

PROPOSED  
ORDINANCE NO. 14-22

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE CREATING SECTION 2-3-5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; APPLICATION OF CERTAIN CHEMICALS PROHIBITED IN CITY FACILITIES WHILE OPEN TO THE PUBLIC AND REQUIREMENTS FOR SAFETY DATA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is estimated that 55 million adults across America have a chemical sensitivity or multiple chemical sensitivity (MCS); and

WHEREAS, MCS is considered by some to be a medical disorder triggered by exposures to chemicals, electromagnetic forces, or other environmental triggers; and

WHEREAS, symptoms of MCS may include headaches, rashes, asthma, muscle and joint aches, fatigue, memory loss and confusions; and

WHEREAS, exposure to certain chemicals may cause reactions similar to those experienced with allergies; and

WHEREAS, courts, on a case by case basis have found MCS as a qualifying disability under the American's with Disabilities Act; and

WHEREAS, City Council finds that certain measures should be taken in an effort to protect the citizens and visitors to our city facilities.

NOW THEREFORE; BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 2-3-5 of the Code of the City of Pensacola, Florida, is hereby created to read as follows:

Section 2-3-5. Application of certain chemicals in City facilities while open to the public.

- (a) The application of pesticides, fumigants, and other chemicals known to be toxic to human health is prohibited within city facilities during normal business hours when open to the public and employees.

(b) The City shall post to the City website, for public inspection, the safety data sheets for any chemical used within a city facility.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk