

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE 6 – BUSINESS LICENSES AND REGULATIONS
- CHAPTER 6-88 – WRECKERS AND TOWING OPERATORS, SECTION 6-88-15 –
PRIVATE PROPERTY TOW AUTHORIZATION
FORMERLY CHAPTER 41 – WRECKERS OR TOWING OPERATOR – OF THE
CODE OF ORDINANCES OF MEMPHIS, TENNESSEE**

WHEREAS, the Memphis City Council strives to ensure our laws clear, current and relevant to keep our citizens safe and best serve our business community, assisting them in operating in accord with the laws contained within the Tennessee Code Annotated and the Code of Ordinances of Memphis, Tennessee; and

WHEREAS the Council wishes to better regulate the wrecker and towing industry to conform to present day conditions and to provide for the protection of the public interest as it relates to the towing of vehicles without the consent of the owner.

NOW, THEREFORE,

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

That Title 6, Business Licenses and Regulations - Chapter 6-88 – Wreckers and Towing Operators, Section 6-88-15 – Private Property Tow Authorization – formerly Chapter 41 – Wreckers and Towing Operator - of the Code of Ordinances, is hereby amended number the current provision as (a) and add (b) to read as follows:

- (b) The owner or person in lawful possession of private property, including an apartment complex or condominium association, may cause the removal of a vehicle parked on the property in compliance with applicable law, however there must be displayed, in plain view at all entrances to the property, a sign not less than 17 inches by 22 inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that vehicles will be removed at the owner's expense, and containing the telephone number of the local traffic law enforcement agency and the name and telephone number of each towing company that is a party to a written general towing authorization agreement with the owner or person in lawful possession of the property. The sign may also indicate that a citation may also be issued for the violation.

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 remained 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.

KEMP CONRAD
Memphis City Council

MYRON LOWERY
Council Chairman

Attest:
Patrice Thomas, Comptroller