

ORDINANCE NO. 5432

**AN ORDINANCE TO AMEND CHAPTER 7 – CENTER CITY AREA, ARTICLE IV, COMMON MALL AREA, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS**

**WHEREAS**, the City of Memphis in partnership with the Downtown Memphis Commission strives to encourage growth and development in the downtown area – the economic, cultural, and governmental heart of Memphis and Shelby County – and is charged with integrating the economic, physical, and environmental needs of businesses and residents in the area; and

**WHEREAS**, the current code prohibits manually propelled vehicles such as bicycles and pedicabs from operating on the Main Street Mall, which is contrary to the inviting, bicycle and pedestrian friendly environment envisioned for the downtown core and Main Street Mall; and

**WHEREAS**, to allow and encourage use of different modes of non-motorized transportation in the downtown area, the Memphis City Council wishes to lift the antiquated prohibition of manually propelled vehicles in the common mall area.

**NOW, THEREFORE,**

**SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS**, That the current Chapter 7 – Center City Area – Section 7-84. Regulation of vehicles. (b) and (c), of the Code of Ordinances, City of Memphis, is hereby amended to read as follows:

**Sec. 7–84. Regulation of vehicles.**

(b) Except as otherwise provided in this section, the common mall area shall be designated as a tow-away zone and any illegally parked vehicles thereon shall be subject to the provisions of Section 21-137 of this code.

(c) Manually propelled vehicles such as bicycles, skateboards, etc. and non-motorized wheeled vehicles such as pedi-cabs shall be allowed on the common mall area without a permit and are subject to the following rules of operation:

1. When operating a bicycle, skateboard, or other manually propelled vehicle or non-motorized wheeled vehicle on the common mall area, such person shall yield the right-of-way to any pedestrian or trolley
2. Any operator of a bicycle, skateboard, or other manually propelled vehicle or non-motorized wheeled vehicle shall give an audible signal before overtaking and passing any pedestrian. The audible signal shall be given verbally or via a bell, and shall not be given via a whistle or siren
3. No person shall park a bicycle or non-motorized wheeled vehicle upon the common mall area in such a manner as to obstruct pedestrian or trolley traffic.

**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 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.

SHEA FLINN  
Council Member

MYRON LOWERY  
Council Chairman

Attest:  
Patrice Thomas, Comptroller

THE FOREGOING ORDINANCE  
# 5432 PASSED  
1st Reading 12-06-2011  
2nd Reading 12-20-2011  
3rd Reading 01-03-2012  
Approved Bill Morrison  
Chairman of Council

Date Signed: \_\_\_\_\_

Approved: [Signature]  
Mayor, City of Memphis

Date Signed: 1/20/2012

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. Stripes  
Comptroller