

Chapter 13

MISCELLANEOUS PROVISIONS AND OFFENSES*

Sec. 13-1. Discharge of weapons prohibited in certain locations; exceptions.

*State law references—General authority of town to legislate to promote public welfare, Town Law, § 130(15); general authority to adopt local laws for the government, protection, order, conduct, safety, health and well-being of persons or property, General Municipal Law, § 10(1)(ii)a.(11), (2).

Sec. 13-1. Discharge of weapons prohibited in certain locations; exceptions.

(a) It shall be unlawful for any person to discharge a firearm or longbow in such a way as will result in the shot, slug, load, arrow or other projectile thereof passing over a public highway or any part thereof.

(b) It shall be unlawful for any person to discharge a firearm or longbow within one thousand (1,000) feet from a dwelling house, farm building or farm structure, actually occupied or used, school building, school playground, or occupied factory or church.

(c) Subsection (b) of this section does not apply to:

(1) The owner or lessee of the property on which the firearm or longbow is discharged or members of his immediate family or a person in his employ, or the guest of such owner or lessee acting with the consent of said owner or lessee; provided, however, that where the discharge is outside of a structure or the shot, slug, load, arrow or other projectile leaves the enclosure of the structure that the point of discharge shall not be within five hundred (500) feet of any dwelling house, or farm building or farm structure actually occupied or used, or a school building or playground or occupied factory or church located on any other property unless:

- a. The residents and/or owners and/or lessees of any such structure within five hundred (500) feet of the point of discharge shall have consented to such discharge; and
- b. The shot, slug, arrow or other projectile shall not be aimed in line with or discharged at any person, dwelling or secondary buildings; and
- c. The slug, shot, load, arrow or other projectile shall not enter any other property without the consent of the residents and owners and/or lessees of such property; and a person claiming the benefit of this paragraph shall have

the burden of establishing the existence of the consents referred to in this paragraph.

- (2) Programs conducted by public schools offering instruction and training in the use of firearms or longbows.
- (3) The authorized use of a pistol, rifle or target range regularly operated and maintained by a police department or other law enforcement agency or by any duly organized membership or nonprofit corporation or gun club or any other sportsman club.
- (4) The discharge of firearms by law enforcement officers in the performance of their duties.

(Code 1966, § 11-1)

Cross reference—Possession or use of weapons in parks, § 16-33.

State law reference—Authority to regulate use of weapons, Town Law, § 130(26), (27).

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