



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-1740 **Name:**

Type: Bill (Ordinance) **Status:** Withdrawn

File created: 2/28/2023 **In control:** Public Health and Safety Committee

On agenda: 6/20/2023 **Final action:** 6/20/2023

Title: An ordinance amending Section 11.12.080 of the Metropolitan Code of Laws related to the discharge of weapons.

Sponsors: Dave Rosenberg, Erin Evans, Joy Styles

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/20/2023	1	Metropolitan Council	withdrawn	
5/2/2023	1	Metropolitan Council	deferred	
3/21/2023	1	Metropolitan Council	deferred	
3/21/2023	1	Metropolitan Council	referred	
3/7/2023	1	Metropolitan Council	passed on first reading	
2/28/2023	1	Metropolitan Council	filed	

An ordinance amending Section 11.12.080 of the Metropolitan Code of Laws related to the discharge of weapons.

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

Section 1. That Section 11.12.080 of the Metropolitan Code of Laws is amended by deleting Subsection A and replacing it with the following:

- A. It is unlawful for any person to discharge or fire any firearm within the urban services district of the metropolitan government at any time, and within the general services district of the metropolitan government during the nighttime or within 500 feet of an occupied residential structure. For the purposes of this section, the word "nighttime" means that period of time beginning thirty minutes after dusk and ending thirty minutes prior to sunrise.

Section 2. That Section 11.12.080 of the Metropolitan Code is further amended by adding the following new Subsections C.5 and C.6 as follows:

- 5. Within the general services district, a discharge or firing of any firearm within 500 feet of an occupied residential structure with the permission of the owner of the structure and with the permission of the owner of the property. Permission must be obtained from the owner of any structure within 500 feet of the discharge or firing prior to the discharge or firing of the firearm; or
- 6. Where the discharge of a firearm is expressly authorized or permitted by state law.

Section 3. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Section 11.12.080 of the Metropolitan Code of Laws related to the discharge of weapons.

Currently, the Metropolitan Code of Laws provides that it is unlawful to discharge any firearm within the urban services district at any time, and within the general services district during the nighttime. "Nighttime" is defined as the period of time 30 minutes after dusk and 30 minutes prior to sunrise. There are exceptions to this rule, including the allowance of the discharge of a firearm (1) while in the lawful performance of duty as an officer of the law, (2) within a legally established shooting range or shooting gallery where precautions have been taken to insure the protection of human life and property, (3) while lawfully engaged in hunting, as permitted by the state, upon any property located within the urban services district of the metropolitan government; or (4) while legally defending person or property.

The ordinance under consideration prohibits the discharge of a weapon in the general services district within 500 feet of an occupied residential structure. An exception would be added to allow for the discharging of a weapon within 500 feet of an occupied residential structure with the prior permission of the owner of the structure and the owner of the property. An exception would also be made for where the discharge of a firearm is expressly authorized or permitted by state law.