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# Town of Shaftsbury

Municipal Offices at Cole Hall

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61 Buck Hill Road

Shaftsbury, VT 05262-0409

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## SHAFTSBURY FIREARMS ORDINANCE

**SECTION 1. AUTHORITY.** This Ordinance is adopted by the Selectboard of the Town of Shaftsbury under authority of 24 V.S.A. § 2291 (8). This Ordinance shall be construed in a manner that is consistent with 24 V.S.A. § 2295.

**SECTION 2. PURPOSE.** It is the purpose of this Ordinance to regulate the discharge of firearms in the more heavily populated areas of the Town of Shaftsbury, so as to ensure the health, safety and wellbeing of our citizens and the public.

**SECTION 3. DEFINITION.** "Firearms" shall mean every pistol, revolver, shotgun, rifle or other device which by design uses an explosive charge or compressed gas to discharge a projectile.

**SECTION 4. GENERAL PROHIBITION.** The firing or discharge of a firearm is prohibited within the Village Center and Village Residential Zoning Districts of the Town of Shaftsbury as defined by the Shaftsbury Land Use Development Bylaws and at Howard Park Recreation area. A copy of the Shaftsbury Zoning Map is attached to this ordinance.

**SECTION 5. EXEMPTIONS AND EXCLUSIONS.** This Ordinance does not preclude the discharge of a firearm in one's own defense or in defense of another or the humane termination of any animal that appears rabid or which poses an immediate threat to any person or persons. This Ordinance shall not apply to a law enforcement officer or to an agent of any Federal, State, or Municipal agency using or discharging a firearm within the course of his or her employment and acting within the scope of his or her legal authority.

**SECTION 6. ENFORCEMENT.** The violation of this Ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau or in the Bennington County Superior Court.

- Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 24V.S.A. §§ 1974a and 1977 et seq.
- Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Town of Shaftsbury may pursue all appropriate injunctive relief.
- For purposes of enforcement, any law enforcement officer, certified by the State of Vermont, shall be the designated enforcement officer. The enforcement officer shall issue tickets and shall be the appearing officer at any hearing.

**SECTION 7. PENALTIES.** First Offense: \$150.00, waiver fee \$75.00; Second Offense: \$300.00, waiver fee \$150.00; Third and each subsequent offense: \$500.00, waiver fee \$250.00.

**SECTION 8. SEVERABILITY.** If any section, sentence, or phrase of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not affect or impair the validity of any other part, or the remaining portion, of this Ordinance.

**SECTION 9. EFFECTIVE DATE.** This ordinance shall become effective 60 days after its adoption by the Shaftsbury Selectboard.

ADOPTION HISTORY:

1. Agenda item at regular Selectboard meeting held on \_\_\_\_\_.
2. Read and approved at regular Selectboard meeting on \_\_\_\_\_ and entered in the minutes of that meeting which were approved on \_\_\_\_\_.
3. Posted in public places on \_\_\_\_\_.
4. Notice of adoption published in the \_\_\_\_\_ newspaper on \_\_\_\_\_ with a notice of the right to petition.
5. Other actions [petitions, etc.]



**Shaftsbury Zoning Map**



