

ORDINANCE NO. BL2020-_____

An ordinance amending Chapter 2.44 of the Metropolitan Code to prohibit the use of chemical weapons such as tear gas by law enforcement officers within the area of the Metropolitan Government.

WHEREAS, although the use of tear gas has been banned by the Geneva Convention for use in wartime, the use of tear gas by police officers is legal; and

WHEREAS, when deployed, tear gas causes a burning sensation in the eyes and produce tears, which makes breathing painful and difficult; and

WHEREAS, a 22-year-old protestor in Ohio recently died two days after being exposed to tear gas; and

WHEREAS, tear gas should no longer be used as a means of crowd control in Nashville.

NOW, THEREFORE, BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

Section 1. Chapter 2.44 of the Metropolitan Code is hereby amended by adding the following new Section 2.44.046:

2.44.046 Use of chemical weapons prohibited.

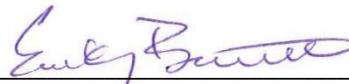
A. Definitions. For purposes of this section, the term "chemical weapon" means the following, together or separately:

1. A toxic chemical and its precursors, including but not limited to, tear gas.
2. A munition or device, specifically designed to cause death or other harm through toxic properties, which would be released as a result of the employment of such munition or device.
3. Such term does not include oleoresin capsicum spray, or any munition, device, or equipment related to such spray.

B. No law enforcement officer may use a chemical weapon in the course of policing activities within the area of the Metropolitan Government of Nashville and Davidson County.

Section 2. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:



Emily Benedict
Member of Council