

WHEREAS, the Memphis City Council proudly recognizes individuals and organizations whose perseverance, dedication, and service significantly enrich the lives of Memphis residents and leave a lasting impact on our community; **Nick Walker** is one such individual whose leadership and commitment to enhancing parks and recreation have profoundly shaped the city of Memphis; and

WHEREAS, **Nick Walker** has served the City of Memphis with distinction since 2017, beginning as Deputy Director of Memphis Parks and advancing to the role of Director in 2019, where he has demonstrated an unwavering commitment to improving parks and recreation for all Memphians; and

WHEREAS, a Certified Parks and Recreation Executive (CPRE) through the National Recreation and Parks Association, **Nick Walker's** lifelong passion for parks was shaped by his upbringing as the son of a state park superintendent in Old Washington, Arkansas, instilling in him a deep understanding of the transformative power of public spaces; and

WHEREAS, as Deputy Director, **Nick Walker** spearheaded the development of Memphis Parks' first master plan in over two decades, charting a bold and innovative vision for the future of parks and recreation in Memphis; and

WHEREAS, under **Nick Walker's** leadership, Memphis Parks achieved accreditation from the Commission for Accreditation of Park and Recreation Agencies (CAPRA), becoming only the third park system in Tennessee to receive this prestigious honor, a testament to his dedication to excellence; and

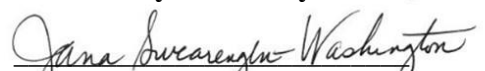
WHEREAS, during his tenure, **Nick Walker** worked tirelessly to increase the capacity of Memphis Parks, growing the workforce from fewer than 200 full-time employees to 271 while fostering a culture of professionalism, innovation, and community engagement; and

WHEREAS, **Nick Walker's** legacy includes revitalizing impactful programs such as "Play Your Park" and the Park Ranger initiative, as well as forging strong community relationships through the Parks Master Plan roadshow, exemplifying his commitment to listening to and serving the citizens of Memphis; and

WHEREAS, **Nick Walker's** visionary leadership, hard work, and passion for parks have left an indelible mark on Memphis, ensuring that parks remain accessible, innovative, and inclusive spaces that bring joy and connection to our community for generations to come.

NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council honors the extraordinary service, leadership, and dedication of **Nick Walker**, whose transformative work has enhanced the quality of life in Memphis and set a high standard for public service.

Given by my hand and under the
great seal of the City of Memphis
this 21st day of January 2025.


Jana Swearengen-Washington
Vice-Chairwoman
Memphis City Council
District 4



Memphis City Council Summary Sheet

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

Ordinance

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

Administration

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

This is an Amendment to Chapter 6, Article 46, Section 3
Ordinance No. 5415

4. State whether this will impact specific council districts or super districts.

None

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

No

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

No

7. If applicable, please list the MWBE goal and any additional information needed

N/A

AN ORDINANCE TO AMEND CHAPTER 6, ARTICLE 46, SECTION 3 OF THE CODE OF
ORDINANCES AS TO THE TERM OF SERVICE ON THE MEMPHIS TRANSPORTATION COMMISSION,
ORDINANCE NO.5415

WHEREAS, Ordinance No 5415 established the Memphis Transportation Commission (the
"Commission");

WHEREAS, Chapter 6, Article 46, sets forth the purpose and authority of the Commission;

WHEREAS, Section 3 of Article 46, captioned "Membership" requires clarification as to the term
of service provided for the members of the Memphis Transportation Commission; and

WHEREAS, the Memphis Transportation Commission values members who are committed to
their service on the Commission and understands the need to provide continuity to achieve the
purposes of the Commission; and

WHEREAS, the City Council of the City of Memphis intends to exercise its authority to enact
appropriate and necessary amendments to ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 6,
Article 46, Section 3 is amended as follows:

1. 6-46-3 B. is amended deleting the sentence "No member shall serve more than two
consecutive two-year terms."
2. The following language is added in said section: "The terms of office of said Commissioners
shall be for a period of two (2) years from date of approval. If no successor has been
appointed, then said Commissioner shall hold office until a successor is appointed."

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 the Mayor in writing by the Comptroller and become
effective as otherwise provided by law.

SPONSORED BY THE ADMINISTRATION

ORDINANCE TO AMEND TITLE 10, CHAPTER 20 – MISCELLANEOUS OFFENSES AND PROVISIONS – OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, TO ADD PROVISIONS RELATIVE TO THE REGULATION OF DEADLY WEAPONS AND EXTREME PROTECTION ORDERS

WHEREAS, Referendum Ordinance No. 5877 was approved by the Memphis City Council on July 11, 2023, to be published and submitted by the City of Memphis to its qualified voters during the general election on August 1, 2024.

WHEREAS, the Referendum ordinance was subsequently amended and restated in Ordinance No. 5908 to submit the questions to the qualified voters of the City of Memphis during the general election on November 4, 2024.

WHEREAS, the qualified voters approved the amendments to the Charter of the City of Memphis.

WHEREAS, it is the intent of the Council to implement the demonstrated will of the people of Memphis and adopt the proposed amendments.

WHEREAS, the City's Charter vests the City Council with the authority, in its legislative discretion, by ordinance to declare which state misdemeanor offenses committed within the City shall be enforced as misdemeanors within the City. *See* Memphis Charter §§ 360 and 370.

WHEREAS, the provisions of Ordinance No. 5908 are not automatically enforceable or self-executing because they lack the specific details needed for their enforcement and implementation but rather establish the maximum authority of the City Council to adopt ordinances and policies to implement such Charter provisions.

WHEREAS, the Council has no present intention to authorize enforcement and implementation of any provisions of Ordinance No. 5908 that are inconsistent with state law but intends to create legislation that authorizes and supports vigorous enforcement of gun laws adopted by the Tennessee General Assembly.

WHEREAS, it is the intent of this ordinance to adopt the following provisions, which were approved by the qualified voters of the City of Memphis during the state general election on November 4, 2024, in order to declare which state misdemeanor offenses committed within the City, as so approved by Memphis voters, shall be enforced as misdemeanors within the City to be effective upon approval by the Tennessee General Assembly of such laws as may necessary to allow for police and judicial enforcement of violations of such provisions in the City.

WHEREAS, it is the intent of this Ordinance to request the City Administration and the Memphis Police Department to provide advice on policies, procedures and directives that the Council can adopt in order to abate violation of existing provisions of state gun laws.

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

Section 1. Article 10, Chapter 20 of the Code of Ordinances of Memphis, Tennessee, is hereby amended to add the following provisions

Section 10-20-30. Weapons – Carrying

- A. No person shall be allowed to carry a handgun in the City of Memphis without possessing a valid handgun carry permit.
- B. No person shall be allowed to carry, store, or travel with a handgun in a vehicle in the City of Memphis without possessing a valid handgun permit.
- C. It shall be unlawful for a person to store a firearm, whether loaded or unloaded, or firearm ammunition, in a motor vehicle or boat while the person is not in the motor vehicle or boat unless the firearm or firearm ammunition is kept from ordinary observation and locked within the trunk, utility or glove box, or a locked container securely affixed to the motor vehicle or boat.
- D. The proliferation and use of assault weapons pose a threat to the health, safety, and security of all citizens of Memphis.
- E. It shall be unlawful and prohibited for a person to possess or carry, openly or concealed, any assault rifles in the City of Memphis. Persons with valid handgun permits are exempt from this restriction when possessing or carrying an assault rifle on their privately owned property or at a shooting range.
- F. Any person who violates this section shall be guilty of a misdemeanor and upon conviction shall be subject to punishment as provided in Section 1-1-8.

Section 10-20-31. Commercial Sale of Assault Rifles

A. The commercial sale of assault rifles within the City of Memphis shall be deemed unlawful and is prohibited.

B. The provisions of this Chapter shall not apply to the commercial sale of assault rifles to:

- 1. Any federal, state, local law enforcement agency;
- 2. The United States Armed Forces or department or agency of the United States;
- 3. Tennessee National Guard, or a department, agency, or political subdivision of a state; or
- 4. A Law Enforcement Officer.

C. This prohibition shall not apply to those pre-existing owners who can demonstrate that the commercial sale of an assault rifle was completed prior to January 1, 2025.

- 1. A pre-existing owner is one who, in the purchase of an assault rifle in a commercial

sale prior to January 1, 2025, completed an application, passed a background check, and has a receipt or purchase order for said purchase, without regard to whether the purchaser has actual physical possession of the Assault Rifle and complied with any other requirements regarding the purchase and sale of weapons, codified in Tenn. Code Ann. §§ 39-17-1316 and 39-17-1351.

Section 10-20-32. Extreme Risk Protection Orders

A. Definitions

1. “Petitioner” means:

- a. A law enforcement officer or agency, including an attorney for the state;
- b. A member of the family of the respondent, which shall be understood to mean a parent, spouse, child, or sibling of the respondent;
- c. A member of the household of the respondent;
- d. A dating or intimate partner of the respondent;
- e. A health care provider who has provided health services to the respondent;
- f. An official of a school or school system in which the respondent is enrolled or has been enrolled within the preceding month;

2. “Respondent” means the person against whom an order under Section 20-35 or 20-36 has been sought or granted.

B. Types of Orders

1. The petitioner may apply for an emergency ex parte order as provided in Section 20-35 or an order following a hearing as provided in Section 20-36.

Section 10-20-33. Emergency Ex Parte Order

(a) Basis for Order. The court shall issue an emergency ex parte extreme risk protection order upon submission of an application by a petitioner, supported by an affidavit or sworn oral statement of the petitioner or other witness, that provides specific facts establishing probable cause that the respondent’s possession or receipt of a firearm will pose a significant danger or extreme risk of personal injury or death to the respondent or another person. The court shall take up and decide such an application on the day it is submitted, or if review and decision of the application on the same day is not feasible, then as quickly as possible but in no case later than forty-eight hours.

(b) Content of Order. An order issued under this section shall,

1. prohibit the respondent from possessing, using, purchasing, manufacturing, or otherwise receiving a firearm;

2. order the respondent to provisionally surrender any firearms in his or her possession or control, and any license or permit allowing the respondent to possess or acquire a firearm, to any law enforcement officer presenting the order or to a law enforcement agency as directed by the officer or the order; and

3. inform the respondent of the time and place of the hearing under Section 3 to determine whether he or she will be subject to a continuing prohibition on possessing and acquiring firearms.

(c) Search and Seizure.

1. If the application and its supporting affidavit or statement establish probable cause that the respondent has access to a firearm, on his or her person or in an identified place, the court shall concurrently issue a warrant authorizing a law enforcement agency to search the person of the respondent and any such place for firearms and to seize any firearm therein to which the respondent would have access.

2. The court may subsequently issue additional search warrants of this nature based on probable cause that the respondent has retained, acquired, or gained access to firearm while an order under this section remains in effect.

3. If the owner of a firearm seized pursuant to this subsection is a person other than the respondent, the owner may secure the return of the firearm as provided in Section 20-36 (c)(3).

(d) Time for Service and Searches. The responsible law enforcement agency shall serve the order on the respondent and carry out any search authorized under subsection (c)(1), promptly following issuance of the order. If a search is authorized under subsection (c)(1), the agency may serve the order on the respondent concurrently with or after the execution of the search.

Section 20-36. Order After Hearing

(a) Order After Hearing. Upon application for an extreme risk protection order, supported by an affidavit or sworn oral statement of the petitioner or other witness that provides specific facts giving rise to the concern about the significant danger or extreme risk described in Section 20-35, the court may issue an order under this section, which shall be effective for a period of one (1) year after a hearing. An order issued under this section shall,

- (1) prohibit the respondent from possessing, using, purchasing, or otherwise receiving a firearm; and

(2) order the respondent to surrender any firearm in his or her possession or control, and any license or permit allowing the respondent to possess or acquire a firearm, to any law enforcement officer presenting the order or to a law enforcement agency as directed by the officer or the order.

(b) Basis for order. The court shall issue such an order based on a preponderance of the evidence that the respondent's possession or receipt of a firearm will pose a significant danger or extreme risk of personal injury or death to the respondent or another person. In determining the satisfaction of this requirement, the court shall consider all relevant facts and circumstances after reviewing the petitioner's application and conducting the hearing described in Section 20-35(d). The court may order a psychological evaluation of the respondent, including voluntary or involuntary commitment of the respondent for purposes of such an evaluation, to the extent authorized by other law.

(c) Search and Seizure.

(1) If the evidence presented at the hearing establishes probable cause that the respondent has access to a firearm, on his or her person or in an identified place, the court shall concurrently issue a warrant authorizing a law enforcement agency to search the person of the respondent and any such place for firearms and to seize any firearm therein to which the respondent would have access.

(2) The court may subsequently issue additional search warrants of this nature based on probable cause that the respondent has retained, acquired, or gained access to a firearm while an order under this section remains in effect.

(3) If the owner of a firearm seized pursuant to this subsection is a person other than the respondent, the owner may secure the prompt return of the firearm by providing an affidavit to the law enforcement agency affirming his or her ownership of the firearm and providing assurance that he or she will safeguard the firearm against access by the respondent. The law enforcement agency shall return the firearm to the owner upon its confirmation, including by a check of the National Instant Criminal Background Check System and the applicable state firearm background check system, that the owner is not legally disqualified from possessing or receiving the firearm.

(d) Time for Hearings and Service.

(1) A hearing under this section shall be held within three (3) days of the filing of the application, or within one (1) day of the issuance of an emergency ex parte order under Section 20-35, if such an order is issued. The responsible law enforcement agency shall serve notice of the hearing on the respondent promptly after the filing of the application or issuance of an emergency ex parte order, but notice may be provided by publication or mailing if the respondent cannot be personally served within the specified period. The respondent shall be entitled to one continuance of up to two (2) days on request, and the court may thereafter grant

an additional continuance or continuances for good cause. Any emergency ex parte order under Section 20-35 shall remain in effect until the hearing is held. The court may temporarily extend the emergency order at the hearing, pending a decision on a final order.

(2) The responsible law enforcement agency shall serve an order issued under this section on the respondent and carry out any search authorized under subsection (c)(1), promptly following issuance of the order. If a search is authorized under subsection (c)(1), the agency may serve the order on the respondent concurrently with or after the execution of the search.

(e) Termination and Renewal of Orders.

(1) A respondent may file a motion to terminate an order under this Section one time during the effective period of that order. The respondent shall have the burden of proving, by the same standard of proof required for issuance of such an order, that he or she does not pose a significant danger or extreme risk of personal injury or death to himself or herself or another.

(2) The petitioner may seek renewals of an order under this section for an additional six (6) months at any time preceding its expiration. Renewals after the initial order shall be granted subject to the same standards and requirements as an initial order. The preceding order shall remain in effect until the renewal hearing is held and the court grants or denies a renewed order.

(3) If the respondent fails to appear at, or cannot be personally served in relation to, any hearing or renewal hearing under this section, the default does not affect the court's authority to issue an order or entitle the respondent to challenge the order prior to its expiration. The order will lapse after one (1) year if no eligible petitioner seeks its renewal.

Section 20-37. Entry Into Background Check Systems

The court shall forward any order issued under Section 20-35 or 20-36 to an appropriate law enforcement agency on the day it is issued. Upon receipt of an order under Section 20-36, the law enforcement agency shall make the order available to the National Instant Criminal Background Check System and any state system used to identify persons who are prohibited from possessing firearms.

Section 20-38. Violations

A. The following persons shall be in violation of the City Code of Ordinances:

1. FILER OF FALSE OR HARASSING APPLICATION. – Any person filing an application under Section 20-35 or 20-36 containing information that he or she knows to be materially false, or for the purpose of harassing the respondent.

2. **RESPONDENT NOT COMPLYING WITH ORDER.** – Any person who knowingly violates an order under Section 20-35 or 20-36 , including by possessing or acquiring a firearm in violation of the order or failing to surrender a firearm as required by the order.

3. **PROVIDER OF PROHIBITED ACCESS TO RESPONDENT.** – Any person who knowingly provides the subject of an order under Section 20-35 or 20-36 access to a firearm, in violation of an assurance the person has provided in an affidavit under Section 20-35(c)(3) or 20-36(c)(3) that he or she will safeguard the firearm against access by the respondent.

SECTION 2. Severability Clause.

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. Codification Clause.

BE IT FURTHER ORDAINED that this Ordinance amends Title 10, Chapter 20 of the Official 2021 City Code. The City has authorized the Municipal Code Corporation to provide a republication of the City's Ordinances in the Official City Code, as amended from time to time, for the convenience of the public. The Official 2021 City Code and the official version of all new, amending, repealing and clarifying ordinances adopted by the City Council are maintained by the City's Comptroller in the Office of Council Records.

SECTION 4. Repeal of Inconsistent Ordinances. Ordinance Section 10-20-21-Weapons-Carrying that was adopted to mirror the misdemeanor provisions of Tennessee Code Annotated §§ 39-6-1701, -1702 is hereby repealed in its entirety.

SECTION 5. Effective Date.

BE IT FURTHER ORDAINED that, notwithstanding any other provision of law to the contrary, this Ordinance shall take effect, and to the extent permitted, on the thirtieth 30th day following the occurrence of either of the following circumstances in the interests of the public welfare, namely:

1. The passage of any enabling legislation adopted by the Tennessee General Assembly or the United States Congress that authorizes municipalities and/or the City of Memphis to enforce ordinances that regulate the use, purchase, transfer, manufacture, ownership, possession, carrying, sale, acquisition, gift, devise, licensing, registration, storage, and transportation firearms within the City; or
2. The passage of any enabling legislation adopted by the Tennessee General Assembly or the United States Congress that authorizes municipalities and/or the City of Memphis to enforce ordinances that provide for obtaining and prosecuting violations of Emergency Ex Parte Orders;

3. The entry of a final decree or judgment by a court of competent jurisdiction declaring or deciding that Tennessee municipalities and/or the City of Memphis are authorized under Tennessee or federal law (i) to enforce ordinances that regulate the use, purchase, transfer, manufacture, ownership, possession, carrying, sale, acquisition, gift, devise, licensing, registration, storage, and transportation firearms within the City or (ii) to enforce ordinances that provide for obtaining and prosecuting violations of Emergency Ex Parte Orders;

SECTION 6. Adoption. BE IT FURTHER ORDAINED that this Ordinance shall be and become a finally adopted ordinance after having been passed by City Council, signed by the Chair of Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and become operative in accordance with its terms as otherwise provided by law and shall remain operative unless and until the City Council alters, amends clarifies or repeals it by a superseding, amending, clarifying or codifying ordinance.

Sponsor(s):

Dr. Jeff Warren

J. Ford Canale

Yolanda Cooper-Sutton

Michalyn Easter-Thomas

Edmund Ford, Sr.

Jerri Green

Rhonda Logan

JB Smiley, Jr.

Philip Spinosa

Jana Swearengen-Washington

Pearl Eva Walker

Janika White

JB SMILEY, JR.

CHAIRMAN

Ordinance No. _____

AN ORDINANCE TO NAME THE ED RICE COMMUNITY CENTER POOL FOR OSIE LEWIS, JR.

WHEREAS, on occasion, the Memphis City Council sees fit to recognize members of the Memphis community who have had a lasting impact, and Mr. Osie Lewis, Jr. is certainly worthy of recognition for his contributions, service, and dedication to improving the lives of individuals in the community of Memphis, Tennessee, throughout his illustrious career with the Memphis Parks division and beyond; and

WHEREAS, Mr. Osie Lewis, Jr. served the Memphis Parks division for over 35 years, having served as Director of the Ed Rice Community Center, Director of the North Frayser Community Center, and Director of the Raymond Skinner Center; and

WHEREAS, Mr. Osie Lewis, Jr. was more than a Community Center Director during his tenure; he was a visionary community leader who brought opportunities and amenities to the residents of the Frayser community and offered mentorship and encouragement to the youth who visited Ed Rice Community Center; and

WHEREAS, Section 12-84-22 of the City of Memphis Code of Ordinances states that when the city acquires any public parks or recreational areas, the Memphis City Council is responsible for naming them; the Council also has the authority to change the official names of existing parks and recreational areas through an ordinance; and

WHEREAS, the Memphis City Council now seeks to exercise its naming authority under Section 12-84-22 of the City of Memphis Code of Ordinances to name the pool at the Ed Rice Community Center for Mr. Osie Lewis, Jr.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Memphis that:

Section 1. The pool at the Ed Rice Community Center at 2935 N. Watkins in the city of Memphis, Tennessee, and any replacement or successor facility, shall be renamed the “Osie Lewis, Jr. Aquatic Center.”

Section 2. Upon passage of this ordinance, the newly named “Osie Lewis, Jr. Aquatic Center” shall be memorialized with a new facility sign and a suitable plaque near the pool, acknowledging the honor. Any costs associated with the construction or installation of the sign shall be incurred by the City of Memphis Parks Division, and if necessary, the Memphis Parks Division shall bring a funding resolution before the City Council for consideration.

Section 3. The City of Memphis Parks Division shall make the appropriate arrangements to alter any media collateral and associated documentation to denote the name change to “Osie Lewis, Jr. Aquatic Center.”

Section 4. Severability. All provisions of this Ordinance are hereby severable and 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

JB Smiley, Jr.

Dr. Michalyn Easter-Thomas

Jerri Green

Jana Swearengen-Washington

CHAIRMAN

J. Ford Canale

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 1/21/2025
DATE

PUBLIC SESSION: 2/4/2025
DATE

FIRST READING: 2/4/25
DATE

ITEM (CHECK ONE)

X ORDINANCE _____ CONDEMNATIONS _____ GRANT ACCEPTANCE / AMENDMENT
_____ RESOLUTION _____ GRANT APPLICATION _____ REQUEST FOR PUBLIC HEARING
_____ OTHER: _____

ITEM DESCRIPTION: An amendment to the Memphis and Shelby County Building Code.

CASE NUMBER: n/a

LOCATION: City of Memphis and unincorporated Shelby County

APPLICANT: Memphis and Shelby County Division of Planning and Development

REPRESENTATIVE: John Zeanah, Division Director

REQUEST: Adopt amendments to the Memphis and Shelby County Building Code.

AREA: This amendment affects all property within the City of Memphis and unincorporated Shelby County.

RECOMMENDATION: Division of Planning and Development: Approval

PRIOR ACTION ON ITEM:

n/a APPROVAL - (1) APPROVED (2) DENIED

DATE

ORGANIZATION - (1) BOARD / COMMISSION

(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ AMOUNT OF EXPENDITURE
\$ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ OPERATING BUDGET
\$ CIP PROJECT # _____
\$ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY DIRECTOR
_____	_____	DIRECTOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

_____ ***CHIEF ADMINISTRATIVE OFFICER***

_____ ***COMMITTEE CHAIRMAN***



Memphis City Council Summary Sheet

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

A JOINT ORDINANCE FURTHER AMENDING THE 2021 EDITION OF THE ICC INTERNATIONAL BUILDING CODE AND PREVIOUS LOCAL AMENDMENTS, INCLUDING CERTAIN APPENDICES.

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

Division of Planning and Development

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

Ordinance will amend the Memphis and Shelby County Building Code.

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

This ordinance does not require a new contract nor amend an existing contract.

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

This ordinance does not require an expenditure of funds or budget amendment.



JOINT ORDINANCE NO. _____

A JOINT ORDINANCE FURTHER AMENDING THE 2021 EDITION OF THE ICC INTERNATIONAL BUILDING CODE AND PREVIOUS LOCAL AMENDMENTS, INCLUDING CERTAIN APPENDICES.

WHEREAS, The Shelby County Board of Commissioners and the Council of the City of Memphis seek to adopt and maintain a comprehensive set of coordinated Technical Codes and to update those Codes to assure the safe and effective construction of commercial buildings and structures in the Community; and

WHEREAS, Provisions of the Tennessee Code Annotated require local jurisdictions wishing to operate their own program for permitting and inspection of construction activities, rather than State control of those activities, to review and update their locally adopted Building and technical codes on a regular cycle to assure they are providing an adequate level of public safety; and

WHEREAS, it has been determined that it is necessary and prudent to revise local amendments to the code covering the construction of non-residential structures to conform with changes in state law; and

WHEREAS, The adoption of this updated Memphis and Shelby County Building Code will require the affirmative vote of the majority of the Shelby County Board of Commissioners and the Council of the City of Memphis as no new fine is established by this adoption and update.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That the 2021 Edition of the ICC International Building Code and relevant Appendices and previous amendments are hereby further amended by adoption of the local amendments attached to this Joint Ordinance as Exhibit A.

BE IT FURTHER ORDAINED, That the building code as so adopted and amended shall be known as the 2021 Memphis and Shelby County Building Code.

BE IT FURTHER ORDAINED, That the 2021 Edition of the *ICC International Building Code* and relevant Appendices are hereby amended by adoption of the local amendments attached to this Joint Ordinance as Exhibit A.

BE IT FURTHER ORDAINED, That the building code as so adopted and amended shall be known as the 2021 Memphis and Shelby County Building Code.

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

BE IT FURTHER ORDAINED, That this Joint Ordinance shall take effect in the City of Memphis and the unincorporated areas of Shelby County on April 1, 2025, by virtue of the concurring and separate passage thereof by the Board of Commissioners of Shelby County and the Memphis City Council, or if not adopted by each legislative body by that date, then at the date of adoption by the last adopting body.

EXHIBIT A

Memphis

and

Shelby County

2021 Building Code

Chapter I - Scope and Administration

1. Section 101.I Title shall be deleted and replaced with the following:

101.I Title. These regulations of the 2021 Edition of the International Code Council Building Code shall be known as the 2021 Memphis and Shelby County Building Code, part of the 2021 Technical Code for Memphis and Shelby County, Tennessee, hereinafter referred to as "this code."

2. Section 101.2 Scope. The exception of this section shall be amended to add the words "and large homes" after the word townhouses in the first sentence.

3. Section 101.2.1 Appendices shall be deleted and replaced with the following:

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. The provision in the following appendices shall apply.

Appendix A - Building Permit, Plans and Inspection Fees

Appendix C - Group U Agriculture Building

Appendix D - Fire District

Appendix F - Rodent Proofing

Appendix H - Signs

4. Section 101.3 Purpose is amended to add the following new sub-section:

101.3.1 Quality control. Quality Control of materials and workmanship is not within the purview of the Technical Codes except as it relates to the purpose stated herein.

5. Section 101.4 Referenced Codes is amended to add the following new sub-section:

101.4.8 Electrical. The provisions of the 2020 Edition of the National Electric Code, and local amendments thereto, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto

6. Section 101, Scope and Administration is amended to add the following new Sub- section:

101.5 Federal and state authority. The provisions of the Technical Codes shall not be held to deprive any Federal or State agency, or any applicable governing authority having jurisdiction, of any power or authority which it had on the effective date of adoption of the Technical Codes or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.

Section 102 - Applicability

7. Section 102.6 Existing structures is amended to delete the words "the International Property Maintenance Code" without replacement.

8. Section 102.6.2, Buildings previously occupied, is amended to delete the words "or International Property Maintenance Code" after the words Fire Code without replacement.

102.7 Requirements not covered by this code. Any requirements necessary for the strength, stability, or proper operation of an existing or proposed structure or facility, or for public safety, health and general welfare, not specifically covered by this code, shall be determined by the Building Official.

102.8 Additions, alterations or repairs. Additions, alterations, renovations or repairs to any plumbing system shall conform to that required for a new plumbing system without requiring the existing plumbing system to comply with all of the requirements of this code. Additions, alterations or repairs shall not cause an existing system to become unsafe, unsanitary or overloaded.

Minor additions, alterations, renovations and repairs to existing plumbing systems shall be permitted in the same manner and arrangement as was in the existing system, provided such repairs or replacements are not hazardous and are approved

[EB] 102.9 Change in occupancy. It shall be unlawful to make a change in the occupancy of any structure which will subject the structure to any special provision of this code without approval of the Building Official. The Building Official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

[EB] 102.11 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures and changes in occupancy shall comply with the requirements of the International Existing Building Code including Chapter 12 as locally amended.

9. Section 103 is amended to delete the entire section and replace with the following:

Section 103 - Code Compliance Agency - Memphis and Shelby County Office of Construction Enforcement

103 Creation of enforcement agency. Joint Resolution/ Ordinance #3333 was adopted and approved by the City of Memphis and the Shelby County legislative bodies, to create the Memphis and Shelby County Office of Construction Enforcement. This is a joint agency charged with enforcement of the Memphis and Shelby County Building Code, (including the Existing Building Code, Residential and Energy Conservation Code referenced therein), the Memphis and Shelby County Mechanical Code, the Memphis and Shelby County Fuel Gas Code, the Memphis and Shelby County Plumbing Code and this Code, which together are to be known as Memphis and Shelby County 2021 Technical Codes.

103.1 General. The Building Official is hereby authorized and directed to enforce the provisions of the Technical Codes. The Building Official is further authorized and directed to render interpretations of the Technical Codes which are consistent with its spirit and purpose

103.2 Employee qualifications.

103.2.1 Building official qualifications and appointment. As established by Ordinance #3333

103.2.2 Chief inspector qualification. The Building Official, with the approval of the Administrator, may designate chief inspectors to administer the provisions of the Memphis and Shelby County 2021 Technical Codes. The qualifications of the Chief Inspectors shall be as established by Ordinance #3333.

103.2.3 Inspector qualifications. The Building Official, with the approval of the Administrator, may hire such numbers of officers, inspectors, assistants, and other employees as shall be authorized from time to time. For

employee minimum qualifications, see the Shelby County Administration Job Class Master.

103.2.4 Deputy building official qualifications. In accordance with the prescribed procedures of this jurisdiction, and with the concurrence of the appointing authority the Building Official may designate as his deputy an employee in the department who shall, during the absence or disability of the building Official, exercise all the powers of the Building Official. The Deputy Building Official should have the same qualifications listed in 103.2.2.

103.3 Restriction on employees. An officer or employee connected with the department, except one whose only connection is as a member of one or more of the Boards established by the Technical Codes, shall not be financially interested in the furnishing of labor, material or appliances for the construction, alteration, or maintenance of a building, structure, service, system or in the making of plans or of specifications thereof: unless he is the owner of such. This officer or employee shall not engage in any other work, which is inconsistent with the duties or conflicts, or may appear to conflict, with the interest of the department

10. Section 105. Permits shall be deleted and replaced with the following:

Section 105 - Permits

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done shall first make application to the Building Official and obtain the required permit.

105.1.1 Permit required for appurtenances to buildings and other structures and apparatus. A permit shall be required to erect, install, alter, or repair any of the following list of building appurtenances, new structures, and apparatus, and shall include, but not be limited to, the following:

1. Conveyor systems (Permit and Inspection Fees rsakowski@walker-ent.comrsakowski@walker-ent.com as set for in section A-9 of the fee ordinance as set forth in Appendix A);
2. Racking systems/Shelving (Permit and Inspection Fees are as set for in section A-9 of the fee ordinance as set forth in Appendix A);
3. Process Piping System (Permit and Inspection Fees for Process Piping System will be as set forth in the fee ordinance as set forth in Appendix A)

105.1.2 Permits For Specific Structures. - A permit, and the payment of the appropriate fees, shall be required to erect, install, alter, or repair any of the following list of building appurtenances, new structures and apparatus, and shall include, but not be limited to, the following:

Mechanical Code /Electric Code /Plumbing Code-

1. Air Conditioning, heating, mechanical ventilating, blower, or exhaust systems
2. Cooling towers
3. Fire Protection, sprinkler systems
4. Mechanical refrigerationsystems

Building Code/Electric Code/Plumbing Code

1. Special events permit (See policy and procedures for requirements.)

2. Temporary construction trailers
3. Elevators

Building Code/Electric Code/ Mechanical Code

1. Generators; except outdoor self-contained units (no MC)
2. Incinerator
3. Spray Booth

Building Code/Electric Code

1. Fire Alarms

Mechanical Code/Electric Code

1. Fire suppression systems including commercial kitchen hoods

Fuel Gas Code/Electric Code

Liquefied petroleum gas systems

Plumbing Code

1. Potable watersystems
2. Sewer private (Private Drive); (See policy and procedures for requirements.)
3. Medical gas systems

Permit and inspection fees for the above list shall be as set forth in the approved Local Fee ordinance as appropriate.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

1. Playhouses, treehouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 M²)
2. Reserved
3. Oil derricks
4. Retaining walls that are 3 feet (914 mm) in height or less as measured from the bottom of finished grade to the top of the wall, unless supporting a surcharge imposed by an adjacent structure or impounding Class 1, II or III-A liquids. Adjacent structures shall include but not be limited to permanent buildings and public roadways.
5. Free standing walls, not supporting a surcharge, that are 4 feet (1220 mm) in height or less as measured from the bottom of finished grade to the top of the wall.
6. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
7. Private one and two family residential sidewalks and driveways not more than 30 inches (762mm) above grade and not over any basement of story below and which are not part of an accessible route.
8. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
9. Temporary motion picture, television, and theater stage sets and scenery
10. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
11. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
12. Swings and other playground equipment.
13. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2 and Group U occupancies.
14. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
15. Multifamily reroofing projects with pitched roofing with a pitch greater than 3:12, where no decking, structural and/or equipment supports are modified.

16. All detached single-family reroofing projects where no decking, structural and/or equipment supports are modified.
17. Parking lot additions often (10) or less parking spaces.
18. Restriping and resurfacing exiting parking lots (even if additional parking spaces are created by the restriping).

105.2.1 Emergency repairs. Where equipment replacement and repairs must be performed in an emergency situation, the permit application shall be submitted within the next five working days to the Building Official.

105.2.2 Repairs. Application or notices to the Building Official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved, permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting or any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include additions to, alteration of, replacement or relocation of any standpipe, water, supply, sewer, drainage, drain leader, gas soil, waste vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the Office of Construction Code Enforcement for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar descriptions that will readily identified and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.3.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Such other data and information as required by the Building Official.

105.3.1 Action on application. The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of the pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable.

105.3.1.1 Action on permits. Permits shall be issued to a licensed and/or registered contractor who performs the work. If work is subcontracted both contractors shall be licensed and/or registered.

Exception: A building permit for construction of a single-family dwelling may be obtained by the property owner under provision of the state law related to such construction and limited thereby

105.3.1.1.1 Project Information Panels. Project information panels shall be provided for all construction and demolition projects that meet any one of the following criteria:

1. New construction or demolition of a building more than three (3) stories in height; or
2. New construction or demolition of a building with an average roof height more than 40 ft. above grade, excluding roof access structures or parapets; or
3. New construction or demolition of a building covering 10,000 sq. ft. or more of lot space (regardless of height); or
4. Any alteration of a building facade or any demolition activity which impacts the exterior of the building and is performed at a level above the third story or more than 40 feet above grade. Exception: Projects that involve less than three (3) one/two family dwellings do not require a project information panel.

5. All building expansion with removal of more than 25% of existing walls facing a public street, or a street-facing elevation if the parcel is landlocked; or removal of more than 50% of all existing exterior walls.

105.3.1.1.1.1 When required by section 105.3.1.1.1 the project information panel shall be obtained and presented to plan review personnel upon issuance of the building permit and shall meet the following guidelines.

105.3.1.1.1.2 Project panels required by this section shall be exempt from the requirements of obtaining a sign permit.

105.3.1.1.2 Posting Requirements. It is the responsibility of the contractor listed on the building permit and/or the owner to develop, install and maintain the project information panel.

105.3.1.1.2.1 The required panels shall be presented for review prior to issuance of the building permit and in place on the job site 24 hours prior to the start of construction or demolition activity and remain visible at the site until work is completed.

105.3.1.1.2.2 Panels shall remain legible and in good condition during the construction or demolition. Damaged panels must be replaced within 14 days of receipt of notice.

105.3.1.1.3 Installation. A project information panel is required on each street frontage of the building. Where multiple major buildings are being constructed, demolished or structurally altered, a single panel is required on each street frontage.

105.3.1.1.3.1 The panel shall be prominently posted onsite in an area reasonably likely to draw attention of persons passing by and remain visible to the general public at all times.

105.3.1.1.3.2 The bottom of the panel shall be a minimum of 4 ft. above grade and the top of the panel shall be a maximum of 8 ft. above grade.

105.3.1.1.3.3 The panel shall be securely attached to the building, covered walkway, barrier, construction railing or construction fence or shall be mounted on posts or affixed to fencing by a minimum of six (6) zip ties. The panel shall be properly supported to prevent against wind loads and be free of sharp edges, protruding nails or similar hazards.

105.3.1.1.4 Required Information on Panels. When a project information panels is required, the panel shall contain, as a minimum, the following information:

1. Job address
2. Job Description
3. Construction hours as permitted by the jurisdiction in which the project is located. Construction hours for projects located in the City of Memphis will comply with ordinance #5660: 7:00 a.m. 6:00 p.m. Monday through

Friday; 8:00 a.m. - 4:00 p.m. Saturday;
Construction prohibited on Sundays

4. Contractor's name and contact information
5. 24-hour contact information for urgent concerns
6. Phone number(s) for the Memphis Police Department and/or the Shelby County Sheriff's Department.
7. Estimated completion date

8. Other information if deemed necessary by the building official

105.3.1.1.5 Material. The panel shall be constructed of durable and weather resistant material (i.e. corrugated plastic sign board or equivalent) capable of withstanding the elements for the project duration.

105.3.1.1.6 Size Requirements. Each panel shall be a minimum of 2 ft. in height and 4 ft. in width, for lots up to 100 feet of frontage and a 4 ft. in height and 8 ft. in width for lots exceeding 100 feet of frontage.

105.3.1.1.7 Font Requirements. The project information panel content shall be written in Calibri font or similar sans serif font style, with letters a minimum of 1/4" for 2 feet by 4 feet signs and 1 1/2 inches in height for 4 feet by 8 feet signs as measured by upper-case letters.

105.3.1.1.8 Color Requirement. Lettering shall be black or red on white or cream background unless otherwise approved.

105.3.1.2 Work authorized. A building, electrical, gas, mechanical or plumbing permit shall carry with it the right to construct or install the work, as shown in the drawings and set forth in the specifications filed with the application for the permit. When additional work is not shown on the drawings and covered by the specifications submitted with the application, additional permits shall be required.

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent the occupation or use of a structure where in violation of this code or of any other ordinance of this jurisdiction.

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit commences within six months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of six (6) months after the time the work commenced. An approved inspection by the Department shall be the required evidence that such work has commenced or has not been suspended or abandoned. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days

each. The extension shall be requested in writing and justifiable cause demonstrated.

105.6 Suspension or revocation. The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or a violation of any ordinance or regulation or any of the provisions of this code, or if any one of the following conditions exist:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than that listed in the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used for a different person or firm than the name for which it was issued.
6. The permittee failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
7. The permit was issued in error or in violation of an ordinance, regulation or this code.

105.6.1 Unsafe building or systems. All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service system. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition.

105.7 Reserved

105.8 Special foundation permits. When application for permit to erect or enlarge a building has been filed, and pending issuance of such permit, the Building Official may, at his discretion, issue a special permit for the foundation only. The holder of such a special permit is proceeding at his own risk and without assurance that permit for the remainder of the work will be granted or that corrections will not be required in order to meet provisions of the technical code.

105.9 Contractor Responsibilities

105.9.1 General. In addition to the local requirements, contractors shall comply with the State of Tennessee Contractor's License Law & Rules and Regulations: TCA, Title 62 Chapter 6. This includes specifically TCA 62-6-103 entitled "License requirement" in subsection (B) which states "Except in counties with a population of not less than seven hundred seventy seven thousand one hundred thirteen (777,113) according to the 1980 federal census or any subsequent federal census, a person or firm specified in subdivision (a)(2)(A) shall not make more than one (1) application for a permit to construct a single residence or shall not construct more than one (1) single residence within a period of two (2) years. There shall be a rebuttable presumption within that such person or firm intends to construct for purpose of resale, lease, rent or any other similar purpose if more than one (1) single residence is constructed within a period of two (2) years. No provision of this subdivision shall be construed to alter the definition of "contractor" as defined in Section 62-6-102.

105.9.2 Bonding

105.9.2.1 financial Assurance - In order to enhance enforcement of technical code provisions, every person doing business in Memphis and Shelby County as a registered and/or licensed building/structure mover or demolition contractor shall file with the building official a bond or irrevocable letter of credit acceptable to the building official in the penal sum of \$25,000, and issued by an incorporated insurance company authorized to do business in the State of Tennessee. Upon arrival of said bond or letter of credit, the person desiring to do such work shall secure from MSCCE a registration to do business, which shall run concurrent with the fiscal policy of such authority.

105.1.1.1.1 Conditions - The conditions of the bond shall be that the principle and surety shall indemnify the City of Memphis and the County of Shelby for their own use, and/or to any citizen against loss by improper compliance with the technical codes and any other law or ordinance governing such work: that the principal will suffer no work to be done without a permit, and will report work done for inspection by the building official in conformity with the technical codes.

105.9.3 Contractor registration and/or licensing. It shall be the duty of every contractor who shall make contracts for the installation or repairs of building, structure, electrical, mechanical, gas, or plumbing systems, for which a permit is required, to comply with the state or local rules and regulations concerning the registration and/or licensing which the applicable governing authority may have adopted.

105.9.3.1 Registration Packet - Contractors shall complete a license registration packet supplied by MSCCE and submit the following and fees before issuance of permits shall occur:

1. Copy of Tennessee Contractors License
2. A copy of an affidavit letter from the State of Tennessee Contractors Board to verify the Qualifying Agent
3. Contractors licensed by the State shall obtain a contractor registration packet from the Licensing Section of Shelby County Construction Code Enforcement which includes the following:

- a. Building Contractor Registration form. When completing, enter name (as listed on State Certificate), mailing address, and telephone number with area code.
- b. A Construction Code Enforcement Input Document for entering the qualifying agent's information.
- c. A Special Power of Attorney form to be used in the event of permits being pulled at the absence of the qualifying agent. Only two Power of Attorney attachments may be added to each license holder (make copy if needed).
- d. A Construction Code Enforcement Input Document for entering the person(s) receiving power of attorney (make an additional copy if needed).
- e. Completed input document(s) for any individual(s) listed in the application must include photo I.D.

105.9.3.1.1 Registration Fee General Contractors shall submit a registration fee of \$50 when submitting a registration packet.

105.9.3.1.1.1 Renewal Fee License registration will expire each December 31 and a renewal fee of \$50 will be due to maintain registration in good status.

11. Section 107.3.4 is amended to add the following new sub-section:

107.3.4.2 Design professional. - The Design Professional shall be an architect or engineer legally registered under the laws of this state

12. Section 109.2 - Schedule of Permit Fees is amended to add the following new sub-section:

109.2.1 Building permits, transfer devices, plans and inspection fees. The fees charged shall be in accordance with the schedule and information set forth in the Fee Ordinance for Memphis and Shelby County. Relevant portions addressing building fees, refunds and other related areas of this code are found in Appendix A.

13. Section 110, Inspections is amended by adding the following new sub-sections:

110.7 Re-Inspection fees for excessive or repeat inspection calls. When an Inspector rejects an inspection of part or all of a building, electrical, gas, mechanical and/or plumbing system or equipment due to the work being in violation or incomplete, or no plainly visible street address is posted on the job site, an additional fee shall be as set forth in the Fee Ordinance, and as shown in Appendix A, and charged for re-inspection of the same infraction and each re-inspection thereafter until the infraction is corrected.

110.7.1 Re-inspection appeal. Any person, firm or corporation aggrieved by the assessment of any re-inspection fee may appeal to the Chief Inspector for a review of the facts involved and a possible reduction in or dismissal of said fees.

110.7.2 Time to pay. Re-inspection fees shall be paid before the next inspection

110.8 No warranty to be construed. The inspection of any building, system or plans by any jurisdiction, under the requirements of the Technical Codes, shall not be construed in any court as a warranty of the physical condition of such building, system or plans or their adequacy. No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, system or plans, or for any failure of any component of such, which may occur subsequent to such inspection or permitting.

110.9 Assistance from other agencies. The assistance and cooperation of police, building, fire and health department officials and all other officials shall be available as required in the performance of duties.

14. Section 111 Certificate of Occupancy is amended to add the following new sub-sections:

111.5 Posting of the Certificate of Occupancy. The certificate of occupancy shall be posted in a conspicuous space and available for examination.

111.6 Certificate of completion. Upon satisfactory completion of a building, structure, electrical, gas, mechanical or plumbing system, a certificate of completion may be issued. This certificate is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as a shell building, prior to the issuance of a certificate of occupancy.

15; Section 113 - Means of Appeal is amended to delete the entire section and replace with the following:

Section 113 - Means of Appeal

113.1 Membership of Joint Board of Appeals. The Memphis and Shelby County Joint Board of Appeals shall consist of a total of 17 appointed and 2 ex-officio members. Those appointed members, not employees of any government unit, are as follows.

113.1.1 Composition of board. Membership shall include representatives from the following classes:

1. Tennessee Licensed Architect
2. Tennessee Licensed Structural Engineer
3. Tennessee Licensed Building Contractor
4. Licensed Electrical Engineer
5. Licensed Electrical Contractor
6. Licensed Elevator Contractor or Manufacturer
7. Licensed Heating and Air Condition Contractor
8. Licensed Mechanical Engineer
9. Licensed Plumbing Contractor
10. Licensed Residential Contractor
11. Fire Prevention Representative
12. Licensed Fire Protection Contractor
13. Citizen-at-large
14. Member of the Building Code Advisory Board (Chairperson or Board Member appointed by the Chairperson)
15. Member of the Electrical Code Advisory Board (Chairperson or Board Member appointed by the Chairperson)
16. Member of the Mechanical Code Advisory Board (Chairperson or Board Member appointed by the Chairperson)
17. Member of the Plumbing Code Advisory Board (Chairperson or Board Member appointed by the Chairperson)

113.1.2 Appointed Ex-Officio Members. After the above categories of members have been appointed, the Mayors shall appoint such other person as each may deem qualified to serve as ex-officio members.

113.1.3 Other Ex-Officio Members. In addition, the building official of the City of Memphis and Shelby County and the fire Marshall of the City of Memphis shall serve as ex-officio members without a vote.

113.2 Appointments. All appointed members of the Board shall be appointed by both Mayors and approved by the Memphis City Council and Shelby County Board of Commissioners.

113.3 Term of office. The term of office of the board members shall be staggered so no more than 1/3 of the Board is appointed or replaced in any 12 month period. The two alternates, if appointed, shall serve one year terms.

113.3.1 Filling unexpired terms and service without pay. Vacancies shall be filled for the unexpired term in the manner in which the original appointments are required to be made. All appointed Board members shall be residents of Shelby County and shall serve without pay.

113.3.2 Oath. All members shall qualify and take an oath to uphold the Constitution of the United States and the State of Tennessee and faithfully discharge the duties of their office.

113.3.3 Absence shall be cause for removal.

Continued absence of any member from required

meeting of the Board shall, at the discretion of the applicable governing body, render any such member subject to immediate removal from office.

113.4 Quorum and Voting. A simple majority of the Board shall constitute a quorum. In varying any provision of this code, the affirmative votes of % members present, but not less than five affirmative votes, shall be required. In modifying a decision of the building official, not less than five affirmative votes of the members present. In an approving an equal to or better method, the majority affirmative votes shall be required. In the event that regular members are unable to attend and a quorum is not present, the Building Official shall be empowered to appoint alternative members to obtain a quorum.

113.5 Absence of Members. During absence of a member by reason of disability or disqualification, the Administrator shall designate a qualified substitute. However, 3 successive unexcused absences from any regular or special meetings shall be grounds for termination at the will and pleasure of the appointing Mayor without the necessity of a hearing and the action shall be final.

113.6 Chairperson and Vice Chairperson of the Joint Board of Appeals. At the first meeting of each year, the Board shall select one of its members to serve as Chairperson for the year, and one of its members to serve as Vice Chairperson.

113.7 Secretary of the board. The Building Official shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decisions, the vote of each member, and the absence of a member and any failure by a member to vote.

113.8 Power. The Joint Board of Appeals shall have power, as further defined in sections 112.9.1 and 112.10 of the technical codes to hear appeals of decisions and interpretations of the Building Official and consider variances of the technical codes.

113.9 Appeals

113.9.1 Decisions of the Building Official. The owner of a building, structure or service system, or his duly authorized agent, may appeal a decision of the Building Official to the Joint Board of Appeals whenever any one of the following conditions are claimed to exist

1. The Building Official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in installation or alteration of a building, structure or service system.
2. The provisions of this code do not apply to this specific case
3. That an equally good or more desirable form of construction can be employed in any specific case.
4. The true intent and meaning of the code or any of the regulations thereunder have been misconstrued or incorrectly interpreted

113.10 Variances. The Joint Board of Appeals, when so appealed to and after hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:

1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.

2. That the special conditions and circumstances do not result from the action or inaction of the applicant;
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by the code to other buildings, structures, or service systems.
4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system
5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.

113.11 Conditions of the variance. In granting the variance, the Board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violations of the conditions of a variance shall be deemed a violation of this code.

113.12 Notice of appeal. Notice of appeal shall be in writing and filed within 30 calendar days after the decision is rendered by the Building Official. Appeals shall be in a form acceptable to the Building Official, and shall be accompanied by a fee of \$125.

113.13 Unsafe or dangerous building or service system. In the case of a building, structure or service system which in the opinion of the building official is unsafe, unsanitary or dangerous, the Building Official may, in his order, limit the time for such appeals to a shorter period.

113.14 Procedures of the board

113.14.1 Rules and regulations. The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet on call of the Chairperson. The Board shall meet within 30 calendar days after notice of appeal has been received.

113.15 Decisions. The Joint Board of Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the Board shall also include the reasons for the decision. If a decision of the Board reverses or modifies a refusal, order or disallowance of the Building Official or varies the application of any provision of this code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy shall be kept publicly posted in the office of the building official for two weeks after filing. Every decision of the board shall be final; subject however to such remedy as any aggrieved party might have at law or in equity.

16. SECTION 114 - Violations is amended to add the following new sub-sections:

114.5 Abatement of violation. The imposition of the penalties herein proscribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building or structure on any premises.

114.6 Prohibition of interference. Any person interfering with the Building Official or his assistants in the performance of their duties shall be guilty of a violation of this code.

114.7 Withholding permits. The failure to respond to official correspondence from the Building Official or his designee after registered mailing by said Board to the contractor's address of record (record with the Office of Construction Enforcement) shall be deemed a sufficient reason to withhold permits, and every contractor shall be held responsible for the violation of the Technical Codes by his employees. Permits shall be issued only to a licensed and/or registered contractor. No permit shall be issued to any licensed and/or registered contractor during the time that he shall fail to remedy defective work or fail to call for inspections after being informed by the Building Official or his designee that he has been held responsible therefore under the Technical Codes. Any other violation of the Technical Codes shall also be grounds for withholding permits.

114.8 Code Does Not Affect Liability For Damages.

114.8.1 Responsibilities. The Technical Codes shall not be construed to affect the responsibilities or liabilities of any person owning, operating, controlling or installing material, devices, appliances, or equivalent for damages to persons or property caused by any defects therein, nor shall the City of Memphis and/or Shelby County be held to assume any such liability by reason of the approval of any material, device, appliance, or equipment authorized herein.

114.8.2 Governmental purpose of technical codes. The regulations provided in the Technical Codes and/or Ordinances are hereby declared to be governmental and for the benefit of the public. Any member of the governing bodies of Memphis or Shelby County, or any official or employee, or board member charged with the enforcement of the Technical Codes acting for the City and County in the discharge of his duty, shall not thereby render himself personally liable, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as the result of an act required or permitted in the discharge of his duties. Any suit brought against such official or employee, because of such act performed by him in the enforcement of any provision of the Technical Codes shall be defended by the County and/or City Attorney until the final adjudication of the proceedings.

114.9 False representation

114.9.1 Inspector. It shall be a violation for persons not employed by the authority having jurisdiction established in State statute and local ordinances, to represent themselves to the public as an inspector.

114.9.2 Inspections not prohibited. This section does not preclude licensed engineers and contractors from making inspections as required in performing their duties.

114.10 Concealed improper or defective building, electrical, gas, mechanical and/or plumbing systems.

Any person intentionally concealing from view improperly connected joints or any defective or substandard construction work including but not limited to, spliced wires, piping, gas lines, framing, etc., shall be guilty of a violation and punishable by a fine as provided in Section 113.4 and 113.5

114.11 Removal of defective work. Construction work installed in violation of the Technical Codes or in an otherwise unlawful manner, shall be removed in its entirety on order, in writing, from the Building Official or his duly authorized representative and shall be reinstalled in a lawful manner as prescribed by the Technical Codes

114.12 Conspiracy to evade code requirements. Any

person licensed under this Code who conspires with another person or firm to evade any of the provisions of this chapter or other ordinances or laws governing the building code shall have that license suspended or revoked, either temporarily or permanently, by the Building Code Board upon submission of proof that such conspiracy exists or did exist.

114.13 Advertising by name. It shall be a violation for any person, firm, corporation or any other business that engages in, seeks to engage in, or follows the business or occupation of contracting to advertise in any form or media under any name other than the same company name on the application the licensed or Certified State Contractor has on file with the Office of Construction Enforcement.

17, Chapter 1 SCOPE AND ADMINISTRATION is amended to add the following new sections and sub-sections:

Section 117 - Street numbers for building and lots

117.1 Required. Every main entrance to every building, suite (each tenant space) and every lot fronting upon any street within Shelby County shall bear and be known by an official street number assigned by Memphis Light Gas and Water Division.

117.2 No fractional numbers allowed. There shall be no fractional street numbers.

117.3 Attaching, stenciling, or painting numbers. Every person owning or occupying any house or building fronting on any street in Shelby County shall, prior to occupancy, have the proper number attached to, stenciled, or painted on the front part of such house or building over, on or by a main entrance in such manner that the number shall be plainly visible from the street. Such street numbers shall conform with this Section. If because of the setback of the house or building, or for any other reason, the number cannot readily be seen from the street, then the occupant shall, in addition to the provisions above position numbering so that it is clearly visible from the street

117.4 Display of incorrect number. It shall be unlawful for any person to display any false or incorrect house or lot number knowingly and willfully or with the intention to deceive another person.

Section 118 - Zoning letters, compliance letters, damage restoration statements, board of adjustment rejection letters and other requested verification letters.

116.1 Availability and fee. Zoning Letters, compliance letters, damage restoration statements, Board of Adjustment rejection letters and other requested verification letters requiring research by the Office of Construction Code Enforcement are available from Office of Construction Enforcement. A written request for a letter from the Office of Construction Enforcement shall include the project address, project location (the distance and relationship to an intersecting street), the company name and the year of occupancy of subject property. A fee as set forth in Appendix A, section 22 shall accompany the request for each letter and an additional fee shall be charged for photocopies. The requested information shall be processed within three working days.

Section 119 Reserved

Section 120 - Building Code Advisory Board

120.1 Scope. The public safety requires that persons

engaged in the construction, alterations, repair, equipment, use and occupancy, location, maintenance, removal and demolition, of every building or structure and any appurtenances connected or attached to such buildings or structures be qualified to perform such duties competently and in compliance with the Technical Codes. The introduction of new materials and assemblies, recommendations of the contractors and other circumstances may require the change in the Technical Codes, and since the Administrator, Building Official or Chief Inspectors may require professional, qualified and experienced consultants to advise them in matters pertaining to construction work, the Building Code Advisory Board is established.

120.2. Duties of the Building Code Advisory Board. The duties of the Board shall consist of the following:

1. Recommend new materials or assemblies of materials for acceptance and approval or rejection.
2. Recommend changes in the Technical Codes.
3. Act as advisors to the Administrator, Building Official and Chief Inspectors and any other way in which their services may be requested.
4. Develop orderly procedures for reviewing complaints and violations and when necessary recommending the suspension or revocation the licenses of or otherwise disciplining a license holder
5. Recommending licensing, registration and examination fee charges to the Administrator when appropriate.
6. Assisting in the review of the schedule of fees for inspections and permitting of activities as requested.

120.3 Membership of the Building Code Advisory Board. The Building Code Advisory Board shall consist of 12 appointed members, who shall serve for a period of three years with their terms staggered so that no more than 4 terms expire in any one year. All appointed members of the Board shall be appointed by either the Mayor of Memphis or the Mayor of Shelby County and approved respectively by the City Council of Memphis or the County Commission. Each Mayor will make half the appointments that are to be made each year. The Building Official and the Chief Building Inspector shall serve as ex-officio members without a vote. Additionally, representatives of the MLGW, Fire Marshall's Office for the City of Memphis and for the County of Shelby, shall serve as ex-officio members without a right to vote.

120.3.1 Composition of the Building Code Advisory Board. The membership of the Building Code Advisory Board shall include the following:

- Two (2) state of Tennessee licensed architects
- Two (2) state of Tennessee licensed engineers (structural)
- Two (2) state of Tennessee licensed contractor primarily doing residential work
- A state of Tennessee licensed contractor primarily doing commercial work
- A state of Tennessee licensed contractor primarily doing industrial work
- A state of Tennessee licensed equipment manufacturer or supplier
- A state of Tennessee licensed engineer (mechanical)
- A fire prevention representative
- A citizen member

120.2.2.1 Other members. After the above categories have been appointed, the Mayors may appoint such

other person as each may deem qualified to serve as ex-officio members.

120.3 Absence of members. During absence of a member by reason of disability or disqualification, the Administrator or Building Official shall designate a qualified substitute. However, 3 successive unexcused absences from any regular or special meetings shall be grounds for termination at the will and pleasure of the appointing Mayor without the necessity of a hearing and such action shall be final.

120.4 Chairperson, Vice-Chairperson, and Secretary to the Building Code Advisory Board. At the first meeting of each year, the Board shall select one of its members to serve as Chairperson for that year and one of its members to serve as Vice-Chairperson. The Building Official shall serve as Secretary for the Board. The chairperson of the meeting shall be excluded from any vote at that meeting except to break a tie. The Chairperson or Vice-Chairperson, or selected board member of the Building Code Board shall serve on the Joint Board of Appeals.

120.5 Meetings of the Board. The Board shall be subject to meetings at the call of the Chairperson, the Administrator or the Building Official. Each member shall be given 5 days notice before the date of any called meeting.

120.6 Decisions and findings of the board

120.6.1 Administrative issues. The Board shall report its decisions, findings and recommendations in writing to the Administrator, who, if he approves, shall cause recommendations concerning the administration of the OCCE to be proposed for enactment.

120.6.2 Technical issues. The Board shall report its decisions, findings and recommendations in writing to the Building Official, who, if he approves, shall cause recommendations concerning the technical codes of the OCCE to be enacted.

120.7 Quorum. A simple majority of the Board shall constitute a quorum. In the event that the regular members are unable to attend and a quorum is not present, the Administrator or the Building Official shall be empowered to appoint alternate members to obtain a quorum.

120.7.1 Minutes of Meetings. The Administrator or Building Official shall designate one of the employees of the OCCE to complete accurate minutes at each meeting and make them available to the Board members.

18. Add The Following Definitions To IBC Section 202 Entitled "Definitions":

Board of Appeals. Whenever the term "Board of Appeals" is used in this Code, it shall mean the Joint Board of Appeals of Memphis and Shelby County.

Building Contractor Registration. The term Building Contractor Registration as used in this Code is defined to include any person, firm, or corporation whose principal business is to, or performing, any of the following: erect, construct, enlarge, alter, repair, move, improve, convert, or demolish any building or structure in the applicable jurisdiction, or cause the same to be done.

Chief Appointing Authority. Whenever the term "Chief Appointing Authority" is used in the Technical Codes herein adopted, it shall mean the Mayors of the City of Memphis and County of Shelby, Tennessee.

City, Municipality, or Governing Body. Whenever the word "City" or "Municipality" or "Governing Body" is used in the Technical Codes herein adopted, it shall mean the City of Memphis and County of Shelby, Tennessee.

Department of Building Safety. Whenever the words "Department of Building Safety" is used in the Technical Codes herein adopted, it shall mean the Memphis and Shelby County Office of Construction Enforcement.

Family. In addition to customary domestic servants, either:

- I. An individual or 2 or more persons related by blood, marriage, or adoption, maintaining a common household in a dwelling unit; or
2. A group of not more than four (4) persons who are not related by blood, marriage, or adoption, living together as a common household in a dwelling unit; or
3. A group of eight (8) or fewer unrelated mentally retarded, mentally handicapped, or physically handicapped persons which may include three (3) additional persons acting as house parents, who need not be related to each other or to any of the mentally retarded, mentally handicapped, or physically handicapped persons residing in the house, living together as a common household in a dwelling unit and licensed by either the state departments of Health or Mental Health and Developmental Disabilities.

"Mentally handicapped" does not include persons who are mentally ill and because of such illness, pose a likelihood of serious harm as defined in Tenn. Code Ann. Sec. 33-6-104, or who have been convicted of serious criminal conduct related to such mental illness; and

"Physically handicapped" shall include persons who, due to age or infirmity, are physically in need of residential home care.

Ic'ree Standing Wall. A manmade structure built out of rock, block, timber, concrete, or other similar material which does not either directly support retained material or serve as a facing of a cut slope.

International Building Code. Whenever the words "International Building Code" are used in this code herein adopted, it shall mean the 2021 International Code Council International Building Code and will be known as the Memphis and Shelby County Building Code (MSCBC).

International Electrical Code. Whenever the words "International Electrical Code" are used in this code herein adopted, it shall mean the 2020 National Electrical Code (NEC) with Local Amendments and will be known as the Memphis and Shelby County Electrical Code (MSCEC).

International Energy Conservation Code. Whenever the words "International Energy Conservation Code" are used in this code herein adopted, it shall mean the 2018 International Code Council International Energy Conservation Code with Local Amendments and will be known as the Memphis and Shelby County Energy Conservation Code (MSCECC).

International Existing Building Code. Whenever the words "International Existing Building Code" are used in this code herein adopted, it shall mean the 2021 International Code Council International Existing Building Code with Local Amendments, and will be known as the Memphis and Shelby County Existing Building Code (MSCEBC).

International Fire Code. Whenever the word "International Fire Code (IFC)" is used in this code as adopted, it shall mean all the 2021 Edition of the *ICC International Fire Code* with local amendments as adopted by the Memphis City Council for the City of Memphis and the Shelby County Commission for unincorporated Shelby County and will be known as the Memphis and Shelby County Fire Code (MSCFC)

International Fuel Gas Code. Whenever the words "International Fuel Gas Code" are used in this code herein adopted, it shall mean the 2021 International Code Council International Fuel Gas Code with Local Amendments and will be known as the Memphis and Shelby County Fuel Gas Code (MSCFGC).

International Mechanical Code. Whenever the word "International Mechanical Code" is used in this code herein adopted, it shall mean the 2021 International Code Council International Mechanical Code with Local Amendments and will be known as the Memphis and Shelby County Mechanical Code (MSCMC).

International Plumbing Code. Whenever the words "International Plumbing Code" are used in this code herein adopted, it shall mean the 2021 International Code Council International Plumbing Code with Local Amendments and will be known as the Memphis and Shelby County Plumbing Code (MSCPC).

International Residential Code. Whenever the words "International Residential Code" are used in this code herein adopted, it shall mean the 2021 International Code Council International Residential Code with Local Amendments and will be known as the Memphis and Shelby County Residential Code (MSCRC).

Large Home. A building with three-family or four-family dwellings where structures are under five thousand square feet (5,000) in area and less than three (3) stories in height and where two-hour fire -resistive-rating for wall, floor and ceiling separation assemblies is met not mandated to install an automatic fire sprinkler system

21. Add Exception #1 Under IBC Section 404.7 Entitled "Standby Power"

Exception 1. Except that system supervision devices with manual start and transfer features shall be provided in a location approved by the Building Official.

22. Amend Table 705.8 "Maximum Area Of Exterior Wall Openings Based On Fire Separation Distance And Degree Of Opening Protection" - Referenced Footnotes To Add Footnote "I" And Have It Apply To The Last Five Distance Measurements In The First Column Entitled "Fire Separation Distance". As Follows:

I. In one story, Group S occupancies, used for mini-storage warehousing, a heat detection system installed in accordance with NFPA 72 with a central station, may be installed in lieu of the limitation of openings as specified by Table 705.8 for those buildings with a separation distance of at 10 feet or more.

23. Add IBC Section 903.2.13 As follows:

903.2.13 Buildings in unincorporated areas. Buildings in the unincorporated areas of Shelby County are subject to review by the Shelby County Fire Prevention Department.

24 Add A Sixth and Seventh Condition To IBC Section 1006.3.4 Entitled "Single Exits" These Conditions are not interchangeable. As Follows:

6. A single means of egress from an occupied roof, otherwise known as a roof deck platform (RDP), shall be allowed when all of the following conditions exist:

6.1 The stairway serving the RDP shall have a minimum of two-hour fire-resistance- rated enclosure with "B" labeled doors and frames. The stairway serving the

RDP shall also have smoke detectors on the corridor side of each interior door to the stair.

6.2 An audible/visual device shall be installed to notify all the occupants on the RDP when activated by either smoke detectors or in the case of a building equipped with an automatic sprinkler system, water flow.

- 6.3 Emergency lighting, exit lights and directional exit lights, if required by the building official shall be required.
- 6.4 The capacity of the RDP shall be calculated as 15 Sq. Ft. /Person and shall not exceed 50 persons. The maximum allowable occupancy load shall be posted on or adjacent to the exit.
- 6.5 When cooking equipment is provided, it shall be located a minimum of ten feet from the stairway and it shall be located on a fixed non-combustible surface with at least three feet of clearance all around the cooking equipment.
- 6.6 The travel distance from the most remote point of the RDP to the stair shall not exceed seventy-five (75) feet.
- 6.7 The maximum allowable size of an RDP when served by a single stair is seven hundred and fifty (750) square feet.
- 7.0 Groups R-2 shall not prohibit less than six (6) stories R-2 Occupancy, as defined in the 2021 International Building Code, to be served by a single exit if all the following conditions are met:
 - 1. The building has not more than six (6) stories above grade plane;
 - 2. The building does not contain more than four (4) dwellings units on any floor;
 - 3. An exterior stairway or interior exit stairway is provided;
 - 4. A corridor separates each dwelling unit entry/exit door from the door to an interior exit stairway, but may open directly into an exterior stairway;
 - 5. There is not more than twenty (20) feet of travel to the exit stairway from the entry/exit door of any dwelling unit;
 - 6. Travel distance measured in accordance with Section 1017 of the 2021 IBC does not exceed on hundred twenty-five (125) feet;
 - 7. Other occupancies in the same building do not communicate with the R occupancy portion of the building or with the single-exit stairway. For this purpose, parking garages and occupied roofs accessory to the R occupancy may communicate with the exit stairway;
 - 8. The exit serving the Group R Occupancy does not discharge through any other occupancy, including an accessory parking garage;
 - 9. There are no openings within ten (10) feet of unprotected openings into the stairway other than required exit doors having a one-hour fire-resistive rating.

25. Add Exception. #6, #7, #8 And #9 Under IBC Section 1020.2 Entitled "Construction" As Follows:

- 6. An unobstructed path of travel through a space in Group B, F and S occupancy greater than six feet (6') wide, which requires a minimum aisle width of 44 inches, shall not require a fire rating.
- 7. In Group B, F and S buildings not exceeding six stories, a corridor within a tenant space with a smoke detection system installed per NFPA 72 shall not require a fire rating exit access corridor.
- 8. Fire rated reception room entry doors are not required when opening onto fire rated halls, corridors and exit access provided:
 - a. Reception room is separated from the tenant space it serves by one- hour construction.
 - b. The reception room shall not exceed 250 square feet.
- 9. A glass wall forming a smoke partition may be used in lieu of a required one-hour, fire- resistant wall where the building is protected throughout by an electrically-supervised automatic sprinkler system and where automatic sprinklers are spaced six feet (6') or less along both sides of the separation wall and not more than one foot (1') away from the glass and designed so that the entire surface of the glass is wet upon activation of the sprinkler system. The glass shall be laminated safety glass and shall be in a gasketed metal frame installed so that the framing system may deflect without breaking the glass before the automatic sprinkler system operates. The doors shall be labeled as per Tables 716.3 and 716.5 or laminated safety glass with self-closing and latching hardware.

26. Delete IBC Section 1809.4 Entirely "Depth and Width of Footings" And Substitute The Following:

1809.4 Depth and width of footings. The minimum depth of footings below the undisturbed ground surface shall be 13 inches (331 mm). Where applicable, the requirements of Sections 1809.5 shall also be satisfied. The minimum width of footings shall be 12 inches (305 mm).

27. 3001.I is amended to add the following new sub-section:

3001.1.1 Transfer device. - Whenever the term "transfer device(s)" is used in the Technical Codes, the meaning of the term shall include elevators, escalators, dumbwaiters, moving walks, stairlifts, chairlifts and automatic transfer devices.

28. IBC Chapter 30 Elevators and Conveying Systems is amended to add the following new sections and sub-sections: Section 3009 Entitled "Installing Agency And Enforcement" And All the Sections Thereunder As Follows:

3009 Installing agency and enforcement

3009.1 Qualified installing agency. Installation, replacement, and repair of transfer devices within the meaning of the Technical Codes is to be performed only by a qualified, licensed and registered entity. By the term "qualified, licensed, and registered" entity: it is meant any individual, firm, corporation, or company which is engaged in and is responsible for the installation, replacement, or repair of elevators, escalators, dumbwaiters, moving walks, amusement devices, stairlifts, chair lifts, and material lifts and who is experienced in such work, familiar with all precautions required, and has complied with all the requirements of the MSCCCE and the Technical Codes.

3009.2 Building official, deputies, and special inspectors

3009.2.1 Experience required. The Building Official and assistants as may be necessary in the proper performance of the duties of the office shall be appointed by the administrator of the Memphis and Shelby County Construction Code Enforcement (MSCCCE). Any assistants assigned to perform inspections under the Technical Codes shall be licensed elevator inspectors or have had at least 5 years practical experience as a mechanical engineer or in the elevator industry in the erection, operation, installation, or repair of such machinery or equipment.

3009.2.2 Transfer device reports. The Building Official and/or licensed assistant inspector shall make inspections of all transfer devices as provided for in this Chapter. They shall make daily, monthly and annual reports as may be required by the MSCCCE.

3009.3 Inspectors License

3009.3.1 Requirements. A licensed transfer device inspector must be an employee of the Memphis and Shelby County Office of Construction Code Enforcement, and such person has satisfied the Mechanical Board that he/she has had the experience required by IBC Section 3007.2J and has passed a written examination given by the Board testing his knowledge of the Technical Codes or has passed the ASME QEI test for Elevator Inspectors. Anyone holding a license as an inspector from a state or local governmental entity that has a qualification standard and examination standard substantially equal to that provided for within this IBC Section may conduct inspections authorized by the Building Official or his authorized assistants.

3009.4 Inspection Reports

3009.4.1 Time for report. A report of required inspection shall be filed with the Building Official by the inspector who performs the inspections on a form approved by the Building Official, within 20 days after the inspection or test has been completed. This filing requirement shall apply to inspections made by a licensed inspector of a duly accredited insurance company, which is the primary insurer of the conveyance.

3009.4.2 Information required in report. The report shall include all information required by the Office of Construction Code Enforcement to determine whether the transfer device is in a safe operating condition, and whether the owner or lessee of the transfer device has complied with the rules and regulations applicable under the provisions of the Technical Codes. In addition, the reports shall indicate whether the transfer device has been installed in accordance with the construction permit issued under the Technical Codes and meets the requirements of the applicable rules of the Elevator and Safety Code.

3009.5 Guide for inspections and tests. The American National Safety Code for the Inspection of Elevators and Escalators, Moving Walks - ASME AI 7.2-2010, is hereby adopted as a guide for making the inspection and test required by the Technical Codes. Upon completion of all tests, the person or entity conducting the

tests shall attach a metal tag to the transfer device, which shows the name of the person, or entity, which conducted the tests and the month and year that such test were performed.

29. IBC Chapter 30 Elevators and Conveying Systems is further amended to add the following new sections and sub-sections: Section 3010 Entitled "Permits" And All the Sections Thereunder As Follows:

3010 Permits

3010.1 Construction permits for elevators, dumbwaiters, escalators, moving walks, stairlifts, chair lifts and material lifts.

3010.1.1 Permits. A construction permit shall be obtained from the Memphis and Shelby County Construction Code Enforcement (MSCCCE) before erecting new transfer devices, moving apparatus from one hoist way to another, or before making alterations to existing equipment. The owner, or his authorized agent, shall submit an application for such permit accompanied by plans and specifications as set forth IBC Section 104.2. If plans and specifications indicate compliance with the technical Codes, the Building Official shall issue a construction permit. No permit shall be required for repairs and replacements normally necessary for maintenance and made with parts of equivalent materials, strength and design.

3010.1.2 Permits for repairs. Construction permits are required for any alterations covered by IBC Section 8.7, ASME A1 7.1-2010 of the Elevator Safety Code. A permit is required for the replacement of hydraulic casings and plungers, and hydraulic valves and pumps. A permit is required for the replacement of hoisting cables and governor cables and compensating cables or chains.

3010.2 Operating certificates. No commercial elevator or any other transfer device, as defined in IBC Section 3001 shall be operated by the owner or lessee thereof, unless an operating permit has been issued pursuant to the Technical Codes; however, no operating certificate shall be required for transfer devices, owned, and operated by United States Government.

3010.3 Issuance of operating certificates

3010.3.1 Time for final inspection report for new commercial transfer devices. A report of required final inspection shall be filed with the Building Official by the inspector who performs the inspections on a form approved by the Building Official, within 20 days after the inspection or test has been completed. This filing requirement shall apply to inspections made by an authorized licensed inspector of a duly accredited insurance company, which is primary insurer of the conveyance.

3010.3.2 Information required in report. The final inspection report shall include all information required by the Office of Construction Code Enforcement to determine whether the transfer device is in a safe operating condition and whether the owner or lessee of the transfer device has complied with the rules and regulations applicable under the provisions of the Technical Codes. In addition, the report shall indicate whether the transfer device has been installed in accordance with the construction permit issued under the Technical Code and meets the requirements of the applicable rules of the Elevator and Safety Codes. Upon filing a report showing such compliance, a operating certificate shall be issued which shall be good for one year.

3010.3.3 Compliance notice. If the inspection report required by above indicated failure of compliance with the applicable requirements of the Technical Codes, or with the detailed plans and specifications approved by the Building Official under 3008.1, the Building Official shall give notice to the owner or lessee, or the person filing such plans and specifications, of changes necessary for compliance therewith. After such changes have been made, the Building Official shall issue an operating certificate .

3010.3.4 Renewing operation certificates. Operating certificates shall be renewed semi-annually by the MSCCCE, to the owner or lessee of every new and existing commercial transfer device when the inspection report indicates compliance with the Technical Codes. No certificates shall be issued if the required fees have not been paid. Time limits shall be 30 days for existing transfer devices, and 3 days for new transfer devices, after the required date for filing the inspection report required by IBC Section 3008.3.1, unless such time limit is extended by the Building Official.

3010.4 Posting. The certificate required by this Chapter shall be posted in a conspicuous location in the transfer device car or cage, or on the platform, on or near the transfer device, or available at the onsite Building Manager's office.

3010.6 Limited permits

3010.6.1 Temporary use. The Building Official may permit the temporary use of any transfer device for freight service during its installation or alteration, or for use in construction, under the authority of a limited operating permit issued by him for each class of service. In the case of elevators, such limited permit shall not be issued until the elevator shall have been tested under contract load, and the car safety stopping equipment has been tested to determine the safety of the equipment for construction purposes, and until permanent or temporary guards or enclosures are placed on the car and around the hoist way at the landing entrances on each floor. Landing entrance guards shall be provided with locks that can be released from the hoist way side only. Automatic and continuous-pressure elevators shall not be placed in temporary operation from the landing push buttons. An operator shall be on any elevator being operated under the authority of a limited operating permit during all times of operation.

3010.6.2 Fees. Limited permits shall be issued for a period not to exceed 30 days at a fee rate of \$100.00. It can be renewed every 30 days for a fee of \$100.00 for each additional 30 days. Payment to be made before permit is finalized.

3010.6.3 Posting permits. Where a limited permit is issued, a notice bearing the information that the equipment has not been finally approved shall be conspicuously posted on or near each entrance to such transfer device in a place where it is clearly visible at each entrance of the transfer device.

3010.7 Guide for inspections and tests. The American National Safety Code for the Inspection of Elevators and Escalators, Moving Walks - ASME AI 7.2-2010, is hereby adopted as a guide for making the inspection and test required by the Technical Codes. Upon completion of all tests, the person or entity conducting the test shall attach a metal tag to the transfer device which shows the name of the person or entity which conducted the test and the month and year that such tests were performed.

30. IBC Chapter 30 Elevators and Conveying Systems is further amended to add the following new sections and sub-sections: Section 3011 Entitled "Supervisor, Responsibility, Accidents And Insurance" And All the Sections Thereunder As Follows:

3011 Supervisor, responsibility, accidents and insurance

3011.1 Supervision of installation, relocation, alteration or repair of equipment. The installation, relocation, alteration or repair of all transfer devices must be performed by a properly licensed and registered transfer device contractor registered with the MSCCCE .

3011.2 Responsibility of person installing, relocating, or altering equipment. The person or firm installing, relocating, or altering a transfer device shall be responsible for its operation and maintenance until the operating certificate therefore has been issued by the Building Official, except during the period when any limited operating permit, as defined in IBC Section 3008.6 shall be in effect, and shall also be responsible for all tests of new, relocated, and altered equipment until the operating certificate therefore has been issued by the Building Official.

3011.3 Elevator, dumbwaiter, escalator, moving walk, stairlift, chair lift and material lift accidents

3011.3.1 Accident notification. The owner of a transfer device, or his duly authorized agent, shall immediately notify the Building Official of each and every accident involving:

1. A person requiring the service of a physician; or
2. Damage which results in disability of the transfer or amusement device exceeding one day; and shall provide the Building Official access to every facility and cooperate fully in investigating and inspecting such accident or damage.

The Building Official shall, without delay, after being notified, make an investigation and shall place on file a full and complete report of such accident.

301 1.3.2 Accident report. Such report shall give in detail all material facts and information available, and the cause or causes so far as they can be determined, which shall be open to the public for inspection at all reasonable hours. When an accident involves the failure or destruction of any part of the construction or the operation mechanism of such a device, the use of such device is forbidden until it has been made safe, and until it has been re-inspected and any repairs, changes, or alteration have been approved by the Building Official, and a permit in such form as the Building Official may prescribe has been issued by the MSCCCE. The removal of any part of the damaged

construction or operating mechanism from the premises is forbidden until permission to do so has been granted by the Building Official.

31. IBC Chapter 30 Elevators and Conveying Systems is further amended to add the following new sections and sub-sections: Section 3012 Entitled "Safety And Equipment Requirements" And All the Sections Thereunder. As Follows:

3012 Safety and equipment requirements

3012.1 Generally. The requirements of the Code adopted by IBC Section 3010.1 shall apply to all installations of transfer devices, as hereinafter specified, and except as otherwise provided in the Chapter.

3012.2 New Installations. All new transfer devices shall be designed and installed in accordance with the requirements of the Elevator Safety Code- AI 7.1, 2010 Edition plus Addendums, AI 8.1 2008 Edition, and Handicap Ordinances for wheelchair and stair lifts.

3012.3 Relocations. All relocation of transfer devices made after January 1, 1961, shall meet the requirements of the Elevator Safety Code.

3012.7 Repairs and replacements. Repairs and replacements of damaged , broken or worn parts shall conform to the requirements of Part 8.6 of the Elevator Safety Code.

3012.9 Existing installations. Existing transfer devices, legally installed before January 1, 1961, may be used without being reconstructed to comply with the requirements of the Elevator Safety Code, except as such rules of the Code specifically refer to such installations.

3012.10 Alterations generally. Existing installations may be altered to obtain the advantage of any provisions of the Elevator Safety Code, provided the safety requirements covering such provision are met. Alterations of existing installations shall conform to Part 8, Section 8.7 of such Code, or to the following exception:

3012.10.1 Existing freight elevator gates. Hoist way gates for freight elevators in existing buildings may be five feet six inches high (5' 6") with maximum two-inch (2") openings, if approved by the Building Official.

3012.10.2 Major combination of alterations. When any combination of alterations or changes is made, constituting more than 50% of the cost of the installation of a new elevator or hoist way construction, as determined by the Office of Construction Code Enforcement, the entire installation shall conform to the requirements of the Elevator Safety Code A 17.1, 2010 Edition.

3012.10.3 Repairs and replacements. Repairs and replacement of damage, broken or worn parts shall conform to the requirements of Part 8.6 of the Elevator Safety Code.

3012.11 Maintenance in safe operating condition

3012.11.1 Responsibility of owner. Every transfer device shall be maintained by the owner or lessee in a safe operating condition so that it conforms to the provision of this Chapter.

3012.11.2 Proper maintenance. The owner, or his duly appointed agent, shall be responsible for the safe operation and proper maintenance of a transfer device after the operating certificate has been issued by the MSCCE, and also during the period of effectiveness of any limited operating permit as defined in IBC Section 3008.6.2. The owner shall also be responsible for making all initial and periodic tests required by this Chapter.

3012.12 Portable hoists for elevators and dumbwaiters prohibited. No portable power chain or cable hoist shall be installed to raise or lower an elevator car or platform, or dumbwaiter car or platform.

32 Chapter 30 Elevators and Conveying Systems is further amended to add the following new sections and sub-sections: Section 3013 Entitled "Special Provisions For Amusement Services" And All the Sections Thereunder As Follows:

3013 Special provisions for amusement services

3013.1 Visual inspections. Memphis Shelby County Construction Enforcement (MSCCE) inspection of amusement rides shall consist of a visual inspection of fencing, entrances, exits, lap bars, seat belts and blocking.

In addition, a complete NAARSO (National Association of Amusement Ride Safety Officials) level III inspection of the assembly of the ride shall be made to ensure all bolts, nuts, cotter pins and all other safety devices are properly installed.

3013.1.1 Technical information. It is the responsibility of the amusement device owner to provide all Technical information and conduct all testing required by the manufacturer. This information shall be presented to MSCCE before the operation of the amusement device. A daily maintenance and safety check shall be available upon request by MSCCE.

3013.2 Amusement device operator. Amusement devices shall be in the charge of competent persons of sound mind who shall have attained the age of 18 years.

3013.3 Inspection of amusement devices. Amusement devices shall be inspected before the season or engagement period opens and/or at least once a year by a level III NAARSO inspector.

33 Chapter 30 Elevators and Conveying Systems is further amended to add the following new sections and sub-sections: Section 3014 Entitled "Penalty For Violation" And All the Sections Thereunder As Follows:

3014 Penalty for violations

3014.1 Suspension of operations. The Building Official is authorized to order the suspension of operation of any transfer device for which a certificate is required, but has not been issued, or which upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a suspension is made, a notice shall be attached to the transfer device suspended of operation by the Building Official, or one of his assistants, together with the reason or reasons for suspension. Additionally, it shall be unlawful for any person to remove said notice or resume use of said transfer device without authorization by the Building Official, or one of his assistants, and such transfer device shall not be put into service or used until the Building Official has attached his certificate of approval in lieu of his prior suspension notice.

Penalties. A violation of the provision of this chapter shall be violation of this Code and subject to all other penalties proscribed herein.

34. IBC Chapter 30 Elevators and Conveying Systems is further amended to add the following new sections and sub-sections: Section 3015 Entitled "Fees" And All the Sections Thereunder As Follows:

3015 Fees

3015.1 Transfer devices. For the installation of transfer devices, the fee shall be set forth in the Building Permit, Plans and Inspection Fees Schedule.

3015.2 Operating certificates, semi-annual renewal. The operating certificates for all commercial elevators, escalators, dumb waiters, moving walks, chair lifts and material lifts shall be renewed annually. The fees shall be as set forth in the building permit, plans and inspection fee schedule.

35. Amend IBC Section 3103 Entitled "Temporary Structures" In Its Entirety And Replace It With The Follow Section, So That When Amended It Shall Read As Follows:

IBC Section 3103 Temporary structures and uses

3103.1 General. The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated cause.

3103.1.1 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, MEANS of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

3103.1.2 Permit required. Temporary structures that cover an area greater than 200 square feet including connecting areas or spaces with common means of egress or entrance that are used or intended to be used for the gathering of 10 or more persons, shall not be erected, operated or maintained for any purpose without obtaining a building permit from the Building Official.

3103.2 Temporary power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electrical installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *ICC Electrical Code*, as locally amended.

3103.3 Location. Temporary structures shall be located in accordance with the requirements of IBC Section 602 based on the fire-resistance rating of the exterior walls for the proposed type of construction.

3104.4 Means of egress. Temporary structures shall conform to the means of egress of Chapter 10 and shall have an exit access travel distance of 100 feet (30480 mm) or less.

3104. 5 Termination of approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

36. Chapter 35 Referenced Standards is amended to add the following referenced standard to the section titled "ASME"

A17.6-2017/ Standard for Elevator Suspension, Compensation, and Governor Systems

37. ADOPT THE FOLLOWING APPENDICES

APPENDIX A - BUILDING PERMIT, PLANS AND INSPECTION FEES (See Local Amendments Below.)

APPENDIX C - GROUP U - AGRICULTURAL BUILDING as shown in 2015 Edition of the ICC International Building Code.

APPENDIX D - FIRE DISTRICT (SEE LOCAL AMENDMENTS BELOW)

APPENDIX F - RODENT PROOFING as shown in 2015 Edition of the ICC International Building Code.

Appendix G - Flood Resistant Construction as shown in 2015 Edition of the ICC International Building Code.

APPENDIX H - SIGNS- As shown in 2015 Edition of the ICC International Building Code.

Appendix A

Building Permit, Plans and Inspection Fees

1. New Construction and Additions To Buildings Other Than One-And Two- Family Dwellings and Large Homes.

- a. The fee for a building permit for new construction, or for an addition to an existing structure, shall be based on the total construction cost (valuation) of said construction, addition, alteration, or repair and shall be determined by the following paragraphs. However, the minimum permit shall be \$75.
- b. When the valuation is less than \$25,000, the fee shall be \$5 per \$1,000 of valuation or any fraction thereof.
- c. When the valuation is as much as \$25,001, but less than \$1,000,000, the fee shall be \$125 plus \$3.50 for each additional \$1,000 of valuation or any fraction thereof above the valuation of \$25,000.
- d. When the valuation is as much as \$1,000,001, but less than \$25,000,000, the fee shall be \$3537.50 plus \$2.25 for each additional \$1,000 of valuation or any fraction thereof above the valuation of \$1,000,000.
- e. When the valuation is as much as \$25,000,001, the fee shall be \$57,537.50 plus \$1.75 for each additional \$1,000 of valuation or any fraction thereof above the valuation of \$25,000,000.

2. One And Two Family Dwellings and Large Homes

- a. The permit fee for alteration or repairs to a one-two family dwelling, building or structure shall be based on the total construction cost (valuation) of alterations or repairs, and shall be charged at a rate of \$5 per \$1,000 or fraction thereof. The minimum fee for any permit shall be \$50. Permit fee for the alterations or repairs for one and two family dwellings shall not exceed \$325.
- b. The permit fee for new construction or addition of more than 400 square feet for one- two family dwelling, building or structure shall be charged at the rate of \$0.07 per square foot or fraction thereof. The minimum fee for new construction of a one - two family dwelling or structure permit shall be \$125 and the minimum fee for addition of more than 801 square feet to existing one-two family dwelling, building, or structure shall be \$125. 401 to 800 square feet to an existing one-two family dwelling, building, or structure shall be \$75. Minimum fee for addition of 400 square feet or less to an existing one-two family dwelling, building, or structure permit shall be \$50. All above areas shall include, but not be limited to, living area, porches, carports, canopies, garages, and storage areas. The permit fee of \$125 includes the fees for the new installation of sidewalks and curb cuts.
- c. Detached one-story residential accessory buildings, carports, canopies, garage or patios not exceeding 400 square feet will have a minimum fee of \$25. Minimum fee for detached one-story residential accessory building, carports, canopies, garages, or patios exceeding 400 square feet shall be \$0.07 per square foot with a minimum fee of \$50.
- d. Residential fence installation not exceeding 400 linear feet will have a minimum fee of \$25. Minimum fee for residential fencing exceeding 400 linear feet shall be \$0.07 per linear foot with a minimum of \$50.
- e. All residential permit submittals will be assessed an application fee of \$50 for new and addition permits and \$25 for alteration, repairs and accessory permits.

3. Fee For Amending Permits

- a. After a permit has been issued and an amendment or supplemental revision is applied for, the additional fee or service charge shall be as follows:
 - I. For each and every amendment which involves additional work, not originally applied for to complete the entire project, the additional fee shall be the nominal fee for the work completed and shall be computed disregarding the valuation of the work previously permitted.
 - II. For each and every amendment or supplement not involving additional work by square footage, volume, or dollar value, the minimum fees normally required for such work shall apply, even though the project dollar value or building volume may be decreased. (Minimum fee of \$25).

4. Work Commencing Before Permit Issuance.

In the case any work requiring a permit is started prior to obtaining said permit, as a penalty for violating this Code, the total nominal fee applicable shall be doubled. The payment of said fee shall not relieve any persons from fully complying with the requirements of this Code for performance or execution of the work, nor from other penalties prescribed by law.

5. Special Tax

The uncollected cost of repairing, vacating, or taking down and removing an unsafe building may be certified to the County Trustee. It shall then be the duty of the County Trustee to place the amount so certified on the bill for the County taxes assessed against the property on which said dangerous structure was located. It shall be the duty of the County Trustee to collect as a special tax the amount so certified, which is hereby declared to be a special tax on said property. The special tax may be collected in the same manner as other general taxes **are collected** by the County.

6. Demolition of Structures

- a. Permits to demolish structures as provided for in the Existing Building Code, the fees shall be at the rate of \$9 for each 25,000 cubic feet, or fraction thereof, with a minimum fee of \$70 and maximum fee of \$560.
- b. For permits to implode structure, as provided for in the Existing Building Code, the fee shall be at the rate \$1,120.

7. Removal or Moving of Structures.

The permit fee to move or remove a structure, as provided for in the Existing Building Code, shall be \$224. For replacement, repair and/or renovated of said structure, the fee shall be charged as in Paragraph 1 above.

8. Structural Permits for Signs

- a. For the erection, construction, relocation, alteration, or maintenance of signs, in accordance with the International Building Code and the Unified Development Code (UDC), the fee shall be computed on the basis of the gross, cross section area of the sign, including any decorative framing, but not including structural supports. The rate shall be \$1.25 for each square foot of such gross sign area. The minimum fee shall be \$25. *The minimum fee for change in copy (text's) shall be \$25 for existing business, same context.* For the demolition of an off-premise sign, the permit fee shall be \$70.
- b. The annual fee for re-inspection of signs as required in the Building Code shall be \$25 for signs with gross surface area of 150 square feet and less and \$50 for each sign with a total gross surface area of more than 150 square feet.
- c. **EXCEPTION:** Non-illuminated wall signs not exceeding 12 square feet in area, and any non-illuminated sign not more than 4 square feet in area, placed in a legally constituted location that does not encroach over a public right of way, shall not require a fee for re-inspection.
- d. Any sign installed without the required permit being obtained will be subject to triple fees when the necessary permits are obtained.

9. Fees for Appurtenances to Buildings and Other Structures and Apparatus.

The permit fee for the installation of the following shall not be less than \$70 for the first \$250,000 of valuation, and \$2 for each \$1,000 more than \$250,000. Conveyor Systems; Process piping systems; Racking systems / Shelving

10. Fees for Miscellaneous Construction

- a. The fee for a permit for construction of a tower, stack, swimming pool, retaining wall or other similar type structure; and the fee for a permit for the addition, alternation, or the repair of such structure shall be based on the total construction (valuation) of the work to be done and shall be \$5 per \$1,000 or fraction thereof. The minimum fee for any permit shall be \$70.
- b. The permit fee for tents, special events, special sales promotions, beer check and amusement rides shall be \$70, plus \$12 per additional tent after the first tent.
- c. The permit fee for temporary construction trailers (job shacks) for a period of 6 months shall be \$70.
- d. The fee for a permit for the repair, construction or installation of an automated or non-automated gate, wall, fence, or other similar type of structure or vehicular access control device; and the fee for a permit for the addition, alternation, or the repair to such structure shall be based on the total construction cost (valuation) of the work to be done and when the valuation is less than \$25,000, the fee shall be \$5 per \$1,000 of valuation or any fraction thereof and \$4 for each additional \$1,000 of valuation on any fraction thereof above the valuation of \$25,000, with a maximum fee of \$200.
- e. The fee for a permit for the construction of decks and spas, or other similar types of structures: and the fee for a permit for the addition, alternation, or the repair to such structures shall be \$50.
- f. Commercial reroofing not exempted in 105.2, shall be charged in accordance with the valuation of the project. The fee shall be \$5.00 per \$1,000 of valuation. The maximum fee shall be \$560. The minimum fee shall be \$70.

11. Curb Cuts, Driveway Entrances, Exits and Parking Lots

- a. The fee for curb cuts on public property, either new or replacement, when location outside the municipal limits of the City of Memphis, shall be \$35 per permit will be charged.
- l. **Exception:** The fee for new installation of curb out for one-two family dwellings included under Paragraph 2(b) above.
- b. Sidewalks required by Subdivision Plat Outside the Municipal Limits of the City of Memphis. The fee for sidewalks on public property, either new or replacement shall be \$35.
- l. **Exception:** The fee for new installation of curb out for one-two family dwellings included under Paragraph 2(b) above.
- c. Permits for the installation of sidewalks, curb cuts, driveway entrances and exits inside the City of Memphis, shall be obtained from the City of Memphis prior to the issuance of a building permit.
- d. The fee for the new construction of stand-alone parking lots not associated with any other building construction or for an addition of more than 10 parking spaces (1,710 Square Feet) to an existing parking lot on the same lot shall be based on the total construction cost (valuation) of said construction, addition or alteration (including reconstruction of the base subgrade and overlay surfaces) shall the same as those set out in Paragraph 1 above. Resurfacing (hot mix overlay), pothole repair, alligator cracking or joint repair, seal coating or striping shall not be considered as permittable items.

11. Filing Of Application for Joint Board Of Appeals

Notice of Joint Board of Appeals under Chapter 1 of the Building Code shall be accompanied by a fee of \$125.

13. Refunds

Permit fees may be refunded if no work has commenced and a request for refund is submitted to the Building Official in writing by the permittee within 6 months of the date of issuance. The permit is surrendered with a request for refund is submitted. The amount of the refund will be 2/3 of the permit fee, but in no case will the amount retained by the Office of Construction Code Enforcement be less than \$70.

14. Certificates of Use and Occupancy

- a. No charge shall be made for a certificate of use and occupancy for a structure when it is issued upon the satisfactory completion of new construction, addition, alteration, or repair work under a valid permit. When a certificate is issued under the provision of Chapter 1 of the Building Code, the fee shall be \$125. The fee charged for such certificate shall be in addition to those which may be required for any specific test and/or inspections of special features or equipment which are otherwise required by this or any Code.
- b. For hazardous occupancies, the Certificate of Occupancy will be limited to a 12 month period. Upon approval by the Building Official and before issuance or reissuance of said certificate, the applicant will pay a fee of \$115.

15. Reinspection Fee for Excessive Or Unessential Inspection Calls.

- a. An additional fee shall be charged for the second re-inspection of \$50, and for each additional inspection thereafter, until the violation is corrected, a fee of \$50 shall be charged. **Exception:** Due to the complicated nature of framing inspection, one free re-inspection shall be given on each Building Permit. All re-inspections occurring after this shall be charged a listed above.
- b. Any person, firm or corporation aggrieved by the assessment of any re-inspection fee may appeal to the Building Official for a review of the facts involved and a possible reduction or dismissal of said fees.

16. Trailer and Manufactured Home Space Permit Fees.

- a. The fee to establish a trailer space or manufactured home space within a manufactured home park shall be \$45 for each space. The annual inspection fee for each manufactured home or trailer space shall be \$12 for each space. The annual inspection fee shall be due and payable July 1st of each year. Failure to pay the annual inspection fee within 60 days after receiving notice of payment due shall result in the manufactured home being classified as illegal and ordered removed.
- b. A building permit fee for the general development of trailer or temporary manufactured home parks shall be required. A building permit for the trailer or manufactured home unit shall not be required. A building permit for permanent structures such as but not limited to offices, laundry, recreational, storage, utility buildings, garages and carports shall be required as set forth in Paragraph 1 above.
- c. For manufactured homes approved as a permanent or temporary residence located on property

outside of a trailer or manufactured home park development, the permit fee for new construction of, or addition to, a one-two family manufactured dwelling (home), building or structure shall be charged at the rate of \$0.06 per square foot or fraction thereof. The minimum permit fee shall be \$140. All above areas shall include, but not be limited to, living areas, porches, carports, garages, and storage areas.

17. **Fee Forfeited**

The permit fees will be forfeited on any permit invalidated because work was not commenced as set forth in Chapter I of the Building Code.

18. **Building Permit Valuations**

If in the opinion of the Building Official, the valuation of building, alteration, or structure appears to be underestimated on the application, the permit shall be denied unless the applicant can show detailed estimated total construction costs to meet the approval of the Building Official. Permit valuations shall include total costs, such as plumbing, electrical, mechanical equipment, and other systems. As a guideline to determine the average construction costs per square foot, the Building Official shall reference the Building Valuation Data Table published periodically by ICC.

19. **ASPR Evaluation and Administrative Site Plan Review**

An ASPR evaluation fee shall be assessed for all new construction, additions and accessory buildings other than one- and two- family dwellings to cover costs associated with the research required to determine the necessity of an ASPR review and/or other agency review.

ASPR Evaluation	\$50
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Fee application for administrative site plan review approvals required by the Memphis and Shelby Unified Development Code shall be accompanied by a nonrefundable fee in accordance with the following schedule:

Building occupancies as required	\$650
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Approval of an administrative site plan review shall permit the applicant to apply for any other permits and approvals required by the Unified Development Code, and the Building Code. Administrative site plan approvals are valid for 6 months, or until a building permit is issued, whichever is earliest.

20. **Plan Review Fees**

Construction documents submitted for review and approval shall include the payment of a plan review fee. The fee shall be calculated in accordance with paragraphs (a) or (b), and (c). The review fee includes the initial plan review and one follow up plan review to verify that corrections have been made based on the initial review.

a. One and Two-Family Dwellings and Large Homes

- | | |
|-----------------------------------------------------------------------------------------|--------|
| 1. For all new dwellings up to 2,500 square feet | \$ 125 |
| 2. For additions and accessory structures 401 square feet to 2500 square feet | \$ 125 |
| 3. For new dwellings, additions and accessory structures greater than 2,500 square feet | \$ 150 |

b. Other Occupancies - The fee shall be in accordance with the schedule below based on the total cost of construction.

\$0 to \$25,000 total valuation	\$80
\$25,001 to \$50,000 total valuation	\$160
\$50,001 to \$100,000 total valuation	\$325
\$100,001 to \$200,000 total valuation	\$650
\$200,001 to \$500,000 total valuation	\$875
\$500,001 to \$1,000,000 total valuation	\$1,200
\$1,000,001 to \$2,000,000 total valuation	\$1,600
\$2,000,001 to \$5,000,000 total valuation	\$2,000
More than \$5,000,000 total valuation	\$3,000

c. Amended Construction Documents - For other than one- and two-family dwellings, where amended construction documents are submitted for review, the fee shall be in accordance with schedule 20(b) based on the total cost of additional work. The minimum fee for review of amended plans shall be \$80.

21. **Other Permit Fees**

- a. New elevators and escalators: The fee for each permit shall be not less than \$15 for the first \$1000

valuation for the installation of new elevators and escalators and \$8 for each additional \$1,000 of value less than \$1,000,000 and \$3 for each \$1000 more than \$1,000,000.

- b. Annual permit fees for renewals of elevators and escalators shall be as follows:
 - I. 2 thru 10 landings \$120
 - II. 11 thru 20 landings \$180
 - III. Over 20 landings \$250
- c. Amusement Devices
 - I. Major Rides \$70
 - II. Kiddie Rides \$45
- d. Dumbwaiters \$60
- e. Wheelchair & Stair Lifts \$60

22. Research, Copies and Zoning Letter Fees

- a. The fee for archival research will be based on \$25.00 per hour of research with a one-hour minimum fee. Additional research time will be assessed for each 15-minute increment thereafter.
- b. Copies will be furnished for \$.015 per copy with a minimum fee of \$1.00.
- c. For zoning letter fees refer to Land Use Controls Revised Fee Schedule, section XVII.

2022 FEE SCHEDULE BUILDING SECTION FEES

****ALL FEES BELOW DO NOT INCLUDE AN ADMINISTRATIVE CHARGE OF \$4.00
AND A SURCHARGE OF \$1.00 FOR RESIDENTIAL OR \$5.00 FOR COMMERCIAL (ADD
\$5 TO RESIDENTIAL TOTAL AND \$9 TO COMMERCIAL TOTAL)

COMMERCIAL FEES

PLAN REVIEW FEE		SIGNS	
VALUATION	2019 FEES	ERECTION, CONSTRUCTION, RELOCATION, ALTERATION OR MAINTENANCE OF SIGNS	\$1.25 PER SQ FT
\$0 - \$25,000	\$80.00	MINIMUM FEE	\$25.00
\$25,001 - \$50,000	\$160.00	ANNUAL REINSPECTION FEE UP TO 150 SQ FT	\$25.00
\$50,001 - \$100,000	\$325.00	ANNUAL REINSPECTION FEE OVER 150 SQ FT	\$50.00
\$100,001 - \$200,000	\$650.00	INSTALLATION PRIOR TO ISSUANCE OF PERMIT	
\$200,001 - \$500,000	\$875.00		
\$500,001 - \$1,000,000	\$1,200.00		
\$1,000,001 - \$2,000,000	\$1,600.00		
\$2,000,001 - \$5,000,000	\$2,000.00		
\$5,000,001 AND UP	\$3,000.00		
COMMERCIAL BUILDING PERMIT FEES			
NEW CONSTRUCTION/ ACCESSORY BUILDINGS COMMERCIAL		APPURTENANCES TO BUILDINGS/ STRUCTURES/APPARATUS	
MINIMUM FEE	\$75.00	CONVEYOR.PROCESS PIPING, RACKING/SHELVING 0 - \$250,000	\$70.00
\$0 - \$25,000	\$5.00/1,000	EACH ADDITIONAL \$1,000	\$2.00/1,000
\$25,001 - \$1,000,000	\$125 + \$3.50/1,000		
\$1,000,001 - \$25,000,000	\$3537.50 + \$2.25/1,000		
\$25,000,001 AND UP	\$57,537.50 + 1.75/1,000		

ASPR Evaluation		\$50.00		
MISCELLANEOUS CONSTRUCTION				
TOWER, STACK, POOL, RETAINING WALL \$5.00 / 1,000	\$70.00 MIN.		IMPLOSION	\$1,120.00
GATE, WALL, FENCE {OTHER THAN 1&2 FAMILY) \$25,000 OR LESS \$5.00/1,000	\$70.00 MIN.		PORTABLE BLDG MOVE	\$224.00
OVER \$25,000 (\$4.00/1,000)	\$200.00 MAX.		TEMPORARY CONSTRUCTION OFFICE/STORAGE STRUCTURE	\$45 PER 6 MONTHS
DEMOLITION \$9.00 PER 25,000 CU. FT.	\$70 MIN - \$560 MAX		COMMERCIAL ROOFING (\$5.00 PER 1,000	\$70 MIN. - \$560 MAX.

RESIDENTIAL FEES

ONE AND TWO FAMILY DWELLINGS AND LARGE HOMES PERMIT FEES			
APPLICATION FEE- NEW, ADDITIONS	\$50.00	APP. FEE- ALTERATIONS, REPAIRS, ACCESSORY	\$25.00
NEW CONSTRUCTION OR ADDITION PER SQ. FT.	\$0.07	CURB CUT DRIVEWAY APPROACH	
MINIMUM FEE FOR NEW SFR OR DUP	\$125.00	NEW /REPLACEMENT	\$35.00
MINIMUM FEE FOR ADDITIONS 400 SQ. FT. OR LESS	\$50.00		
MINIMUM FEE FOR ADDITIONS 401 SQ. FT. - 800 SQ. FT.	\$75.00	TRAILERS AND MANUFACTURED HOMES	
MINIMUM FEE FOR ADDITIONS OVER 800 SQ. FT.	\$125.00	MANUFACTURED HOME/TRAILER SPACE - PER SPACE	\$45.00
DETACHED ACCESSORY BUILDINGS 400 SQ. FT. OR LESS	\$25.00	ANNUAL INSPECTION FEE - EACH SPACE	\$12.00
DETACHED ACCESSORY BUILDINGS OVER 400 SQ. FT.	(\$0.07/SQ FT) \$50.00 MIN	MANUFACTURED HOMES APPROVED AS PERMANENT/ TEMPORARY RESIDENCE	\$0.06 / SQ FT \$140 MIN
ALTERATION/REPAIR (\$5.00/1,000 VALUATION)	\$50.00 MIN/ \$325.00 MAX	HOUSE MOVE	\$224.00
CONSTRUCTION/REPAIR/ALTERATION TO DECKS, SPAS AND SIMILAR STRUCTURES	\$50.00	ONE & TWO FAMILY DWELLINGS PLAN REVIEW FEE	
POOL OR RETAINING WALL \$5.00/1,000 (NO MAX)	\$70.00 MIN	UP TO 2,500 SQ FT	\$125.00
RESIDENTIAL FENCE PERMIT 400 LINEAR FT OR LESS	\$25.00	OVER 2,500 SQ FT	\$150.00
RESIDENTIAL FENCE PERMIT 401 LINEAR FT OR MORE	(\$0.07/SQ. FT.) \$50.00 MIN.		

OTHER FEES

CERTIFICATE OF OCCUPANCY	\$125.00	PERMIT AMENDMENT	\$25.00
WORK COMMENCING BEFORE PERMIT ISSUANCE	DOUBLE FEE	BOARD OF APPEALS	\$125.00

TENTS, SPECIAL EVENTS, BEER CHECK AND AMUSEMENT RIDES	\$70 PLUS \$12 FOR EACH ADDT'L TENT AFTER FIRST	REINSPECTION FEE	\$50.00
ADMINISTRATIVE SITE PLAN REVIEW	\$650.00		
ASPR EVALUATION	\$50.00		

<i>RESEARCH, COPIES AND ZONING LETTER FEES</i>	
ARCHIVAL RESEARCH	\$25.00 PER HOUR AND 15 MINUTE INCREMENTS THEREAFTER
COPIES	\$0.15 PER COPY- MINIMUM \$1.00
ZONING LETTERS	LAND USE CONTROLS REVISED FEE SCHEDULE, SECTION XVII.

REFUNDS

NO WORK COMMENCED AND WITHIN 6 MONTHS OF ISSUANCE AND PERMIT IS
SURRENDERED, REQUESTS IN WRITING WILL BE ELIGIBLE FOR REFUND OF
2/3 OF PERMIT FEE UPON APPROVAL OF BUILDING OFFICIAL MINIMUM
AMOUNT TO BE RETAINED BY CODE ENFORCEMENT WILL BE \$70.00.

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS
DATE**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 1/21/2025

**PUBLIC SESSION: 2/4/2025
DATE**

**FIRST READING: 2/4/2025
DATE**

ITEM (CHECK ONE)

☒ ORDINANCE ☐ CONDEMNATIONS ☐ GRANT ACCEPTANCE / AMENDMENT
☐ RESOLUTION ☐ GRANT APPLICATION ☐ REQUEST FOR PUBLIC HEARING
☐ OTHER: _____

ITEM DESCRIPTION: An amendment to the Memphis and Shelby County Energy Conservation Code.

CASE NUMBER: n/a

LOCATION: City of Memphis and unincorporated Shelby County

APPLICANT: Memphis and Shelby County Division of Planning and Development

REPRESENTATIVE: John Zeanah, Division Director

REQUEST: Adopt amendments to the Memphis and Shelby County Energy Conservation Code.

AREA: This amendment affects all property within the City of Memphis and unincorporated Shelby County.

RECOMMENDATION: Division of Planning and Development: Approval

PRIOR ACTION ON ITEM:

n/a APPROVAL - (1) APPROVED (2) DENIED

DATE

ORGANIZATION - (1) BOARD / COMMISSION

(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ AMOUNT OF EXPENDITURE
\$ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ OPERATING BUDGET
\$ CIP PROJECT # _____
\$ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

<u>DATE</u>	<u>POSITION</u>
_____	PRINCIPAL PLANNER
_____	DEPUTY DIRECTOR
_____	DIRECTOR
_____	DIRECTOR (JOINT APPROVAL)
_____	COMPTROLLER
_____	FINANCE DIRECTOR
_____	CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

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

A JOINT ORDINANCE WITH THE CITY OF MEMPHIS TENNESSEE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL ENERGY CONSERVATION CODE AND PROVIDING FOR ITS IMPLEMENTATION BY AMENDMENT TO THE MEMPHIS AND SHELBY COUNTY BUILDING AND RESIDENTIAL CODES.

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

Division of Planning and Development

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

Ordinance will amend the Memphis and Shelby County Energy Conservation Code.

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

This ordinance does not require a new contract nor amend an existing contract.

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

This ordinance does not require an expenditure of funds or budget amendment.



JOINT ORDINANCE NO. _____

A JOINT ORDINANCE WITH THE CITY OF MEMPHIS TENNESSEE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL ENERGY CONSERVATION CODE AND PROVIDING FOR ITS IMPLEMENTATION BY AMENDMENT TO THE MEMPHIS AND SHELBY COUNTY BUILDING AND RESIDENTIAL CODES.

WHEREAS, The Shelby County Board of Commissioners and the Council of the City of Memphis seek to adopt and maintain a comprehensive set of coordinated Technical Codes and to update those Codes to assure the safe and effective construction of commercial and residential buildings and structures in the community; and

WHEREAS, The need for sustainable and energy efficient buildings, structures, and building systems, has never been more important to this community and the promotion of construction that recognizes the need for such energy efficiency and construction sustainability is crucial to the smart growth of this community and for the well being of its citizens; and

WHEREAS, In order to conform with state law Shelby County and City of Memphis are required to adopt a version of the International Energy Conservation Code no later than the 2018 model code; and

WHEREAS, it has been determined that it is necessary and prudent to adopt the 2018 edition of the standard code specifically governing the energy use and required insulation for the construction of structures and their support systems in both commercial and residential structures which had previously been covered by regulations in the 2021 Edition of the International Code Council (ICC) Energy Conservation Code; and

WHEREAS, Copies of the 2018 Edition of the *ICC International Energy Conservation Code* have been placed in the Shelby County Commission and Memphis City Council Minutes Offices for public review before their adoption by reference, as required by state law; and

WHEREAS, the provisions of the 2018 Edition of the ICC International Energy Conservation Code, when adopted by the Board and Council, will provide a modern and internally consistent Code for

evaluation the work proposed to be constructed and is within the family of codes already adopted in Memphis and Shelby County.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That all previous energy conservation codes are hereby repealed except as may be set out in the attachments hereto, and that the 2021 Edition of the *ICC International Energy Conservation Code* is hereby adopted by reference, a copy of said code being on file in the Minutes Offices of the Shelby County Board of Commissioners and of the Memphis City Council.

BE IT FURTHER ORDAINED, That the *2018 Edition of the ICC International Energy Conservation Code* is amended by adoption of the local amendments attached to this Joint Ordinance as Exhibit A.

BE IT FURTHER ORDAINED, That the 2018 Edition of the *ICC International Energy Conservation Code* and those local amendments attached to this Joint Ordinance as Exhibit A are hereby incorporated by reference as if set out herein in their entirety, and that no Appendices from the 2018 Edition of the *ICC International Energy Conservation Code* are adopted.

BE IT FURTHER ORDAINED, That the adoption of the 2018 Edition of the *ICC International Energy Conservation Code* and local amendments shall be known as the Memphis and Shelby County Energy Conservation Code, and shall be implemented through their inclusion in the appropriate section of the Memphis and Shelby County Building Code, the Memphis and Shelby County Residential Code, and other Technical Codes which contain provisions that address the appropriate standards for energy efficiency of various buildings, structures, and internal support systems.

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

BE IT FURTHER ORDAINED, That this Joint Ordinance shall take effect in the City of Memphis and the unincorporated areas of Shelby County on April 1, 2025, by virtue of the concurring and separate passage thereof by the Board of Commissioners of Shelby County and the Memphis City Council, or if not adopted by each legislative body by that date, at the date of such adoption by the last adopting body.

EXHIBIT A

1. Amend Section C101.1 Entitled “Title” So When Amended It Shall Read As Follows:

C101.1 Title. This code shall be known as the Memphis and Shelby County Energy Conservation Code and shall be cited as such. It is referred to herein as “this code.”

2. Delete C104 Entitled “Fees” And All Subsections Under It And Reserve the Section Number So That When Amended It Shall Read:

Section C 104 – Reserved.

3. Amend Section C105.2.6 By Removing Requirements On Commissioning Of A Building In The Final Inspection So When Amended The Section Shall Read As Follows:

C105.2.6 Final inspection. The building shall have a final inspection and shall not be occupied until approved. The final inspection shall include verification of the installation and proper operation of all required building controls.

4. Amend Section C109.1 “General” So That When Amended It Shall Read As Follows:

C109.1 General. The Memphis and Shelby County Joint Board of Appeals shall be the appeals body which is authorized to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code. It shall have the same authority and responsibilities to hear such appeals and make such determinations as is authorized in the Memphis and Shelby County Building Code.

5. Delete Section C109.2 Entitled “Limitation On Authority” Without Replacement.

6. Delete Section C109.3 Entitled “Qualifications” Without Replacement.

7. Amend Section C301.1 Entitled “General” So When Amended It Shall Read As Follows:

C301.1 General. - Climate zones in Figure C301.1 or Table C301.1 shall be used in determining the applicable requirements from Chapters 4 and 5.

