

SUBSTITUTE  
ORDER  
STANDISH TOWN COUNCIL

DATE: March 7, 2023  
ORDER NUMBER: 14-23

SUBMITTED BY: Macri

TITLE: AMENDMENTS TO THE STANDISH TOWN CODE, TO ADD CHAPTER 247, ORDINANCE PROHIBITING OUTDOOR SHOOTING RANGES

The Town of Standish hereby ordains the following amendments to the Standish Town Code to add Chapter 247, Ordinance Prohibiting Outdoor Shooting Ranges. (Additions are underlined and deletions are struck out):

CHAPTER 247

ORDINANCE PROHIBITING OUTDOOR SHOOTING RANGES

§ 247-1. Authority.

This ordinance is enacted pursuant to the Town's home rule authority, Me. Const., art. VIII, pt. 2; 30-A M.R.S. § 3001; and 30-A M.R.S. § 3011.

§ 247-2. Definitions.

FIREARM – Any instrument used in the propulsion of pellets, shot, shells or bullets by action of gunpowder, compressed air or gas exploded or released within it. A “firearm” as that term is defined in 12 M.R.S. § 10001(21), as may be amended.

OUTDOOR SHOOTING RANGE - An area that is designed for, and intended to, provide a location for the discharge of various types of firearms, including, but not limited to, handguns, rifles, shotguns, and black powder weapons, and where shooting stations, firing lines and/or lanes, target areas, and all other related components of the shooting range are not fully and entirely enclosed within a building or structure; provided, however, that an outdoor shooting range shall not include incidental target practice areas on private property used solely by residents of the property.

§ 247-3. Prohibition on Outdoor Shooting Ranges.

Outdoor shooting ranges are expressly prohibited in the Town of Standish. No person, entity or organization shall develop or operate an outdoor shooting range within the Town.

§ 247-4. Violations and Penalties.

This ordinance shall be enforced by the Code Enforcement Officer. Violations of this ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S. § 4452. Each day of a violation shall constitute a separate violation. When any violation of any provision of this ordinance shall be found to exist, the Code Enforcement Officer shall first notify the violator and then notify the Town Council, who may then initiate any and all actions to be brought in the name of the Town. In any court action, the Town may seek injunctive relief in addition to penalties. The Town shall be entitled to recover its costs of enforcement, including its attorney's fees.

§ 247-5. Severability.

The provisions of this ordinance are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect.

§ 247-6. Applicability date.

Notwithstanding the provisions of 1 M.R.S. § 302 or any other law to the contrary, and regardless of the effective date, this ordinance when enacted shall apply on or any time after August 9, 2022, the date this issue first appeared on a Town Council agenda and the applicability date of this ordinance. Notwithstanding the provisions of 1 M.R.S. § 302 or any other law to the contrary, and regardless of the effective date, this ordinance shall apply to any new construction proposed for which an application for a license, building permit, certificate of occupancy, special exception review, site plan review and/or any other required approval has not been submitted and acted on by the Code Enforcement Officer, Planning Board or other Town official or administrative board or agency prior to August 9, 2022, the applicability date of this ordinance.

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_

ROLL CALL      YEA                      NAY                      ABSTAIN

DEAKIN	_____
GABA	_____
GARDNER	_____
LECLERC	_____
MACRI	_____
POMERLEAU	_____
WATSON	_____

TOWN COUNCIL CHAIR \_\_\_\_\_

CLERK/SECRETARY \_\_\_\_\_

Introduction – 3/7/2023, 4/11/2023, 5/9/2023  
Planning Board Public Hearing – Not Required  
First Reading – 6/6/2023  
Public Hearing – 7/11/2023

5/9/2023 Moved by Butler seconded by LeClerc and voted to add proposed floor amendment #1 to the Ordinance. (5 Yeas – 1 Nay, Watson)