

AUG 1 1994

ORDINANCE NO. 56A-8

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 13-36, SAME-DISCHARGE OF FIREARMS, ETC., IN OR NEAR RECORDED SUBDIVISION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Offenses - Miscellaneous, is hereby amended and reordained by amending Section 13-36, Discharge of firearms, etc., in certain areas.

Chapter 13. Offenses - Miscellaneous

Section 13-36. ~~Same~~ - Discharge of firearms, etc., in ~~or near certain areas~~ recorded subdivision.

(a) It shall be unlawful for any person to discharge any firearms or air-operated or gas operated weapons *in the County* in or within ~~three hundred (300) feet~~ of any dwelling, commercial building or shelter for animals, except with the prior written permission of owner or tenant, in or within 50 feet of the boundaries of any recorded subdivision, ~~located in the county or in a manner which causes ammunition to cross such areas.~~

(b) For purposes of this section, ~~recorded subdivision shall mean any subdivision a plat of which has been recorded in the clerk's office for the circuit court of the county.~~ *the following words and phrases shall have the meanings respectively ascribed to them below:*

Ammunition. A cartridge, pellet, ball, missile, or projectile adapted for use in a firearm.

Commercial Building. Any structure which requires the issuance of a certificate of occupancy under the Virginia Uniform Statewide Building Code and is used or is intended to be used for commerce.

Dwelling. Any structure which is designed for use for residential purposes, including, but not limited to, a mobile home.

Firearm. Any weapon in which ammunition may be used or discharged by explosion or pneumatic pressure.

Owner. One or more persons, jointly or severally, in whom is vested all or part of the legal title to the property or all or part of the beneficial ownership and a right to present use and enjoyment of the premises.

Recorded Subdivision. Any subdivision a plat of which has been recorded in the clerk's office for the circuit court of the county.

Shelter for Animals. Any building designed or intended for the shelter, housing, or enclosure of any animals, livestock, or poultry.

Tenant. A person entitled under a rental agreement to occupy a dwelling to the exclusion of others.

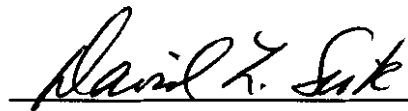
(c) *It shall be unlawful for any person to discharge a rifle, shotgun rifled slug or muzzle loading rifle (except a rifle .22 caliber or smaller, a muzzle loading rifle .36 caliber or smaller, or a shotgun) anywhere in the County unless such person is on a stand elevated at least 10 feet above the ground. This paragraph shall not apply to any person discharging a rifle in a permitted area to hunt groundhogs on land zoned A-1, General Agricultural District, between March 1 and September 1.*

(c) (d) The prohibition contained in this section shall not apply to the following:

- (1) *The discharge of firearms guns in a private basement, cellar or like target range provided that such target range has sufficient background or backstop to insure that ammunition will not travel more than 300 feet beyond the target range.*
- (2) *The discharge of weapons in defense of one's life or to kill any dangerous animal.*
- (3) *The discharge of weapons by any duly authorized peace officer, or law enforcement official or military personnel acting in the performance of his duties.*
- (4) *The discharge of a weapon by any person participating in a hunt for which a permit for controlled wildlife reduction has been issued by the Virginia Department of Game and Inland Fisheries; such hunt shall also be approved by the James City County Chief of Police who*

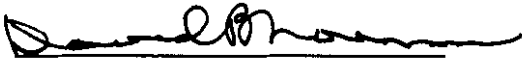
shall review the action plan for such a hunt to provide for the health, safety and welfare of residents and participants. Such review shall include, but not be limited to, the area in which the weapons may be discharged; the caliber of the weapons to be used; measures to be implemented to keep nonparticipants in the hunt from entering the area; the number of participants; and the days and hours of such a hunt.

State Code reference - Va. Code Sections 15.1-510, 15.1-518 and 15.1-518.1.



David L. Sisk, Vice Chairman
Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	NAY
SISK	AYE
DEPUE	ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of August,
1994.