8. Amend Section C403.5 Entitled “Economizers” by Adding a New Exception #7 Which Shall Read Follows:

7. VRF systems installed with a dedicated outdoor air system.

9. Amend Section C403.5 Entitled “Economizers” By Adding A New Exception #8 Which Shall Read As Follows:

8. Buildings, which due to their size or intended use, and based on an analysis provided by the engineer and satisfactory to the Building Official, will not realize an economic payback on the use of this equipment within a 10 year equipment life assumption.

10. Amend Section C405.2.3 Entitled “Daylight Responsive Controls” By Adding A New Exception #5 Which Shall Read As Follows:

5. Any area or room which classifies as a single daylight control zone which does not have fenestration, either by window or skylight, that exceeds 250 square feet.

11. Delete Section C405.5 Entitled “Dwelling Electrical Meter” Without Replacement.

12. Delete Section C408 Entitled “Maintenance Information and System Commissioning” And All Its Subsections, Without Replacement

13. Amend Section C503.2 Entitled Change In Space Conditioning” By Deleting The Existing Provisions Replacing It As Shown Below:

C503.2 Change in space conditioning.- Any nonconditioned space that represents 5% of a commercial building, in which it is located, which is altered to become conditioned space shall be required to be brought into full compliance with this code. The Building Official may look back for two years prior to the application to capture other projects during that time that increased the floor area of conditioned space and total those previously conditioned areas with the proposed project’s area to determine if the applicable area threshold is exceeded.

14. Amend Section C503.3 to add the following Exception 2:

Exception 2: Compliance with the requirements of Section C402 (Building Envelope Requirements) is not required unless the change in occupancy or use will increase fuel or energy use by more than twenty five percent (25%) and the

renovations include changes to at least twenty five percent (25%) of the building envelope. In such cases, all envelope renovations must incorporate Section C402 requirements to the extent it is not structurally impractical to do so.

15. Amend Section C503.4 to add the following Exception 1:

Exception 1: Where a change of occupancy or use results in increased fuel or energy use and requires renovations affecting more than twenty five percent (25%) of the space, the renovated portion of the building must comply with all requirements of Section C403 (Building Mechanical Systems) except that compliance with Section C403 shall not be required where HVAC systems do not serve at least twice the renovated area.

16. Amend Section C503.5 to add the following Exception 1:

Exception 1: Where a change of occupancy or use results in increased fuel or energy use and requires renovations affecting more than twenty five percent (25%) of the space, the renovated portion of the building must comply with all requirements of Section C404 (Service Water Heating) except that compliance with Section C404 shall not be required where the service hot water systems do not serve at least twice the renovated area.

17. Amend Section C503.6 to add the following Exception 2:

Exception 2: Where a change of occupancy or use results in increased fuel or energy use and requires renovations that are more than twenty five percent (25%) of the space, the renovated portion of the building must meet all requirements of Section C405 (Electrical Power and Lighting System).

18. Amend Section R101.1 Entitled “Title” So When Amended It Shall Read As Follows:

R101.1 Title. This code shall be known as the 2025 Memphis and Shelby County Energy Conservation Code and shall be cited as such. It is referred to herein as “this code.”

19. Delete Section R104 Entitled “Fees” And All Subsections Under It And Reserve the Section Number So That When Amended It Shall Read:

Section R104 – Reserved.

20. Amend Section R108.4 Entitled “Failure To Comply” So When Amended It Shall Read As Follows:

R109.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one dollar or more than fifty dollars.

21. Amend Section R109.1 Entitled “General” So That When Amended It Shall Read As Follows:

R109.1 General. The Memphis and Shelby County Joint Board of Appeals shall be the appeals body which is authorized to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code. It shall have the same authority and responsibilities to hear such appeals and make such determinations as is authorized in the Memphis and Shelby County Building Code.

22.. Delete Section R109.2 Entitled “Limitation On Authority” Without Replacement.

23.. Delete Section R109.3 Entitled “Qualifications” Without Replacement.

24.. Delete Section R401.3 Entitled “Certificate” Without Replacement

25..

Table 402.1.2 Insulation and Fenestration Requirements by Component and Table R402.1.4 Equivalent U-Factors are deleted and replaced with Table 402.1.1 Insulation and Fenestration Requirements by Component and Table 402.1.3 Equivalent U-Factors 2009 IECC.

TABLE 402.1.1
INSULATION MINIMUM R-VALUES AND FENESTRATION REQUIREMENTS BY COMPONENT ^a

Climate Zone	Fenestration <i>U</i> -Factor ^b	Skylight <i>U</i> -Factor ^b	Glazed Fenestration SHGC ^{b, e}	Ceiling <i>R</i> -Factor	Wood Frame Wall <i>R</i> -Value	Mass Wall <i>R</i> -Value ⁱ	Floor <i>R</i> -Value	Basement Wall <i>R</i> -Value	Slab <i>R</i> -Value & Depth ^d	Crawl Space Wall <i>R</i> -Value ^c
3	0.50 ^j	0.65	0.30	30	13	5/8	19	5/13 ^f	0	5/13

Footnotes

a - *R*-Values are minimums. *U*-factors and SHGC are maximums. R-19 batts compressed into normal 2X6 framing such that the *R*-value is reduced by R-1 or more shall be marked with the compressed batt *R*-Value in addition to full thickness *R*-value.

b - The fenestration *U*-factor column excludes skylights. The SHGC column applied to all glazed fenestration.

c- "15/19" means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

d. R-5 shall be added to the required slab edge *R*-Values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Zone 3 for heated slabs.

e - There are no SHGC requirements in the Marine Zone.

f – Basement wall insulation shall not be required in warm-humid locations as defined by Figure 301.And Table 301.1.

g. Or insulation sufficient to fill the framing cavity, R-19 minimum.

h. "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25 percent or less of the exterior, insulating sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25 percent of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.

i- The second *R*-value applies when more than half the insulation is on the interior of the mass wall.

j- For impact rated fenestration complying with Section R301.2.1.2 of the International Residential Code or Section 1608.1.2 of the International Building Code, the maximum *U*-factor shall be 0.65.

TABLE 402.1.3 EQUIVALENT *U*-FACTORS^a

<i>CLIMATE ZONE</i>	<i>FENESTRATION U-FACTOR</i>	<i>SKYLIGHT U-FACTOR</i>	<i>CEILING U-FACTOR</i>	<i>FRAME WALL U-FACTOR</i>	<i>MASS WALL U-FACTOR</i>	<i>FLOOR U-FACTOR</i>	<i>BASEMENT WALL U-FACTOR</i>	<i>CRAWL SPACE WALL U-FACTOR</i>
3	0.50	0.65	0.035	0.082	0.141	0.047	0.091 ^c	0.136 ^c

- a. Nonfenestration *U*-factors shall be obtained from measurement, calculation or an approved source.
b. When more than half the insulation is on the interior, the mass wall *U*-factors shall be a maximum of 0.12 in Zone 3.
c. Basement wall *U*-factor of 0.360 in warm-humid locations as defined by Figure 301.1 and Table 301.1.

26.. Amend Section R402.2.4 Entitled “Access Hatches And Doors” By Deleting the entire section and replacing with the following:

R402.2.4 Access hatches and doors. Access hatches from conditioned spaces to unconditioned spaces such as attics and crawl spaces shall be weatherstripped.

27.. Amend Section R402.3.3 Entitled “Glazed Fenestration Exemption” By Inserting “45 Square Feet (4.2 M²) In Place Of “15 Square Feet (1.4m²) So When It Is Amended The Section Shall Read As Follows:

R402.3.3 Glazed fenestration exemption. Not Greater than 45 square feet (4.2 M²) of glazed fenestration per dwelling unit shall be exempt from the *U*-factor and SHGC requirements in Section R402.1.2. This exemption shall not apply to the Total UA alternative in Section R402.1.5.

28. Delete Existing Table R402.4.1.1 Entitled “Air Barrier, Air Sealing And Insulation Installation” And Replace It With The Table Provided Below:

**TABLE R402.4.1.1
AIR BARRIERS AND INSULATION INSTALLATION COMPONENT CRITERIA”**

COMPONENT	CRITERIA
Air Barrier and Thermal Insulation	Exterior thermal envelope insulation for framed walls is installed in substantial contact or continuous alignment with the building envelope air barrier Breaks or joints in air barrier are filled and repaired. Air-permeable insulation is not used as a sealing material. Air-permeable insulation is inside of an air barrier.
Ceiling/attic	Air Barrier in dropped ceiling/soffit is substantially aligned with insulation an any gaps are sealed. Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	Corners and headers are sealed.

	Junction with foundation and sill plate is sealed.
Windows and doors	Space between windows/door jams and framing is sealed.
Rim Joists	Rim joints are insulated and include air barrier.
Floors (including above garage and cantilevered floors)	Insulation installed to maintain permanent contact with underside of subfloor decking Air Barrier is installed at any exposed edge of insulation.
Crawl space walls	Insulation is permanently attached to walls. Exposed earth in unvented crawl space is covered with Class 1 vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled with sprayed or blown insulation.
Garage separation	Air sealing is provided between the garage and conditioned spaces.
Recessed lighting	Recessed light fixtures are air tight, IC rated, and sealed to drywall. Exception – Fixtures in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior wall have insulation and an air barrier separating them from the exterior wall.
Electrical/phone box on exterior walls	Air barrier extends behind box or air sealed-type boxes are installed.
Common Wall	Air barrier is installed in common wall between dwelling units.
HVAC register boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace	Fireplace walls include an air barrier.

29. Section R402.4.1.2 Testing is deleted and replaced with Section 402.4.2.1 Testing Option and Section 402.4.2.2 Visual Inspection Option from 2009 IECC.

30. Amend Section R402.4.2 Entitled “Fireplaces” By Deleting The Phrase “And Outdoor Combustion Air” Without Replacement So When Amended It Shall Read As Follows:

R402.4.2 Fireplaces. New wood-burning fireplaces shall have tight-fitting flue dampers or doors. Where using tight-fitting doors on factory-built fireplaces listed and labeled in accordance with UL 127, the doors shall be tested and listed for the fireplace. Where using tight-fitting doors on masonry fireplaces, the door shall be listed and labeled in accordance with UL 907.

31. Section R403.3.3 Duct Testing (Mandatory) and Section R403.3.4 Duct Leakage (Prescriptive) are optional.

32. Amend Section R403.3.5 Entitled “Building Cavities” By Adding The Phrase At The End Of The Existing Language “Except For Return Air On Interior Walls.” So When Amended It Reads As Follows:

R403.3.5 Building cavities. Building framing cavities shall not be used as ducts or plenums except for return air on interior walls.

33. Delete Section R403.5.1 Entitled “Heated Water Circulation And Temperature Maintenance Systems” To remove the first sentence so when amended it shall read as follows:

R403.5.1 – Heated water circulation and temperature maintenance systems. Heat trace temperature maintenance systems shall be in accordance with Section R403.5.1.2. Automatic controls, temperature sensors and pumps shall be in a location with access. Manual controls shall be in a location with ready access.

34. Delete Section R403.5.1.1. Entitled “Circulation Systems” without replacement

35. Delete Section R403.5.2 Entitled “Demand Recirculating Water Systems” without replacement.

36. Amend Section R403.6 Entitled “Mechanical Ventilation” By Deleting The Last Sentence In So That When Amended Its Shall Read As Follows:

R403.6 Mechanical ventilation. Buildings and dwelling units shall be provided with ventilation that meets the requirements of the *International Residential Code* or *International Mechanical Code*, as applicable or with other approved means of ventilation.

37. Delete Sections R403.10 Entitled “Energy Consumption of Pools And Spas” And All Of Its Subsections (R403.10.1, R403.10.2, R403.10.3), R403.11 Entitled “Portable Spas” And R403.12 Entitled “Residential Pools And Permanent Residential Spas” Without Replacement.

38. Amend Section R404.1 Entitled “Lighting Equipment” by replacing “All” with “Not less than 75 percent” in the two places it appears in this section so that when amended it shall read as follows:

R404.1 Lighting equipment (Mandatory). Not less than 75 percent of permanently installed lighting fixtures, excluding kitchen appliance lighting fixtures, shall contain only high-efficiency lighting sources.

Exception: Low voltage lighting.

39. Delete Section R405.4.2.1 Entitled “Compliance Report For Permit Application” And Section R405.4.2.2 Entitled “Compliance Report For Certification Of Occupancy” In Their Entirety Without Replacement, But Showing The Section Numbers As “Reserved” To Preserve Numbering Consistency Of The Remaining Sections. So When Amended They Shall Read:

R405.4.2.1 - Reserved.

R405.4.2.2 - Reserved.

40. Delete the Exception Following Section R502.1.1.1 and replace with the following:

Exception: Any nonconditioned space which is altered to become conditioned space shall be required to be brought into full compliance with the envelope insulation requirements of Section R402.1.2 this code.

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 1/21/2025
DATE

PUBLIC SESSION: 2/4/2025
DATE

FIRST READING: 2/4/25
DATE

ITEM (CHECK ONE)

X ORDINANCE _____ CONDEMNATIONS _____ GRANT ACCEPTANCE / AMENDMENT
_____ RESOLUTION _____ GRANT APPLICATION _____ REQUEST FOR PUBLIC HEARING
_____ OTHER: _____

ITEM DESCRIPTION: An amendment to the Memphis and Shelby County Residential Code.

CASE NUMBER: n/a

LOCATION: City of Memphis and unincorporated Shelby County

APPLICANT: Memphis and Shelby County Division of Planning and Development

REPRESENTATIVE: John Zeanah, Division Director

REQUEST: Adopt amendments to the Memphis and Shelby County Residential Code.

AREA: This amendment affects all property within the City of Memphis and unincorporated Shelby County.

RECOMMENDATION: Division of Planning and Development: Approval

PRIOR ACTION ON ITEM:

n/a APPROVAL - (1) APPROVED (2) DENIED

DATE

ORGANIZATION - (1) BOARD / COMMISSION

(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ AMOUNT OF EXPENDITURE
\$ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ OPERATING BUDGET
\$ CIP PROJECT # _____
\$ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY DIRECTOR
_____	_____	DIRECTOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

_____ **CHIEF ADMINISTRATIVE OFFICER**

_____ **COMMITTEE CHAIRMAN**



Memphis City Council Summary Sheet

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

A JOINT ORDINANCE FURTHER AMENDING THE 2021 EDITION OF THE ICC INTERNATIONAL RESIDENTIAL CODE AND REVISED LOCAL AMENDMENTS.

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

Division of Planning and Development

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

Ordinance will amend the Memphis and Shelby County Residential Code.

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

This ordinance does not require a new contract nor amend an existing contract.

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

This ordinance does not require an expenditure of funds or budget amendment.



JOINT ORDINANCE NO. _____

A JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY RESIDENTIAL CODE SO AS TO ADOPT THE 2021 EDITION OF THE ICC INTERNATIONAL RESIDENTIAL CODE AND LOCAL AMENDMENTS.

WHEREAS, The Shelby County Board of Commissioners and the Council of the City of Memphis seek to adopt and maintain a comprehensive set of coordinated Technical Codes and to update those Codes to assure the safe and effective construction of commercial and residential buildings and structures in the Community; and

WHEREAS, it has been determined that it is necessary and prudent to revise further the local amendments to the 2021 Edition of the ICC International Residential Code governing the construction of residential structures in order to conform with changes in state law.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That all previous local amendments to the residential code are hereby repealed except as may be set out in the attachments hereto.

BE IT FURTHER ORDAINED, That the *2021 Edition of the ICC International Residential Code* is amended by adoption of the local amendments attached to this Joint Ordinance as Exhibit A.

BE IT FURTHER ORDAINED, The adoption of the 2021 Edition of the ICC International Residential Code and local amendments thereto, shall be implemented through their inclusion in the appropriate section of the Memphis and Shelby County Building Code which contains a provision that addresses the appropriate standards for the construction of such residential structures.

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

BE IT FURTHER ORDAINED, That this Joint Ordinance shall take effect in the City of Memphis and the unincorporated areas of Shelby County on April 1, 2025, by virtue of the concurring and separate

passage thereof by the Memphis City Council and by the Board of Commissioners of Shelby County or if not adopted by each legislative body by that date, at the date of such adoption by the last adopting body.

Exhibit A

Local Amendments to 2021 *ICC International Residential Code*

1. Amend “Section R101.1 Title” by adding the term “of Memphis and Shelby County” in the parenthetical phrase so when amended it shall read:

R101.1 Title. These provisions shall be known as the *Residential Code for One- and Two- Family Dwellings* of Memphis and Shelby County, and shall be cited as such and will be referred to as “this code.”

2. Amend Section “R101.2 Scope” by adding the following sentences at the end of the section after the word “height” and before the exception:

Existing buildings undergoing repair, alteration or additions, and change of occupancy shall be permitted to comply with the *International Existing Building Code* as locally amended.

3. Amend Section R102.7 “Existing structures” by deleting the phrase “the International Property Maintenance Code or”

4. Delete “Section R103 Department of Building Safety” in its entirety including subsections “R103.1 Creation of enforcement authority”, “R103.2 Appointment” and “R103.3 Deputies” and replace it with the following:

Section R103

Reserved

5. Add a new subsection R105.1.1 entitled “Design and construction of retaining walls” which shall read as follows:

R105.1.1 Design and construction of retaining walls. Retaining wall systems over 3 feet in height above finished grade shall be designed by a professional engineer or a registered design professional licensed to practice in the state of Tennessee, for all applicable loads as specified in the Building Code and in keeping with nationally recognized standards. Design shall be based upon sound engineering and geo-technical principles.

6. Delete the provisions under “Section R105.2 Work exempt from permit” after the last numbered exemption for building permits section so that when amended it reads as follows:

Section R105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building

1. Reserved
2. Reserved
3. Retaining walls that are 3 feet (914 mm) in height or less as measured from the bottom of finished grade to the top of the wall, unless supporting a surcharge imposed by an adjacent structure. Such structures shall include but not be limited to permanent buildings and public roadways.
4. Free standing walls, not supporting a surcharge, that are 4 feet (1220 mm) in height or less as measured from the bottom of finished grade to the top of the wall.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of the height to the diameter or width does not exceed 2 to 1.
6. Sidewalks and driveways not more than 30 inches (762mm) above adjacent grade and not over any basement or store below.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Prefabricated swimming pools that are less than 24 inches (610mm) deep.
9. Swings and other playground equipment accessory to a one- or two-family dwelling.
10. Window awnings supported by an exterior wall which do not project more than 54 inches (1732mm) from the exterior wall and do not require additional support.
11. Decks not exceeding 200 square feet (18.58M²) in area, that are not more than 30 inches (762mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.
12. All detached single-family reroofing projects where no decking, structural and/or equipment supports are modified.

7. Add a new Item 8 to Section R105.3 Application for permit as follows:

8. Storm Water Clearance – Include a copy of the owner’s notice of coverage letter from the Department of Environment and Conservation or a written notarized statement from the owner that no such letter is needed for this construction.

8. Add the following new sentence and exception to Section R105.3.1, after the last sentence following the word “practicable”

Permits shall be issued to a licensed and/or registered contractor who performs the work. If work is subcontracted, both contractors shall be licensed and/or registered.

Exception: A building permit for construction of a single-family dwelling may be obtained by the property owner as allowed by T.C.A. Section 62-6-103 entitled “License requirements – Recovery of expenses by unlicensed contractors” which allows a person or firm specified in subdivision (a)(2)(A) of the act to make an application for a permit to construct a single residence, provided that person shall not construct more than one (1) single residence within a period of two (2) years.

9. Delete the entire Section entitled “R112 Board of Appeals” and replace it with the following:

SECTION R112 BOARD OF APPEALS

R112.1 General. The Memphis and Shelby County Joint Board of Appeals, as established in the Memphis and Shelby County Building Code, shall hear all appeals and variance requests that arise under this Code.

10. Add the following definitions to Section R202 in the appropriate alphabetical locations:

Building Section – Whenever the term “Building Section” is used in the Memphis and Shelby County Residential Code herein adopted, it shall mean the Building Section of the Memphis and Shelby County Office of Construction Enforcement (MSCE).

Chief Appointing Authority – Whenever the term “Chief Appointing Authority” is used in the Technical Codes herein adopted, it shall mean the Mayors of the City of Memphis and County of Shelby, Tennessee.

City, Municipality, or Governing Body – Whenever the word “City” or “Municipality” or “Governing Body” is used in the Technical Codes herein adopted, it shall mean the City of Memphis and County of Shelby, Tennessee.

Freestanding Wall – A manmade structure built out of rock, block, timber, concrete or other similar material which does not either directly support retained material or serve as a facing of a cut slope. This definition shall not include standard wood privacy fences as used in residential applications.

International Electrical Code – Whenever the word “International Electrical Code” is used in this code herein adopted, it shall mean the 2020 Edition of the

National Electrical Code (NEC) with Local Amendments and will be known as the Memphis and Shelby County Electrical Code (MSCEC).

International Energy Conservation Code - Whenever the word “International Energy Conservation Code” is used in this code herein adopted, it shall mean the 2018 Edition of the *ICC International Energy Conservation Code* with Local Amendments and will be known as the Memphis and Shelby County Energy Conservation Code (MSCECC).

International Building Code – Whenever the word “International Building Code” is used in this code herein adopted, it shall mean the 2021 Edition of the *ICC International Building Code* with Local Amendments, will be known as the Memphis and Shelby County Building Code (MSCBC).

International Fuel Gas Code – Whenever the word “International Fuel Gas Code” is used in this code herein adopted, it shall mean the 2021 Edition of the *ICC International Fuel Gas Code* with Local Amendments and will be known as the Memphis and Shelby County Fuel Gas Code (MSCFGC).

International Fire Code. Whenever the word “International Fire Code (IFC)” is used in this code as adopted, it shall mean all the 2021 Edition of the *ICC International Fire Code* with local amendments as adopted by the Memphis City Council for the City of Memphis and the Shelby County Commission for unincorporated Shelby County and will be known as the Memphis and Shelby County Fire Code (MSCFC)

International Mechanical Code – Whenever the word “International Mechanical Code” is used in this code herein adopted, it shall mean the 2021 Edition of the *ICC International Mechanical Code* with Local Amendments and will be known as the Memphis and Shelby County Mechanical Code (MSCMC).

International Plumbing Code – Whenever the word “International Plumbing Code” is used in this code herein adopted, it shall mean the 2021 Edition of the *ICC International Plumbing Code* with Local Amendments and will be known as the Memphis and Shelby County Plumbing Code (MSCPC).

Retaining Wall – A manmade structure built out of rock, block, wood, concrete or other similar material and used to either directly support retained material or to serve as a facing of a cut slope. This definition includes, but is not limited to other systems design to retain earth or other materials such geosynthetic-reinforced soil system or pre-engineered modular materials.

Structural Wall. An interior load-bearing wall and/or a wall that forms the perimeter of a floor opening, as defined by 301.2.2.3.11.12, Item 3.

Chapter 3 Building Planning

11. Table R301.2 (1) shall read as follows and all existing footnotes shall remain unchanged.

Table R301.2
Climatic and Geographic Design Criteria

GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARD ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMPERATURE (°F) ^j
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Windborne debris zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c				
10 lb/ft ²	105	No	No	No	D ₁	Moderate	5 Inches	Moderate to Heavy	No	February 6, 2013	158	61.8

12. Sections R301.2.2.1 “Determination of seismic design category” and R301.2.2.1.1 Alternative determinations of seismic design category” shall be deleted in their entirety along with Table R301.2.2.1.1 and that section held in reserve so that when amended the code shall read as follows:

Section R301.2.2.1 – Reserved

R301.2.2 Seismic provisions. The seismic provisions of this code shall apply as follows:

1. Townhouses in Seismic Design Categories C, D₀, D₁ and D₂.
2. Detached one- and two-family dwellings in Seismic Design Categories D₀, D₁, and D₂
3. Townhouses and detached one- and two-family dwellings shall be allowed to follow Section R301.2.2.3.11 as an alternative compliance method for meeting the structural requirements of this code’s seismic provisions.

13. A new section R301.2.2.3.11 is added entitled “Alternative compliance method for structural requirements.” along with its various subsections numbered R301.2.2.3.11.1 thru R301.2.2.3.11.12 which shall read as follows:

R301.2.2.3.11 Alternative compliance method for seismic structural requirements.

In addition to meeting all the structural requirements for Seismic Design Category C and sections R301.2.2, an alternative compliance method for meeting seismic structural requirements when wood framing is used shall include compliance with the following items. In the event any requirement in this section differs from wind code structural requirements, the more stringent will apply.

R301.2.2.3.11.1 Anchorage exterior walls (Sole Plates). Exterior wall sole plates shall be secured to the foundation or framing below by one of the following methods:

1. Foundation: ½ inch (12.7 mm) anchor bolts, with 3 inch by 3 inch (76 mm by 76 mm) washers, embedded in the foundation a minimum of 7 inches (178 mm) in depth. Such anchor bolts are to be placed 4 feet on center maximum and within 12 inches (305 mm) of the end of each plate section. A minimum of 2 anchors per plate section is required.
2. Foundation: MASA anchors or equivalent embedded in the foundation and placed at 4 feet (1219 mm) on center maximum and within 12 inches (305 mm) of the end of each plate section. A minimum of 2 anchors per plate section is required.
3. Elevated Floors: 10d nails placed at 8 inches on center and embedded in a continuous rim board. Rim board depth to match depth of floor framing. Rim board shall be nailed to the end of each floor framing member with three 10d nails. Where floor framing parallels exterior wall, 2 rim boards shall be provided and nailed per Table R602.3(1). The Rim board shall be fastened to wall top plate with metal plates at 6 feet (1829 mm) on center; installed plate capacity shall equal or exceed 440 pounds

R301.2.2.3.11.2 Anchorage all interior structural walls (Sole Plates). Interior wall framing shall be secured by one of the following methods:

1. Foundation: ½ inch (12.7mm) anchor bolts, with 3 inches by 3-inch (76 mm by 76 mm) washers, embedded a minimum of 7 inches (178 mm) in depth in the concrete foundation (thickened slab) at 4 feet (1219 mm) on center maximum and within 12 inches (305mm) of the end of each plate section.
2. Foundation: By power actuated fasteners that provide 210 pounds per linear foot shear capacity, placed 2 feet (610 mm) on center maximum and within 12 inches (305 mm) of each plate section or equivalent means of anchorage. A minimum of 2 anchors are required per plate section.
3. Elevated Floors: 10d nails placed at 8 inches (204 mm) on center and embedded in one of the following:
 - a) Structural wall top plate flush with bottom of floor sheathing, or
 - b) Floor joist parallel with and directly below plate, or
 - c) Blocking, depth to match, placed between floor joists and running the full length of the plate. Blocking to be nailed per Table R602.3(1).

R301.2.2.3.11.3 Stud spacing - Exterior walls. All 2x4 exterior walls shall be a maximum of 16 inch (406 mm) stud spacing up to 3 stories. Gypcrete flooring or similar cementitious leveling products shall not be used on elevated floors.

Exception: Thin-set or other base material required for installation of flooring products in isolated confined spaces such as bathrooms.

R301.2.2.3.11.4 Wall sheathing.

R301.2.2.3.11.4.1 Exterior wall sheathing. Exterior wall sheathing shall be 7/16 inch (11mm) exterior rated OSB or equivalent or 7/16 inch (11mm) exterior rated plywood, minimum. Sheathing is to be fastened every 6 inches (152 mm) on the edges and 12 inches (305 mm) at intermediate supports.

R301.1.2.2.3.11.4.2 Interior wall sheathing. Interior walls shall have sheathing on both sides. Interior sheathing shall be a minimum of ½ inch (12.7mm) gypsum fastened every 7 inches (178 mm) on edges and every 7 inches (178 mm) at intermediate supports. Minimum fastener size shall be 5d cooler or wallboard nails or 1 ¼" #6 Types S or W screws.

R301.2.2.3.11.5. Garage door openings. Brace wall panels are required for garage openings as per Section R602.10.6 of this Code.

Exception - An engineered pre-manufactured wall panel is allowed to be used at garage openings.

R301.2.2.3.11.6.APA Narrow Wall systems are not permitted. Use of APA narrow wall systems is not permitted for establishing compliance with these requirements.

R301.2.2.3.11.7 Connections across floor joist space. 18 gauge galvanized steel coil strapping (ex. CS 18) installed at 48 inch (1219 mm) on center across floor joist space or equivalent is required on all exterior walls and stacked interior structural walls. Strapping shall run vertical along edge of studs and shall be centered on floor joist space. Studs shall be vertically aligned.

R301.2.2.3.11.8 Roof framing connections. Roof framing members shall be fastened to wall top plate with 18-gauge galvanized steel clips (ex. H2.5A) or equivalent, not to exceed 48 inches (1219 mm) on center maximum. Provide clips in addition to fastening requirements in Table R602.3(1). This requirement applies to all contact points with structural walls. In the event wind fastening requirements differ, the more stringent shall apply.

R301.2.2.3.11.9 Shear wall hold downs.

1. Exterior walls: A single hold down shall be installed at each end of each wall over 8 feet (2438 mm) in length (2 hold downs per wall length). Hold down capacity (P), in pounds, shall be equal to 210 lbs/ft times wall height. ($P = 210 * H$)
2. Wall height (H): distance from wall bottom plate to wall top plate.
3. A cut sheet of the hold down type(s) used shall be provided to code enforcement when requested by the Building Official. Cut sheet shall show tested product load rating and manufacturer information.

R301.2.2.3.11.10 Opening straps/clips. This section applies only to window and door openings and only to openings located in exterior walls and interior structural walls. Louver, pipe penetrations, dryer vents, and all other wall openings are not required to meet this section unless they exceed 4 sq. ft. in area.

1. Studs above and below headers and windowsill plates: Provide 18-gauge galvanized steel clips (ex. H2.5A) or equivalent at 32 inches (813 mm), top and bottom of studs, minimum 2 clips per opening width at headers and sills.
2. Headers: Headers shall bear on minimum 1 ply jack post and be fastened to post with 18-gauge galvanized steel clips (ex. H2.5A), or continuous sheathing from king post to header or sill or equivalent.
3. Windowsill plate: Sill plate shall be end nailed with three 10d nails each end through minimum 1 ply of king/jack posts, or continuous sheathing from king post to header or sill, or equivalent.
4. King/Jack posts: Provide 20-gauge galvanized steel stud plate connector (ex. SP1) or equivalent from post to wall plate, top and bottom. Post plies shall be nailed together with 10d nails at 8 inches (204 mm) on center staggered full height.

R301.2.2.3.11.11 Brick veneer.

1. Exterior brick veneer shall not exceed 25 feet (7620 mm) in height above non-combustible foundation. Brick at gable peaks shall not exceed 40 feet (12 192 mm) in height above non-combustible foundation.

2. Exterior brick veneer shall comply with all other applicable Chapter 7 IRC requirements.

3. Interior brick veneer and masonry chimneys shall comply with Chapter 7 IRC requirements.

R301.2.2.3.11.12 Floor openings. When floor openings in the second or third floors exceed 15 percent of the ground floor square footage, garage space excluded, they shall be considered as large floor openings.

1. The gross floor area shall be the area bounded by exterior walls.

2. Openings for stairs and egress are excluded from the net floor opening area.

3. Perimeter interior walls bounding a large floor opening shall be considered structural walls and shall be subject to all requirements as such. If perimeter walls are not present below opening perimeter (i.e. beam and column system is used), the supporting structure shall be engineered.

14. R302.3 and R302.3.1 shall be amended to delete the entire sections and replace with the following:

R302.3 Two-family dwellings.

R302.3.1 Two Family Dwellings

Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating tested in accordance with ASTM E199, UL 263, or Section 703.2.2 of the International Building Code. Such separation shall be provided regardless of whether a lot line exists between the dwelling units or not. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

1. A fire-resistance rating of ½ hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D.
2. Wall assemblies need not extend through attic spaces where the ceiling is protected by not less than 5/8-inch (15.9 mm) Type X gypsum board, an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating the dwellings and the structural framing

supporting the ceiling is protected by not less than ½-inch (12.7 mm) gypsum board or equivalent.

R302.3.4 Supporting Construction.

Where floor assemblies are required to be fire-resistance rated by Section R302.3, the supporting construction of such assemblies shall have an equal or greater fire-resistance rating.

15. Delete Section R313.1 “Townhouse automatic fire system”, its Exception and Section 313.1.1 “Design and installation” in their entirety with no replacement

16. Delete Section R313.2 “One and two-family dwellings automatic fire system”, its Exception and Section 313.2.1 “Design and installation” in their entirety with no replacement.

17. Amend Section R320 entitled “Accessibility” is amended by adding a new Section R320.3 as follows :

R320.3 Visitability Requirements (Applicable in the City of Memphis Only):

R320.3.1 Statement of intent - The adoption of Ordinance #5541 by the City of Memphis on December 12, 2013, was specifically enacted to further the policy of the City of Memphis to provide new one- and two-family dwellings that are constructed with public funds as described in this section, be provided with design features to provide accessibility and usability for persons with mobility impairments. The purpose of that ordinance is to specifically promulgate certain standards which may be less restrictive than ICC/ANSI A117.1 while economically providing solutions to accessibility.

R320.3.2 Applicability - This section applies to new one- and two-family dwellings that receive City and Federal assistance. For the purposes of this Section, “City or Federal Assistance” shall mean funding or assistance from the City of Memphis, or any agent thereof, through any of the following means:

- (1) Receipt of a building contract or similar contractual agreement involving any city funding program or funding provided through the Division of Housing and Community Development, Memphis Housing Authority, or the Memphis Land Bank, Inc.
- (2) Real estate purchased, lease or donate from the City of Memphis or any agent thereof
- (3) Dispersal under city auspices of any Federal or State construction funds such as HOME, CDBG; or
- (4) Receipt of any other funding or financial benefit from the City of Memphis or any agency thereof.

R320.3.3 Requirements

R320.3.3.1 Building entrances. Applicable dwelling units shall be designed and constructed to have at least one building entrance on an accessible route served by a ramp complying with ANSI A117.1-1986, Section 4.8, having a maximum slope not to exceed one in twelve (1:12), unless it is impractical to do so because of terrain or unusual character of the site. Such building entrance

doors shall comply with ANSI A117.1, Section 4.13, and shall have a minimum clear opening of 32 inches. Any exterior entrance is acceptable provided it is served by an accessible route such as a garage, carport or sidewalk. A ramp required by this section shall be maintained for a minimum of one year from the date of the final inspection.

R320.3.3.2. Accessible routes into and through the dwelling unit. An accessible route shall be provided throughout the ground floor of the dwelling unit and shall be constructed to provide a minimum clear width of 36-inches except at doors. Doors shall have thresholds not exceeding $\frac{3}{4}$ inch in height for sliding doors or $\frac{1}{2}$ inch in height for other doors.

R320.3.3.3. Interior doors. User passage doors providing access to spaces within a dwelling unit, other than closets less than 15 square feet in area, shall provide a 32-inch minimum clear width and shall be equipped with lever-type hardware. The clear width provided by a standard 210 door or 6-foot sliding door shall be permitted. Compliance with the maneuvering and clearance requirements of Section 4.13.6 of ANSI A117.1-1986 shall be required.

R320.3.3.4 Wall reinforcement in bathrooms - Reinforcements in the walls shall be provided at designated locations as specified by ANSI A117.1, Section 4.24, Section 4.32, figure 48, and figure 49 so that grab bars may be installed where needed without requiring the removal of the wall covering.

R320.3.3.5 Controls and operating mechanisms. Controls and operating mechanisms in accessible spaces, along accessible routes, or as part of accessible elements such as light switches, receptacle outlets, and thermostats shall comply with Section 4.25 of ANSI A117.1-1986. Where multiple controls serve the same elements (e.g. two remote switches for a light) only one need be accessible.

R320.3.4 Contracts. The provisions of this Section shall be incorporated into City of Memphis contracts.

R320.3.5 Waiver of exterior disability accessibility regulations. The requirements of Section R320.3.3.1 may be waived by the Director of the Memphis Division of Housing and Community Development (the Director), through the issuance of an "Exterior Disability Accessibility Waiver" ("waiver").

R320.3.5.1 Application. Applications for waivers shall be submitted to the Director and shall include all documentation needed to show the conditions on site that make compliance with this section impracticable.

R320.3.5.2 Granting waiver. The Director shall act on the application within 10 days of receipt and, where approved, shall issue the waiver in writing. The waiver and application shall become part of the contract documents and the Director shall retain a copy for the Department's records and forward a copy to the Building Official.

18. Delete Section R327 in its entirety and replace it with the following

Section R327 Swimming Pools, Spas and Hot Tubs

R327.1 General. The design and construction of swimming pools, spas and hot tubs shall comply with the provisions of this section.

R327.2 Pools in flood hazard areas. Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve the placement of fill, shall comply with Section AG101.21 or AG101.2.2.

Exception: Pools located in riverine flood hazard areas which are outside of designated floodways.

R327.2.1 Pools located in designated floodways. Where pools are located in designated floodways, documentation shall be submitted to the building official which demonstrates that the construction of the pool will not increase the designated flood elevation at any point within the jurisdiction.

R327.2.2 Pools located where floodways have not been designated. Where pools are located where design floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates the proposed pool will not increase the design flow elevation more than 1 foot (305mm) at any point within the jurisdiction.

R327.3 Definitions General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

Above Ground/Inground Pool. See Swimming Pool

Barrier. A fence, wall, building wall, or combination thereof that completely surround the swimming pool and obstructs access to the swimming pool.

Hot Tub. See Swimming Pool.

In-Ground Pool. See Swimming Pool

Residential. That which is situated on the premises of a detached one- or two-family dwelling, or a townhouse not more than three stories in height.

Spa, Nonportable. See Swimming Pool

Spa Portable. A nonpermanent structure intended for recreational bathing, in which all controls, water heating and water circulation equipment are an integral part of the product.

Swimming Pool. Any structure intended for swimming or recreational bathing that contain water more than 24 inches (610mm) deep. This includes in-ground, above ground and on ground swimming pools, hot tubs and spas.

Swimming Pool, Indoor. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of the enclosing structure.

