



Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**
An ordinance to amend Ordinance number 5430, Chapter 15, Article I, Section 15-26.1 reducing the \$500 fee to \$200 that owners of dumpster will be required to pay effective November 1st.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**
Public Works
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**
This is an amendment to Ordinance number 5430 Chapter 15, Article I, Section 15-26.1.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**
Not required.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**
This ordinance does not require an amendment to the budget

ORDINANCE NO.: _____

ORDINANCE TO AMEND CHAPTER 15, ARTICLE I, SECTION 15-26.1, CITY CODE OF ORDINANCES, TO DECREASE THE MONTHLY PERMIT FEE.

WHEREAS, the Memphis City Council amended the dumpster ordinance in December 2011 to address a growing safety and health hazard created by dumpsters located in public right-of-ways; and

WHEREAS, the City Administration and Memphis City Council agree there is a problem in the downtown area with overflowing garbage, extensive litter surrounding dumpsters, accessibility of dumpster contents to scavengers and vermin, the risk of disease, crime and frequent malignant odors; and

WHEREAS, upon implementation of the amended ordinance issues arose with small businesses that share dumpsters with larger entities and compliance with the ordinance has caused unintended stress and excessive burdens on some corporate citizens; and

WHEREAS, the City Administration and the Memphis City Council agree that the monthly fee should be reduced from \$500 to \$200 until the City of Memphis can install trash compactors in various locations to assist small businesses in meeting the requirement established in the amended ordinance.

NOW THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, That Chapter 15, Article I, Section 15-26.1 (f) (3) is hereby deleted and replaced with the following:

(3) The owner of any dumpster located in a public right-of-way within the downtown solid waste collection district shall pay to the city a location permit fee of \$200 per month per dumpster for the use of the public right-of-way and to fund enforcement of the downtown dumpster ordinance. This fee shall be paid in advance by the first of each calendar month for as long as the dumpster is located in a public right-of-way.

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 is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the City 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.

Edmund Ford, Jr., Ed.D.
Chairman, Memphis City Council