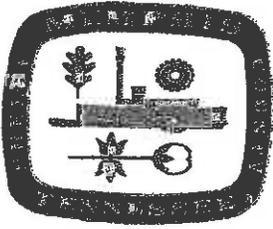


Memphis City Council Summary Sheet

- 1. Description of the Item (Resolution, Ordinance, etc.)**
This resolution is to approve the FY2014 Budget for the Downtown Memphis Commission.
- 2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**
Downtown Memphis Commission
- 3. State whether this is a change to an existing ordinance or resolution, if applicable.**
This resolution does not make any changes to an existing ordinance or resolution.
- 4. State whether this requires a new contract, or amends an existing contract, if applicable.**
The resolution does not require a new contract or modification to an existing contract.
- 5. State whether this requires an expenditure of funds/requires a budget amendment.**
No expenditure is required by this resolution.



A Resolution to approve the FY2014 Budget for the Downtown Memphis Commission.

WHEREAS, the Downtown Memphis Commission submitted their FY2014 Budget in the amount of \$3,317,544, for approval by the City Council; and

WHEREAS, full Council Approval is also needed for the Downtown Memphis Commission budget; and

WHEREAS, the Council affirms that the assessment rate of \$0.65 per \$100 of assessed value (unchanged) was used to determine the revenues listed below

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the FY2014 Budget for the Downtown Memphis Commission be and is hereby approved.

DOWNTOWN MEMPHIS COMMISSION FY 2014 BUDGET

REVENUE

Assessment & Interest	\$	2,485,944
Operations		9,600
Transfers In		<u>662,000</u>
Total Revenue	\$	<u>3,157,544</u>

EXPENSE

Personnel	\$	1,767,642
Personnel Development		12,684
Office Expenditures		314,920
Professional Fees		146,056
Advertising		248,000
Planning & Development		184,600
Depreciation		427,895
Interest		<u>55,747</u>
Total Expense	\$	<u>3,157,544</u>
Excess Revenue over Expense	\$	<u>0</u>

ORDINANCE NO _____

**ORDINANCE TO TRANSFER OWNERSHIP OF THE CITY'S STREET LIGHTS
WITHIN THE CITY LIMITS TO THE MEMPHIS LIGHT GAS AND WATER DIVISION
AND TO ASSIGN THE FUNCTION OF OPERATING AND MAINTINING STREET
LIGHTS WITHIN THE CORPORATE LIMITS OF THE CITY AND AUTHORIZING THE
BOARD OF COMMISSIONERS OF THE MEMPHIS LIGHT GAS AND WATER
DIVISION TO MAKE A SCHEDULE OF RATES FOR STREET LIGHTING FOR
APPROVAL BY THE COUNCIL IN ACCORDANCE WITH SECTION 680 OF THE
CHARTER**

WHEREAS, pursuant to Home Rule Charter Amendment No 3054, adopted by referendum vote on November 4, 1980, the City Council was authorized to assign the management and control over energy systems to MLGW upon such terms and conditions as the Council may prescribe and the Council was authorized to prescribe by ordinance other functions to be performed by MLGW;

WHEREAS, MLGW is also authorized by the City's Charter § 677 to operate and maintain within the corporate limits of the City an electric plant or system, including without limitation, transmission lines, poles, conduits, wires, cables, lamp, fixtures, accessory apparatus, rights of way and easements for the purpose of furnishing electric power and energy for lighting and other purposes for which electric power may be used;

WHEREAS, the Council desires to assign all rights of ownership and rights to control and manage all street lights with the City limits to MLGW and authorize and direct MLGW's Board of Commissioners to make a schedule of rates for street lighting for approval by the council in accordance with section 680 of the Charter at the earliest practicable date.

NOW, THEREFORE BE IT ORDAINED:

Section 1. Assignment of Functions to MLG&W. The City does hereby transfer and convey to the Memphis Light Gas and Water Division all street lights within the corporate

limits of the City of Memphis and hereby prescribes the function of managing and maintaining said street lights from and after the effective date of this ordinance. The Mayor is authorized and directed to execute any and all documents of conveyance necessary to effectuate the transfer.

Section 2. Schedule of Lighting Rates. The Council does hereby authorize and direct MLGW's Board of Commissioners to make a schedule of rates for street lighting to be submitted to the Council for approval in accordance with section 680 of the Charter at the earliest practicable date.