Swimming Pool, Outdoor. Any swimming pool which is not an indoor pool.

R327.4 Swimming Pools

R327.4.1 In-ground Pools. In-Ground Pools shall be designed and constructed in compliance with ANSI/NSPI-5.

R327.4.2 Above ground and on-ground pools. Above ground and on ground pools shall be designed and constructed in compliance with ANSI/NSPI-4.

R327.4.3 Pools in flood hazard areas. In flood hazard areas established by Table R301.2(1), pools in coastal high-hazard areas shall be designed and constructed in compliance with ASCE24.

Section 326.5 Spas and Hot Tubs

R327.5.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-3.

R327.5.2 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-6.

R327.6 Barrier Requirements

R327.6.1 Application. The provisions of this section shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

R327.6.2 Outdoor swimming pools. An outdoor swimming pool, including in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade such as an above ground pool, the barrier may be at ground level such that the pool structure or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the tops of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow the passage of a 4-inch diameter (102 mm) sphere.
3. Solid barriers which do not have openings such as masonry or stone walls, shall not contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is less than 45 inches (1143mm) the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 $\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts with vertical members, spacing within the cutouts shall not exceed 1 $\frac{3}{4}$ inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm).
6. Maximum mesh size for chain link fences shall be 2 $\frac{1}{4}$ inches (57 mm) square, unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1 $\frac{3}{4}$ inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal member shall be more than 1 $\frac{3}{4}$ inches (44 mm).
8. Access gates shall comply with the required of items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates, shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and opening shall comply with the following:
 - 8.1 The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate and
 - 8.2 The gate and barrier shall have no opening larger than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:
 - 9.1 The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346;

9.2. Doors with direct access to the pool through the wall shall be equipped with an alarm which produces an audible warning when the door and or its screen if present are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switches shall be located at least 54 inches (1373 mm) above the threshold of the door; or

9.3 Other means of protection, such as self-closing doors with self-latching device that are approved the governing body shall be accepted as long as the degree of protection afforded is not less than the protection afforded by item 9.1 or 9.2 described herein.

10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps.

10.1 The ladder or steps shall be capable of being secured, locked or removed to protect access, or

10.2 The ladder or steps shall be surrounded by a barrier which meets the requirements of items 1 through 9. When the ladder or steps are secured, locked or remove, any opening created shall not allow the passage of a 4-inch (102 mm) diameter sphere.

Chapter 4 Foundations

19. Delete Section 401.3 and its Exception in their entirety and substitute the following:

401.3 Drainage and foundation elevation. – Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The finish floor (elevation) shall be nominal 10 inches above the exterior finish grade (ground) and the finish grade shall slope a minimum of 8% (1 in 12) away from foundation for a minimum of 3 feet for drainage.

20. Section R403.1.1 “Minimum size” is deleted in its entirety and replaced with the following:

R403.1.1 Minimum size. Minimum size for concrete and masonry footings shall be as set fourth in Table R403.1 and Figure R403.1 (1). The footing width, W , shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. All footings shall be at least 10 inches (255mm) in thickness. Footing projections, P , shall be at least 2 inches (51mm) and shall not exceed the thickness of the footing. The size of footing supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1.

21. Section R403.1.4 “Minimum depth” is deleted in its entirety and replaced with the following language.

R403.1.4 Minimum depth. All footings shall bear on undisturbed or properly compacted soils a minimum of 13 inches (330 mm) below grade. When applicable the depth of footing shall also conform to Section R403.1.4.1 through R403.1.4.2.

22. Figure R403.1 (2) entitled “Permanent Wood Foundation Basement Wall Section” and Figure R403.1 (3) entitled “Permanent Wood Foundation Crawl Space Section” are deleted with no replacement provided.

23. Section R403.2 is deleted in its entirety and replaced with the following language.

Section R403.2. Reserved

24. Section R404.2: is deleted in its entirety and replaced with the following language.

Section R404.2 Reserved

25. Section R405.2 is deleted in its entirety and replaced with the following language.

Section R405.2. Reserved

26. Section R406.3 is deleted in its entirety and replaced with the following language.

Section R406.2. Reserved

Chapter 5 Floors

27. Section R504 is deleted in its entirety and replaced with the following language.

Section R504. Reserved

Chapter 7 Wall Covering

28. Section R703.2 Water-Resistive Barrier is amended to add #5 in the list of approved materials as follows:

5. Tyvek sheeting for exterior sheathing

29. Delete Chapter 11 in its entirety and replace it with the following Sections:

Chapter 11 Energy efficiency

Section N1101 – General

N1101.1 Scope. This chapter sets forth the energy-efficiency related requirements for the design and construction of buildings regulated by this code.

Exception: Provided that they are separated by building envelope assemblies from the remainder of the building, portions of the building that do not enclose conditioned space shall be exempt from the building envelope provision but shall comply with the provisions for building mechanical and service water heating systems.

N1101.2 Applicability: One- and two-family dwellings and townhouses shall comply with the residential provisions of the 2018 International Energy Conservation Code as locally amended.

Part V-Mechanical

30. Delete Chapter 12 in its entirety and replace it with the following:

Chapter 12 Mechanical Administration

Section M1201 General. The administration of the Mechanical Provisions of this Code shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

31. Delete Chapter 13 in its entirety and replace it with the following:

Chapter 13 General Mechanical System Requirements

Section M1301 General. The General Mechanical System Requirements Provisions of this Code shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code

32. Delete Chapter 14 in its entirety and replace it with the following:

Chapter 14 Heating and Cooling Equipment

Section M1401 General. The heating and cooling equipment provisions of this Code shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

33. Delete Chapter 15 in its entirety and replace it with the following:

Chapter 15 Exhaust Systems

Section M1501 General. The exhaust system provisions of this Code shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

34. Delete Chapter 16 in its entirety and replace it with the following:

Chapter 16 Duct Systems

Section M1601 General. The provisions of this code relating to the construction and operation of duct system shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

35. Delete Chapter 17 in its entirety and replace it with the following:

CHAPTER 17 Combustion Air

Section M1701 General. The provisions of this code relating to the construction and operation of combustion air shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

36. Delete Chapter 18 in its entirety and replace it with the following:

Chapter 18 Chimneys And Vents

Section M1801 General. The provisions of this code relating to the construction and operation of chimneys and vents shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code and Building Code .

37. Delete Chapter 19 in its entirety and replace it with the following:

Chapter 19 Special Appliances, Equipment and Systems

Section M1101 General. The provisions of this code relating to the construction and operation of special fuel burning equipment shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

38. Delete Chapter 20 in its entirety and replace it with the following:

Chapter 20 Boilers And Water Heaters

Section M2001 General. The provisions of this code relating to the installation and operation of boilers and gas water heaters shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

39. Delete Chapter 21 in its entirety and replace it with the following:

Chapter 21 Hydronic Piping

Section M2101 General. The provisions of this code related to the installation and operation of hydronic piping shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

40. Delete Chapter 22 in its entirety and replace it with the following:

Chapter 22 Special Piping and Storage Systems

Section M2201 General. The provisions of this code related to the installation and operation of special piping and storage systems shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

41. Delete Chapter 23 in its entirety and replace it with the following:

Chapter 23 Solar Thermal Energy Systems

Section M2301 General. The provisions of this code related to the installation and operation of Solar Energy Systems shall be determined by reference to the latest adopted Memphis and Shelby County Mechanical Code.

Part VI – Fuel Gas

42. Delete Chapter 24 in its entirety and replace it with the following:

Chapter 24 Fuel Gas

Section G2401 General. The provisions of this code related to the installation and operation of Fuel Gas shall be determined by reference to the latest adopted Memphis and Shelby County Fuel Gas Code.

Part VII - Plumbing

43. Delete Chapter 25 in its entirety and replace it with the following:

Chapter 25 Plumbing Administration

Section P2401 General. The provisions of this code related to the Plumbing Administration shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

44. Delete Chapter 26 in its entirety and replace it with the following:

Chapter 26 General Plumbing Requirements

Section P2601 General. The provisions of this code related to the General Plumbing Requirements shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

45. Delete Chapter 27 in its entirety and replace it with the following:

Chapter 27 Plumbing Fixtures

Section P2701 General. The provisions of this code related to the Plumbing Fixtures shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

46. Delete Chapter 28 in its entirety and replace it with the following:

Chapter 28 Water Heaters

Section P2801 General. The installation and operation of electric water heaters shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing and Electrical Codes.

47. Delete Chapter 29 in its entirety and replace it with the following:

Chapter 29 Water Supply And Distribution

Section P2901 General. The provisions of this code related to the installation and operation of water supply and distribution systems shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

48. Delete Chapter 30 in its entirety and replace it with the following:

Chapter 30 Sanitary Drainage

Section P3001 General. The provisions of this code related to the installation and operation of sanitary drainage systems shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

49. Delete Chapter 31 in its entirety and replace it with the following:

Chapter 31 Vents

Section P3101 General. The provisions of this code related to the installation and operation of vents systems and related devices attached to a plumbing system

shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

50. Delete Chapter 32 in its entirety and replace it with the following:

Chapter 32 Traps

Section P3201 General. The provisions of this code related to the installation and operation of traps that are part of or attached to plumbing systems shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

51. Delete Chapter 33 in its entirety and replace it with the following:

Chapter 33 Storm Drainage

Section P3301 Scope. The provision of this code related to the design, materials, construction and installation of storm drains shall be determined by reference to the latest adopted Memphis and Shelby County Plumbing Code.

Part VII –Electrical

52. Delete Chapter 34 in its entirety and replace it with the following:

Chapter 34 General Requirements

Section E3401 General. The provisions of this code related to the General Requirements for electrical installations shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

53. Delete Chapter 35 in its entirety and replace it with the following:

Chapter 35 Electrical Definitions

Section E3501 Electric Definitions. The provisions of this code related to the Electric Definitions shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

54. Delete Chapter 36 in its entirety and replace it with the following:

Chapter 36 Services

Section E3601 Services. The provisions of this code related to the electrical services shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

55. Delete Chapter 37 in its entirety and replace it with the following:

Chapter 37 Branch Circuit And Feeder Requirements

Section E3701 General. The provisions of this code related to Branch Circuit and Feeder Requirements for electrical installations shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

56. Delete Chapter 38 in its entirety and replace it with the following:

Chapter 38 Wiring Methods

Section E3801 General. The provisions of this code related to the General Requirements for electrical installations shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

57. Delete Chapter 39 in its entirety and replace it with the following:

Chapter 39 Power And Lighting Distribution

Section E3901 General. The provisions of this code related to Power and Lighting Distribution for electrical installations shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

58. Delete Chapter 40 in its entirety and replace it with the following:

Chapter 40 Devices And Luminaires

Section E4001 General. The provisions of this code related to Devices and Lighting Fixtures shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

59. Delete Chapter 41 in its entirety and replace it with the following:

Chapter 41 Appliance Installation

Section 4101 General. The provisions of this code related to Application Installation for electrical installations shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

60. Delete Chapter 42 in its entirety and replace it with the following:

Chapter 42 Swimming Pools

Section E4201 General. The provisions of this code related to the electric installations for swimming pools shall be determined by reference to the latest

adopted Memphis and Shelby County Electric Code. Those related to building matters will be determined by reference to the latest adopted Memphis and Shelby County Building Code.

61. Delete Chapter 43 in its entirety and replace it with the following:

Chapter 43 Class 2 Remote-Control, Signaling And Power-Limited Circuits

Section E4301 General. The provisions of this code related to Class 2 Remote-control, signaling and Power-limited Circuits shall be determined by reference to the latest adopted Memphis and Shelby County Electric Code.

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**| ONE ORIGINAL |
| ONLY STAPLED |
| TO DOCUMENTS |**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 01/07/2025

DATE

PUBLIC SESSION: 01/21/2025

DATE

ITEM (CHECK ONE)

 X ORDINANCE RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: An ordinance approving a residential corridor overlay deletion

CASE NUMBER: RC 2024-002

LOCATION: At and around 621 S. White Station Road

COUNCIL DISTRICTS: District 5 and Super District 9

OWNER/APPLICANT: David Lewis, RCM DEVCO, LLC

REPRESENTATIVE: Josh Whitehead, Whitehead Law

REQUEST: Residential corridor deletion at Parcel ID 056033 00174, 056033 00071C, and 056034 00008

AREA: +/-2.15 acres

RECOMMENDATION: The Division of Planning and Development recommended *Approval*

 The Land Use Control Board recommended *Approval*

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**

First reading and add to consent agenda requesting public hearing – December 17, 2024

Second reading – January 7, 2025

Third reading / Public hearing – January 21, 2025

PRIOR ACTION ON ITEM:

(1) _____

09/12/2024

(1) Land Use Control Board

APPROVAL - (1) APPROVED (2) DENIED

DATE

ORGANIZATION - (1) BOARD / COMMISSION

(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____

\$ _____

\$ _____

SOURCE AND AMOUNT OF FUNDS

\$ _____

\$ _____

\$ _____

REQUIRES CITY EXPENDITURE - (1) YES (2) NO

AMOUNT OF EXPENDITURE

REVENUE TO BE RECEIVED

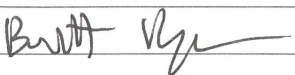
OPERATING BUDGET

CIP PROJECT # _____

FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:





DATE POSITION

12-9-24 PLANNER II

DEPUTY ADMINISTRATOR

12/9/24 ADMINISTRATOR

DIRECTOR (JOINT APPROVAL)

COMPTROLLER

FINANCE DIRECTOR

CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

RC 2024-002

AN ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO DELETE A SECTION OF THE WHITE STATION RESIDENTIAL CORRIDOR OVERLAY, KNOWN AS CASE NUMBER RC 2024-02

- Approval of this residential corridor revocation will be reflected on the Memphis and Shelby County Zoning Atlas.
- No contracts are affected by this item.
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, September 12, 2024**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	RC 2024-002
LOCATION:	At and around 621 S. White Station Road
COUNCIL DISTRICT(S):	District 5 and Super District 9
OWNER/APPLICANT:	David Lewis, RCM DEVCO, LLC
REPRESENTATIVE:	Josh Whitehead, Whitehead Law
REQUEST:	Residential corridor deletion at Parcel ID 056033 00174, 056033 00071C, and 056034 00008
EXISTING ZONING:	Residential Single Family-10 (R-10), Residential Corridor Overlay
AREA:	+/-2.15 acres

The following spoke in support of the application: None

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval.

The motion passed by a unanimous vote of 7-0 on the consent agenda.

Respectfully,



Nicholas Wardroup
Planner II
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

ORDINANCE NO: _____

AN ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO DELETE A SECTION OF THE WHITE STATION RESIDENTIAL CORRIDOR OVERLAY, KNOWN AS CASE NUMBER RC 2024-02

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: RC 2024-02**; and

WHEREAS, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

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

SECTION 1:

THAT, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Residential Corridors, as follows:

BY TAKING THE FOLLOWING PROPERTY OUT OF THE WHITE STATION RESIDENTIAL CORRIDOR DESIGNATION

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

Part of the Wheelis 10.02 Acres, being part of Lot 38, Eppy White Subdivision in Memphis, Tennessee; described as follows:

Beginning at an iron pin in the west line of the White Station Road (60 feet wide), said point being in the south line of the Wheelis 10.02 Acres and said point being 219.83 feet southwardly from the south line of Wheelis Drive; thence westwardly with the south line of the Wheelis 10.02 Acres 282.89 feet; thence northwardly parallel to the west line of the White Station Road 219.83 feet to the south line of Wheelis Drive; thence eastwardly with the south line of

Wheelis Drive 282.89 feet to the west line of the White Station Road; thence southwardly with the west line of said White Station Road 219.83 feet to the point of beginning.

The approximate location of this Residential Corridor Overlay Deletion is reflected in the shaded area of the map attached below as Exhibit "A."

SECTION 2:

THAT, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Ordinance.

SECTION 3:

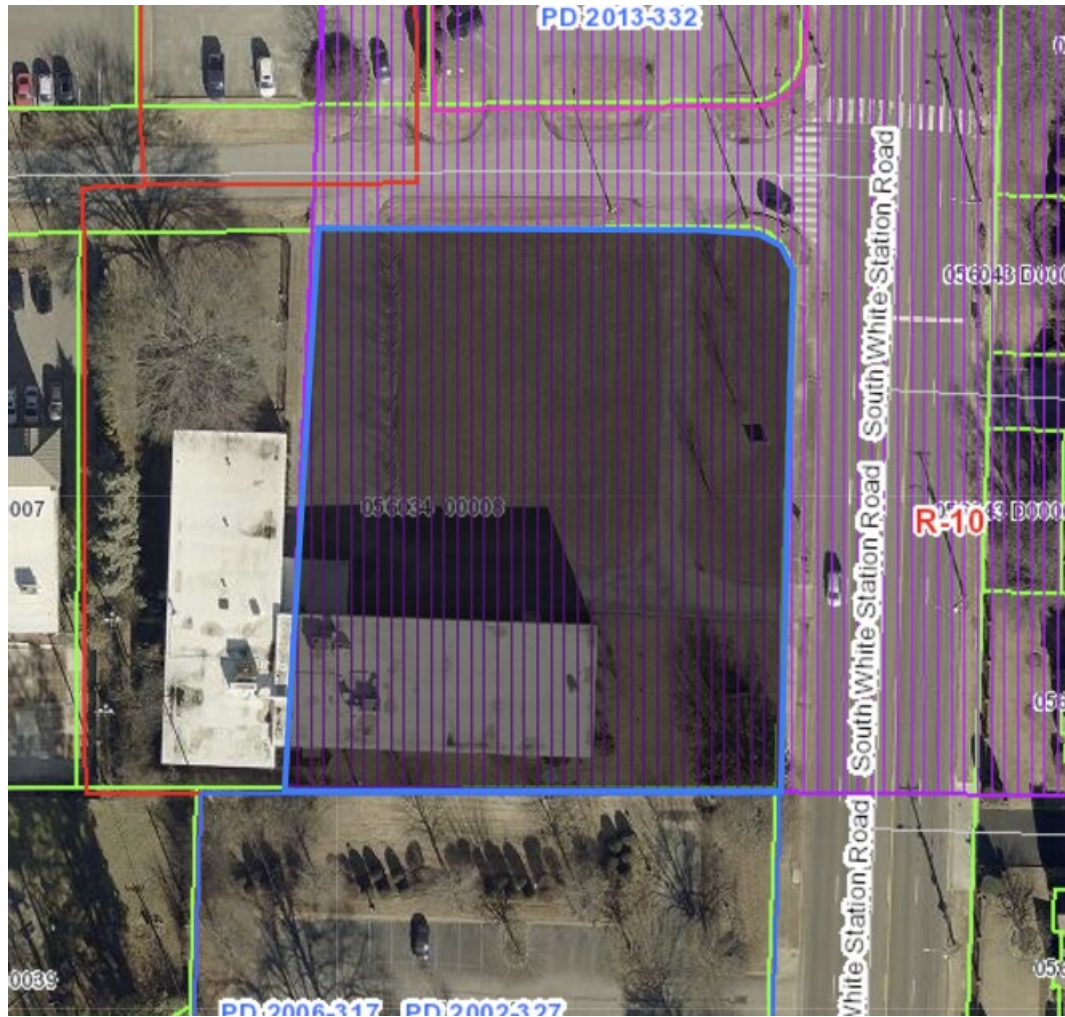
THAT, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

ATTEST:

CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement
Shelby County Assessor

//: ATTACHMENTS

Map of approximate location of deleted section of the White Station Residential Corridor Overlay, indicated as the shaded area



AGENDA ITEM: 18 **L.U.C.B. MEETING:** September 12, 2024

CASE NUMBER: RC 2024-002

LOCATION: At and around 621 S. White Station Road

COUNCIL DISTRICT: District 5 and Super District 9

OWNER/APPLICANT: David Lewis, RCM DEVCO, LLC

REPRESENTATIVE: Josh Whitehead, Whitehead Law

REQUEST: Residential corridor deletion at Parcel ID 056033 00174, 056033 00071C, and 056034 00008

EXISTING ZONING: Residential Single Family-10 (R-10), Residential Corridor Overlay

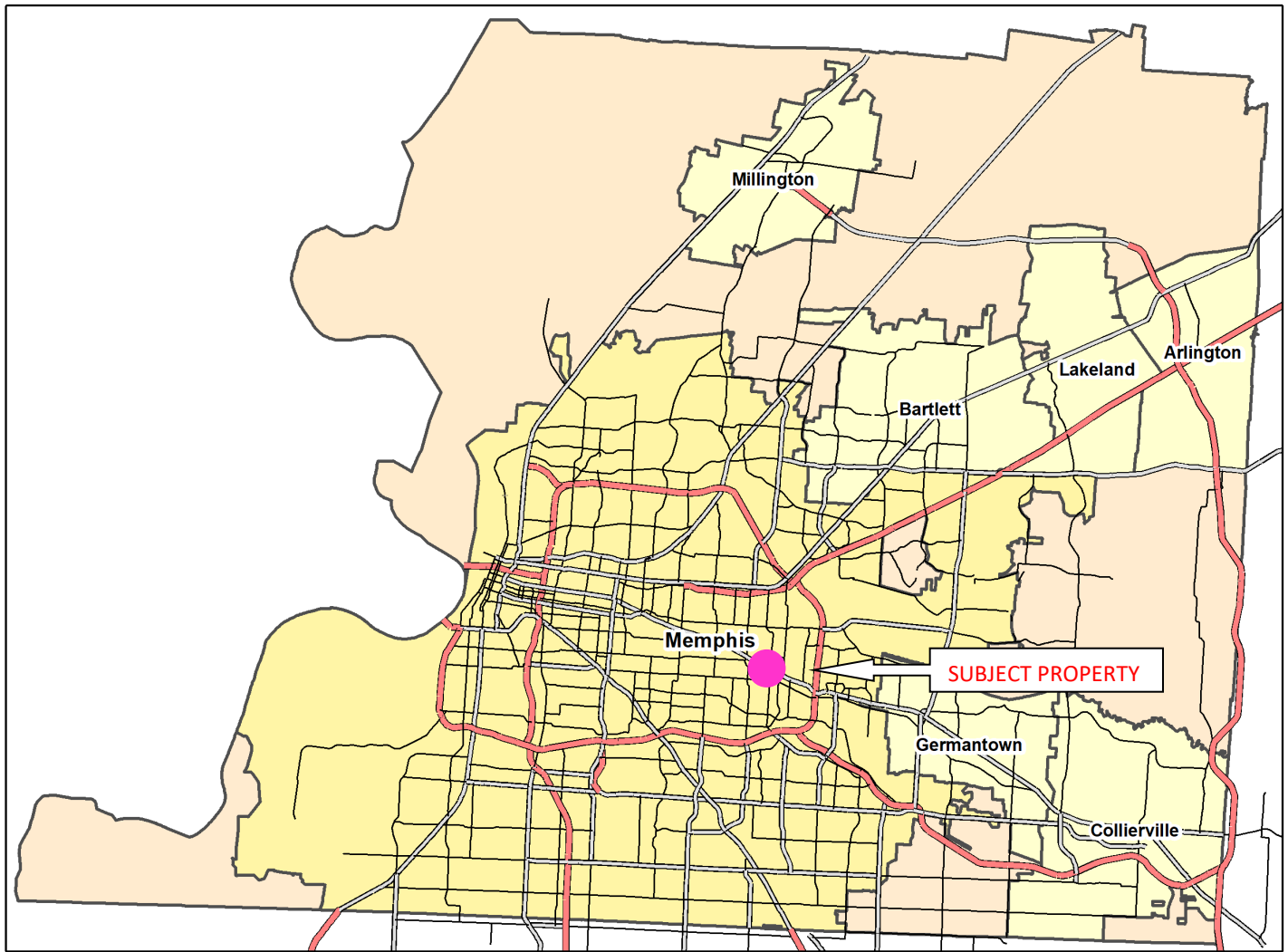
CONCLUSIONS

1. The applicant is requesting the deletion of a portion of the residential corridor along South White Station Road that covers parcels 056033 00174 and 056034 00008 in their entirety, and a portion of parcel 056033 00071C.
2. The applicant has filed a companion case known as PD 2024-014 which requests revisions to PD 2023-021 approved by the Land Use Control Board in 2023, which includes commercial mixed uses. The revisions requested to expand the land area of the PD to include the subject properties of this case, which are covered by the residential corridor overlay being deleted. Note: The PD case must be deferred until the residential corridor deletion has been approved by City Council.
3. The residential corridor serves as an additional layer of land use control which prohibits the approval of nonresidential developments within 200 feet on either side of a designated residential roadway.
4. Ordinance No. 3077 was adopted on October 28, 1980, by the Council of the City of Memphis to establish the Residential Corridor Overlay on twenty-three specific segments of certain major roads within city limits. This overlay repealed, deleted, and replaced Ordinance No. 2070, adopted in July of 1974, which had established scenic drive designations on the same twenty-three specific segments of certain major roads within city limits.
5. Staff finds that this residential corridor overlay deletion request is consistent with Sub-Section 8.5.5B of the Unified Development Code.

RECOMMENDATION

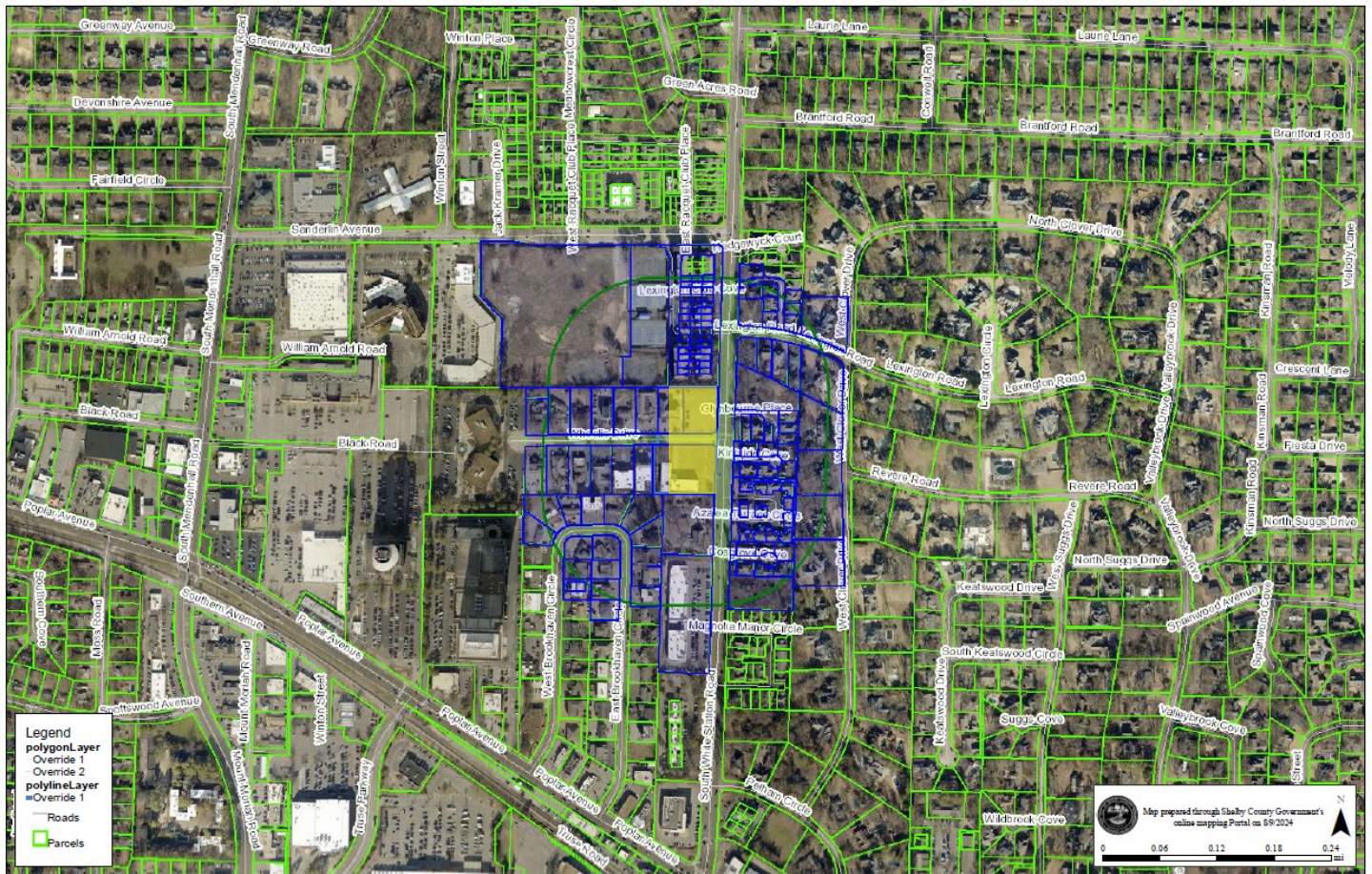
Approval

LOCATION MAP



Subject property located within the pink circle

VICINITY MAP



Subject property highlighted in yellow

PUBLIC NOTICE DETAILS

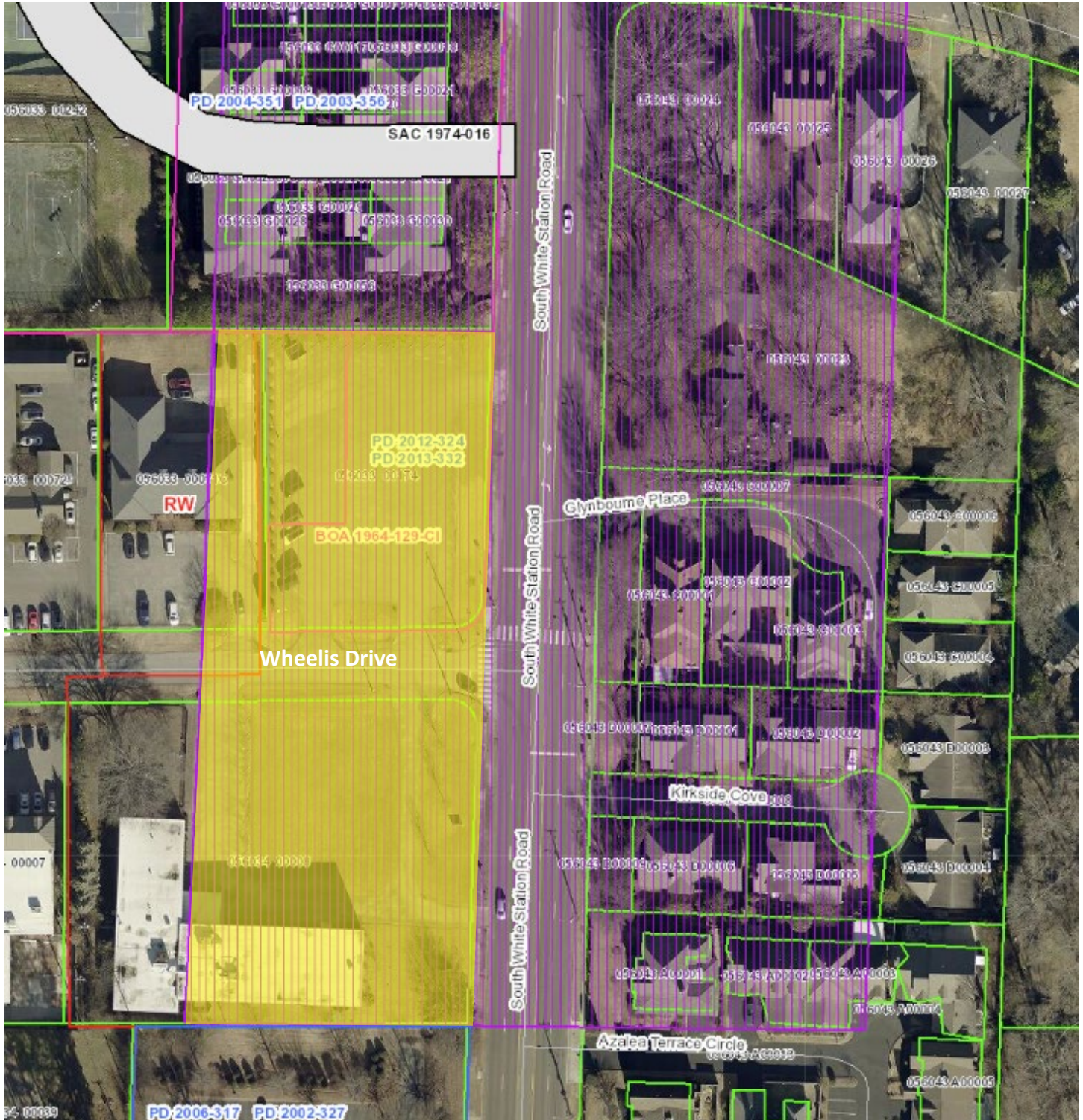
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 128 notices were mailed on August 19, 2024, see page 14 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 15 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Tuesday, August 27, 2024, at the DoubleTree by Hilton at 5069 Sanderlin Avenue.

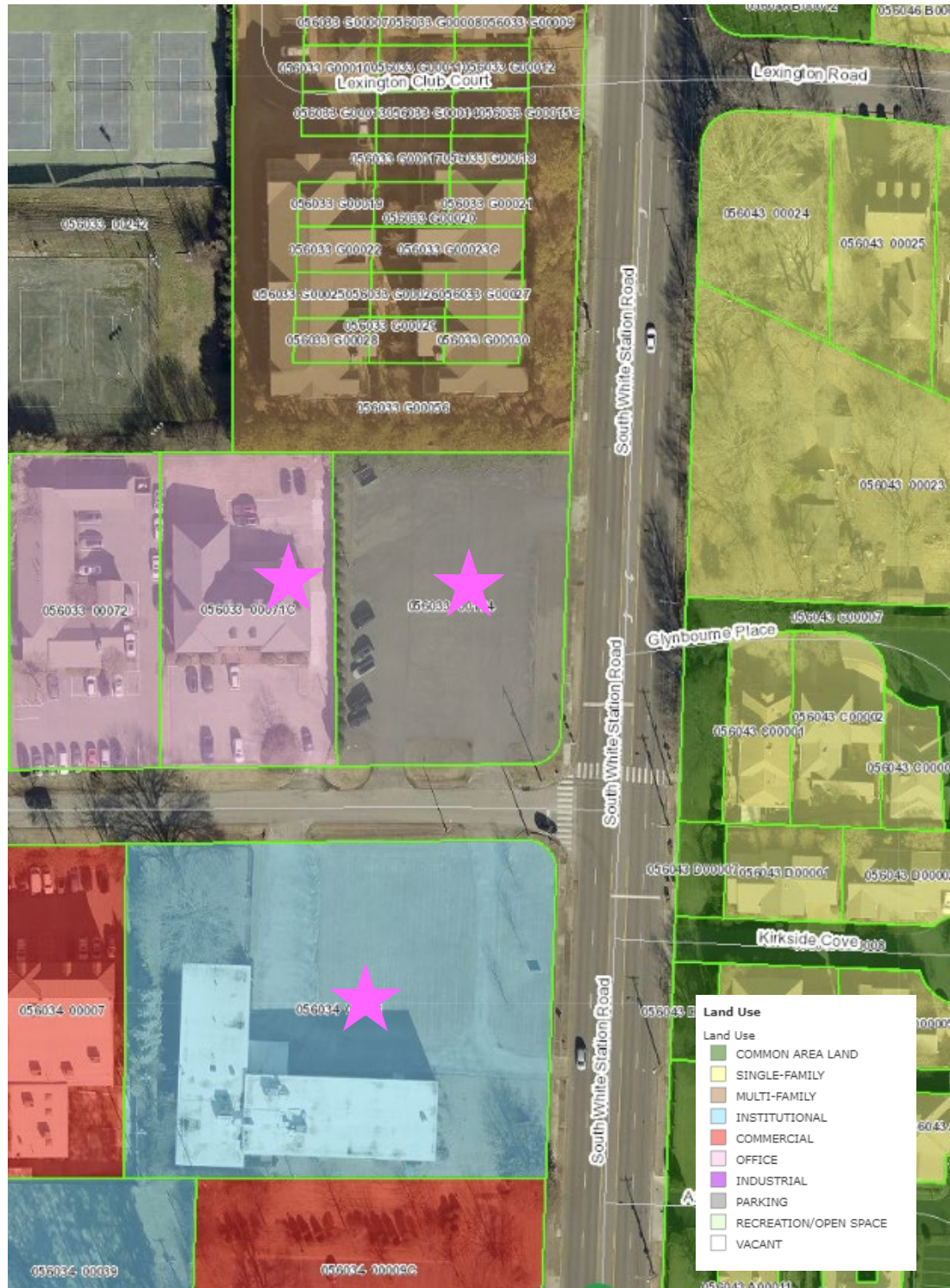
4

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from South White Station Road looking north



View of subject property looking west from the intersection of S. White Station Road and Wheelis Road



View of subject property from South White Station Road looking southeastwardly

LEGAL DESCRIPTION

BEING A SURVEY OF LOT 13 AND PART OF LOT 14 OF THE GORDON-MEDARIS SUBDIVISION AS RECORDED IN PLAT BOOK 13, PAGE 24, ALSO BEING THE DAVID SEWALL WADDELL PROPERTY AS RECORDED IN INSTRUMENTS 19101241 AND 19101242, ALL OF RECORD AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN MEMPHIS, SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE TANGENT INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WHITE STATION ROAD (80.00 FOOT WIDE PUBLIC RIGHT-OF-WAY AS WIDENED) WITH THE NORTH RIGHT-OF-WAY LINE OF WHEELIS DRIVE (50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE N88°18'42"W A DISTANCE OF 19.12 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING HAVING A TENNESSEE STATE PLANE COORDINATE OF NORTH 307531.00 – EAST 805881.62; THENCE N88°18'42"W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID WHEELIS DRIVE A DISTANCE OF 243.22 FEET TO THE SOUTHEAST CORNER OF LOT 12 OF THE SAID GORDON-MEDARIS SUBDIVISION (PLAT BOOK 13, PAGE 24); THENCE N01°30'50"E ALONG THE EAST LINE OF SAID LOT 12 A MEASURED DISTANCE OF 212.07 FEET (CALL 211.84 FEET) TO A POINT ON THE SOUTH LINE OF LOT 1 OF THE LEXINGTON II SUBDIVISION AS RECORDED IN PLAT BOOK 286, PAGE 16; THENCE S88°22'56"E ALONG THE SOUTH LINE OF LOT 1 OF THE SAID LEXINGTON II SUBDIVISION AND ALONG THE SOUTH LINE OF THE PROPERTY SHOWN ON THE OUTLINE/FINAL PLAN FOR THE RACQUET CLUB CONDOMINIUM P.D. AS RECORDED IN PLAT BOOK 221, PAGE 23 A DISTANCE OF 272.52 FEET TO THE SOUTHEAST CORNER OF THE SAID RACQUET CLUB CONDOMINIUM P.D., SAID POINT LIES ON THE WEST RIGHT-OF-WAY LINE OF SAID WHITE STATION ROAD; THENCE S04°15'30"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WHITE STATION ROAD A DISTANCE OF 193.49 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A 20.00 FOOT RADIUS, AN ARC LENGTH OF 30.52 FEET (CHORD S47°58'24"W – 27.64 FEET) TO THE POINT OF BEGINNING AND CONTAINING 56,680 SQUARE FEET OR 1.301 ACRES.

