

TOWN OF BEAVER COVE, MAINE

THE FIREARMS DISCHARGE ORDINANCE FOR THE TOWN OF BEAVER COVE

WHEREAS, the inhabitants of the Town of Beaver Cove, Piscataquis County, Maine, are uniquely aware of and recognize the potential danger to persons and property that can result from the discharge of certain firearms within densely populated areas of Town; and

WHEREAS, such potential dangers require the Town to adopt reasonable regulations governing the discharge of firearms in such densely populated areas in order to preserve and secure general health, safety and welfare of persons and property therein; and

WHEREAS, to address the concern created by the discharge of certain firearms as aforesaid, the inhabitants of the Town of Beaver Cove are authorized by State Statute to enact municipal regulations in the form of a municipal ordinance regulating the discharge of certain firearms within the Town of Beaver Cove.

NOW, THEREFORE, the inhabitants of the Town of Beaver Cove hereby ordained by the Town of Beaver Cove Special Town Meeting that the following be enacted:

Section 1: That the Municipal Code of Ordinances, Town of Beaver Cove, Maine is hereby amended by adding to Section 1, Art- 1.18 (2) which shall be titled " Firearms Discharge Ordinance for the Town of Beaver Cove", the Article supersedes all previous revisions and reads as follows

ART-12.21 (2) Section A

No person, except a law enforcement officer in the performance of the Officer's duties, shall discharge any firearm within the limits of the Town as described in Section B of this Article except (1) at military exercises, funerals, reviews or memorial events: (2) in proper defense of self, family and property, as permitted by statute: or (3) for the destruction of a dangerous animal, or an animal destroying property

Section B – Restricted Area

The limits to be restricted for the discharge of firearms shall be as follows: A certain lot or parcel of land situated in Beaver Cove, County of Piscataquis and the State of Maine and bounded and described as follows, to wit: Bounded on the South by the Greenville – Beaver Cove Town Line on a parcel known as Burnt Jacket Mountain; on the East by Lily Bay Road, on the North by Lily Bay State Park and on the West by Moosehead Lake. However, all property owned by The Town of Beaver Cove to be included in this restriction.

Section C – Law Enforcement Officer Defined

For the purposes of this article, the term law enforcement officer shall include all officers so defined or described by the ordinances of the town or Beaver Cove, Statutes of the State of Maine and Provisions of the United States Code

Section D – Firearms Defined

For the purpose of this article, the term firearm shall be defined by Title 12 MRSA, Part13: Chap 901 (21) To Wit:

Firearm. "Firearm" means any instrument used in the propulsion of pellets, shells or bullets by action of gunpowder, compressed air or gas exploded or released within it.

Section E – Penalty

Any person who violates any portion of this ordinance shall be subject to a fine of \$250.00 for the first offense and \$500.00 for a subsequent offense.

Section F – Severability

Each of the provisions of this ordinance is severable and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.