

Ordinance No: 5493

Ordinance to amend Chapter 21, Code of Ordinances, City of Memphis, to modify Section 21-79 (b) and Section 21-80 (b) of the traffic control photographic system requirements

WHEREAS, the Memphis City Council has a responsibility, along with the Administration, to insure the health, safety and well-being of all citizens; and

WHEREAS, Red Light Cameras were installed at various high accident intersections throughout the city; and

WHEREAS, the revenues from these cameras were designated for use for SkyCops, GPS systems in police cars and neighborhood watch but clarity was needed on the distribution of funds; and

WHEREAS, the Memphis City Council deems it necessary to split the funds equally between neighborhood watch and the capital acquisition of SkyCops and GPS systems.

**SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS** that Chapter 21, Article II and Section 21-79 (b) of the Code of Ordinances of the City of Memphis is hereby amended with the following substitution:

21-79. Procedure.

The phrase "not later than ten (10) days after the date of the alleged violation," is hereby replaced with "pursuant to State law,"

**SECTION 2. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS** that Chapter 21, Article II and Section 21-80 (b) of the Code of Ordinances of the City of Memphis is hereby deleted and replaced with the following:

**21-80. Penalty**

(b) All net revenues generated from penalties and assessments associated with the enforcement of this section shall be apportioned as follows: the first one hundred fifty thousand (\$150,000) collected in a fiscal year shall be allocated to the Memphis Area Neighborhood Watch Program for the funding of an Executive Director position and to provide neighborhoods with mechanisms to assist them in protecting their homes and/or communities; thereafter, fifty percent (50%) shall be used for the purchase and installation of cameras and/or GPS systems in police cars, and/ or Skycop or Skywatch systems (the police department will submit a budget and plan outlining their recommended plan and budget for each budget year) and fifty percent (50%) shall be used for maintenance of the Memphis Area Neighborhood Watch Program. Said funds shall be distributed equally on a monthly basis immediately upon receipt from the City Court Clerk Office once the \$150,000 threshold is met. Any traffic control photographic system funds accrued as of the

passage of this ordinance shall be restricted for distribution equally among Neighborhood Watch and the Memphis Police Department for the uses specified above.

**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 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.

**Harold Collins**  
Council Member

**Edmund Ford, Jr. PhD**  
Council Chairman

Attest:  
Patrice Thomas, Comptroller

THE FOREGOING ORDINANCE  
# 5493 PASSED  
1st Reading 1-22-13  
2nd Reading 2-5-13  
3rd Reading 2-19-13  
Approved Edmund Ford, Jr.  
Chairman of Council  
Date Signed: 3/5/2013  
Approved: [Signature]  
Mayor, City of Memphis  
Date Signed: 3-06-13

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Valerie C. Sprues  
Comptroller