Memphis 94-2

Memphis 94-3

Memphis 94-6 [plus 92-2]

Split Precincts

Memphis 94-7

Ross Store 1

DISTRICT FOUR shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Memphis 26 [26-1, 26-2, 26-3]

Memphis 29-1

Memphis 29-2

Memphis 31-1
Memphis 31-2
Memphis 31-4
Memphis 45-2
Memphis 47 [47-1, 47-2, 47-3]
Memphis 48
Memphis 58-1
Memphis 58-4
Memphis 59-1
Memphis 59-5
Memphis 60-2
Memphis 60-3
Memphis 60-4
Memphis 60-6
Memphis 60-8
Memphis 60-9
Memphis 61
Memphis 73-1
Memphis 73-3
Memphis 74-2
Memphis 74-5
Split Precincts
Memphis 66[66-1]

DISTRICT FIVE shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Memphis 16-1
Memphis 17
Memphis 20-1
Memphis 28
Memphis 33
Memphis 36-1
Memphis 37
Memphis 38-2
Memphis 44-1
Memphis 44-2
Memphis 44-3

Memphis 44-4
Memphis 44-5
Memphis 45-1
Memphis 45-4
Memphis 46-1
Memphis 46-2
Memphis 52-2
Memphis 52-3
Memphis 54
Memphis 55-1
Memphis 55-2
Memphis 56-1
Memphis 56-3
Memphis 57
Memphis 63-2
Memphis 64
Memphis 65-1
Memphis 67-1
Memphis 68-2
Memphis 68-3
Split Precincts
Memphis 53-1
Memphis 66[65-2, 66-2]

DISTRICT SIX shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Memphis 02
Memphis 11
Memphis 12
Memphis 13
Memphis 16-3 [15]
Memphis 25-2
Memphis 32
Memphis 34-2

Memphis 49

Memphis 50-1
Memphis 50-2 [35-1, 35-2, 35-3, 50-1, 50-2]
Memphis 60-1
Memphis 75-1
Memphis 75-11
Memphis 75-5
Memphis 75-6
Memphis 75-7
Memphis 76-4
Memphis 76-5
Memphis 76-6
Memphis 77-1
Memphis 77-2
Memphis 77-3
Memphis 82-1
Memphis 82-2
Memphis 82-3

DISTRICT SEVEN shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Memphis 01
Memphis 20-3
Memphis 21
Memphis 22
Memphis 27
Memphis 36-2
Memphis 36-3
Memphis 40-1
Memphis 40-2
Memphis 41-1
Memphis 41-3
Memphis 42-1
Memphis 43-2
Memphis 52-1
Memphis 53-2
Memphis 62-0
Memphis 69-1
Memphis 70-1
Memphis 70-2

Memphis 70-3
Memphis 71-3
Memphis 71-4
Memphis 71-5[Ø]
Memphis 72-1 [72-1excluding 72-5]

Memphis 72-3 [72-3, 72-6]
Memphis 83
Memphis 84-1
Split Precincts
Memphis 53-1
Memphis 69-2
Memphis 72-7

DISTRICT EIGHT shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Capleville 1
Capleville 5
Memphis 01
Memphis 02
Memphis 11
Memphis 12
Memphis 13
Memphis 16-3 [15]
Memphis 20-3
Memphis 21
Memphis 22
Memphis 25-2
Memphis 26 [26-1, 26-2, 26-3]

Memphis 27
Memphis 29-1
Memphis 29-2
Memphis 31-1
Memphis 31-2
Memphis 31-4
Memphis 32

Memphis 34-2
Memphis 35-1
Memphis 36-2
Memphis 36-3
Memphis 40-1
Memphis 40-2
Memphis 41-1
Memphis 41-3
Memphis 42-1
Memphis 43-2
Memphis 45-2
Memphis 47 [47-1, 47-2, 47-3]

Memphis 48
Memphis 49
Memphis 50-1
Memphis 50-2 [35-1, 35-2, 35-3, 50-1, 50-2]
Memphis 52-1
Memphis 58-1
Memphis 59-1
Memphis 59-5
Memphis 60-1
Memphis 60-2
Memphis 60-3
Memphis 60-4
Memphis 60-5
Memphis 60-6
Memphis 60-7
Memphis 60-8
Memphis 60-9
Memphis 61
Memphis 69-1
Memphis 70-1
Memphis 70-2
Memphis 70-3
Memphis 71-3
Memphis 71-4
Memphis 71-5[Ø]
Memphis 72-1 [72-1excluding 72-5]

