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PUBLIC HEARING NOTICE
TOWN OF JAMESTOWN

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on September __, 2016 at ___ p.m. at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding Chapter 38 – Offenses and Miscellaneous Provisions, Article V - Weapons. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment is available for review and/or purchase at the Town Clerk’s Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays and on the Town’s web site at www.jamestownri.gov.

Section 1. Be it hereby ordained by the Town Council of the Town of Jamestown that the Jamestown Code of Ordinances, Chapter 38, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~striketrough~~ are to be deleted from the ordinance; words underlined are to be added to the ordinance.

See Exhibit A, attached hereto and incorporated herein by reference.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to Chapter 38 of the Town of Jamestown’s Code of Ordinances.

Section 3. This Ordinance shall take effect upon its passage.

Ad Date(s): _____

Publication Source: Jamestown Press

Hearing Date: _____

Action: _____

Certified: _____

1 **Exhibit A**

2 **Sec. 38-111. - Use of rifled firearm while hunting.**

3 No person shall, while hunting within the town, use a rifled firearm, other than a shotgun
4 outfitted with a rifled barrel or a muzzleloader with a rifled barrel.

5 **Sec. 38-112. Definitions.**

6 The following definitions shall have the following meanings for the purposes of this chapter:

7 “Accessory Building”: any building which is customarily incidental and subordinate to the
8 principal building and does not share a common wall and roof with the principal building.

9 “Building”: any structure used or intended for supporting or sheltering any use or occupancy.

10 “Discharge”: the operation of a firearm as to cause the ignition of the powder charge with or
11 without the expulsion of a projectile from the firearm.

12 “Dwelling”: a structure to live in as a place of residence.

13 “Immediate Family Member”: a sibling, parent, spouse, child or grandchild.

14 "Firearm": includes any machine gun, pistol, rifle, air rifle, air pistol, "blank gun," "BB gun," or
15 other instrument from which steel or metal projectiles are propelled, or which may readily be
16 converted to expel a projectile, except crossbows, recurve, compound, or longbows, and except
17 instruments propelling projectiles which are designed or normally used for a primary purpose
18 other than as a weapon. The frame or receiver of the weapon shall be construed as a firearm
19 under the provisions of this section.

20 “Principal Building”: the main building on a Lot, usually located toward the frontage.

21 “Recreational Target Range”: a non-commercial target range which may be located indoors or
22 outdoors to practice the discharge of weapons aimed at a target.

23 “Registrar”: the Jamestown Town Clerk.

24 **Sec. 38-113 Registration Required.**

25 Every Recreational Target Range in the Town of Jamestown shall be registered by the record
26 property owner(s) or his or her agent with the Registrar before any use of the property for
27 recreational target shooting.

28 When a property is sold or transferred to another property owner where an existing, permitted
29 Recreational Target Range already exists, any such future use on the property will be considered
30 a new application and fall under the limitations as established in Section 38-118 unless the
31 property transfer is limited to an Immediate Family Member. Any property transfer limited to an
32 Immediate Family Member shall be considered a pre-existing Recreational Target Range.

1 **Sec. 38-114 Registration Form**

2 The Recreational Target Range shall be prepared and maintained by the Registrar and shall, at a
3 minimum, contain the following information: the tax assessor's plat and lot number; local
4 address of the range location; the name and permanent mailing address of the record owner(s);
5 and the contact information for the owner and/or manager of the property who must be available
6 for any inquiries regarding the property. The Registrar is authorized to obtain such other relevant
7 information as is needed to effect the purposes and objectives of this ordinance.

8 **Sec. 38-115 Registration Term**

9 A Recreational Target Range registration shall be valid from January 1st to the following
10 December 31st of each year, unless the property is transferred during this period and becomes
11 subject to the provisions of 38-113 and 38-118. A Recreational Target Range shall not be
12 operated unless it is in compliance with the terms and provisions of this ordinance

13 **Sec. 38-116 Registration Filing Requirement**

14 On or before January 1st of each year, the record owner of any property with a Recreational
15 Target Range shall file a registration form with the Registrar.

16 **Sec. 38-117 Shooting Prohibited.**

17 No person, not being at the time under police or military duty, shall discharge any firearm in the
18 Town of Jamestown, except as follows:

- 19 1. Legal hunting activity as defined by state and local regulations.
- 20 2. Target shooting on private property by the property owner or guest, with written
21 permission of the property owner on a Recreational Target Range which is registered
22 pursuant to the provisions of this Chapter.
- 23 3. Use of a Recreational Target Range is restricted to the period between 9:00 AM to
24 6:00 PM, Monday through Saturday and 12:00pm to 4:00pm on Sundays; provided,
25 however, that all activity must cease 30 minutes before sunset on a year-round basis.
- 26 4. All prudent safety measures shall be exercised to protect the public health, safety and
27 welfare.
- 28 5. The point of discharge of any firearm shall be a minimum distance of 500' feet from:
29 a) Any dwelling or principal or accessory building;
30 b) Berm or backstop location;
- 31 6. The maximum distance from the point of discharge to the backstop structure is
32 limited to 100' feet.

33 The setback requirements set forth in this section must be complied with if the shooter does not
34 possess the specific written permission of the owner and occupant of the property subject to any
35 setback provisions set forth in this ordinance to discharge a weapon within the specified setback
36 distance.

1 No person shall discharge any firearm in such fashion that the shot, bullets, arrows, darts or other
2 missiles shall in their flight carry over, along or across the land of another, any public roadway,
3 designated public walking path, access way, sidewalk, hiking trail, park area, or bike path, into
4 which they shall not have written permission of the owner and occupant thereof to shoot. Such
5 written permission shall be carried on the person at all times when engaged in the activity and
6 shall be shown and exhibited upon request by the police.

7 **Sec. 38-118 Shooting Prohibited. (Ranges Established after the Effective Date of This**
8 **Ordinance)**

9
10 The following provisions are applicable to all Recreational Target Ranges established as of the
11 effective date of this ordinance.

- 12 1) A Recreational Target Range located on private property must contain a minimum
13 land area of no less than two (2) acres;
- 14 2) A Recreational Target Range must be specifically permitted by the property owner;
- 15 3) The point of discharge of any firearm shall be a minimum distance of 1000' feet from
16 any dwelling or principal or accessory building, any public property, including but
17 not limited to, public roadways, public walking/bicycling path, access way, sidewalk,
18 hiking trail, park area, picnic area, right of way or beach.

19
20 The above noted setback requirements must be complied with if the shooter does not possess the
21 specific written permission of the owner and occupant of the property within the specified
22 setback distance.

23 No person shall discharge any firearm in such fashion that the shot, bullets, arrows, darts or other
24 missiles shall in their flight carry over, along or across the land of another, any public roadway,
25 designated public walking path, access way, sidewalk, hiking trail, park area, or bike path, into
26 which they shall not have written permission of the owner and occupant thereof to shoot. Such
27 written permission shall be carried on the person at all times when engaged in the activity and
28 shall be shown and exhibited upon request by the police.

29 **Sec 38-115. Use of weapons in self-defense.**

30 No provision of this chapter shall be construed as prohibiting the use of licensed armed guards or
31 of firearms by private persons in the Town for the protection or defense of person or property in
32 accordance with Rhode Island Law.

33 **Sec. 38-116. Enforcement.**

34 Any person violating the provisions of this section shall be punished as provided in Section 1-15.