

Firearms Safety Ordinance of the Town of York, Maine
Adopted by the Town of York, November 7, 2000
Effective January 1, 2001

SECTION 1 TITLE

This Ordinance shall be known as the Firearms Safety Ordinance of the Town of York, Maine.

SECTION 2 PURPOSE

This Ordinance is enacted pursuant to Title 30-A MRS § 3001 and the home rule authority of the Town in order to provide safety to the population and the property of the Town and to recognize responsible wildlife management.

SECTION 3 DEFINITIONS

Firearm- "firearm" includes any instrument used in the propulsion of projectiles by action of gunpowder or gas exploded or released within it.

Rifle-A firearm designed to be fired from the shoulder; firing center fire fixed ammunition, propelling a single projectile through a rifled bore. Included in this definition of "rifle" are those firearms commonly known as .22 Rim Fire Magnums and firing .22 Rim Fire Magnum fixed ammunition.

SECTION 4 REGULATIONS AND RESTRICTIONS

The following regulations and restrictions shall apply:

A. Restriction by Zone

Except as otherwise permitted by Paragraph 3, the discharge of firearms shall be geographically restricted as follows:

Zone A- No discharge of firearms.

Zone B- No Restrictions except for Rifles, which shall be restricted during the State of Maine open firearms season on deer.

Zone C- No Restrictions.

The boundaries of all Zones shall be as defined on the Firearms Discharge Map on file at the York Town Clerk's office dated September 15, 2000.

B. Proximity to Dwellings and Occupied Structures

It shall be unlawful for any person to discharge firearms of any kind or description in the Town of York within 100 yards of a dwelling or occupied structure or which causes the projectile(s) from such firearm to come within 100 yards of a

dwelling or occupied structure without having received prior consent from the owner and/or occupants of said dwelling or occupied structure.

C. Exceptions

1. With prior written permission of the York Police Department, it shall be lawful to discharge a firearm for rodent/pest control in Zone A.
2. Landowners, and their dependants, residing in Zone B on 25 or more contiguous acres of agricultural, forested or undeveloped land, are exempt from Section 4.A. of this Ordinance while on said land.
3. Nothing in this Ordinance shall be construed to prohibit the use of legal firearms when justified for the protection of human life or property.
4. This Ordinance shall not be construed to prohibit the discharge of firearms by duly authorized law enforcement officers in the proper exercise of their governmental duties.

SECTION 5 INDIVIDUAL RESPONSIBILITY

While the Town of York and other entities provide awareness and educational materials, it remains the sole responsibility of the individual to fully familiarize him/her self with this Ordinance and to comply with its requirements.

SECTION 6 PUBLIC NOTICE

Upon adoption, the York Selectmen shall make all reasonable efforts to assure that the public is made aware of the existence of this Ordinance. Signs shall be posted and maintained on roads entering the Town of York at or near the Town line; on RT 1, Rt. 103, Bartlett Road, Beech Ridge Road, Betty Welch Road, Frost Hill Road, Brixham Road, Rt. 91, Bell Marsh Road, Mountain Road, Ogunquit Road, Shore Road, Pine Hill Road, Clayhill Road, Chases Pond Road near the Spur Road, and Route One north and south of the Spur Road.

SECTION 7 ADMINISTRATION

A. Savings Clause

If any portion of this Ordinance is found to be invalid, it shall not affect the remainder of this Ordinance.

B. Enforcement

Enforcement shall be the responsibility of the York Police Department.

C. Amendment

This Ordinance may be amended following the procedures specified in the Town of York Home Rule Charter.

SECTION 8 VIOLATION AND PENALTIES

Any person violating this Ordinance shall be punished by a civil penalty of at least One Hundred Dollars (\$100.00), but not more than One Thousand Dollars (\$1,000.00). Each violation shall be considered a separate offense, and may be assessed whether or not the violation was willful. In addition to police officers,

employees of the Town of York authorized to conduct inspections or investigations are hereby declared to be lawful enforcement officers authorized to issue or file citations for violations under this Ordinance.