Memphis 72-3 [72-3, 72-6]
Memphis 72-7
Memphis 73-1
Memphis 74-1
Memphis 74-5
Memphis 75-1
Memphis 75-11
Memphis 75-5
Memphis 75-6
Memphis 75-7
Memphis 76-4
Memphis 76-5
Memphis 76-6
Memphis 77-1
Memphis 77-2
Memphis 77-3
Memphis 78-1
Memphis 78-3
Memphis 79-1
Memphis 79-2
Memphis 79-3
Memphis 79-7
Memphis 79-8
Memphis 82-1
Memphis 82-2
Memphis 82-3
Memphis 92-1
Memphis 92-2 [now 94-6]
Memphis 93-3
Memphis 94-2
Memphis 94-3
Memphis 94-6
Memphis 94-7
Split Precincts
Memphis 58-4
Memphis 69-2
Memphis 74-2
Ross Store 1
Ross Store 13

Ross Store 14[Ø]

Ross Store 16

DISTRICT NINE shall consist of the areas, within the corporate limits of the City of Memphis and those areas within “split wards and precincts, encompassed by the Wards and Precincts set forth below:

Cordova 6

Memphis 16-1

Memphis 17

Memphis 20-1

Memphis 28

Memphis 33

Memphis 36-1

Memphis 37

Memphis 38-2

Memphis 44-1

Memphis 44-2

Memphis 44-3

Memphis 44-4

Memphis 44-5

Memphis 45-1

Memphis 45-4

Memphis 46-1

Memphis 46-2

Memphis 52-2

Memphis 52-3

Memphis 53-1

Memphis 53-2

Memphis 53-3

Memphis 54

Memphis 55-1

Memphis 55-2

Memphis 56-1

Memphis 56-3

Memphis 57

Memphis 62-0

Memphis 63-2

Memphis 64
Memphis 65-1
Memphis 66
Memphis 67-1
Memphis 67-3
Memphis 68-1
Memphis 68-2
Memphis 68-3
Memphis 72-1 [excluding 72-1]
Memphis 72-5

Memphis 73-3
Memphis 73-4
Memphis 74-4
Memphis 74-6
Memphis 74-9
Memphis 80-2
Memphis 81-1
Memphis 81-2
Memphis 81-3
Memphis 81-4
Memphis 81-5
Memphis 81-6
Memphis 81-7
Memphis 83
Memphis 84-1
Memphis 84-2
Memphis 86
Memphis 87-1
Memphis 87-3
Memphis 88-2
Memphis 88-3
Memphis 88-4
Memphis 88-5
Memphis 89-1
Memphis 89-2
Memphis 90-1
Memphis 90-2
Memphis 90-3
Memphis 91-1

Memphis 91-2
Memphis 91-3
Memphis 93-1
Memphis 93-2
Memphis 94-5
Memphis 94-8
Memphis 95-1
Memphis 95-2
Memphis 95-3
Memphis 95-5
Memphis 95-6
Memphis 95-7
Memphis 95-8 [Cordova 10]
Memphis 96-01
Split Precincts
Memphis 58-4
Memphis 74-2
Bartlett 14
Cordova 5[Ø]
Cordova 6
Cordova 9
Eads
Forest Hills 1[Ø]
Germantown 6
Ross Store 5
Ross Store 15[Ø]

Wards and precincts have been allocated between the various districts using the U.S. Census Bureau's block and ward/precinct data released by the U.S. Census Department to the Governor and General Assembly of the State of Tennessee. Such data may vary from the wards and precincts split or consolidated by the Shelby County Election Commission after the compilation of census data by the U.S. Census Bureau.

Reference is made to the Memphis Municipal Code, as amended, and to the Official Ward and Precinct Map of the City of Memphis in the Office of the City Comptroller for a description of the wards and precincts hereinabove allocated to the respective districts One (1) through Nine (9), both inclusive. Annexed areas shall be assigned as future wards are described. Reference is also made to the minutes of the Board of

Commissioners of Shelby County, Tennessee, for ordinances and resolutions establishing precinct lines. A map describing said Districts, as amended, is filed with the Comptroller of the City of Memphis. Should there be discrepancies between the official U.S. census districts and the voting districts assigned by the Shelby County Election Commission such discrepancies shall be resolved by the Election Commission by reference to the map filed with the Comptroller of the City and this Ordinance.

Section 2. Nonconflicting-Conflicting Laws.

BE IT FURTHER ORDAINED That all laws or ordinances of the City of Memphis, not in conflict with this Ordinance, be and the same are continued in full force and effect, and all laws in conflict therewith are hereby repealed.

Section 3. Severability.

BE IT FURTHER ORDAINED, That if any clause, sentence, paragraph, section or part of this ordinance shall be held or declared to be unconstitutional or void, it shall not affect the remaining parts of this ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this ordinance notwithstanding the parts so held to be invalid, if any.

Section 4. Effective Date.

BE IT FURTHER ORDAINED, That this ordinance shall take effect immediately after its adoption, the public welfare requiring it.

Myron Lowery
Chairman of Council

Attest:

VALERIE C. SNIPES
Deputy City Comptroller