Section 3. Severability. 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 5. Effective Date. This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

SPONSOR: Edmund Ford, Jr.

EDMUND FORD, JR.

Council Chairman

Attest:

Comptroller

City of Memphis

MEMPHIS CITY COUNCIL

Inter Office Memo

TO: Bill Boyd
Joe Brown
Harold Collins
Shea Flinn
Edmund Ford, Jr.
Janis Fullilove
Wanda Halbert
Lee Harris
Reid Hedgepeth
Myron Lowery
Bill Morrison
Jim Strickland

FROM: Kemp Conrad

DATE: May 13, 2013

RE: Alternative to Administration's Solid Waste Fee Proposal

We recently received a memo from CAO Little outlining restructuring of solid waste collection. In the memo, the Administration stated that a savings potential of \$17MM per year exists, but that they were choosing a more expensive path. The attached proposed ordinances are an alternative that would save each household in Memphis up to \$85 per year.

Both options presented in this memo reduce the solid waste budget by \$17MM. Please note that this proposal is not instructing the Administration on which method of collection to pursue – but simply to pursue the best one for employees and tax payers.

Option one reduces the solid waste fee by 20% – or \$12MM – and the other \$5MM collected in the fee would offset the \$5MM in the Public Works budget spent on blight relieving the burden on the general fund. This option would save single-family households \$60 per year.

Option two reduces the solid waste fee by the full \$17MM – or 28.5%. This option allows a typical family to keep \$85 per year as opposed to subsidizing an inefficient operation that has drained over \$100,000,000 from the General fund over the last ten years.

Please also keep in mind that during the March 19, 2013 Public Works committee meeting we were told by Chief Little and Director Gilliom that a different approach to solid waste collection would 1) Allow citizens to keep more of their hard earned money 2) allow for better working conditions for employees and 3) allow employees to make more money.

OPTION 1

**SUBSTITUTE ORDINANCE AMENDING CHAPTER 15, SECTION 15-12, CITY OF
MEMPHIS CODE OF ORDINANCES, TO DECREASE SOLID WASTE FEES FOR
COLLECTION AND DISPOSAL.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF MEMPHIS TENNESSEE:

SECTION 1.

Chapter 15, Section 12, Code of Ordinances, City of Memphis, is hereby amended so as to decrease solid waste fees as follows:

Section 15-12. Solid Waste Fees for Collection and Disposal.

*The following monthly fees are established for the collection, removal or disposal of solid waste including blight:

**Residential units, including single family dwellings, mobile homes, duplexes, triplexes, quadruplexes, apartment units with seven (7) units or less, for each unit thereof..... \$ 20.02

***Additional cart(s) for residential units may be leased for..... \$ 4.00 ea.

*** Apartment houses provided with non-mechanized collection, for each lmit thereof... .. \$ 14.77

*** Apartment houses and mobile homes with centralized, mechanized collection for each unit thereof..... \$ 9.60

Commercial businesses, churches, boarding houses with three (3) or more living quarters, and other institutions shall be charged the appropriate commercial rate based upon weekly containerized volume:

0-180 gallons \$48.43

181-360 gallons \$91.85

361-780 gallons \$186.77

780-1,200 gallons	\$253.56
1,201-1,800 gallons	\$353.98
1,801-3,600 gallons	\$580.51
3,601-5,400 gallons	\$926.79
5,401-7,200 gallons	\$1272.20
7,201-9,000 gallons	\$1618.04
9,001-10,800 gallons	\$1958.75
10,801-12,600 gallons	\$2309.17

Notes:

*** 10.5% of fees are to be used for blight reduction initiatives. This additional fee should be reviewed yearly by city council.**

****1. Residents included in this category will be eligible for a reduced fee in the amount of seven dollars and fifty cents (\$7.50) if they meet the following criteria: Head of household, have an active utility account in their name, are at least sixty-five (65) years of age or one hundred (100) percent disabled and have a gross household income of twenty-five thousand dollars (\$25,000.00) per year or less.**

2. Households qualifying for the reduced fee, which generate more waste than what can be contained in one 90 gallon garbage cart per week, may request an additional City cart through the cart lease program.

Option A: The leased cart fee will be waived with the stipulation that the qualifying household must participate in curbside recycling each week. Should the qualifying household fail to participate in curbside recycling each week or fail to justify the need for the additional cart, the discount applicant will receive a written courtesy notice.