CASE REVIEW

Request

Residential corridor deletion located at Parcel ID 056033 00174, 056033 00071C, and 056034 00008.

Site Details

Address:

At and around 621 S. White Station Road

Parcel ID:

056033 00174, 056033 00071C, and 056034 00008

Area:

+/-2.15 acres

Description

The subject property consists of three parcels, two of which are lots 14 and part of lot 13 of the Gordon-Medaris Subdivision. Parcel 056033 00174 is a .73 acre. Parcel 056034 00008 has a religious institution built in 1980 with a building square foot of 24,800, while parcel 056033 00071C is 24,128 square feet with a 5243 square foot office building built in 1999. The subject property is bordered to the north by multifamily, south by commercial, and to the east by single-family residential uses.

Analysis

The applicant is requesting the deletion of a portion of the residential corridor along South White Station Road that covers parcels 056033 00174 and 056034 00008 in their entirety, and a portion of parcel 056033 00071C.

The applicant has filed a companion case known as PD 2024-014 which requests an amendment to PD 2023-021 approved by the Land Use Control Board in 2023. The revisions requested expand the land area of the PD to include the subject properties of this case, which are covered by the residential corridor overlay.

Ordinance No. 3077 was adopted on October 28, 1980, by the Council of the City of Memphis to establish the Residential Corridor Overlay on twenty-three specific segments of certain major roads within city limits. This overlay repealed, deleted, and replaced Ordinance No. 2070, adopted in July of 1974, which had established scenic drive designations on the same twenty-three specific segments of certain major roads within city limits.

The residential corridor serves as an additional layer of land use control which prohibits the approval of nonresidential developments within 200 feet on either side of a designated residential roadway, thus necessitating this request as the revised PD includes commercial mixed-use development. Sections of the White Station Residential Corridor south of the current request have previously been deleted, but not followed with incremental rezoning changes but rather by planned development applications as is this one with companion case # PD 2024-014.

Staff finds that this residential corridor overlay deletion request is consistent with Sub-Section 8.5.5B of the Unified Development Code.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City Engineer:

1. Standard Public Improvement Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. The developer's engineer needs to submit a sewer availability request to the Sewer Design Dept. for sewer system capacity.

3. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.

4. If approved, needed changes to existing sanitary sewers, drainage facilities, sidewalk repairs, and other utilities will be relocated/removed at developer's expense.

Roads:

1. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.

2. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any construction, reconstruction, or repair necessary to meet City standards.

Traffic Control Provisions:

3. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5-foot-wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5-foot clear pedestrian path, an exception may be considered.

4. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.

5. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

6. The City Engineer shall approve the design, number, and location of curb cuts.

7. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.

8. Will require engineering ASPR.

Drainage:

9. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.

10. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.

11. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.

12. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office.

Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

13. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

General Notes:

14. Development is greater than 1 acre and is located within a sensitive drainage basin.

15. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

16. All connections to the sewer shall be at manholes only.

17. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.

18. Required landscaping shall not be placed on sewer or drainage easements.

City Fire Division:	No comments received.
City Real Estate:	No comments received.
City/County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	No comments received.
Office of Comprehensive Planning:	No comments received.

MAILED PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than **Wednesday, September 4, 2024 at 8 AM.**

CASE NUMBER: RC 2024-002
ADDRESS: 621 S. White Station Road
REQUEST: Deletion of Residential Corridor Overlay
APPLICANT: David Lewis

Meeting Details

Location: Council Chambers
City Hall 1st Floor
125 N Main St.
Time: 9:00 AM
Date: Thursday, Sept. 12

Staff Planner Contact:

LaTonya Hull
✉ latonya.hull@memphistn.gov
☎ (901) 636-7179



VICINITY MAP



To learn more about this proposal,
contact the staff planner or use the
QR code to view the full application.



128 Notices Mailed 08/19/2024

SIGN AFFIDAVIT

AFFIDAVIT

*Shelby County
State of Tennessee*

I, David Lewis, being duly sworn, depose and say that at 2 am/pm
on the 15th day of August, 2024, I posted 2 Public Notice Sign(s)
pertaining to Case No. RC 2024-002 at Wheelis at White Station
providing notice of a Public Hearing before the (check one):

☒ Land Use Control Board
☐ Board of Adjustment
☐ Memphis City Council
☐ Shelby County Board of Commissioners

for consideration of a proposed land use action, a photograph of said sign(s) being
attached hereon and a copy of the sign purchase receipt or rental contract attached
hereto.

D. Lewis
Owner, Applicant or Representative

8/15/24
Date

Subscribed and sworn to before me this 15th day of August, 2024.

Kimberley Dobson
Notary Public

My commission expires: 10-5-2025



APPLICATION



Memphis and Shelby County Division of
Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis,
Tennessee 38134
Downtown Service Center: 125 N. Main Street;
Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Residential Corridor Revocation

Record Detail Information

Record Type: Residential Corridor Revocation	Record Status: Processing
	Opened Date: August 9, 2024
Record Number: RC 2024-002	Expiration Date:
Record Name: Mid-City Memphis	
Description of Work: This application for residential corridor deletion will facilitate the development of the Mid-City Memphis PD. See attached Letter of Intent.	
Parent Record Number:	

Address:
621 S WHITE STATION RD, MEMPHIS 38117

Owner Information

Primary	Owner Name
Y	RCM DEVCO LLC
Owner Address	Owner Phone
1 Dr MLK Jr Ave Suite 130, Memphis, TN 38103	9014947154

Parcel Information

056034 00008

Data Fields

PREAPPLICATION MEETING	
Name of DPD Planner	Brett Ragsdale
Date of Meeting	08/06/2024
Pre-application Meeting Type	In Person
GENERAL INFORMATION	
What is the name of the Street, Alley or Right-of-Way?	South White Station Rd
Is this application in response to a citation, stop work order, or zoning letter	No
If yes, please provide a copy of the citation, stop	-

GENERAL INFORMATION

work order, and/or zoning letter along with any other relevant information

GIS INFORMATION

Central Business Improvement District	No
Case Layer	-
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 621 S White Station Rd
Property Parcel Number: 056034 00008

Property Address: 599 S White Station Rd
Property Parcel Number: 056033 00174

Property Address: 5188 Wheelis Dr
Property Parcel Number: 056033 00071C

AREA INFORMATION

Name: Area C
Size (Acres): 0.5
Existing Use of Property: Office
Requested Use of Property: Office

Name: Area D
Size (Acres): 0.8
Existing Use of Property: Parking
Requested Use of Property: Parking

Name: Area E
Size (Acres): 1.4
Existing Use of Property: Church

Requested Use of Hotel
Property:

Contact Information

Name
DAVID LEWIS

Contact Type
APPLICANT

Address

Phone
(901)494-7154

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1584891	Plat of Record Revocation	1	400.00	INVOICED	0.00	08/09/2024
1584891	Credit Card Use Fee (.026 x fee)	1	10.40	INVOICED	0.00	08/09/2024

Total Fee Invoiced: \$410.40 Total Balance: \$0.00

Payment Information

Payment Amount Method of Payment
\$410.40 Credit Card

OWNER AFFIDAVIT



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Chancellor Carlisle [Signature], state that I have read the definition of
(Print Name) (Sign Name)

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

☒ I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises

☐ I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the properties located at 5188 Wheelis Dr, 0 Wheelis Dr, 621 S White Station Rd, and 736 E Brookhaven Circle and further identified by Assessor's Parcel Numbers 056033 00071C, 056033 00174, 056034 00008, and 056034 00039,

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 6th day of August in the year of 2024

Barbra Negele
Signature of Notary Public



02/23/25
My Commission Expires

LETTER OF INTENT



Whitehead Law

275 Jefferson Avenue
Memphis, Tenn. 38103

Josh Whitehead

Managing Partner
(901) 810-5789
josh@joshwhiteheadlaw.com

August 9, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development
Memphis City Hall
125 N. Main St. Ste. 468
Memphis, TN 38103

RE: Application for a Residential Corridor Deletion

Mr. Ragsdale,

On behalf of RCM Devco, LLC and Carlisle Development Group, I am pleased to submit this application for a residential corridor deletion for the properties at the northwest and southwest corners of White Station Road and Wheelis Cove.

This application will facilitate the development of the Mid-City Memphis PD, which has been filed as a companion application to this request. As seen in Exhibit A, attached to this letter, the White Station Residential Corridor has, over time, been removed from all properties on the west side of White Station Road south of the subject sites. When the Residential Corridor was originally established, it occupied both sides of White Station Road from Pelham Circle north to Interstate 240.

We believe the Mid-City Memphis PD will not only be in keeping with this development trend but that those portions of the development fronting White Station Road will be compatible with land uses on both sides of the roadway.

Thank you for your time and consideration of this request.

Sincerely,

Josh Whitehead

LETTERS RECEIVED

No letters were received at the time of completion of this report.



Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis,
Tennessee 38134

Downtown Service Center: 125 N. Main Street;
Memphis, Tennessee 38103

website: www.develop901.com

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Record Detail Information

Record Type: Residential Corridor Revocation

Record Status: Processing

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Record Number: RC 2024-002

Expiration Date:

Record Name: Mid-City Memphis

Description of Work: This application for residential corridor deletion will facilitate the development of the Mid-City Memphis PD. See attached Letter of Intent.

Parent Record Number:

Address:

621 S WHITE STATION RD, MEMPHIS 38117

Owner Information

Primary Owner Name

Y RCM DEVCO LLC

Owner Address

1 Dr MLK Jr Ave Suite 130, Memphis, TN 38103

Owner Phone

9014947154

Parcel Information

056034 00008

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Brett Ragsdale

Date of Meeting

08/06/2024

Pre-application Meeting Type

In Person

GENERAL INFORMATION

What is the name of the Street, Alley or
Right-of-Way?

South White Station Rd

Is this application in response to a citation, stop
work order, or zoning letter

No

If yes, please provide a copy of the citation, stop

-

GENERAL INFORMATION

work order, and/or zoning letter along with any other relevant information

GIS INFORMATION

Central Business Improvement District	No
Case Layer	-
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No

Data Tables**ADDRESS AND PARCEL LIST**

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Property Parcel Number:	056034 00008

Property Address:	599 S White Station Rd
Property Parcel Number:	056033 00174

Property Address:	5188 Wheelis Dr
Property Parcel Number:	056033 00071C

AREA INFORMATION

Name:	Area C
Size (Acres):	0.5
Existing Use of Property:	Office
Requested Use of Property:	Office

Name:	Area D
Size (Acres):	0.8
Existing Use of Property:	Parking
Requested Use of Property:	Parking

Name:	Area E
Size (Acres):	1.4
Existing Use of Property:	Church

Requested Use of Hotel
Property:

Contact Information

Name DAVID LEWIS	Contact Type APPLICANT
----------------------------	----------------------------------

Address

Phone
(901)494-7154

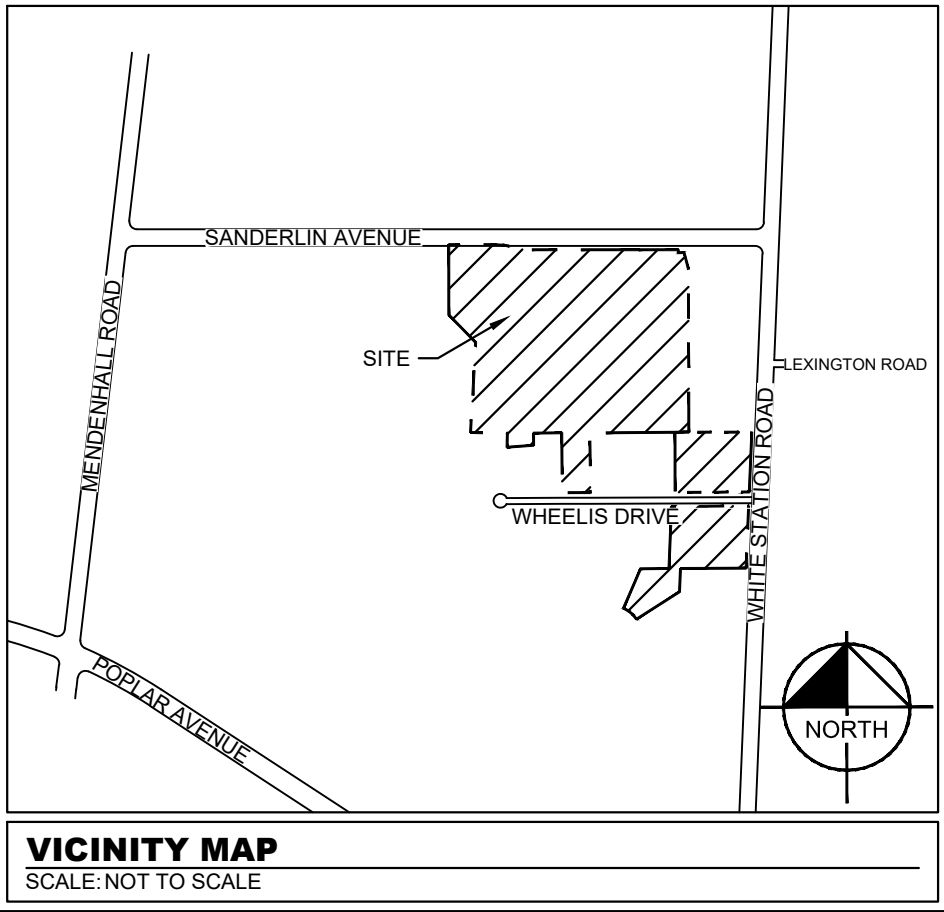
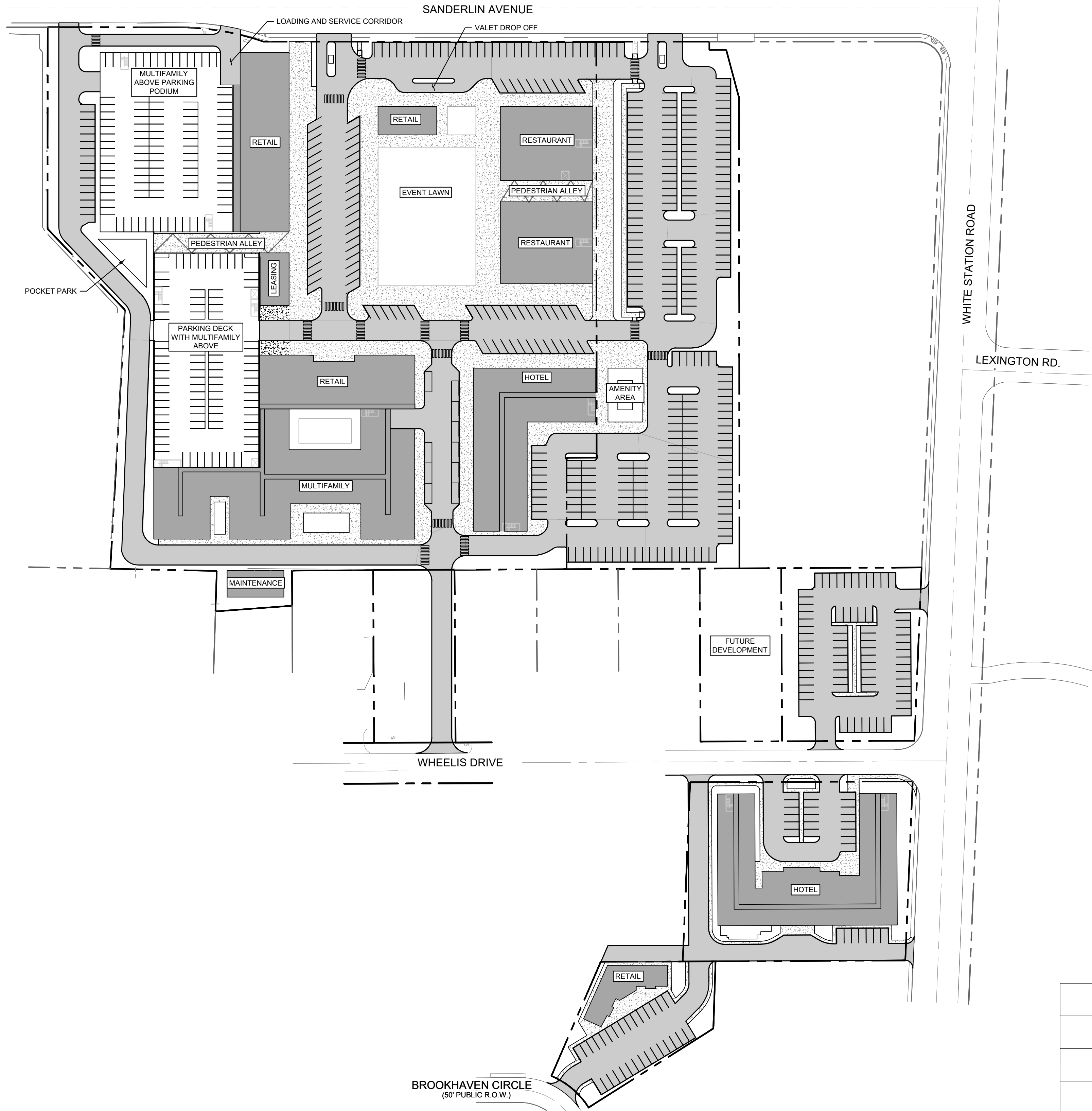
Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
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Total Fee Invoiced: \$410.40	Total Balance: \$0.00
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Payment Information

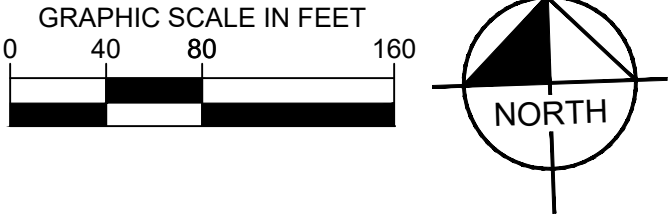
Payment Amount \$410.40	Method of Payment Credit Card
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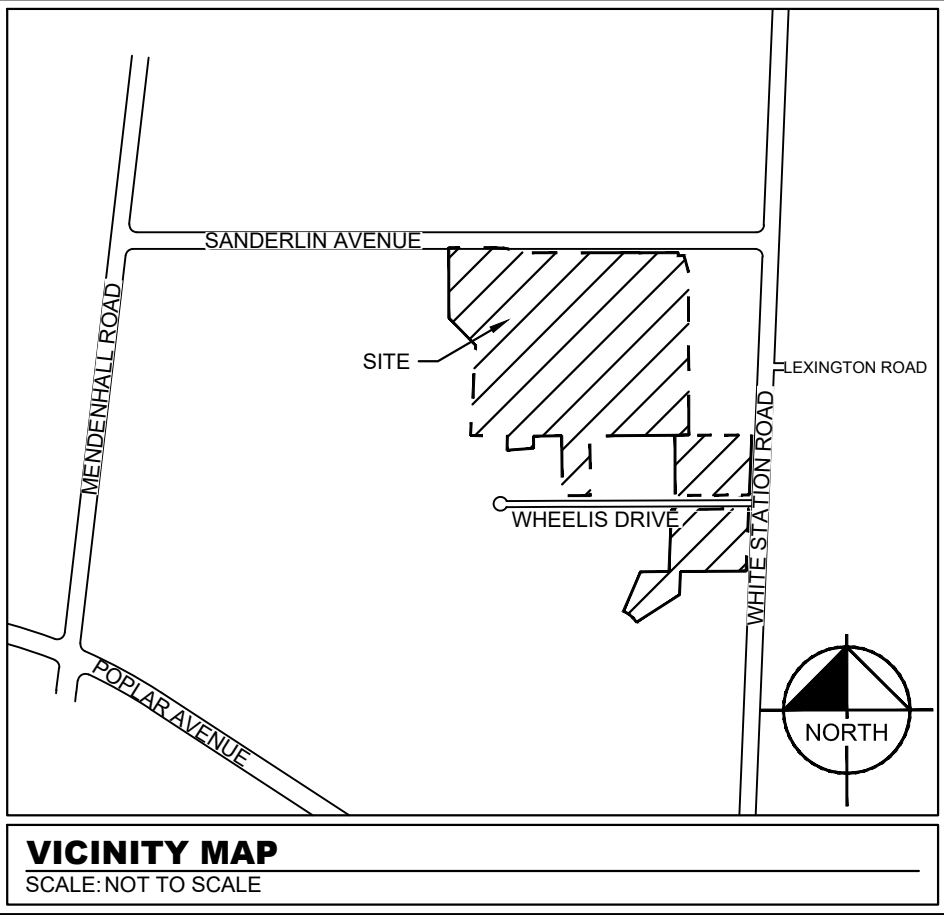
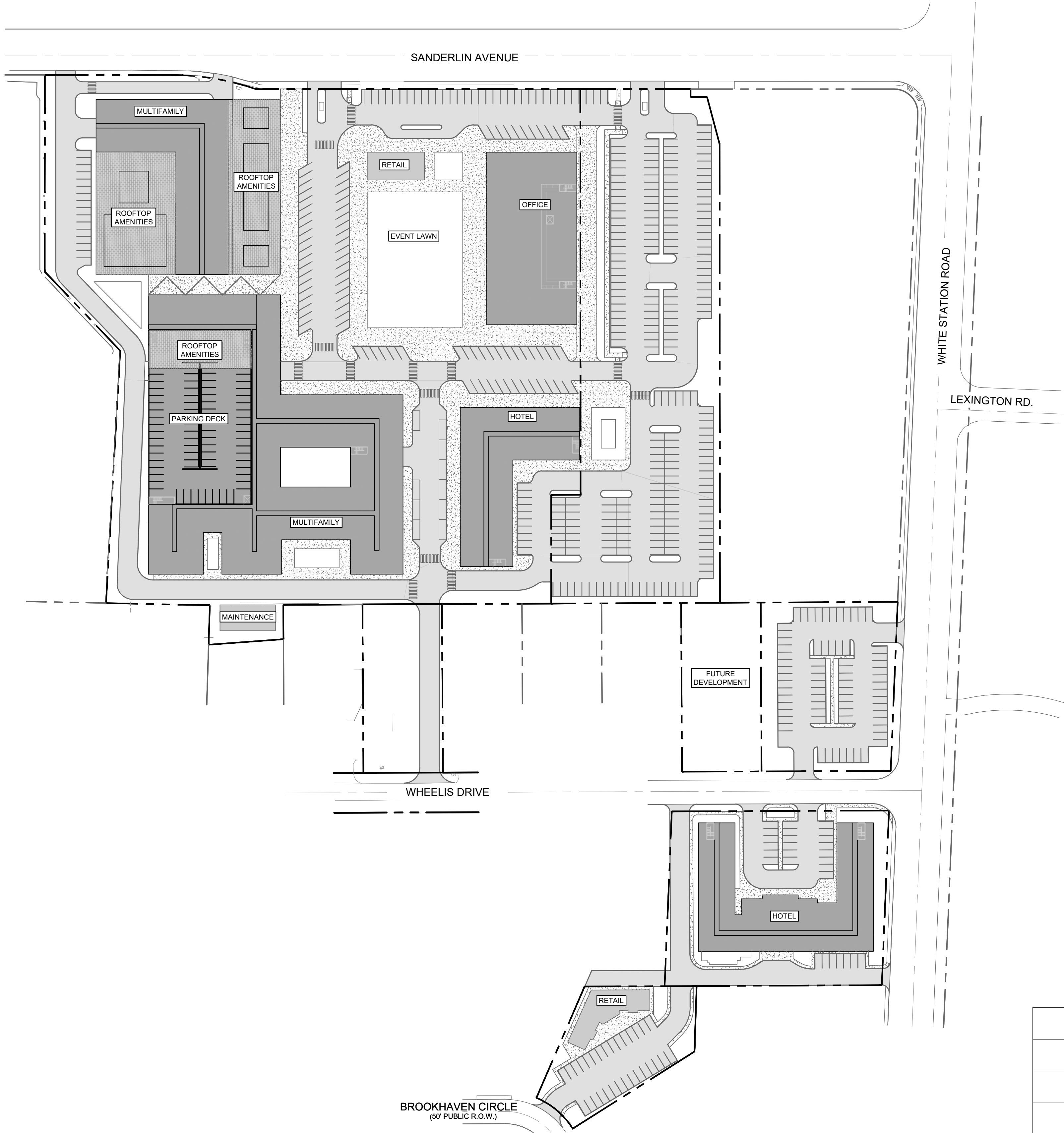


LEGEND	
	PROPERTY LINE
	ROADWAY CENTERLINE
	PROPOSED BUILDING
	ASPHALT PAVEMENT
	SIDEWALK

CONCEPT PLAN A - GROUND FLOOR

OUTLINE PLAN		
MID CITY MEMPHIS PLANNED DEVELOPMENT		
CASE NUMBER:		FORMER CASE NUMBERS:
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 8	ACREAGE: 15.73 ACRES	WARD 056, BLOCK 033, PARCELS 00239, 00241, 00242, 00075, 00071C, 00174
DEVELOPER: RCM Devco LLC	ENGINEER: Kimley»Horn	WARD 056, BLOCK 034, PARCELS 00008, 00039
100 YR FLOOD ELEV: 253.00	FEMA MAP PANEL NUMBER: 47157C0435F	FEMA MAP DATE: 9/28/2007
DATE: AUGUST 2024	SCALE: AS SHOWN	SHEET 2 OF 7

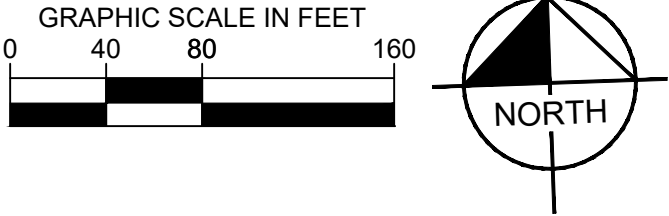


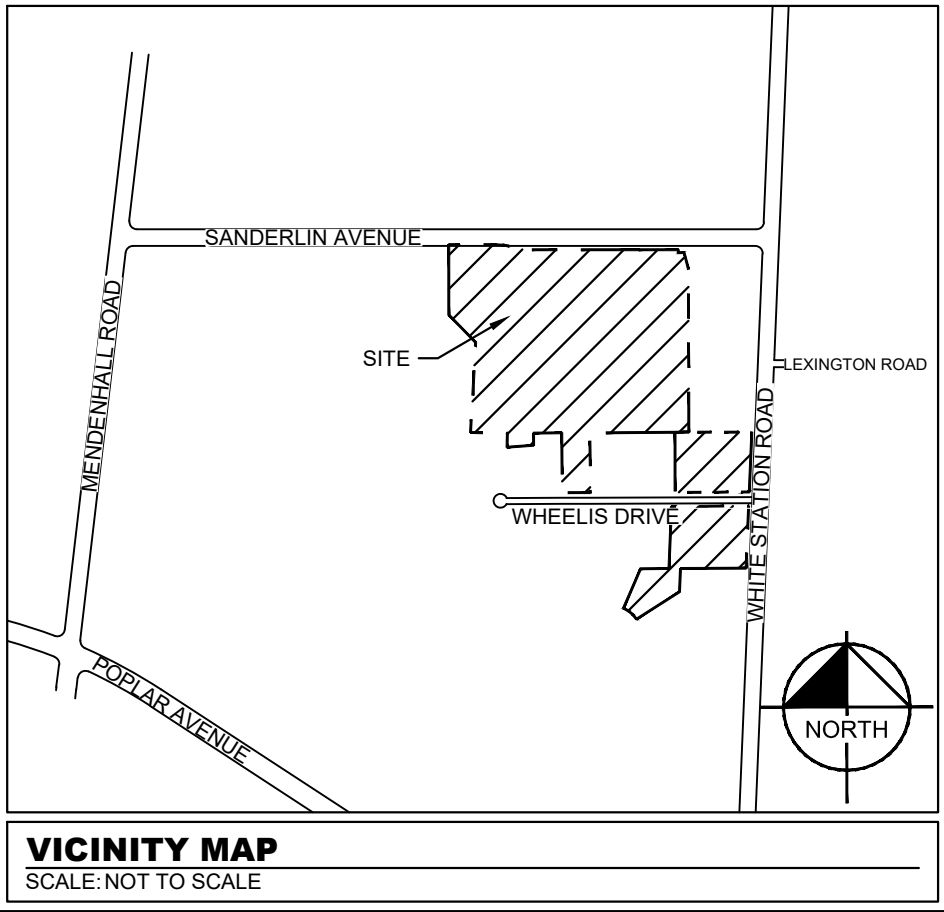
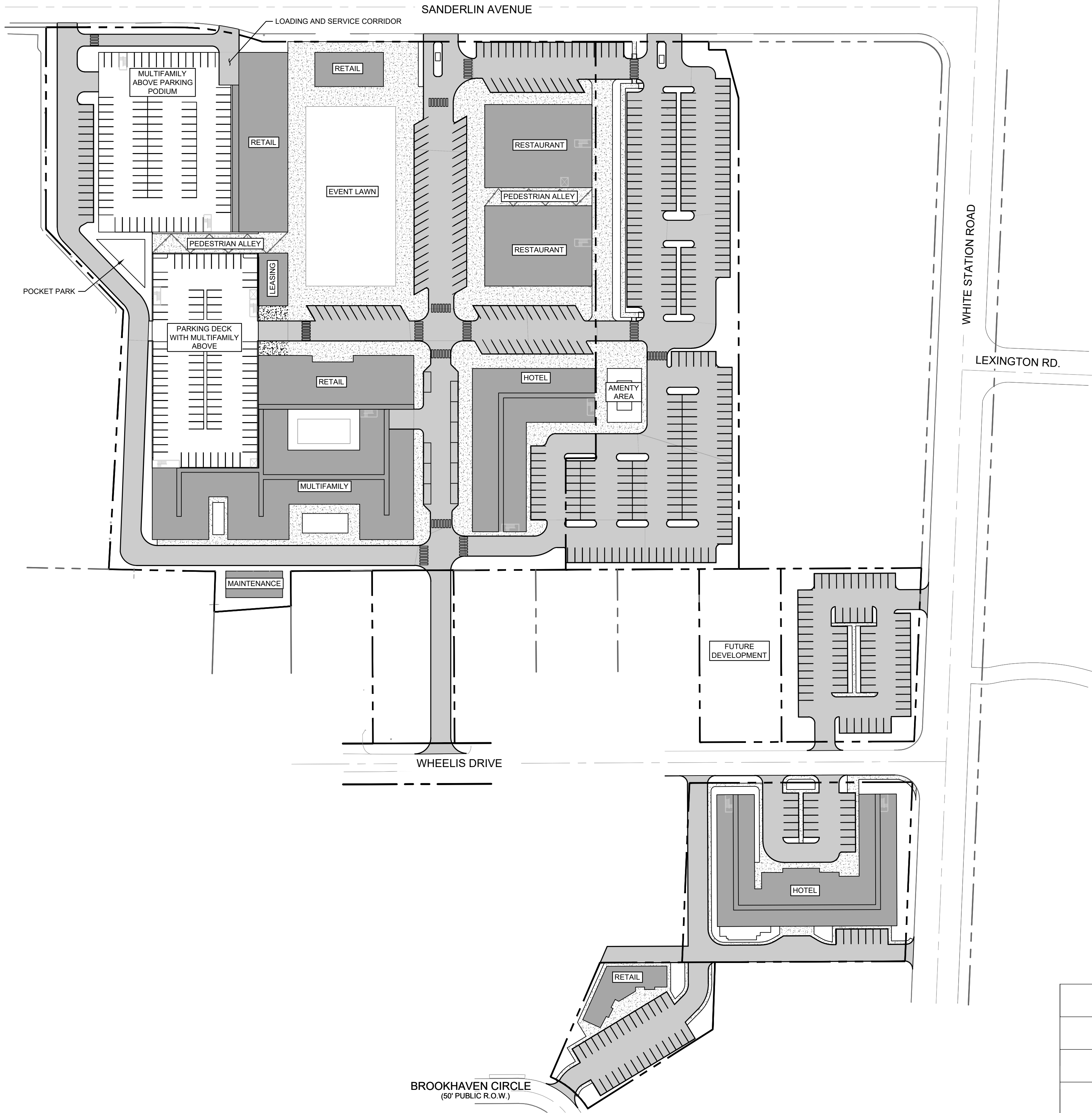


LEGEND	
	PROPERTY LINE
	ROADWAY CENTERLINE
	PROPOSED BUILDING - GROUND FLOOR
	PROPOSED BUILDING - UPPER FLOOR
	ROOFTOP AMENITY
	ASPHALT PAVEMENT
	SIDEWALK

CONCEPT PLAN A - UPPER FLOORS

OUTLINE PLAN		
MID CITY MEMPHIS PLANNED DEVELOPMENT		
CASE NUMBER:		FORMER CASE NUMBERS:
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 8	ACREAGE: 15.73 ACRES	WARD 056, BLOCK 033, PARCELS 00239, 00241, 00242, 00075, 00071C, 00174
DEVELOPER: RCM Devco LLC	ENGINEER: Kimley»Horn	WARD 056, BLOCK 034, PARCELS 00008, 00039
100 YR FLOOD ELEV: 253.00	FEMA MAP PANEL NUMBER: 47157C0435F	FEMA MAP DATE: 9/28/2007
DATE: AUGUST 2024	SCALE: AS SHOWN	SHEET 3 OF 7

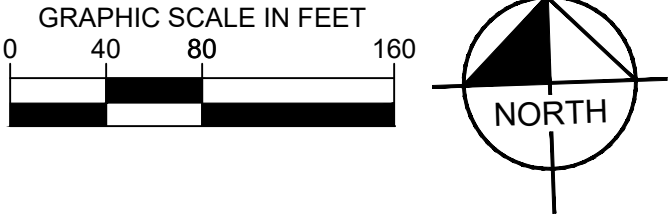


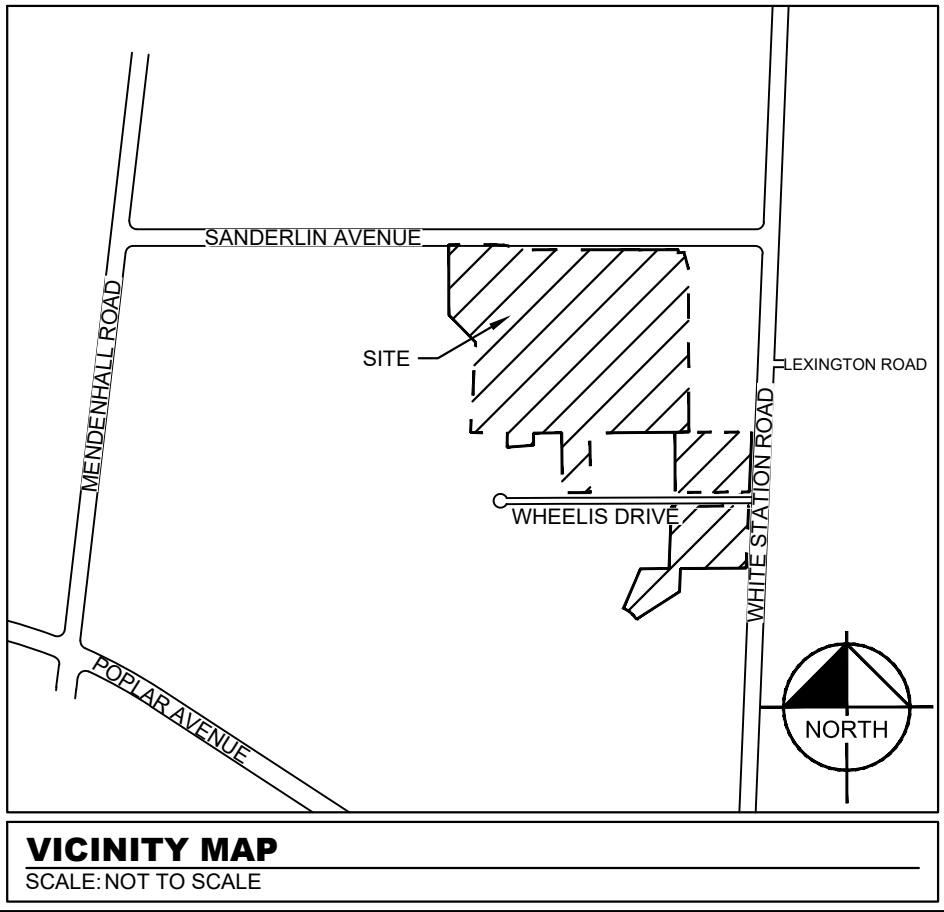
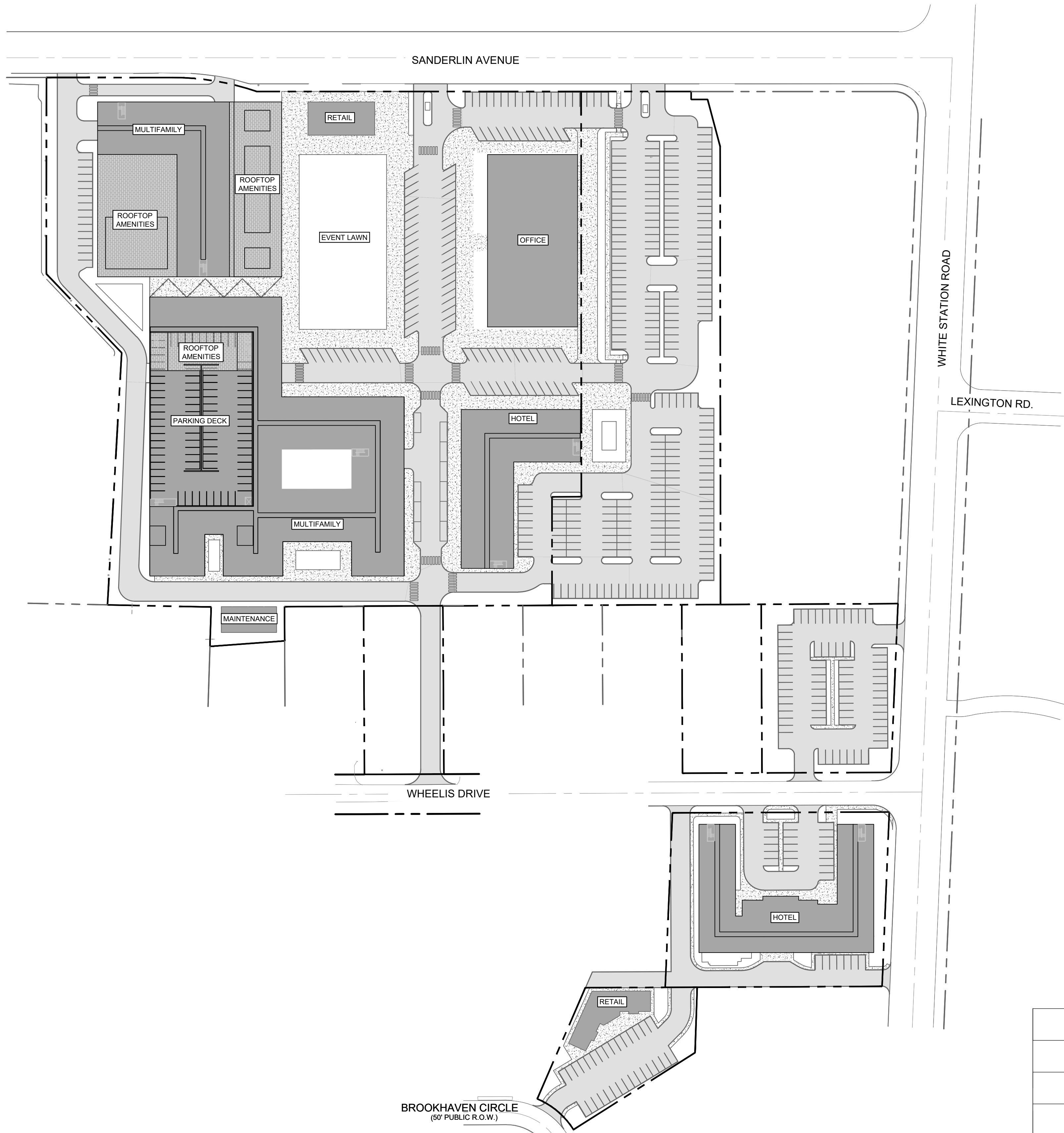


