

ORDER

STANDISH TOWN COUNCIL

DATE: March 1, 2018
ORDER NUMBER:17-18

SUBMITTED BY: Higgins

TITLE: AMENDMENTS TO THE CODE OF THE TOWN OF STANDISH TO ADD CHAPTER 135 REGARDING DISCHARGE OF FIREARMS

The Town of Standish hereby ordains as follows (additions are underlined and deletions are ~~struck out~~):

FIREARMS DISCHARGE

§ 135-1. Authority.

This ordinance is enacted pursuant to 12 M.R.S. § 13201, 25 M.R.S. § 2011(3), and 30-A M.R.S. § 3007(5), all as may be amended from time to time; and municipal home rule authority, Me. Const., art. VIII, pt. 2 and 30-A M.R.S. § 3001.

§ 135-2. Definitions.

For purposes of this ordinance, the following words and phrases shall have the meanings ascribed to them in this section.

Firearm means 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, and includes any weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun. Any weapon that can be made into a firearm by the insertion of a firing pin, or other similar thing, or by repair, is a firearm.

No Discharge of Firearms Zone means that part of the Town encompassed within the following boundaries:

Part of lot numbered 49 in the Third Division of Lots in said Town of Standish, and being all that part of said lot numbered 49 which lies on the southerly side of the road leading from Steep Falls to Richville (Boundary Road), bounded northerly by said road; southeasterly by lot numbered 48; southwesterly by lot numbered 42; and northwesterly by lot numbered 50; containing fifty (50) acres, more or less.

Being the same property conveyed to Herbert Laughlin and Helen M. Laughlin by deed dated August 1, 1946 and recorded in the Cumberland County Registry of Deeds in Book 1820, Page 421, and which property the Town of Standish acquired through the tax lien mortgage foreclosure process.

This description is intended to describe the property depicted as Lot 8 on Assessor's Tax Map 8 as of the April 1, 2016 assessment date prepared by James H. Thomas of

gisSolutions of Maine, which map is on file in the Assessor's Office at the Standish Municipal Center.

§ 135-3. Prohibition on Discharge of Firearms in "No Discharge of Firearms Zone."

It is unlawful for a person to discharge a firearm in or into the "No Discharge of Firearms Zone."

§ 135-4. Violations and Penalties.

This ordinance shall be enforced by the Code Enforcement Officer with the assistance of local law enforcement officials. Violations shall be subject to fines as set forth in this section. Each day of a violation shall constitute a separate violation. Any person who violates this ordinance shall be penalized with a fine of \$1,000 per day for the first offense and an additional fine of \$1,500 per day for each additional offense, to be recovered upon complaint to Maine District Court or Maine Superior Court, for use of the Town. 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 reasonable attorney's fees.

§ 135-5. 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.

§ 135-6. Effective date.

This ordinance shall take effect immediately upon enactment by the Town Council.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

DELCOURT _____
HIGGINS _____
LIBBY _____
NESBITT _____
POMERLEAU _____
SIRPIS _____
STAROSTECKI _____

CLERK/SECRETARY _____

Timeline: Introduction-March 1, 2018
 First Reading- April 10, 2018
 Public Hearing & Action- May 8, 2018