Upon receiving three (3) notices within one calendar year, the leased cart will be removed by the City or the household will have the option of leasing the additional cart at the normal monthly fee.

Option B: Qualifying households in the discount program may lease an additional cart at the normal monthly fee without the mandatory recycling requirement.

* * *This item may be adjusted as necessary by resolution with approval of the city council.

This section shall become effective from and after July 1, 2013 as to coincide with Memphis Light, Gas and Water Division's monthly billing cycles.

SECTION 2.

BE IT FURTHER ORDAINED, that this ordinance shall take effect from and after the date it shall have been passed by the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

OPTION 2

**SUBSTITUTE ORDINANCE AMENDING CHAPTER 15, SECTION 15-12, CITY OF
MEMPHIS CODE OF ORDINANCES, TO DECREASE SOLID WASTE FEES FOR
COLLECTION AND DISPOSAL.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY

OF MEMPHIS TENNESEE:

SECTION 1.

Chapter 15, Section 12, Code of Ordinances, City of Memphis, is hereby amended so as to decrease solid waste fees as follows:

Section 15-12. Solid Waste Fees for Collection and Disposal.

The following monthly fees are established for the collection, removal or disposal of solid waste:

*Residential units, including single family dwellings, mobile homes, duplexes, triplexes, quadruplexes, apartment units with seven (7) units or less, for each unit thereof..... \$ 17.92

Additional cart(s) for residential units may be leased for..... \$ 3.58 ea.

** Apartment houses provided with non-mechanized collection, for each unit thereof... .. \$ 13.22

** Apartment houses and mobile homes with centralized, mechanized collection for each unit thereof..... \$ 8.60

Commercial businesses, churches, boarding houses with three (3) or more living quarters, and other institutions shall be charged the appropriate commercial rate based upon weekly containerized volume:

0-180 gallons \$43.35

181-360 gallons \$82.22

361-780 gallons \$167.19

780-1,200 gallons	\$226.98
1,201-1,800 gallons	\$316.87
1,801-3,600 gallons	\$519.66
3,601-5,400 gallons	\$829.65
5,401-7,200 gallons	\$1138.85
7,201-9,000 gallons	\$1448.44
9,001-10,800 gallons	\$1753.43
10,801-12,600 gallons	\$2067.12

Notes:

*1. Residents included in this category will be eligible for a reduced fee in the amount of seven dollars and fifty cents (\$7.50) if they meet the following criteria: Head of household, have an active utility account in their name, are at least sixty-five (65) years of age or one hundred (100) percent disabled and have a gross household income of twenty-five thousand dollars (\$25,000.00) per year or less.

2. Households qualifying for the reduced fee, which generate more waste than what can be contained in one 90 gallon garbage cart per week, may request an additional City cart through the cart lease program.

Option A: The leased cart fee will be waived with the stipulation that the qualifying household must participate in curbside recycling each week. Should the qualifying household fail to participate in curbside recycling each week or fail to justify the need for the additional cart, the discount applicant will receive a written courtesy notice. Upon receiving three (3) notices within one calendar year, the leased cart will be removed by the City or the household will have the option of leasing the additional cart at the normal monthly fee.

Option B: Qualifying households in the discount program may lease an additional

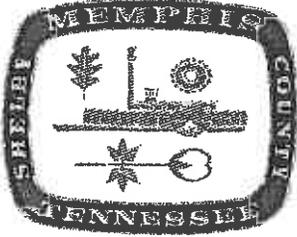
cart at the normal monthly fee without the mandatory recycling requirement.

* * This item may be adjusted as necessary by resolution with approval of the city council.

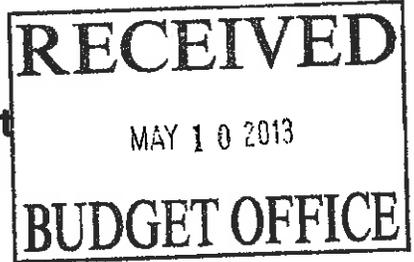
This section shall become effective from and after July 1, 2013 as to coincide with Memphis Light, Gas and Water Division's monthly billing cycles.

SECTION 2.

BE IT FURTHER ORDAINED, that this ordinance shall take effect from and after the date it shall have been passed by the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.