LEGEND	
	PROPERTY LINE
	ROADWAY CENTERLINE
	PROPOSED BUILDING
	ASPHALT PAVEMENT
	SIDEWALK

CONCEPT PLAN B - GROUND FLOOR

OUTLINE PLAN		
MID CITY MEMPHIS PLANNED DEVELOPMENT		
CASE NUMBER:		FORMER CASE NUMBERS:
MEMPHIS, TENNESSEE		
NUMBER OF LOTS:	8	ACREAGE: 15.73 ACRES
DEVELOPER:	RCM Devco LLC	ENGINEER: Kimley»Horn
100 YR FLOOD ELEV:	253.00	FEMA MAP PANEL NUMBER: 47157C0435F
DATE:	AUGUST 2024	SCALE: AS SHOWN
		FEMA MAP DATE: 9/28/2007
		SHEET 4 OF 7

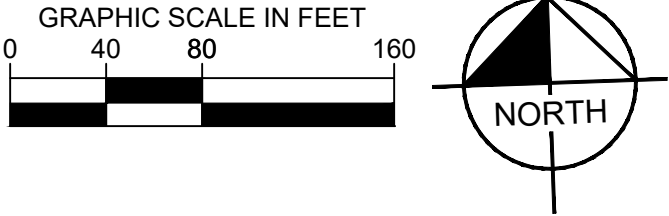




LEGEND	
	PROPERTY LINE
	ROADWAY CENTERLINE
	PROPOSED BUILDING - GROUND FLOOR
	PROPOSED BUILDING - UPPER FLOOR
	ROOFTOP AMENITY
	ASPHALT PAVEMENT
	SIDEWALK

CONCEPT PLAN B - UPPER FLOORS

OUTLINE PLAN		
MID CITY MEMPHIS PLANNED DEVELOPMENT		
CASE NUMBER:		FORMER CASE NUMBERS:
MEMPHIS, TENNESSEE		
NUMBER OF LOTS:	8	ACREAGE: 15.73 ACRES
DEVELOPER:	RCM Devco LLC	ENGINEER: Kimley»Horn
100 YR FLOOD ELEV:	253.00	FEMA MAP PANEL NUMBER: 47157C0435F
DATE:	AUGUST 2024	SCALE: AS SHOWN
		FEMA MAP DATE: 9/28/2007
		SHEET 5 OF 7





Whitehead Law

275 Jefferson Avenue
Memphis, Tenn. 38103

Josh Whitehead

Managing Partner
(901) 810-5789
josh@joshwhiteheadlaw.com

August 9, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development
Memphis City Hall
125 N. Main St. Ste. 468
Memphis, TN 38103

RE: Application for a Residential Corridor Deletion

Mr. Ragsdale,

On behalf of RCM Devco, LLC and Carlisle Development Group, I am pleased to submit this application for a residential corridor deletion for the properties at the northwest and southwest corners of White Station Road and Wheelis Cove.

This application will facilitate the development of the Mid-City Memphis PD, which has been filed as a companion application to this request. As seen in Exhibit A, attached to this letter, the White Station Residential Corridor has, over time, been removed from all properties on the west side of White Station Road south of the subject sites. When the Residential Corridor was originally established, it occupied both sides of White Station Road from Pelham Circle north to Interstate 240.

We believe the Mid-City Memphis PD will not only be in keeping with this development trend but that those portions of the development fronting White Station Road will be compatible with land uses on both sides of the roadway.

Thank you for your time and consideration of this request.

Sincerely,

Josh Whitehead

Exhibit A

Excerpt from the Memphis and Shelby County Zoning Atlas reflecting the deletion of the White Station Residential Corridor, indicated in purple, from properties south of the subject sites, indicated with yellow "stars."





Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.



23058656

07/17/2023 - 10:55:44 AM

5 PGS	
ABRIA 2599242 - 23058656	
VALUE	1900000.00
MORTGAGE TAX	0.00
TRANSFER TAX	7030.00
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	7058.00

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

THIS INSTRUMENT PREPARED BY:

Butler Snow LLP
 Reed T. Nunnelee, Esq.
 1020 Highland Colony Parkway; Suite 1400
 Ridgeland, Mississippi 39157
 (601) 948-5711

SPECIAL WARRANTY DEED

Address of New Owner:	Send Tax Bills To:	Map/Parcel Number:
RCM Devco LLC c/o Carlisle LLC 1 Dr. ML King Jr. Ave. Suite 130 Memphis, TN 38103	RCM Devco LLC c/o Carlisle LLC 1 Dr. ML King Jr. Ave. Suite 130 Memphis, TN 38103	Shelby County Parcel ID 056034 00008

FOR AND IN CONSIDERATION OF the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **MISSIO DEI CHURCH MEMPHIS, INC.**, a Tennessee non-profit corporation, formerly known as White Station Baptist Church, Inc., a Tennessee non-profit corporation, (the "Grantor"), has bargained and sold, and hereby transfers and conveys, to **RCM DEVCO LLC**, a Tennessee limited liability company (the "Grantee"), certain real property in Shelby County, Tennessee, more particularly described on Exhibit A attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to Grantee, forever.

This is improved property known as 621 South White Station Road, Memphis, TN 38117.

Said property is conveyed subject to those matters more particularly described on Exhibit B attached hereto and incorporated herein by reference (the "Permitted Encumbrances").

Grantor covenants and binds itself and its successors to warrant specially and defend to Grantee forever the title to said property against the lawful claims of all persons claiming by, through or under Grantor (excluding claims arising out of the Permitted Encumbrances), but not further or otherwise.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument or has caused same to be executed as of the 14th day of July, 2023.

GRANTOR:

Missio Dei Church Memphis, Inc.
a Tennessee non-profit corporation

By: 
Name: Shaun Payne
Title: Pastor

STATE OF TENNESSEE

COUNTY OF SHELBY

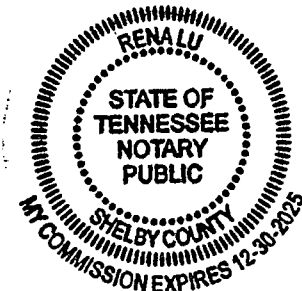
Personally appeared before me, the undersigned, a Notary Public having authority within the State and County aforesaid, Shaun Payne, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person executed the within instrument for the purposes therein contained, and who further acknowledged that such person is the Pastor of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

WITNESS MY HAND, at office, this 14th day of July, 2023.



Notary Public

My Commission Expires:



STATE OF TENNESSEE

COUNTY OF SHELBY

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$1,900,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Missio Dei Church Memphis, Inc.
a Tennessee non-profit corporation

By: 

Name: Shaun Payne

Title: Pastor

Sworn to and subscribed before me this 14th day of July, 2023.



Notary Public

My Commission Expires:

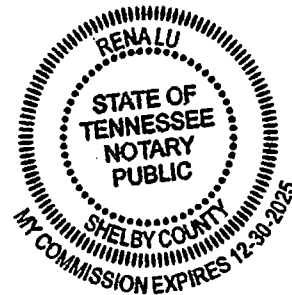


EXHIBIT A

Legal Description of Property

Land situated in Shelby County, Tennessee:

Part of the Wheelis 10.02 Acres, being part of Lot 38, Eppy White Subdivision in Memphis, Tennessee; described as follows:

Beginning at an iron pin in the west line of the White Station Road (60 feet wide), said point being in the south line of the Wheelis 10.02 Acres and said point being 219.83 feet southwardly from the south line of Wheelis Drive; thence westwardly with the south line of the Wheelis 10.02 Acres 282.89 feet; thence northwardly parallel to the west line of the White Station Road 219.83 feet to the south line of Wheelis Drive; thence eastwardly with the south line of Wheelis Drive 282.89 feet to the west line of the White Station Road; thence southwardly with the west line of said White Station Road 219.83 feet to the point of beginning.

EXHIBIT B

Permitted Encumbrances

1. City of Memphis and Shelby County taxes for the year 2023, liens not yet due or payable
2. Easement Contract of record in Book 2501, Page 395, in the Register's Office of Shelby County, Tennessee
3. Easement Contract of record in Book 4092, Page 119, in the aforesaid Register's Office



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.



19101241

09/30/2019 - 10:47:07 AM

3 PGS	
BRANDON 1925830 - 19101241	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared By:
Amy J. Amundsen, Attorney
RICE AMUNDSEN CAPERTON, PLLC
275 Jefferson Ave.
Memphis, TN, 38103

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that **STACIE NICOLE MARTIN WADDELL**, for and in consideration of the FINAL DECREE OF DIVORCE entered into between the parties, does hereby bargain, sell, release, remise, quit claim, and convey unto **DAVID SEWALL WADDELL**, title and interest in and to the following described real estate, to wit:

Part of Lot 14 of Gordon-Medaris Subdivision located in Memphis, Tennessee, being more particularly described as follows:

Beginning at a point in the northerly line of Wheelis Avenue 147.98 feet westwardly from the tangent intersection of the northerly line of Wheelis Avenue with the westerly line of White Station Road, as measured along said northerly line of Wheelis Avenue; said point being 15.0 feet eastwardly from the southeasterly corner of Lot 13; thence northwardly parallel with the easterly line of Lot 13 – 211.84 feet to a point in the northerly line of said subdivision; then eastwardly along the northerly line of said subdivision 157.52 feet to a point in the westerly line of White Station Road; thence southwardly along the westerly line of White Station Road 192.93 feet to a point, the beginning of a curve of 20 foot radius; thence southwardly and westwardly along said curve 30.52 feet to a point in said northerly line of Wheelis Avenue, end of said curve; thence westwardly along the northerly line of Wheelis Avenue 128.87 feet to the point of beginning.

This being the same property transferred to David Waddell by Warranty Deed as recorded by instrument number 14030844 as recorded in the office of the Shelby County Register.

NO OPINION S TO TITLE REQUESTED OR GIVEN.

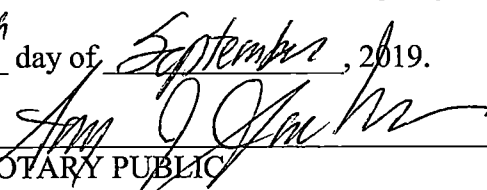
IN TESTIMONY WHEREOF I have hereunto set my hand and seal this 11 day of Sep., 2019.


STACIE NICOLE MARTIN WADDELL

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally appeared **STACIE NICOLE MARTIN WADDELL**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged to be the person within named and that he executed the foregoing instrument for the purpose therein contained.

Witness my hand and seal, this 11th day of September, 2019.


NOTARY PUBLIC

My commission expires:

4/28/2020

Parcel No: 056033 00174

Property Owners

David Sewall Waddell
5188 Wheelis Drive
Memphis, TN 38117

Property Known as:

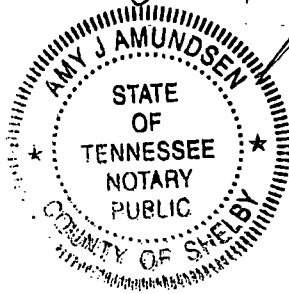
594-599 S. White Station Road
Memphis, Tn 38117

Mail Tax Notice to:

David Sewall Waddell
5188 Wheelis Drive
Memphis, Tn 38117

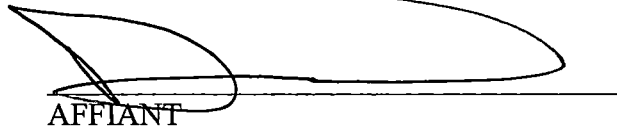
New Property Owner

David Sewall Waddell
5188 Wheelis Drive
Memphis, TN 38117




STATE OF TENNESSEE
COUNTY OF SHELBY

I hereby swear or affirm to the best of affiant's knowledge, information and belief, this transfer is pursuant to Final Decree of Divorce, and is therefore exempt under Tenn. Code Ann. 67-4-409(a)(3)(E).

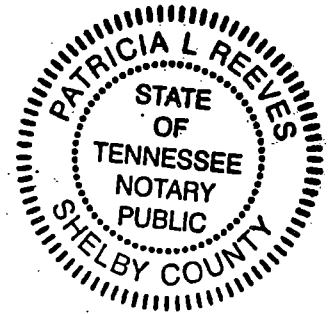

AFFIANT

SWORN TO AND SUBSCRIBED before me this the 17th day of September, 2019.


NOTARY PUBLIC

My commission expires:

8/14/2022





Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.



19101242

09/30/2019 - 10:47:07 AM

3 PGS	
BRANDON 1925830 - 19101242	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared By:
Amy J. Amundsen, Attorney
RICE AMUNDSEN CAPERTON, PLLC
275 Jefferson Ave.
Memphis, TN, 38103

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that **STACIE NICOLE MARTIN WADDELL**, for and in consideration of the **FINAL DECREE OF DIVORCE** entered into between the parties, does hereby bargain, sell, release, remise, quit claim, and convey unto **DAVID SEWALL WADDELL**, title and interest in and to the following described real estate, to wit:

Lot 13 and the West 15 feet of Lot 14, Gordon-Medaris Subdivision, as shown in plat of record in Plat Book 13, Page 24 and being more particularly described as follows:

Beginning at a point in the north line of Wheelis Drive a distance of 147.5 feet westwardly from the west line of South White Station Road, said point being 15 feet east of the southwest corner of Lot 14 and the southeast corner of Lot 13 and being in the west line of the Trustees for the White Station Baptist Church Property as described in Instrument PI 3931; thence, westwardly with the north line of Wheelis Drive a distance of 115.0 feet to the southeast corner of Lot 12; thence northwardly with the east line of Lot 12 a distance of 211.84 feet to a point in the north line of said subdivision; thence, eastwardly and parallel to the north line of Wheelis Drive a distance of 115.0 feet to a point 15 feet east of the northwest corner of Lot 14; thence, southwardly parallel to and 15 feet eastwardly from the west line of Lot 14 a distance of 211.84 feet to the point of beginning.

This being the same property transferred to David S. Waddell by Warranty Deed as recorded by instrument number 15040055 as recorded in the office of the Shelby County Register.

NO OPINION AS TO TITLE REQUESTED OR GIVEN.

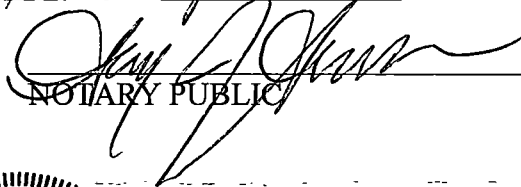
IN TESTIMONY WHEREOF I have hereunto set my hand and seal this 11 day of Sept., 2019.


STACIE NICOLE MARTIN WADDELL

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally appeared **STACIE NICOLE MARTIN WADDELL**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged to be the person within named and that he executed the foregoing instrument for the purpose therein contained.

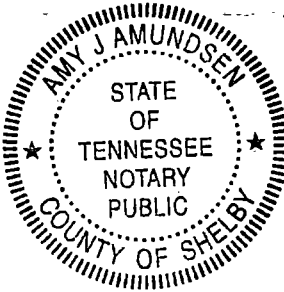
Witness my hand and seal, this 11th day of September, 2019.


NOTARY PUBLIC

My commission expires:

9/20/2020

Parcel No: 056033 00071C



Property Owners

David Sewall Waddell
5188 Wheelis Drive
Memphis, TN 38117

Property Known as:

5188 Wheelis Drive
Memphis, TN 38117

Mail Tax Notice to:


David Sewall Waddell
5188 Wheelis Drive
Memphis, Tn 38117

New Property Owner

David Sewall Waddell
5188 Wheelis Drive
Memphis, TN 38117

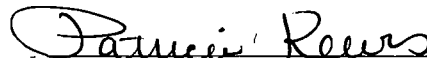
STATE OF TENNESSEE
COUNTY OF SHELBY

I hereby swear or affirm to the best of affiant's knowledge, information and belief, this transfer is pursuant to the Final Decree of Divorce, and is therefore exempt under Tenn. Code Ann. 67-4-409(a)(3)(E).



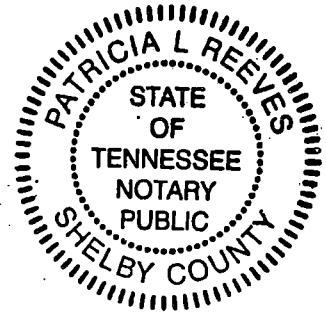
AFFIANT

SWORN TO AND SUBSCRIBED before me this the 17th day of September, 2019.



NOTARY PUBLIC

My commission expires:
8/14/2022



MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Chancellor Carlisle (Print Name), [Signature] (Sign Name), state that I have read the definition of

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

☒ I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises

☐ I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the properties located at 5188 Wheelis Dr, 0 Wheelis Dr, 621 S White Station Rd, and 736 E Brookhaven Circle and further identified by Assessor's Parcel Numbers 056033 00071C, 056033 00174, 056034 00008, and 056034 00039,

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 4th day of August in the year of 2024

[Signature]
Signature of Notary Public



02/23/25
My Commission Expires

PROPERTY DESCRIPTION

LAND SITUATED IN SHELBY COUNTY, TENNESSEE:

PART OF THE WHEELIS 10.02 ACRES, BEING PART OF LOT 38, EPPY WHITE SUBDIVISION IN MEMPHIS, TENNESSEE; DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN IN THE WEST LINE OF THE WHITE STATION ROAD (60 FEET WIDE), SAID POINT BEING IN THE SOUTH LINE OF THE WHEELIS 10.02 ACRES AND SAID POINT BEING 219.83 FEET SOUTHWARDLY FROM THE SOUTH LINE OF WHEELIS DRIVE; THENCE WESTWARDLY WITH THE SOUTH LINE OF THE WHEELIS 10.02 ACRES 282.89 FEET; THENCE NORTHWARDLY PARALLEL TO THE WEST LINE OF THE WHITE STATION ROAD 219.83 FEET TO THE SOUTH LINE OF WHEELIS DRIVE; THENCE EASTWARDLY WITH THE SOUTH LINE OF WHEELIS DRIVE 282.89 FEET TO THE WEST LINE OF THE WHITE STATION ROAD; THENCE SOUTHWARDLY WITH THE WEST LINE OF SAID WHITE STATION ROAD 219.83 FEET TO THE POINT OF BEGINNING.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE FIDELITY NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT ORDER NO. 11103004 WITH AN EFFECTIVE DATE OF 04/25/2023.

PROPERTY DESCRIPTION

BEING A SURVEY OF LOT 13 AND PART OF LOT 14 OF THE GORDON-MEDARIS SUBDIVISION AS RECORDED IN PLAT BOOK 13, PAGE 24, ALSO BEING THE DAVID SEWALL WADDELL PROPERTY AS RECORDED IN INSTRUMENTS 19101241 AND 19101242, ALL OF RECORD AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN MEMPHIS, SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE TANGENT INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WHITE STATION ROAD (80.00 FOOT WIDE PUBLIC RIGHT-OF-WAY AS WIDENED) WITH THE NORTH RIGHT-OF-WAY LINE OF WHEELIS DRIVE (50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE N88°18'42"W A DISTANCE OF 19.12 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING HAVING A TENNESSEE STATE PLANE COORDINATE OF NORTH 307531.00 – EAST 805881.62; THENCE N88°18'42"W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID WHEELIS DRIVE A DISTANCE OF 243.22 FEET TO THE SOUTHEAST CORNER OF LOT 12 OF THE SAID GORDON-MEDARIS SUBDIVISION (PLAT BOOK 13, PAGE 24); THENCE N01°30'50"E ALONG THE EAST LINE OF SAID LOT 12 A MEASURED DISTANCE OF 212.07 FEET (CALL 211.84 FEET) TO A POINT ON THE SOUTH LINE OF LOT 1 OF THE LEXINGTON II SUBDIVISION AS RECORDED IN PLAT BOOK 286, PAGE 16; THENCE S88°22'56"E ALONG THE SOUTH LINE OF LOT 1 OF THE SAID LEXINGTON II SUBDIVISION AND ALONG THE SOUTH LINE OF THE PROPERTY SHOWN ON THE OUTLINE/FINAL PLAN FOR THE RACQUET CLUB CONDOMINIUM P.D. AS RECORDED IN PLAT BOOK 221, PAGE 23 A DISTANCE OF 272.52 FEET TO THE SOUTHEAST CORNER OF THE SAID RACQUET CLUB CONDOMINIUM P.D., SAID POINT LIES ON THE WEST RIGHT-OF-WAY LINE OF SAID WHITE STATION ROAD; THENCE S04°15'30"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WHITE STATION ROAD A DISTANCE OF 193.49 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A 20.00 FOOT RADIUS, AN ARC LENGTH OF 30.52 FEET (CHORD S47°58'24"W – 27.64 FEET) TO THE POINT OF BEGINNING AND CONTAINING 56,680 SQUARE FEET OR 1.301 ACRES.

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, January 21, 2025 at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER: RC 2024-002
LOCATION: At and around 621 S. White Station Road
COUNCIL DISTRICTS: District 5 and Super District 9
OWNER/APPLICANT: Residential Single Family-10 (R-10), Residential Corridor Overlay
REPRESENTATIVE: Josh Whitehead, Whitehead Law
REQUEST: Residential corridor overlay deletion
AREA: +/-2.15 acres

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: *Approval*

Memphis and Shelby County Land Use Control Board: *Approval*

NOW, THEREFORE, you will take notice that on Tuesday, January 21, 2024, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such remonstrance's or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

This case will also be heard at the Planning and Zoning Committee on at an earlier meeting, with the specific time to be determined prior to the meeting date and posted on the City of Memphis' website.

THIS THE FIRST DAY OF JANUARY, 2025

J. FORD CANALE
CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT
CITY COMPTROLLER

TO BE PUBLISHED: Friday January 10, 2025

H M HECKLE & CO INC
5140 WHEELIS DR #
MEMPHIS TN 38117

WATTS DONALD P LIVING TRUST
634 AZALEA TERRACE CIR #
MEMPHIS TN 38117

PASCHAL DANA H
670 S WHITE STATION RD #
MEMPHIS TN 38117

PIACENTI PERRY & JANNA
2340 MONT ALBAN CV #
GERMANTOWN TN 38139

SCHEINFELD JOAN L REVOCABLE LIVING TRUST
651 AZALEA TERRACE CIR #
MEMPHIS TN 38117

WADDELL DAVID S
5188 WHEELIS DR #
MEMPHIS TN 38117

CRUMBY SUSAN M LIVING TRUST
5242 GLYNBOURNE PL #
MEMPHIS TN 38117

OATES SHERRYL AND CHARLES OATES LIVING
546 THORN RIDGE CV #
MEMPHIS TN 38117

WALLER ROBERT R REVOCABLE TRUST
5201 LEXINGTON CLUB CV #401
MEMPHIS TN 38117

FRANKLIN HOMES INC
3800 NEW GETWELL RD #
MEMPHIS TN 38118

KING ROBERT S & BARBARA C
650 AZALEA TERRACE CIR #
MEMPHIS TN 38117

SALTZ DAVID E
580 S WHITE STATION RD #
MEMPHIS TN 38117

FRITZ KAREN E
371 CARAWAY CV #
MEMPHIS TN 38117

MOORE TRACY R & RUTH A
646 AZALEA TERRACE CIR #
MEMPHIS TN 38117

RCM DEVCO LLC
1 DR ML KING JR #130
MEMPHIS TN 38103

FRANKLIN HOMES INC
3800 NEW GETWELL RD #
MEMPHIS TN 38118

THIS LAND IS OUR LAND LLC
743 E BROOKHAVEN CIR #
MEMPHIS TN 38117

LAWRENCE AND OLIVER HOLDINGS LLC
5178 WHEELIS DR #
MEMPHIS TN 38117

PARKER KEITH D & ALLISON AND
5241 KIRKSIDE CV #
MEMPHIS TN 38117

SCOTT ALAN J
5238 COSGROVE CV #
MEMPHIS TN 38117

WADDELL DAVID S
5188 WHEELIS DR #
MEMPHIS TN 38117

KATZ DANIEL
5231 KIRKSIDE CV #
MEMPHIS TN 38117

WILSON SHEILA Z
219 N ROSE #
MEMPHIS TN 38117

CONTEMPORARY HOMES INC
4990 POPLAR AVE #
MEMPHIS TN 38117

MARIENCHECK WILLIAM I & ANNETTE
626 AZALEA TERRACE CIR #
MEMPHIS TN 38117

ROLL ON DOWN LLC
500 S GOODLETT ST #
MEMPHIS TN 38117

CRUZ DINIA C LIVING TRUST
5225 GLYNBOURNE PL #
MEMPHIS TN 38117

DETRAZ NICOLE A AND DURSUN PEKSEN (RS)
630 AZALEA TERRACE CIR #
MEMPHIS TN 38117

721 HOLDINGS LLC
2780 KEASLER CIR #
GERMANTOWN TN 38139

VICZOREK ROBERT E
5231 GLYNBOURNE PL #
MEMPHIS TN 38117

MCDOWELL RHONDA G
5237 GLYNBOURNE PL #
MEMPHIS TN 38117

PHAM LANG V AND LOAN MY PHAM
620 AZALEA TERRACE CIR #
MEMPHIS TN 38117

DULBERGER REID E REVOCABLE TRUST AND
5230 COSGROVE CV #
MEMPHIS TN 38117

LYNCH CLIFFORD F AND ANNETTE LYNCH
5246 GLYNBOURNE PL #
MEMPHIS TN 38117

SOWELL MICHAEL L & CATHY
624 AZALEA TERRACE CIR #
MEMPHIS TN 38117

HUA JUNWEI & PEILI CHEN
5246 COSGROVE CV #
MEMPHIS TN 38117

SNOW STEVEN M
4670 SUMMER AVE #
MEMPHIS TN 38122

SNOW STEVEN M
4670 SUMMER AVE #
MEMPHIS TN 38122

FIRST NAME LAST NAME LLC
747 E BROOKHAVEN CIR #
MEMPHIS TN 38117

KISH SARKIS V JR
5179 WHEELIS DR #
MEMPHIS TN 38117

PRASAD M N RAMA & SUDHA R
PO BOX 17962 #
MEMPHIS TN 38187

TWIN OAKS ASSOCIATION INC
5230 COSGROVE CV #
MEMPHIS TN 38117

RCM DEVCO LLC
1 DR ML KING JR AVE #130
MEMPHIS TN 38103

KENNEDY JENNIFER G REVOCABLE TRUST
625 AZALEA TERRACE CIR #
MEMPHIS TN 38117

ARGO BOYD W
748 E BROOKHAVEN CIR #
MEMPHIS TN 38117

MCDONALD CARLA R
5220 KIRKSIDE CV #
MEMPHIS TN 38117

SAMAH HICKMAT AND ROBERT & JOANNE
638 AZALEA TERRACE CIR #
MEMPHIS TN 38117

TWIN OAKS ASSOCIATION INC
5230 COSGROVE CV #
MEMPHIS TN 38117

TALLAHABLUFF II LLC
116 COLONY WAY #
BRANDON MS 39047

MORGAN LINDA A LIVING TRUST
648 AZALEA TERRACE CIR #
MEMPHIS TN 38117

WEST JAMES AND ANNE WEST JOINT LIVING
5229 COSGROVE CV #
MEMPHIS TN 38117

FRANKLIN HOMES INC
3800 NEW GETWELL RD #
MEMPHIS TN 38118

MACAULAY CYNTHIA J
642 AZALEA TERRACE CIR #
MEMPHIS TN 38117

SCHIFANI PAUL J AND D CATRINA SCHIFANI
5237 COSGROVE CV #
MEMPHIS TN 38117

STAFFORD MARGARET H
5221 KIRKSIDE CV #
MEMPHIS TN 38117

OEGEL FAMILY L P
4091 VISCOUNT AVE #
MEMPHIS TN 38118

MULLIS ANN M REVOCABLE TRUST
P O BOX 770179 #
MEMPHIS TN 38177

AZALEA TERRACE PARTNERS LTD
665 OAKLEAF OFFICE LN #
MEMPHIS TN 38117

TWIN OAKS ASSOCIATION INC
5237 COSGROVE CV #
MEMPHIS TN 38117

HOUSTON JANE M FAMILY TRUST
5201 LEXINGTON CLUB CV #301
MEMPHIS TN 38117

GLASS MARYLON R RESIDENE TRUST II
5201 LEXINGTON CLUB CV #302
MEMPHIS TN 38117

O'LEARY PATRICK H
1779 KIRBY PKWY #1 BOX 368
GERMANTOWN TN 38138

PARKER JUDITH G LIVING TRUST
5201 LEXINGTON CLUB CV #201
MEMPHIS TN 38117

DR ROB LLC
744 BROOKHAVEN CIR #
MEMPHIS TN 38117

SALKY SAMUEL & ELLEN Y
5201 LEXINGTON CLUB CV #202
MEMPHIS TN 38117

GILL WHITE STATION GP
8130 MACON STATION DR #
CORDOVA TN 38018

LAZAROV JOYCE B LIVING TRUST
597 LEXINGTON CLUB CT #401
MEMPHIS TN 38117

LEXINGTON CONDOMINIUM OWNERS ASSOCIATION
510 S MENDENHALL #100
MEMPHIS TN 38117

FINE RICHARD E & MELANIE
597 LEXINGTON CLUB CT #403
MEMPHIS TN 38117

RCM DEVCO LLC
119 S MAIN ST #800
MEMPHIS TN 38103

GAMBRELL CYNTHIA S
597 LEXINGTON CLUB CT #302
MEMPHIS TN 38117

RCM DEVCO LLC
1 DR ML KING JR AVE #130
MEMPHIS TN 38103

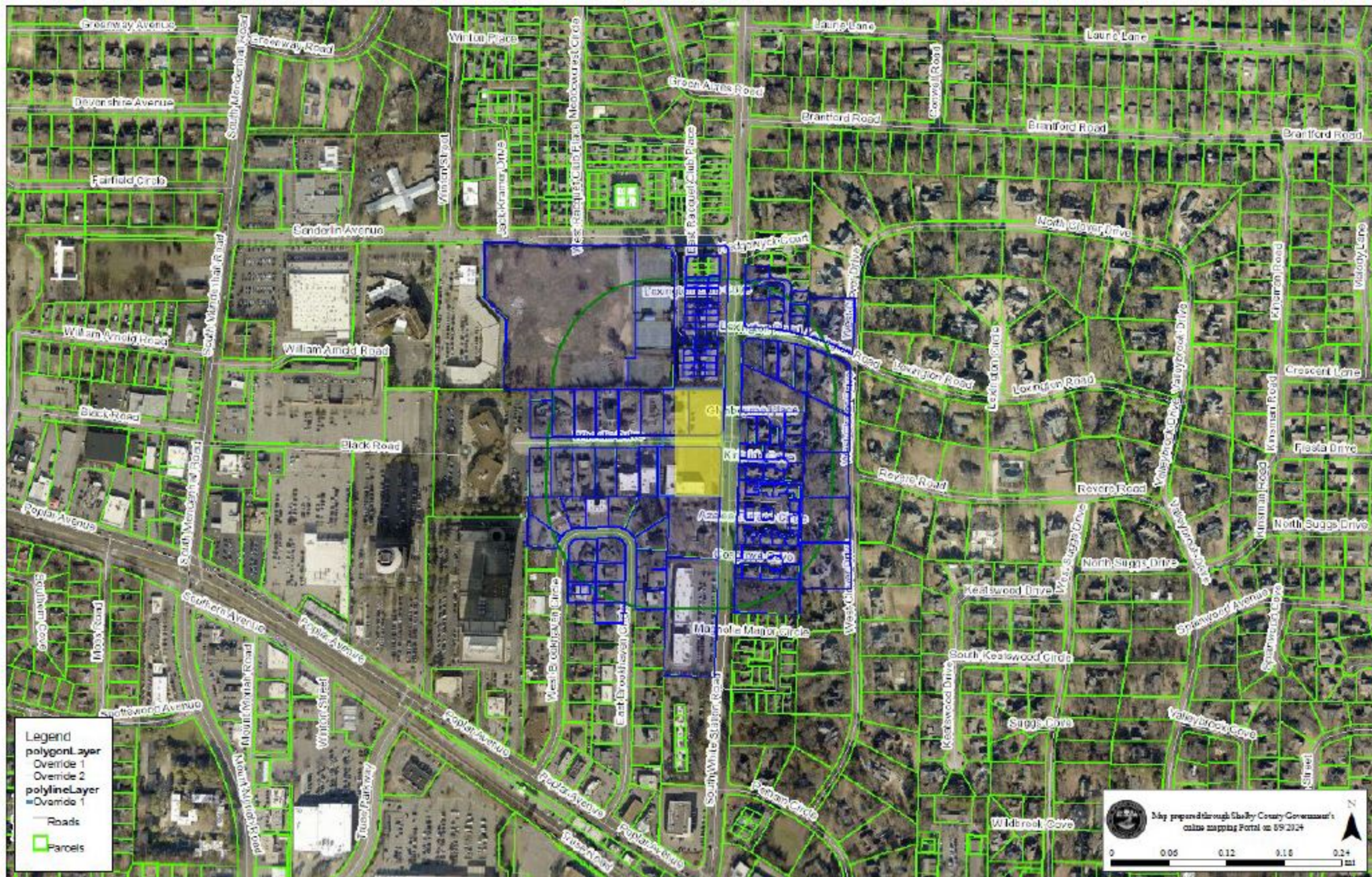
CLAWSON KAREN K LIVING TRUST
5250 GLYNBOURNE PL #
MEMPHIS TN 38117

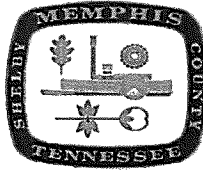
ORION FEDERAL CREDIT UNION
400 MONROE AVE #
MEMPHIS TN 38103

COUCH DAVID
9950 CENTER HILL RD #
COLLIERVILLE TN 38017

MOORE MILES
725 W BROOKHAVEN CIR #
MEMPHIS TN 38117

728 BROOKHAVEN PARTNERS
PO BOX 771076 #
MEMPHIS TN 38177





Memphis City Council Summary Sheet

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

This is a resolution to accept grant funds from the Shelby County Government in the amount of Twenty Nine Thousand Eight Hundred Forty-Six and Fifty Four cents to provide overtime salaries.

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

The City of Memphis Division of Police Services is awarded this grant from the Shelby County Government through the Tennessee Office of Justice Programs.

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

This item does not change an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

All Districts

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

This is a new grant award pending Council approval.

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

Acceptance will require an amendment to the FY 2025 Operating Budget to appropriate the funds.

7. If applicable, please list the MWBE goal and any additional information needed

Not Applicable.



G061

A Resolution to accept grant funds in the amount of Twenty-Nine Thousand Eight Hundred Forty-Six and Fifty-Four cents (\$29,846.54) from the Shelby County Government through the Tennessee Office of Justice Programs.

