

ARTICLE 13 DISCHARGE OF FIREARMS

Article 13-1 Purpose

The purpose of this ordinance is to protect the health and safety of the residents of the Town of Bennington.

Article 13-2 Authorization

By authority of 24 VSA Chapter 61 Section 2291(8) municipalities are enabled to regulate the discharge of firearms.

Article 13-3 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.

Article 13-4 Prohibitions

No person whether hunting, target shooting or for any other purpose, shall discharge a firearm within 500 feet of a residential or other building which is occupied or designed to be occupied by human beings or any structure used or designed for use by domestic farm animals including but not limited to barns or stables, anywhere in the Town of Bennington.

No person shall discharge a firearm as described herein within an area bounded on the north by East Main Street and Burgess Road, on the South by Beech Street and Gore Road, and on the east by East Street and a line extending East Street to Gore Road. A map of this described area is attached and made a part of this ordinance.

Article 13-5 Exclusion

Nothing contained herein shall be construed or interpreted to include lawful discharge of a firearm by law enforcement officers in the performance of their duty or to include the owner, members of their family or invites, or the owners property provided that Section 13-4 is complied with regarding the property of others, nor to include persons lawfully butchering animals by firearm discharged at close range provided that the properties of others are not endangered.

Article 13-6 Enforcement

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 VSA Section 1974a and 1977 et seq. A civil penalty of not more than \$125 may be imposed for violation of this civil ordinance and a waiver fee shall be set at \$100. Each day that the violation continues will constitute a separate violation of this ordinance.

Article 13-7 Severability

This ordinance and the various parts, sentences, sections and clauses thereof, are hereby declared to be severable. If any part, sentence, section, or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Article 13-8 Effective Date

This ordinance shall take effect sixty (60) days from date of adoption by the Select Board.

On Tuesday, November 28, 1995. The Select Board voted unanimously to repeal

the following General Municipal Ordinances contained in Article 1:

- 1- 5.00 Cable Television
- 1- 8.00 Dead Storage in Public Parking Lot
- 1-11.00 False Fire Arms
- 1-12.00 Game Playing on Streets
- 1-16.00 Loitering
- 1-23.00 Posters
- 1-25.00 Sled Sliding
- 1-30.00 Discharge of Firearms
- 1-31.00 Skateboard, Roller Skates

The Select Board also voted unanimously to adopt the following Municipal Ordinances:

Article 12 Dead Storage in Public Parking Lots and on Public Lands

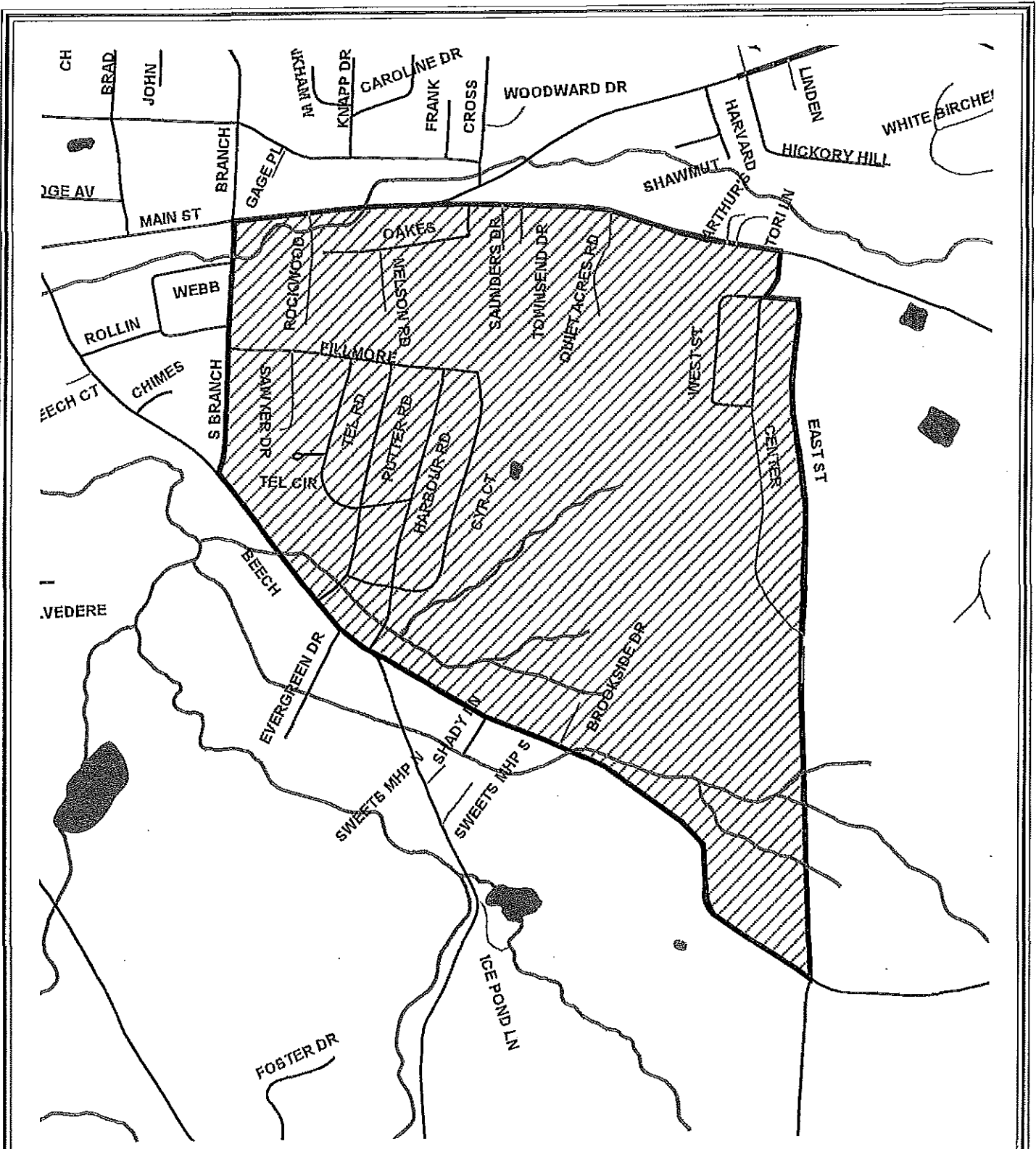
Article 13 Discharge of Fire Arms

Article 17 Improper Use of Public Way

Article 18 Skateboard, Roller Skates

This action is taken by the Select Board for the Town of Bennington and shall be printed in full in the minutes of the Select Board, posted in five (5) conspicuous places within the Town of Bennington and a summary published in the Bennington Banner within fourteen (14) days of its adoption and shall become in full force and affect sixty (60) days after the date of adoption subject to the right of petition provided by law.

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**Article 13 - Discharge of Firearms
Bennington, Vermont**

- Town Roads
- Private Roads
- State Highways
- U.S. Highways
- Article 13 Boundary