City Council Item Routing Sheet



Division Executive

Committee Public Works

Hearing Date May 21, 2013

7749

Ordinance

Resolution

Grant Acceptance

Budget Amendment

Commendation

Other: [Click here to enter text.](#)

Item Description (Not the caption, but what does it do): Receives \$562,960 from the Center City Revenue Finance Corporation for Architectural and engineering fees associated with the Main Street to Main Street Multimodal Connector.

Recommended Council Action: Accept the funds

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: Approved by CCRFC boards and authorized by the City Council and County Commission

Does this item require city expenditure? No

[Click here to enter text.](#) Amount

\$ 562,960 Revenue to be received

Source and Amount of Funds

[Click here to enter text.](#) Operating Budget

[Click here to enter text.](#) CIP Project # PW04090

\$ 562,960 Federal/State/Other

Approvals

Director Brad Lewis Date 5/10/13

Director [Signature] Date 5/21/13

Budget Manager [Signature] Date 5/15/13

Finance Director _____ Date _____

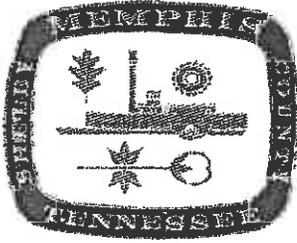
City Attorney _____ Date _____

Chief Administrative Officer

_____ Date _____

Council Committee Chair

_____ Date _____



City Council Item Routing Sheet

RECEIVED
MAY 10 2013
BUDGET OFFICE

Division Engineering

Committee Public Works

Hearing Date April 16, 2013

Ordinance

Resolution

Grant Acceptance

7148

Budget Amendment

Commendation

Other: [Click here to enter text.](#)

Item Description (Not the caption, but what does it do): Appropriates \$3,008,333.00 for joint construction project with Shelby County to replace the Raleigh-Millington Bridge over Loosahatchie River.

Recommended Council Action: Approve

Describe previous action taken by any other entity (i.e. board, commission, task force, council committee, etc.) and date of any action taken: N/A

Does this item require city expenditure? Yes

\$ 3,008,333.00

Amount

\$

Revenue received

Source and Amount of Funds

\$

Operating Budget

\$ 3,008,333.00

CIP Project # ST03126

\$

Federal/State/Other

Approvals

Director Brad Lewis Date 5/3/13

Chief Administrative Officer

Director [Signature] Date 5/2/13

Budget Manager [Signature] Date 5/15/13

_____ Date _____

Finance Director _____ Date _____

Council Committee Chair

City Attorney _____ Date _____

_____ Date _____

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 18, 2013 approved the renewal of a contract with Pencco, Inc. for fluorosilicic acid in the amount of \$609,000.00 for the first of two twelve- month terms and is now recommending to the Council of the City of Memphis that it approve said renewal in the 2013 fiscal year budget and the 2014 fiscal year budget as approved; and

WHEREAS, the fluorosilicic acid is used for fluoridation of MLGW's potable water system as required by a City Council ordinance and regulated by the Tennessee Department of Environmental Conservation. This extension complies with all applicable laws and policies; and

WHEREAS, this renewal period will cover May 22, 2013 through May 21, 2014. The new contract amount is \$1,218,000.00. All existing customer terms and conditions will remain the same; and

Now **THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the renewal of the contract with Pencco, Inc. in the amount of \$334,950.00 chargeable to the MLGW 2013 fiscal year budget and the balance of \$274,050.00 chargeable to the 2014 fiscal year budget as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 18, 2013

The Manager, Procurement and Contracts recommended to the Board of Light, Gas and Water Commissioners that it exercises an option to renew the contract with Pencco, Inc. for the first of two twelve-month renewals terms for fluorosilicic acid in the amount of \$609,000.00. All existing customer terms and conditions will remain the same.

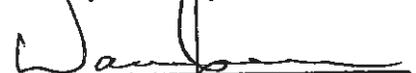
The fluorosilicic acid is used for fluoridation of MLGW's potable water system as required by a City Council ordinance and regulated by the Tennessee Department of Environmental Conservation. The renewal covers the period of May 22, 2013 to May 21, 2014. The new contract amount is \$1,218,000.00. This extension complies with all applicable laws and policies.

