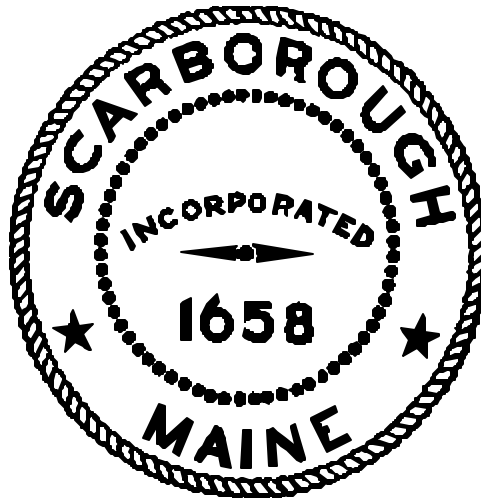


CHAPTER 603

TOWN OF SCARBOROUGH

FIREARMS ORDINANCE



Adopted 03/16/68
Amended 12/17/75
Amended 09/15/93
Amended 11/06/02

**CHAPTER 603
TOWN OF SCARBOROUGH
FIREARMS ORDINANCE**

Definition:

“Firearm” means any weapon which is designed to expel a projectile by the action of an explosive and includes any such weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun. Any weapon which can be made into a firearm by the insertion of a firing pin, or other similar thing, or by repair, is a firearm. (11/06/02)

Section 1.

It shall be unlawful for any person to shoot or discharge any firearm on land owned by the Town of Scarborough. (Amended 11/06/02)

Section 2.

It shall be unlawful for any person to shoot or discharge any firearm in the Town of Scarborough within 100 yards of a dwelling or occupied building or structure without having received the prior consent of the owner or the occupants of said dwelling or occupied building or structure. (Amended 11/06/02)

Section 3.

It shall be unlawful for any person to shoot or discharge any firearm in the Town of Scarborough which causes or permits the bullet or projectiles from such firearm to pass or results in the bullet or projectile from such firearm passing within 100 yards of a dwelling or occupied building or structure without having received the prior consent of the owner or occupants of said dwelling or occupied building or structure. (Amended 11/06/02)

Section 4.

It shall be unlawful for any person to shoot or discharge any firearm except for shotguns, muzzle loader/black powder guns, revolvers, or pistols within the Town of Scarborough. (Amended 11/06/02)

- (a) This section shall not apply to any person who has prior consent from the owner of the premises upon which said firearms are to be discharged.

Section 5.

The provisions of Section 2, Section 3 and Section 4 shall not apply on an approved firing range. An approved firing range is defined as an area set up for the safe discharge of firearms with adequate protection in the form of a backstop and/or a proper field of fire and so arranged as to prevent any danger to neighboring property or persons, which has been approved under Sections 8 through 11 or under Section 12 below. (Amended 11/06/02)

Section 6.

A firing range committee is hereby established to consist of the following: (Amended 11/06/02)

- one member of the Scarborough Gun Club who is certified by the National Rifle Association, to be designated by the Gun Club;
- one member of the Scarborough Fish and Game Association who is certified by the National Rifle Association, to be designated by the Scarborough Fish and Game Association;
- one member at large, who is a certified National Rifle Association Firearms Instructor to be appointed by the Town Council;
- the Chief of Scarborough Police;
- and one member of the Scarborough Town Council to be appointed by the Scarborough Town Council and who will serve as Chairman of this Committee.

In the event that any organization fails to designate a member of their organization within 30 days after having received a written request to do so, the Scarborough Town Council shall have the right to make such designation. All members shall be residents of the Town of Scarborough. (Amended 11/06/02)

Section 7.

The above Committee shall present rules and regulations for the establishment and operation of approved firing ranges to the Scarborough Town Council. Upon approval of these rules and regulations by the Scarborough Town Council, such rules and regulations shall become effective and shall be placed on file in the office of the Scarborough Town Clerk. (Amended 11/06/02)

Section 8.

No person shall establish or operate a firing range in the Town of Scarborough, unless the firing range has been approved by the Firing Range Committee under this Ordinance. Initial application for an approved firing range shall be made on forms provided by the Scarborough Police Department. The owner of the property on which the firing range is to be located shall return the completed application along with proof that the owner or the person who will operate the firing range, if different from the owner, has completed an approved firearms safety course. (11/06/02)

Section 9.

Upon receipt of an application for a firing range, the Scarborough Police Department will conduct a criminal records check on the owner of the property on which the firing range is to be located and on the person designated by the owner to operate the firing range, if different from the owner. (11/06/02)

Section 10.

Upon completion of the criminal records check, the Police Department will forward the application and certification of firearms course to the Firing Range Committee. (11/06/02)

Section 11.

Upon receipt of the materials forwarded from the Police Department, the Firing Range Committee will inspect the proposed firing range. The Committee shall issue a certificate of approval if the firing range meets the rules and regulations approved by the Scarborough Town Council under Section 7 above. Such certificate will be valid until June 15th of the following year. Prior to June 15th of every year thereafter, the firing range will be re-inspected by the Firing Range Committee. (11/06/02)

Section 12.

Within 30 days of November 6, 2002, the Firing Range Committee will inspect each existing firing range. The Committee shall issue a certificate of approval if the firing range meets the rules and regulations approved by the Scarborough Town Council under Section 7 above. Such certificate will be valid until June 15th of the following year. Prior to June 15th of every year thereafter, the firing range will be re-inspected by the Firing Range Committee. A firing range existing on November 6, 2002 may continue to operate without a certificate of approval only until inspected by the Firing Range Committee under this paragraph. (11/06/02)

Section 13.

In the event that any firing range, either new or existing, is found to be in noncompliance with the rules and regulations or deemed by the Firing Range Committee to be unsafe, no new certificate of approval will be issued and any existing certificate of approval will be declared void. (11/06/02)

Section 14.

In the event that the Firing Range Committee determines not to issue or to void a certificate of approval, the property owner or operator of the firing range may appeal that determination to the Scarborough Town Council. Such appeal must be filed in the office of the Town Clerk no later than 30 days after the date on which the Firing Range Committee makes its determination. (11/06/02)

Section 15.

Any person violating any part of the preceding sections shall be subject to a fine of not less than \$50.00 and not more than \$5,000.00 plus costs. The said fine on the complaint shall be recovered for the use of the Town of Scarborough. (11/06/02)

Section 16.

A list of certified firing ranges, including the location and authorized contact personnel for each, will be kept at the Town Hall and at the Scarborough Police Station from this date forward. (11/06/02)

Section 17.

Issuance of a certificate of approval by the Firing Range Committee constitutes a determination that the firing range is in compliance with the requirements of this Ordinance at the time of issuance. It does not constitute a determination of compliance with the requirements of any other applicable town ordinance, and any firing range approved under this Ordinance must also comply with all other applicable town ordinances, including, without limitation, the Scarborough Zoning Ordinance. (11/06/02)