

Town of Plainfield
Ordinance
Restricting the Discharge of Firearms

Section I. Purpose. The Selectboard of the Town of Plainfield, pursuant to the authority of 24VSA 2291(8) and Subchapter 3, sections 301-305 Ordinances; of the Town Charter hereby ordains the following ordinance regulating the discharge of firearms for the protection of the health, safety, and welfare of the inhabitants of the Town of Plainfield.

Section II. Definitions.

A) Firearm: Shall be considered a rifle, shotgun, revolver, muzzle loader, or pistol that discharges a projectile through an explosive charge.

Section III. Restrictions. A person shall not use or discharge a firearm within the following areas or under the following conditions:

A) Within the urban compact of the Town of Plainfield, within the perimeter as indicated on Map Exhibit A, as depicted on the Vermont General Highway Map as the Village District of said town.

Section IV. Exceptions. The following exceptions shall be made to this ordinance.

A) Any law enforcement officer, agent, or employee of the State or a municipality using or discharging a firearm within the course of their employment and acting within the scope of their authority.

B) Nothing contained herein shall be construed to limit the rights or immunities given under Vermont Statutes Annotated Title 13, Section 2305 or any statute similarly constructed which allows the use of deadly force for the protection of life, or the suppression of a person or persons attempting to commit murder, sexual assault, aggravated sexual assault, burglary or robbery. Any person found blameless by competent proper legal authority under the provisions of such statute also shall be equally immune from prosecution under this ordinance.

C) Nothing contained herein shall be construed to limit the rights or immunities given under Vermont Statutes Annotated Title 10, Section 4826, 4827, and 4828 or any statute similarly constructed which allows the use of deadly force for the protection of property.

D) Nothing contained herein shall be construed to limit the rights or immunities given under Vermont Statutes Annotated Title 20, Section 3545 or any other statute similarly constructed which allows the use of deadly force to kill dogs or other animals in order to discontinue an attack upon a person or to prevent injury to another animal or fowl.

E) Firing ranges that are approved by the Zoning Board of Adjustment.

F) Nothing contained herein shall be construed to limit the possession of firearms.

Section V. Enforcement. Violations of this ordinance shall be enforced and maintained as provided in 24 VSA 1974a, as may be amended from time to time. For the purpose of enforcing this ordinance, the issuing municipal official shall be the Town Constable, and/or Washington County Sheriff, and/or Vermont State Police.

Section VI. Penalties. A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 VSA 1974a, 1977 et seq. A civil penalty of \$100.00 shall be imposed for a violation of this civil ordinance, and the waiver fee shall be set a \$25.00 for the first offense, \$50.00 for the second offense within a six month period, and \$75.00 for all subsequent offenses within a six month period. Each week that the violation continues will constitute a separate violation of this ordinance.

Section VII. Effective Date. This ordinance shall be effective upon final passage by the Plainfield Selectboard as per Sections 301-305; Ordinances, Enforcement and Adoption, of the Town Charter.

Final passage of this ordinance made this ____ day of _____ 2006.

_____, Karl Bissex, Selectboard Chair

_____, Lori Barg

_____, Liz Perreault

This ordinance may be disapproved by a vote of the majority of qualified voters of the Town of Plainfield at a special meeting duly warned for the purpose, pursuant to a petition signed by not less than five percent of the qualified voters and submitted to the Selectboard or the Town Clerk of the Town of Plainfield within forty four days of the adoption of this ordinance in accordance with VSA 24 Section 1973.

Received and recorded at the Plainfield Town Clerks Office, January ____, 2006 at _____ A.M. Attest: _____ Town Clerk