The 2013 budgeted amount for the purchase of water plant maintenance, supply and Operations - purchase of water treatment chemicals is \$643,100.00; amount spent-to-date is \$34,729.00; leaving a balance of \$608,371.00 available to be spent in 2013; of which \$334,950.00 will be spent on this contract in 2013; leaving a balance of \$273,421.00 after award; \$274,050.00 to be charged to the 2014 fiscal year budget as approved; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, Pencco, Inc. is hereby awarded the first of two twelve (12) month contract extensions for fluorosilicic acid.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular ~~regular~~ ^{special} meeting held on 18th day of April, 2013, at which a quorum was present.


Secretary - Treasurer

**RESOLUTION TRANSFERRING AND APPROPRIATING \$160,000 TO
RIVERFRONT DEVELOPMENT CORPORATION FOR GREENBELT PARK
DEVELOPMENT AS PART OF PROJECT NUMBER PK07092, CITY PARK REHAB &
MAINTENANCE**

WHEREAS, the City Council of Memphis, HCD, and Army Core of Engineers requested the Riverfront Development Corporation to undertake an extensive public input process to figure out best uses for Mud Island; and

WHEREAS, the public input process was conducted in sessions across the City of Memphis, beginning in 2009; and

WHEREAS, the public indicated consistently that the number one priority with respect to Mud Island was developing the southern portion of Greenbelt Park in order to expand the use, functionality, and connectivity of Greenbelt Park to Mud Island River Park; and

WHEREAS, the Council of the City of Memphis approved \$844,000 for project number PK07092, City Park Rehab & Maintenance as part of the Parks Fiscal Year 2013 Capital Improvement Budget; and

WHEREAS, the Council specifically stipulated that a portion of City Park Rehab & Maintenance be for used at Greenbelt Park; and

WHEREAS, Greenbelt Park is operated and managed by the Riverfront Development Corporation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Memphis that the Fiscal Year 2013 Capital Improvement Budget be and is hereby amended by transferring and appropriating an allocation of \$160,000 funded by G.O. Bonds from City Park Rehab & Maintenance (project number PK07092), to the Riverfront Development Corporation for use at Greenbelt Park to include (1) planning and developing for the southern portion of Greenbelt park and (2) planning, developing, and construction of security gates at public parking lots situated at Greenbelt Park.

Lee Harris
Council Member



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This joint ordinance with Shelby County, would postpone the effective date for portions of the Memphis and Shelby County Building Code, Existing Building Code and Residential Code until December 31, 2013. The portions effected address structural requirements for such design and construction activities, leaving all other current Code provisions in effect. The primary purpose of this delay is to allow further evaluation of the new seismic (earthquake) requirements to see if they are appropriate for the risks faced and insure an appropriate level of protection of life safety is provided.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Councilmen Jim Strickland and Reid Hedgepath.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This ordinance, if passed, would delay the effective dates established for structural design requirements and construction methods in the various building related codes passed on December 18, 2013 in City Ordinances number 5487 (Building Code), 5479 (Existing Building Code) and 5480 (Residential Code).

4. State whether this requires a new contract, or amends an existing contract, if applicable.

N/A

5. State whether this requires an expenditure of funds/requires a budget amendment.

This action will not require an expenditure of funds or a budget amendment.



A JOINT ORDINANCE TO ESTABLISH A REVISED EFFECTIVE DATE FOR THE STRUCTURAL PROVISIONS OF THE MEMPHIS AND SHELBY COUNTY BUILDING , EXISTING BUILDING AND RESIDENTIAL CODES.

WHEREAS, The City Council for the City of Memphis, Tennessee on December 18, 2012 adopted, as part of the Memphis and Shelby County Building Code, various Chapters from the 2012 Edition of the International Code Council (ICC) *International Building Code* that establish the structural design requirements and the approved construction methods to implement those design requirements for commercial buildings in Memphis in Ordinance Number 5487; and

WHEREAS, At that same meeting the City Council for the City of Memphis also adopted the 2012 Edition of the ICC *International Residential Code* that that establish the structural design requirements and the approved construction methods to implement those design requirements for one and two family houses in Memphis in Ordinance Number 5480; and

WHEREAS, At that same meeting the City Council for the City of Memphis also adopted the 2012 Edition of the ICC *International Existing Building Code* that governs the structural design and construction activities that may be used during renovation of, or additions to, existing structures and buildings in Memphis in Ordinance Number 5479; and

