

AN ORDINANCE TO AMEND CHAPTER 48, ARTICLE 1, OF THE CITY OF MEMPHIS, CODE OF ORDINANCES, SO AS TO PROVIDE FOR RESERVE HOUSING AND CODE ENFORCEMENT OFFICERS

WHEREAS, the Memphis City Council and Administration wish to combat blight in our city, promote a clean and secure City of Memphis and protect the public health, safety and welfare in existing buildings used for dwelling purposes; and

WHEREAS, the City of Memphis has identified several specific ways to combat blight; addressing storage of inoperable or abandoned vehicles on public and private property; minimum housing standards for existing dwellings; environmental conditions which may contribute to deterioration in the community; abandoned commercial structures which may contribute to deterioration in the community and overgrown weeds on city rights-of-ways, interstates, vacant lots and lots with vacant houses; and

WHEREAS, a reserve force of city housing and code enforcement officers will assist the full-time employees of the City of Memphis in ensuring a clean and secure environment.

SECTION 1, NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 48, HOUSING CODE, Article 1 General Provisions, is hereby amended to add Section 24 "Housing and Code Enforcement Reserve Officers" as follows:

Sec. 48-24 Housing and Code Enforcement reserve officers.

Sec. 48-24. Designation, membership and employee status.

This auxiliary city Housing and Code Enforcement force shall be designated as the "Housing and Code Enforcement Reserve Officers" and shall be composed of voluntary membership. They shall be volunteers assigned to the Division of Community Enhancement, and shall not be compensated, including any life or health insurance or other such fringe benefits provided for employees of the city, and shall not be included under the civil service or retirement system of the city.

SECTION 2, NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that Chapter 48 Section 48-25 is hereby added to read as follows:

Sec. 48-25. Diminishing or increasing the force.

The Director of Community Enhancement (“the Director”) may by order diminish or expand the membership of the reserve, as may in his or her judgment be required. The Director shall have complete authority, control and command over the Housing and Code Enforcement Reserve Officers, subject to the provisions of this article. The Director may appoint as members thereof any person he may consider qualified and may reject any application for membership and shall provide for the training of candidates for membership and for the further training of members.

SECTION 3, NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that Chapter 48 Section 48-26 is hereby added to read as follows:

Sec 48-26. When Citation/Summons Deemed Lawful—Complaints

An employee designated as provided in this section is authorized to issue misdemeanor citations in lieu of arrest, for violations of the Housing Code and Articles 1 through 7 and in accordance with the provisions therein. The Director may limit the violations for which the reserve code enforcement officers, individually or as a whole, may issue citations.

SECTION 4, NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that Chapter 48 Section 48-27 is hereby added to read as follows:

Sec. 48-27 Method of appointment and qualifications of members.

- (a) No person shall be considered a member of the Housing and Code Enforcement Reserves until he has been duly appointed by the director, registered on a roster kept by the director, and until he has taken the oath provided for reserve officers.
- (b) Persons eligible for membership shall be not less than twenty-one years of age and shall be citizens of the United States, residents within the limits of the City of Memphis and of excellent character and reputation.

SECTION 5, NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that Chapter 48 Section 48-29 is hereby added to read as follows:

Sec. 48-29 Identification cards, etc

An identification card and such other insignia or evidence of identity as the Director may prescribe shall be issued to each member who must carry such Identification at all times while on duty, and he must surrender them upon the

Termination of his membership.

SECTION 6, NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that Chapter 48 Section 48-30 is hereby added to read as follows:

Sec. 48-30 Duties

The duties of the Housing and Code Enforcement Reserves, subject at all times to the direction, supervision and control of the director, shall be to assist in the enforcement of the housing and code enforcement code. The Director shall establish rules and regulations to govern the reserve and to fix the specific duties of its members. He may change such orders from time to time, provided no member shall in any manner perform any act as a member of the housing and code enforcement reserves unless he is specifically designated for duty as such member at the time.

SECTION 7. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remained of this Ordinance shall continue in full force and effect.

SECTION 8. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this Ordinance, shall take effect on the later of: after it is passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller and become effective as otherwise provided by law.

JIM STRICKLAND
COUNCILMAN

MYRON LOWERY
Council Chairman

Attest:
Patrice Thomas, Comptroller