

1<sup>st</sup> Reading 6/21/2011  
2<sup>nd</sup> Reading 7/5/2011  
3<sup>rd</sup> Reading 7/19/2011

Ordinance No. 5407

**AN ORDINANCE TO AMEND TITLE 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE BY ESTABLISHING THE MEMPHIS ADVISORY COUNCIL FOR CITIZENS WITH DISABILITIES**

WHEREAS, The Mayor and the Memphis City Council wish not only to comply with the Americans with Disabilities Act, the Fair Housing Act and other laws governing the city's relationship with people with disabilities but to also promote awareness of the strengths, abilities, needs and resources of people with disabilities and a positive perceptions of persons with disabilities to the general population; and

WHEREAS, the City of Memphis wishes to address issues of concern for people with disabilities such as access to housing, and employment, barrier-free design, recreation, as well as art and culture; and

WHEREAS, the City of Memphis wishes to better serve the disability community by establishing an advisory council with a formal membership, established bylaws and charge to serve citizens with disabilities and visitors to Memphis.

**NOW, THEREFORE**

**SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS,**

That Title 2, Administration of the Code of Ordinances, be and is hereby amended to add Chapter 2-89 Memphis Advisory Council for Citizens with Disabilities which shall read as follows:

**Sec. 2-89-1 Establishment, Designation and Membership.**

The Memphis Advisory Council for Citizens with Disabilities is established and shall consist of up to twenty-one (21) members who live or work in Shelby County, Tennessee. All members shall be appointed by the Mayor of the city. Membership will be based on demonstrated interest in and assistance to the advancement of individuals with disabilities and will represent groups with mental, sensory and motor disabilities.

- A. At least fifty-one percent (51) of the members shall be a person with a disability.
- B. Membership shall be composed of individuals who are drawn from the following groups:
  - 1. Citizens with disabilities,
  - 2. Family members or guardians of persons with profound physical or mental disabilities.

3. Persons who are active in agencies that provides services to the disability community.
  4. The community at large.
- C. A member of the Mayor's staff shall serve as an ex-officio, nonvoting member of the Council for information, reporting and recording purposes.

**Sec. 2-89-3 Compensation of members, organizations, election of officers and adoption of rules and procedures.**

Members shall serve without pay and shall organize, elect officers and adopt such rules and procedures, consistent with the laws of the city and county and the provisions of this chapter, as are necessary for the conduct of its affairs and perform its functions and responsibility.

**Sec. 2-89-4 Purpose – legislative intent.**

The purpose of the Memphis Advisory Council for Citizens with Disabilities shall be:

- A. To determine the needs of persons with disabilities in the Memphis area, which if met, would result in their equal participation in major life areas such as employment and vocational training, education, housing transportation, recreation and other essentials,
- B. To determine the extent to which needs in the above area are being addressed by both governmental and non-governmental resources.
- C. To gather input from persons with disabilities and their representatives, disability related advocacy and consumer groups, service agencies and organizations, the business community, government, and others in developing recommendations to meet identified unmet needs.
- D. To submit those recommendations directly to the Mayor and City Council and to provide assistance in the implementation of accepted recommendations.
- E. To coordinate information on identified unmet needs, recommendations and methods of implementation among groups, individuals, and the general public.
- F. To promote an awareness of the strengths, abilities, needs and resources of people with disabilities and a positive perception of the disability community to the Mayor, City Council and the general population.

**SECTION 2. 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 remainder of this Ordinance shall continue in full force and effect.

**SECTION 3. 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.

MYRON LOWERY  
Council Chairman

Attest:  
Patrice Thomas, Comptroller