WHEREAS, The same ordinances established the effective dates for these codes and provisions; and

WHEREAS, The City Council for the City of Memphis wishes to provide additional time for the further evaluation of the structural design provisions and their effects on the architectural and engineering professionals that undertake to design these structures and on the owners, construction companies and other trades that build these structures and to work with the Tennessee Fire Marshal's Office to insure Shelby County's construction standards for these activities provide the proper level of life safety, but also that the Codes do not result in confusion in the design requirements for such structures and that they are reasonable standards for the risks they are intended to address; and

WHEREAS, The Tennessee Fire Marshal's Office has agreed to evaluate potential changes that may be adopted as recommendations by City Council for the City of Memphis and the Board of Commissioners of Shelby County in the future to insure these codes provide the correct balance between life safety protection and structural design elements and construction methods.

NOW, THEREFORE, BE IT ORDAINED, That the effective date for the structural design provisions and construction methods originally established in Memphis City Ordinance Numbers 5487, 5479 and 5480, is amended to show a new effective date of December 31, 2013 for these structural design requirements and methods of construction.

BE IT FURTHER ORDAINED, That all other terms and effective dates for these adopted construction codes shall remain unchanged and that the Memphis and Shelby County Office of

Construction Code Enforcement shall continue to use those other adopted provisions in its review, permitting and inspection of all commercial, existing and residential structures as appropriate.

BE IT FURTHER ORDAINED, That should any part of this ordinance be found to be unconstitutional or unenforceable by a court of competent jurisdiction that such a determination will have no effect on the other portions of the adopted Codes and any amendments thereto.

BE IT FURTHER ORDAINED, This Joint Ordinance shall take effect in the City of Memphis and the unincorporated areas of Shelby County by virtue of the concurring and separate passage thereof by the Memphis City Council and by the Board of Commissioners of Shelby County, at the date of such adoption by the second body and as otherwise required by law.

The foregoing Ordinance

_____ PASSED
1st Reading _____
2nd Reading _____
3rd Reading _____

Approved _____
Chairman of Council
Date Signed: _____

Approved: _____
Mayor, City of Memphis
Date Signed: _____

I hereby certify that the foregoing is a true copy,
and said document was adopted by the Council

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 11-64-6 – EXEMPTIONS FROM MOTOR VEHICLE EMISSION REQUIREMENTS – OF THE CODE OF ORDINANCES, CITY OF MEMPHIS

WHEREAS, on August 21, 2012, the City Council approved a resolution to defund the Motor Vehicle Inspection Bureau, with an effective date of July 1, 2013; and

WHEREAS, according to media reports, the State of Tennessee will take over vehicle emissions responsibilities; and

WHEREAS, it has also been reported that the State will not begin county-wide emissions for at least two years and perhaps as long as 6 years.

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

That TITLE 11-64-6 – EXEMPTIONS FROM MOTOR VEHICLE EMISSION REQUIREMENTS of the Code of Ordinances, is hereby amended to read as follows:

Sec. 11-64-6. - Exemptions from motor vehicle emission requirements.

The following classes of motor vehicles are exempt from the emission requirements established in sections 11-64-4 and 11-64-5:

- A. Antique motor vehicles with antique registration;
- B. Electric powered light-duty vehicles;
- C. Motorcycles;
- D. Motor scooters;
- E. New motor vehicles registered for the first time;
- F. Tactical military vehicles;
- G. Vehicles over 26,000 pounds GVWR.

H. Limited and Temporary Exemption for Gas-Powered Motor Vehicles Pending the Earlier of The Establishment of County-Wide Emissions Program or Two Years: Notwithstanding any other provision in this Chapter, gas-powered motor vehicles are temporarily exempt from emissions requirements established in sections 11-64-2, 11-64-3, 11-64-4 and 11-64-5 and owners of such vehicles shall not be required to undertake any emissions inspection in order to complete vehicle registration under 11-60. Such temporary exemption shall run until calendar year 2015. However, if a county-wide emissions requirement is established by law on terms substantially similar to the program

set out in sections 11-64-2, 11-64-3, 11-64-4 and 11-64-5, then such temporary exemption shall immediately end.

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.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect from and after the date it shall have been approved 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.

Lee Harris
Council Member

Harold Collins
Council Member

Dr. Edmund Ford, Jr.
Chairman

Attest:
Patrice Thomas, Comptroller