WHEREAS, The City of Memphis Division of Police Services has been awarded grant funds in the amount of Twenty-Nine Thousand Eight Hundred Forty-Six and Fifty-Four cents (\$29,846.54) from the Shelby County Government through the Tennessee Office of Justice Programs for the Project Safe Neighborhood Grant Program; and

WHEREAS, this award will provide for funding overtime salaries for violent crime investigations; and

WHEREAS, it is necessary to accept the grant funding and amend the FY2025 Operating Budget to establish funds for the Project Safe Neighborhoods grant program; and

WHEREAS, it is necessary to appropriate the FY2025 grant funds in the amount of Twenty-Nine Thousand Eight Hundred Forty-Six and Fifty-Four cents (\$29,846.54) for the Project Safe Neighborhoods grant program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Project Safe Neighborhood grant program funds in the amount of Twenty-Nine Thousand Eight Hundred Forty-Six and Fifty-Four cents (\$29,846.54) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, That the Fiscal Year 2025 Operating Budget for Grant Funds 205 be and is hereby amended by appropriating the Expenditures and Revenues for the Project Safe Neighborhoods grant program funds in the amount of Twenty-Nine Thousand Eight Hundred Forty-Six and Fifty-Four cents (\$29,846.54) as follows:

REVENUE

Shelby County Government

\$29,846.54

TOTAL

\$29,846.54

Expenditures

Overtime

\$29,846.54

Total

\$29,846.54



Memphis City Council Summary Sheet

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

This is a resolution to accept grant funds from the Shelby County Government in the amount of Forty-Six ~~Nine~~ Thousand Nine Hundred Seventeen Dollars (to provide overtime salaries for the High Intensity Drug Trafficking Area program.

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

The City of Memphis Division of Police Services is awarded this grant from the Shelby County Government through the Office of National Drug Control Policy.

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

This item does not change an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

All Districts

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

This is a new grant award pending Council approval.

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

Acceptance will require an amendment to the FY 2025 Operating Budget to appropriate the funds.

7. If applicable, please list the MWBE goal and any additional information needed

Not Applicable.



G062

A Resolution to accept grant funds in the amount of Forty-Six Thousand Nine Hundred Seventeen Dollars (\$46,917.00) from the Shelby County Sheriff's Office through the Office of National Drug Control Policy.

WHEREAS, The City of Memphis Division of Police Services has been awarded grant funds in the amount of Forty-Six Thousand Nine Hundred Seventeen Dollars (\$46,917.00) from the Shelby County Sheriff's Office for the Gulf Coast High-Intensity Drug Trafficking Area (HIDTA FY24) grant project; and

WHEREAS, this award will provide for funding personnel overtime salaries; and

WHEREAS, it is necessary to accept the grant funding and amend FY2025 Operating Budget to establish funds for the Gulf Coast High-Intensity Drug Trafficking Area (HIDTA FY24) grant project; and

WHEREAS, it is necessary to appropriate the FY2025 grant funds in the amount of Forty-Six Thousand Nine Hundred Seventeen Dollars(\$46,917.00) for the Gulf Coast High-Intensity Drug Trafficking Area (HIDTA FY24) grant project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Gulf Coast High-Intensity Drug Trafficking Area (HIDTA FY24) grant project *be accepted by the City of Memphis.*

BE IT FURTHER RESOLVED, That the Fiscal Year 2025 Operating Budget for Grant Funds 205 be and is hereby amended by appropriating the Expenditures and Revenues for the Gulf Coast High-Intensity Drug Trafficking Area (HIDTA FY24) grant project in the amount of Forty-Six Thousand Nine Hundred Seventeen Dollars(\$46,917.00) as follows:

REVENUE

Shelby County Sheriff's Office	<u>\$46,917.00</u>
TOTAL	\$46,917.00

Expenditures

Overtime Salaries	<u>\$46,917.00</u>
Total	\$46,917.00

RESOLUTION SUMMARY

1. **Short title description** - Contract 9955: Partial Funding of Pollution Control-Ground Water Quality Control Program
2. **Funded Amount** - \$141,512.25
3. **Award Duration** - N/A; Annual fee
4. **Type of Bid** - N/A; Annual fee
5. **Awarded to** - N/A; Annual fee to Memphis and Shelby County Health Department
6. **LSB/MWBE Goal Assigned/Committed** - N/A
7. **Plain Language Description** - The annual fee is for the funding of the Memphis & Shelby County Health Department, Pollution Control, Ground Water Quality Control Program via the assessment of a per meter connection rate (\$0.55 per meter) for each municipality in Shelby County:
 - Bartlett
 - Collierville
 - Germantown
 - Millington
 - MLGW
8. **Impact** - This program supports:
 - A comprehensive program to prevent ground water contamination through permitting of wells.
 - A comprehensive and expanding program of sampling and monitoring of all existing wells.
 - A compilation and maintenance of an inventory of all existing and abandoned wells.
 - A comprehensive and vigorous enforcement program of all relevant ordinances and regulations.
 - Water Well Permitting - Any person in Shelby County requesting the installation, modification, repair, or abandonment of a water well or any other type well shall make an application to the Water Quality Branch and Septic Tank Program.
 - The Health Department provides oversight and guidance for the Shelby County Ground Water Quality Control Board.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 approved Change No. 21 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25, and is now recommending to the Council of the City of Memphis that it approve said payment as funded in the 2025 budget; and

WHEREAS, the project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge. The contract award was selected using the Sole Source process; and

WHEREAS, this change is to authorize the annual payment in the funded amount of \$141,512.25 based on Fiscal Year 2024 data, covering January 1, 2024 through December 31, 2024, with no change in the amount of meters from the previous year. This payment request complies with all applicable laws and policies. The new contract value is \$2,528,643.15; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved Change No. 21 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25 chargeable to the 2025 budget as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

The Manager of Procurement and Contracts has recommended to the Board of Light, Gas and Water Commissioners that it award the approval of Change No. 21 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25.

The project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge. The contract award was selected using the Sole Source process.

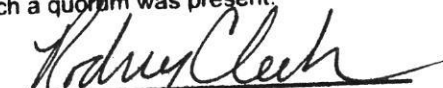
This change is to authorize the annual payment in the funded amount of \$141,512.25 based on Fiscal Year 2024 data, covering January 1, 2024 through December 31, 2024, with no change in the amount of meters from the previous year. This payment request complies with all applicable laws and policies. The new contract value is \$2,528,643.15.

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

THAT, the approval of Change No. 21 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25, as outlined in the above preamble is approved; and further,

That the President or his designated representative is authorized to execute Payment.

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 meeting
held on 8th day of Jan
2025 at which a quorum was present.


VP. CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Contract No. 12121, IDM Support
2. **Funded Amount** - \$30,000.00
3. **Award Duration** – Twelve months (11/01/2024 to 10/31/2025)
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – Consensus Consulting LLC dba Consensus Technologies
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – This contract extension and ratification is to allow third-party support via Consensus Technologies in helping MLGW with projects, upgrades, system management, and ad hoc support on our Novell and Identity Manager systems. Novell and Identity Manager allow all MLGW users to log onto their computers with their company user ID or A00XXXX numbers.
8. **Impact**—The contract extension allows the vendor to continue to work with MLGW's Operating System team to support the Novell and Identity Manager systems used to provide login access from their workstations to the MLGW applications (Customer Information Systems, Oracle Finance/HR/Asset Management applications, etc.).

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 approved Change No. 5 to Contract No. 12121, Identity Manager Support with Consensus Consulting, LLC dba Consensus Technologies to ratify and extend the current contract in the funded amount of \$30,000.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and extension as approved; and

WHEREAS, the project scope is to provide proactive and reactive remote support services for MLGW's Identity Management Systems (IDM) which synchronizes the user accounts from E-Directory (Novell) to Active Directory (Windows). The contract award was selected based on the lowest and best bid using the Sealed Bid process; and

WHEREAS, this change is to ratify and extend the current contract for the period covering November 1, 2024 through October 31, 2025 in the funded amount of \$30,000.00 with no increase in rates from the previous term. MLGW is requesting the extension for continuous support and services provided by Consensus Technologies for MLGW's Novell and Identity Manager environments located at the Netters and Hansen Data Centers. This ratification and extension complies with all applicable laws and policies. The new contract value is \$180,000.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 5 to Contract No. 12121, Identity Manager Support with Consensus Consulting, LLC dba Consensus Technologies to ratify and extend the current contract in the funded amount of \$30,000.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 5 to Contract No. 12121, Identity Manager Support with Consensus Consulting, LLC dba Consensus Technologies to ratify and extend the current contract in the funded amount of \$30,000.00.

The project scope is to provide proactive and reactive remote support services for MLGW's Identity Management Systems (IDM) which synchronizes the user accounts from E-Directory (Novell) to Active Directory (Windows). The contract award was selected based on the lowest and best bid using the Sealed Bid process.

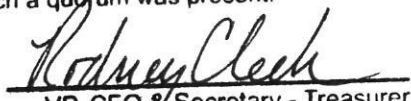
This change is to ratify and extend the current contract for the period covering November 1, 2024 through October 31, 2025 in the funded amount of \$30,000.00 with no increase in rates from the previous term. MLGW is requesting the extension for continuous support and services provided by Consensus Technologies for MLGW's Novell and Identity Manager environments located at the Netters and Hansen Data Centers. This ratification and extension complies with all applicable laws and policies. The new contract value is \$180,000.00.

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, the approval of Change No. 5 to Contract No. 12121, Identity Manager Support with Consensus Consulting, LLC dba Consensus Technologies to ratify and extend the current contract in the funded amount of \$30,000.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Ratification and Extension.

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 meeting
held on 8th day of Jan
2025, at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12515 - Splunk Enterprise Term Licenses
2. **Funded Amount** - \$1,133,546.80
3. **Award Duration** - 3 years, 2025 – 2028
4. **Type of Bid** – Sealed Bid
5. **Awarded to** - Thomas Gallaway Corporation dba Technologent
6. **LSB/MWBE Goal Assigned/Committed** – 0% goal assigned. WMBE participation is 100%.
7. **Plain Language Description** – Splunk is a software that collects data from websites, apps, and devices and turns it into easy charts and reports. It helps find problems and shows what's happening with your technology
8. **Impact** - Without the Splunk software, it is harder to find problems, track systems, or spot cybersecurity issues. It takes longer to understand what is going on because the data is not organized

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 Contract No. 12515, Splunk Enterprise Term Licensing (Auto Rid 190) to Thomas Gallaway Corporation dba Technologent in the funded amount of \$1,133,546.80, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to purchase 450 GB/day and 750 GB/day Co-Term Splunk Licenses with a Standard Success Plan for a 36-month term of three (3) annual payments; and

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on October 8, 2024. MLGW solicited 10 bidders and received five (5) bids on November 5, 2024; of which, one (1) bidder withdrew their bid. The lowest and best bid was received from Thomas Gallaway Corporation dba Technologent in the amount of \$1,133,546.80. The term of this contract is 36 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved the award of Contract No. 12515, Splunk Enterprise Term Licensing (Auto Rid 190) to Thomas Gallaway Corporation dba Technologent in the funded amount of \$1,133,546.80 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the award of Contract No. 12515, Splunk Enterprise Term Licensing (Auto Rid 190) to Thomas Gallaway Corporation dba Technologent in the funded amount of \$1,133,546.80.

The project scope is to purchase 450 GB/day and 750 GB/day Co-Term Splunk Licenses with a Standard Success Plan for a 36-month term of three (3) annual payments.

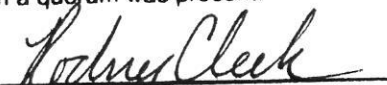
The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on October 8, 2024. MLGW solicited 10 bidders and received five (5) bids on November 5, 2024; of which, one (1) bidder withdrew their bid. The lowest and best bid was received from Thomas Gallaway Corporation dba Technologent in the amount of \$1,133,546.80. The term of this contract is 36 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

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, the award of Contract No. 12515, Splunk Enterprise Term Licensing (Auto Rid 190) to Thomas Gallaway Corporation dba Technologent in the funded amount of \$1,133,546.80, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

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 meeting
held on 8th day of Jan
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

- 1. Short title description** - Purchase of 65-foot Gray Steel Poles
- 2. Requested Funding** - Not to exceed \$525,000.00
- 3. Award Duration** - One Time Purchase
- 4. Type of Bid** - Sealed Bid
- 5. Awarded To** - After the RFQ closes on January 14th, bids will be evaluated and an award will be made to the most responsive bidder.
- 6. LSB / MWBE Goal Assigned/Committed** - Will be determined at the time of bid evaluation.
- 7. Plain Language Description** - This purchase is for 23, 65-foot gray steel poles that will be used to support the electric conductors and equipment required to provide service to customers.
- 8. Impact** - The poles will provide power to 485 planned subdivision lots in the surrounding area of Old Brownsville Road and Seedtick Road. They will also increase the reliability of the Lakeland Schools and Sewer Treatment Station along Old Brownsville Road. The work related to these poles is reimbursable by the customer.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 approved a purchase for gray steel poles and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the 65-foot steel poles are used to support the electric conductors and equipment required to provide service to customers. The gray steel poles are needed for the Lakeland Project which was designed by Residential Engineering; and

WHEREAS, the award will be made in accordance with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of gray steel poles from the most responsive bidder in a not to exceed amount of \$525,000.00 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approve purchase for gray steel poles to the most responsive bidder in a not to exceed amount of \$525,000.00.

The 65-foot steel poles are used to support the electric conductors and equipment required to provide service to customers. The gray steel poles are needed for the Lakeland Project which was designed by Residential Engineering.

The award will be made in accordance with all applicable laws and policies.

The 2025 budgeted amount for Electric – Residential Subdivision is \$1,615,000.00; of which a not to exceed amount of \$525,000.00 will be spent on this purchase order in the 2025 fiscal year budget; leaving a balance available of \$1,090,000.00.

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, approve a purchase order awarded to the most responsive bidder is approved for furnishing:

23 - Weathering steel poles, self-supporting 65 foot; double circuit, angle limited to double cross-arm pin support, painted gray, in full accordance with Division Material Drawing No. 31-7651 dated February 15, 2013.

Total in a not to exceed amount of \$525,000.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock.

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 meeting held on 8th day of Jan 2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

SAME DAY MINUTES APPROVED

RESOLUTION SUMMARY

1. **Short Title Description:** 600V EPR-CPE CABLE
2. **Funded Amount:** \$3,148,117.00
3. **Awarded Duration:** Twelve-month purchase order with an option to extend for an additional two, twelve-month periods.
4. **Type of Bid:** Sealed Bid
5. **Awarded to:** Universal Scaffold and Equipment
6. **LSB/MWBE Goal / Assigned Committed:** Yes, Universal Scaffold and Equipment is a certified LSB & MBE.
7. **Plain Language Description:** To issue a purchase order to procure six types of 600V EPR-CPE cable as noted below.

Line 1: Class-Item 35-5102

CABLE 1/C #2 CU 600V EPR INSULATED/TS-CPE JKT

Approximate Quantity: 20,000 Ft.

Line 2: Class-Item 35-5125

CABLE 1/C #1/0 CU 600V EPR INSULATED TS-CPE JKT

Approximate Quantity: 60,000 Ft.

Line 3: Class-Item 35-5128

CABLE 1/C #4/0 CU 600V EPR INSULATED TS-CPE JKT

Approximate Quantity: 21,000 Ft.

Line 4: Class-Item 35-5138

CABLE 1/C 500KCM CU 600V EPR INSULATED TS-CPE JKT

Approximate Quantity: 40,000 Ft.

Line 5: Class-Item 35-5706

CABLE 1/C #6 CU 1KV EPR INSULATED TS-CPE JKT

Approximate Quantity: 100,000 Ft.

Line 6: 35-7538

CABLE 4-1/C QDX 500K-#4/0NEUT CU 600V EPR/CPE JKT

Approximate Quantity: 30,000 Ft.

8. **Impact:** The need exists to ensure adequate underground cable exists for reliable customer service.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 approved a twelve-month purchase order with an option to extend for two, twelve-month periods for 600V EPR-CPE cable and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2025 fiscal year budget and subsequent budget year as approved; and

WHEREAS, the 600V EPR-CPE cable is needed to provide underground electric service for new and existing customers and to replenish inventory to ensure we have adequate material to meet demand for upcoming projects and scheduled maintenance; and

WHEREAS, bids were opened on November 20, 2024. Notice to Bidders was advertised. Eleven bids were solicited, and three bids were received with the most responsive and best complying bidder being the firm of Universal Scaffold & Equipment. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of 600V EPR-CPE cable from Universal Scaffold & Equipment for the amount of \$787,029.26 chargeable to the MLGW 2025 fiscal year budget and the remaining balance of \$2,361,087.74 chargeable to subsequent budget year as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it award a twelve-month purchase order with an option to extend for two, twelve-month periods for 600V EPR-CPE cable to Universal Scaffold and Equipment in the amount of \$3,148,117.00.

The 600V EPR-CPE cable is needed to provide underground electric service for new and existing customers and to replenish inventory to ensure we have adequate material to meet demand for upcoming projects and scheduled maintenance.

Bids were opened on November 20, 2024. Notice to Bidders was advertised. Eleven bids were solicited, and three bids were received with the most responsive and best complying bidder being the firm of Universal Scaffold and Equipment. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Electric - General Power Service is \$4,297,000.00; of which \$787,029.26 will be spent on this purchase order in 2025; leaving a balance available of \$3,509,970.74 after award; the remaining balance of \$2,361,087.74 to be spent in subsequent budget year 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, award a twelve-month purchase order with an option to extend for two, twelve-month periods to Universal Scaffold and Equipment is approved for furnishing:

20,000 ft., approximately - Cable, 1/C #2CU, 600 volt, ethylene-propylene-rubber insulated, 30 MILS of TS-CPE jacket. Made in accordance with MLGW Specification #35-51XX dated January 5, 2018;

60,000 ft., approximately - Cable, 1/C #1/0 CU, 600 volt, ethylene-propylene-rubber-insulated, 45 MILS of TS-CPE jacket. Made in accordance with MLGW Specification #35-51XX dated January 5, 2018;

21,000 ft., approximately - Cable, 1/C #4/0 CU 600 volt, ethylene-propylene-rubber-insulated, 45 MILS of TS-CPE jacket. Made in accordance with MLGW Specification #35-51XX dated January 5, 2018;

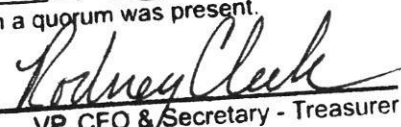
40,000 ft., approximately - Cable, 1/C 500 KCM 600 volt, ethylene-propylene-rubber insulated, 65 MILS of TS-CPE jacket made in accordance with MLGW Specification #35-51XX dated January 5, 2018;

100,000 ft., approximately - Cable, 1/C #6 CU 1KV 600 volt, ethylene-propylene-rubber-insulated, 30 MILS of TS-CPE jacket. Made in accordance with MLGW Specification #35-51XX dated January 5, 2018;

30,000 ft., approximately - Cable, 4-1/C QDX 500K, #4/0NEUT CU 600 volt, ethylene-propylene-rubber-insulated, 65 MILS of TS-CPE jacket. Made in accordance with MLGW Specification #35-51XX dated January 5, 2018;

Totaling \$3,148,117.00; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said prices are subject to escalation / de-escalation based on CME Comex for cooper; delivery in 54 weeks; terms net 30 days.

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 meeting
held on 8th day of Jan.
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract 12415 Water, Gas, Booster and Vacant Lots Grounds Maintenance
2. **Funded Amount** - \$338,543.28
3. **Award Duration** – August 7, 2024 through December 31, 2025
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – Rotolo Consultants, LLC
6. **LSB/MWBE Goal Assigned/Committed** – 20%
7. **Plain Language Description** – This contract is for grounds maintenance for MLGW's Water, Gas, booster and vacant lot facilities. The services include spraying, trimming, limb removal, weed control, fence clearing, mowing etc. improving and maintaining the overall aesthetics of the facilities.
8. **Impact** – MLGW needs to be able to upkeep and improve the referenced properties grounds areas overall aesthetics.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 approved Change No. 1 to Contract No. 12415, Water, Gas, Booster and Vacant Lots Grounds Maintenance with Rotolo Consultants, Incorporated to ratify, extend and change the current contract in the funded amount of \$338,543.28 and is now recommending to the Council of the City of Memphis that it approves said ratification, extension and change as approved; and

WHEREAS, the project scope is to furnish at the Contractor's expense, all supervision, labor, transportation, equipment, material, tools, and chemicals to perform spraying, trimming, limb removal, weed-eating, brush clearing, fence clearing, mowing, removing debris and discarded items and other grounds maintenance duties at the referenced locations in Memphis and Shelby County, Tennessee. The contract award was selected based on the lowest and best bid using the Sealed Bid process; and

WHEREAS, this change is to ratify and extend the current contract from August 7, 2024 through December 31, 2025 to co-term multiple grounds maintenance service contracts to the same termination date with the anticipation of consolidating the services in a future solicitation. The initial contract term was August 7, 2023 through August 6, 2024. In addition, this change is to increase funding for the renewal of services in the amount of \$338,543.28 with no increase in rates from the initial term. This ratification, extension and change complies with all applicable laws and policies. The new contract value is \$677,086.56; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12415, Water, Gas, Booster and Vacant Lots Grounds Maintenance with Rotolo Consultants, Incorporated to ratify, extend and change the current contract in the funded amount of \$338,543.28 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

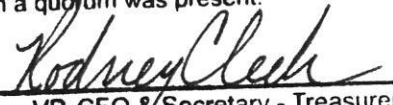
The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12415, Water, Gas, Booster and Vacant Lots Grounds Maintenance with Rotolo Consultants, Incorporated to ratify, extend and change the current contract in the funded amount of \$338,543.28.

The project scope is to furnish at the Contractor's expense, all supervision, labor, transportation, equipment, material, tools, and chemicals to perform spraying, trimming, limb removal, weed-eating, brush clearing, fence clearing, mowing, removing debris and discarded items and other grounds maintenance duties at the referenced locations in Memphis and Shelby County, Tennessee. The contract award was selected based on the lowest and best bid using the Sealed Bid process.

This change is to ratify and extend the current contract from August 7, 2024 through December 31, 2025 to co-term multiple grounds maintenance service contracts to the same termination date with the anticipation of consolidating the services in a future solicitation. The initial contract term was August 7, 2023 through August 6, 2024.

In addition, this change is to increase funding for the renewal of services in the amount of \$338,543.28 with no increase in rates from the initial term. This ratification, extension and change complies with all applicable laws and policies. The new contract value is \$677,086.56.

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 meeting
held on 8th day of Jun
2025 at which a quorum was present.


VP. CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description:** Medium Voltage EPR Cable
2. **Funded amount:** \$10,000,000.00
3. **Awarded Duration:** second, twelve-month extension expiring February 20, 2026
4. **Type of Bid:** Sealed Bid
5. **Awarded to:** Universal Scaffold & Equipment
6. **LSB/MWBE Goal / Assigned Committed:** Yes, Universal Scaffold & Equipment is a certified LSB & MBE.
7. **Plain Language Description:** To extend purchase order #7041731 for medium voltage EPR cable, for the second, twelve-month period. The following eight medium voltage EPR cables are listed on the purchase order.

Line 1: Class-Item 35-5225

Cable 3-1/C 1/0 AWG CU 23KV EPR Insulated-PE JCN – Parallel
Approximate Quantity: 16,000 Ft.

Line 2: 35-0747

Cable 1/C 750KCM AL 23KV EPR Insulated-PE JCN
Approximate Quantity: 80,000 Ft.

Line 3: 35-3038

Cable 1/C 500 KCMIL CU 23KV EPR Insulated-PE JCN
Approximate Quantity: 48,000 Ft.

Line 4: 35-3047

Cable 1/C 750 KCMIL CU 23KV EPR Insulated-PE JCN
Approximate Quantity: 18,000 Ft.

Line 5: 35-3087

Cable 1/C 1000 KCMIL CU 23KV EPR Insulated-PE JCN
Approximate Quantity: 98,000 Ft.

Line 6: 35-5202

Cable 3-1/C Parallel #2 CU 23KV EPR Insulated-PE JCN

Approximate Quantity: 96,000 Ft.

Line 7: 35-5302

Cable 3-1/C Triplex #2 CU 23KV EPR Insulated-PE JCN

Approximate Quantity: 50,000 Ft.

Line 8: 35-5402

CABLE 1/C #2 CU 23KV EPR Insulated-PE JCN

Approximate Quantity: 261,000 Ft.

8. **Impact:** The need exists to ensure we have underground cable to provide reliable service. The #2 and 750 EPR cables are also needed for the Infrastructure Renewal and Replacement project which was formerly the MLGW Way Forward. The goal is to replace 98,000 feet of #2 and 750 EPR cable per year.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 approved the extension of Purchase Order Number 7041731 for medium voltage EPR cable and is now recommending to the Council of the City of Memphis that it approves said extension as approved in the 2025 fiscal year budget and subsequent budget year as approved; and

WHEREAS, the medium voltage EPR cable is needed to provide underground electric service for new and existing customers, supply cable for upcoming jobs and to replenish inventory to ensure we have adequate material to meet demand for upcoming projects and scheduled maintenance; and

WHEREAS, on December 21, 2022, the Board of Light, Gas and Water Commissioners approved a twelve-month purchase order for medium voltage EPR cable in the amount of \$11,594,232.00 with the option to extend the contract for two additional twelve-month periods; and

WHEREAS, on April 17, 2024, the Board of Light, Gas and Water Commissioners approved the first, twelve-month extension for medium voltage EPR cable in the amount of \$6,000,000.00. Approval is requested to extend Purchase Order Number 7041731 for the second, twelve-month period. The prices for the second, twelve-month extension will be based on metals escalation / de-escalation. Additional funds in the amount of \$10,000,000.00 are requested for the second, twelve-month extension. The new expiration date with the extension is February 20, 2026. The new contract value is \$27,594,232.00. All existing terms and

conditions will remain the same. This extension complies with all applicable laws and policies;
and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved extension of purchase order number 7041731 to Universal Scaffold and Equipment in the amount of \$8,333,333.33 chargeable to the MLGW 2025 fiscal year budget and remaining balance of \$1,666,666.67 chargeable to subsequent budget year as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approve a twelve-month extension of Purchase Order Number 7041731 with Universal Scaffold and Equipment for medium voltage EPR cable.

The medium voltage EPR cable is needed to provide underground electric service for new and existing customers, supply cable for upcoming jobs and to replenish inventory to ensure we have adequate material to meet demand for upcoming projects and scheduled maintenance.

On December 21, 2022, the Board of Light, Gas and Water Commissioners approved a twelve-month purchase order for medium voltage EPR cable in the amount of \$11,594,232.00 with the option to extend the contract for two additional twelve-month periods.

On April 17, 2024, the Board of Light, Gas and Water Commissioners approved the first twelve-month extension for medium voltage EPR cable in the amount of \$6,000,000.00. Approval is requested to extend Purchase Order Number 7041731 for the second, twelve-month period. The prices for the second, twelve-month extension will be based on metals escalation / de-escalation.

Additional funds in the amount of \$10,000,000.00 are requested for the second, twelve-month extension. The new expiration date with the extension is February 20, 2026. The new contract value is \$27,594,232.00. All existing terms and conditions will remain the same. This extension complies with all applicable laws and policies.

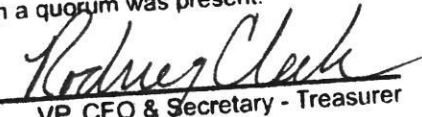
The 2025 budgeted amount for Electric Defective Cable / Transformer Replace is \$11,052,000.00; of which \$8,333,333.33 will be spent in 2025; leaving a balance available of \$2,718,666.67 after award; the remaining balance of \$1,666,666.67 will be spent in subsequent budget year as approved; and

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, approves the extension of purchase order number 7041731 with Universal Scaffold and Equipment for medium voltage EPR cable as outlined in the foregoing preamble.

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 meeting
held on 8th day of Jan.
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12566 Chartwell Membership (formerly Contract No. C2678)
2. **Funded Amount** - \$80,470
3. **Award Duration** – Twelve Months (02/01/2025 – 01/31/2026)
4. **Type of Bid** – Sole Source
5. **Awarded to** – Chartwell, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – This contract is to renew MLGW's executive membership with Chartwell, Inc. for access to research and advisory services on topics such as operational excellence, customer experience, billing, outage mitigation, technological innovation and crisis management as well as opportunities to cultivate relationships with other executives in the utility industry.
8. **Impact** - Research, consultancy and networking events offered by Chartwell are used to inform programming, operational and technological improvements across the company.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 8, 2025 approved Change No. 1 to Contract No. 12566, Chartwell Membership (*formerly Contract No. C2678*) with Chartwell, Inc. to ratify and renew the current contract in the funded amount of \$80,470.00 and is now recommending to the Council of the City of Memphis that it approves said ratification and renewal as approved; and

WHEREAS, the project scope is to allow Chartwell, Inc., a research firm, to provide access to utility research and best practices, peer sharing, and advisory councils to assist the Division in improving customer experience. The contract award was selected based on the Sole Source evaluation process; and

WHEREAS, this change is to ratify and renew the current contract for the first of three (3) annual renewals for the period covering February 1, 2025, through January 31, 2026 in the amount of \$80,470.00, with no increase in rates from the initial term. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$160,940.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12566, Chartwell Membership (*formerly Contract No. C2678*) with Chartwell, Inc. to ratify and renew the current contract in the funded amount of \$80,470.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 8, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12566, Chartwell Membership (*formerly Contract No. C2678*) with Chartwell, Inc. to ratify and renew the current contract in the funded amount of \$80,470.00.

The project scope is to allow Chartwell, Inc., a research firm, to provide access to utility research and best practices, peer sharing, and advisory councils to assist the Division in improving customer experience. The contract award was selected based on the Sole Source evaluation process.

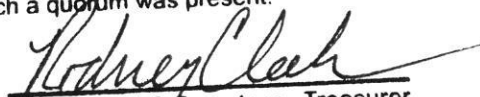
This change is to ratify and renew the current contract for the first of three (3) annual renewals for the period covering February 1, 2025, through January 31, 2026 in the amount of \$80,470.00, with no increase in rates from the initial term. This ratification and renewal complies with all applicable laws and policies. The new contract value is \$160,940.00.

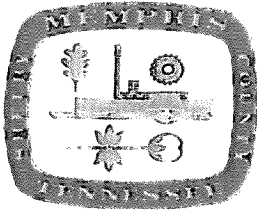
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12566, Chartwell Membership (*formerly Contract No. C2678*) with Chartwell, Inc. to ratify and renew the current contract in the funded amount of \$80,470.00 as outlined in the above preamble, is approved; and further

THAT, the President or his designated representative is authorized to execute the Ratification and Renewal.

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 meeting
held on 8th day of JAN
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer



T-177

A Resolution approving the sale of a city owned property known as 920 Rutgers Road, Memphis, TN 38106, Parcel ID# 060022 00009

WHEREAS, the City of Memphis owns the property located at 920 Rutgers Road, Memphis, TN 38106 ("The Property") and is further identified by Shelby County Tax Assessor as Parcel ID# 060022 00009 containing 0.47 acres, more or less; and

WHEREAS, the sale of the subject Property will increase the City's General Fund, generate tax revenue, and eliminate blight and maintenance costs for the City of Memphis; and

WHEREAS, Travis Hyman, a citizen, submitted an offer of Five Thousand Five Hundred Dollars (\$5,500.00) along with a Five Hundred Fifty Dollar (\$550.00) Earnest Money deposit to the City of Memphis Real Estate Office; and

WHEREAS, it is deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that this request be considered subject to the terms and conditions set forth in the Offer to Purchase and in City Ordinance 5637 section 2-16-1(F).

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the offer made by Travis Hyman for the above-described property is hereby accepted subject to the City Ordinance 5637, section 2-16-1(E) which states in part, "The city real estate manager shall be authorized to convey property without necessity of competitive bidding, for approval by the city council with one reading, which reading shall be final."

BE IT FURTHER RESOLVED, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.



T-177

Memphis City Council Summary Sheet

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

Resolution approving the sale of a city owned property known as 920 Rutgers Road, Memphis, TN 38106, Parcel ID # 060022 00009.

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

General Services / Real Estate

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

This is not a change to an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

Council District 6 and Super district 8

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

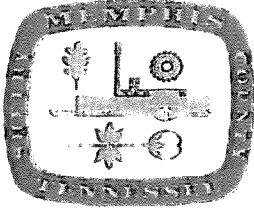
N/A

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

This does not require expenditure of funds nor a budget amendment.

7. If applicable, please list the MWBE goal and any additional information needed

N/A



T- 178

A Resolution approving the sale of a city owned property known as 982 Rutgers Road, Memphis, TN 38106, Parcel ID# 060021 00011

WHEREAS, the City of Memphis owns the property located at 982 Rutgers Road, Memphis, TN 38106 ("The Property") and is further identified by Shelby County Tax Assessor as Parcel ID# 060021 00011 containing 0.518 acres, more or less; and

WHEREAS, the sale of the subject Property will increase the City's General Fund, generate tax revenue, and eliminate blight and maintenance costs for the City of Memphis; and

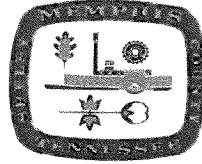
WHEREAS, Travis Hyman, a citizen, submitted an offer of Six Thousand Dollars (\$6,000.00) along with a Six Hundred Dollar (\$600.00) Earnest Money deposit to the City of Memphis Real Estate Office; and

WHEREAS, it is deemed to be in the best interest of the citizens of the City of Memphis and County of Shelby that this request be considered subject to the terms and conditions set forth in the Offer to Purchase and in City Ordinance 5637 section 2-16-1(F).

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the offer made by Travis Hyman for the above-described property is hereby accepted subject to the City Ordinance 5637, section 2-16-1(E) which states in part, "The city real estate manager shall be authorized to convey property without necessity of competitive bidding, for approval by the city council with one reading, which reading shall be final."

BE IT FURTHER RESOLVED, that subject to the Ordinance, the City of Memphis Real Estate Department shall prepare and arrange for the execution of the quit claim deed, and any other documents incidental to the completion of the transfer, and the Mayor of the City of Memphis is hereby authorized to execute said deeds or any other documents necessary to complete the sale and conveyance.

T-178



Memphis City Council Summary Sheet

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

Resolution approving the sale of a city owned property known as 982 Rutgers Road, Memphis, TN 38106, Parcel ID # 060021 00011.

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

General Services / Real Estate

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

This is not a change to an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

Council District 6 and Super district 8

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

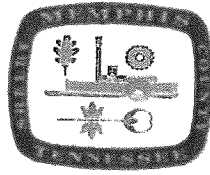
N/A

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

This does not require expenditure of funds nor a budget amendment.

7. If applicable, please list the MWBE goal and any additional information needed

N/A



Memphis City Council Summary Sheet

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

Allocation and Appropriation of \$250,000.00 for Fiscal Year 2025, CIP Project Number GA07009 Riverfront Park Improvements and Maintenance, Contract Construction.

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

Memphis Parks

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

No it is not.

4. State whether this will impact specific council districts or super districts.

Super District 8 and Council District 7

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

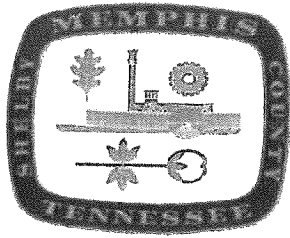
This will require a construction or purchase contract.

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

No it does not.

7. If applicable, please list the MWBE goal and any additional information needed

This Resolution only appropriates and transfers funding to make available for use. MWBE goals would be set for individual expenses in a later step.



P074

***Resolution to Allocate and Appropriate funds
For GA07009 Riverfront Park Improvement and Maintenance***

WHEREAS, the Council of the City of Memphis did include the MRPP Coverline, CIP Project Number GA07002, as part of the Fiscal Year 2025 Capital Improvement Budget; and

WHEREAS, the Council did provide an Allocation of \$250,000.00 in the Fiscal Year 2025, CIP Project Number GA07002, MRPP Coverline, Contract Construction, as part of the FY25 Capital Improvement Budget; and

WHEREAS, the Administration desires to allocate, appropriate and transfer \$250,000.00 from Fiscal Year 2025, CIP Project Number GA07002, MRPP Coverline, Contract Construction; to Fiscal Year 2025, CIP Project Number GA07009, Riverfront Park Improvement and Maintenance, Contract Construction.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby allocated, appropriated and transferred, the sum of \$250,000.00 from Fiscal Year 2025 CIP Project Number GA07002, MRPP Coverline, Contract Construction; to Fiscal Year 2025 CIP Project Number GA07009, Riverfront Park Improvement and Maintenance, Contract Construction, funded by G. O. Bonds General, chargeable to the Fiscal Year 2025 Capital Improvement Budget; with said appropriations being credited as follows:

Project Title:	Riverfront Park Improvement and Maintenance
Project Number:	GA07009
Amount:	\$250,000.00

RESOLUTION TO AMEND THE MEMPHIS CITY COUNCIL RULES OF PROCEDURE

WHEREAS, the Memphis City Council has adopted Rules of Procedure by which it maintains its operation, pursuant to Referendum Ordinance 1852, Section 1, Legislative Council; and

WHEREAS, from time to time it becomes necessary to amend said rules to ensure that Council Members are able to conduct the business of the City of Memphis efficiently and effectively, and it is proper that such amendments be officially approved by the legislative body.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the Council Rules of Procedure, as presently adopted, be and the same are hereby amended as follows:

A. DUTIES OF THE CHAIRPERSON

RULE 5

The Chairperson shall be elected by a majority vote of the duly sworn Council Members by the second meeting of November preceding the year he/she shall serve.

The Vice Chairperson shall be elected by a majority vote of the Council Members by the second meeting of the November preceding the year he/she shall serve. In the event the Chairperson of the Council becomes incapacitated, the Vice Chairperson shall serve as Chairperson of the Council and a new member shall be voted in as Vice Chairperson for the remainder of the year.

BE IT FURTHER RESOLVED, by the Council of the City of Memphis that the Council Rules of Procedure be republished with the passage of this resolution.

Sponsor(s):

J. Ford Canale