



Town of Harpswell Use of Firearms Ordinance

Re-enacted March 9, 2019

1. Purpose

The purpose of this ordinance is to regulate the use of firearms within the Town of Harpswell to assure that they are used safely and in a manner that does not create a nuisance for the residents of the community.

2. Definitions

- A. **Firearm:** Any weapon that is defined as a firearm in 17-A M.R.S. §2 (12-A) as it may be amended from time to time.
- B. **Automatic Firearm:** A weapon of any description, by whatever name known, which is capable of discharging a number of projectiles in rapid succession by one mechanical action on the trigger or firing mechanism.
- C. **Rimfire Arms:** Firearms which use cartridges that have the primer around the edge of the base of the cartridge case.
- D. **Target Practice:** The discharge of a firearm for the purpose of recreation, enhancing the user's skill or "sighting-in" a firearm.
- E. **Sport Shooting Range:** An area designed and used for skeet and trap shooting or other similar shooting sports and the shooting of rifles, shotguns and pistols.
- F. **Black Powder Guns:** Firearms that are defined as muzzleloaders in 12 MRSA §42-A as it may be amended from time to time.

3. Discharge of Firearms

- A. To the extent permitted by and subject to Maine and U.S. law, only the following types of firearms may be discharged within the Town of Harpswell: shotguns, Rimfire Arms and Black Powder Guns unless otherwise specifically allowed by this ordinance.
- B. The discharge of firearms other than shotguns, Rimfire Arms and Black Powder Guns shall be limited to indoor sport shooting ranges registered in accordance with the Town of Harpswell's Sport Shooting Range Ordinance.

- C. Automatic Firearms of any type shall not be discharged within the Town of Harpswell.
- D. Any person may undertake Target Practice on their own property or on property which they have the written permission of the owner to use for such purpose provided that all of the following conditions are met:
 - 1. The discharge of firearms is limited to shotguns, Rimfire Arms and Black Powder Guns;
 - 2. The area used for target practice conforms to generally accepted gun safety practices;
 - 3. A person shall not discharge firearms for Target Practice purposes within three hundred (300) feet of any building or residential dwelling without the prior permission of the owner of the building or residential dwelling or a person authorized to act on the behalf of the owner, and
 - 4. Firearms shall be discharged for target practice only between 8:00 A.M. and 8:00 P.M. or sunset whichever occurs earlier.
- E. Nothing in this ordinance shall be construed to prohibit the use of firearms when justified for the protection of persons under 17-A M.R.S. §101 through 108, which includes the self-defense of persons and property, the suppression or termination of wild animals attacking domestic animals or destroying property under 12 M.R.S. §12401, or by any duly authorized law enforcement officer or agent in the proper exercise of their duties.

4. Geographic Limits on the Discharge of Permitted Firearms

- A. It shall be unlawful for any person to discharge a firearm within three hundred (300) feet of any dwelling without the permission of the owner or, in his/her absence, of an adult occupying the dwelling.
- B. It shall be unlawful for any person to discharge a firearm within three hundred (300) feet, or any greater distance required by state or federal regulations, of any public building or facility, any commercial or industrial building, or any playground, church or other community building without the permission of the owner or a person authorized to act on the behalf of the owner. NOTE: Federal law regulates the use of firearms within one thousand (1000) feet of schools.
- C. It shall be unlawful for any person to discharge a firearm on or within three hundred (300) feet of any of the following properties:
 - 1. The fenced area of Mitchell Field located on the west side of the Harpswell Neck Road and identified as Lot 4 on Tax Map 13 (see attached map)

2. The fenced baseball fields, parking lot, and access drive at Trufant Summerton Athletic Field located on the west side of the Harpswell Islands Road and identified as Lot 4 on Tax Map 46 (see attached map)
3. The area on the north side of Mountain Road containing the Town office, TV station building, recycling center, transfer station, and emergency services building and identified as the westerly portion of Lot 70 on Tax Map 42 (see attached map)

5. Registered Sport Shooting Ranges

The restrictions and limitations of this ordinance shall not apply to the discharge of firearms at a Sport Shooting Range registered with the Town of Harpswell in accordance with the Sport Shooting Range Ordinance.

6. Enforcement

This ordinance shall be enforced by the Cumberland County Sheriff's Department or any successor local law enforcement agency.

7. Penalties

Any person violating any part of this ordinance shall be subject to a fine as determined by the Board of Selectmen of not less than \$250.00 per violation or such greater penalty as may be provided by state law, which may include costs and reasonable attorney fees. Such fine(s) shall be recovered for the use of the Town of Harpswell.

Mitchell Field - Harpswell



Trufant-Summerton Field



Municipal Complex – Mountain Road

