

**TOWN OF GORHAM
FIREARMS ORDINANCE
Enacted June 7, 1994
Amended September 6, 1994
Amended October 7, 2011**

SECTION 1. DEFINITIONS

1.1 "Firearm", includes any instrument used in the propulsion of pellets, shot, or bullets by action of gunpowder.

1.2 Muzzle-Loading Firearm: "Muzzle-loading firearm" means a muzzleloader, a traditional muzzleloader, modern inline muzzleloader, or a muzzle-loading shotgun.

1.3 Muzzleloader: "Muzzleloader" means a firearm that:

- A. Is capable of being loaded only through the muzzle;
- B. Is ignited by a matchlock, wheel lock, flintlock or caplock, including an in-line caplock or shotgun or rifle primer mechanism;
- C. Has a rifled or smooth-bored barrel or barrels, each barrel capable of firing only a single charge;
- D. Propels a ball, bullet or charge of shot; and
- E. May have any type of sights, including scopes.

1.4 Direct family members: Any person related to the property owner by blood or by marriage.

1.5 Shotgun: A firearm typically used to fire a number of small balls from a shotgun shell through a rifled or smoothbore barrel of relatively large diameter, propelling a load of pellets, buckshot, bullets or slugs, for the purpose of big or small game hunting.

- A. A shotgun may have any type of sights, including scopes.

SECTION 2. SHOTGUN, AND MUZZLE LOADING, RESTRICTED ZONE

2.1 It shall be a violation of this ordinance for any person to discharge a firearm of any kind or description, except for shotguns or muzzle loaders, within the "Shotgun and Muzzle Loading Restricted Zone" as shown on the Gorham Firearms Map, which is dated September 6, 2011 and subsequently amended, as is kept in the Gorham Town Clerk's office.

2.2 This section shall not apply to any person while on their own property to which they are legally entitled to possession, or on which they are actually domiciled, or their direct family members or persons who have written permission from the owner.

SECTION 3. OWNER OF PROPERTY

3.1 This ordinance shall not restrict an owner of said property, or any person that has obtained written permission from the owner, whether or not such property is located in the "Shotgun and Muzzle Loading Restricted Zone" from discharging a firearm on his/her own property to dispatch a wild animal that is destroying said property, so long as said owner or permitted individual of the property acts pursuant to and in accordance with Title 12 M.R.S.A., Sections 12401-12404.

SECTION 4. DISCHARGE OF FIREARM NEAR DWELLING IS PROHIBITED.

4.1 The discharge of a firearm, including shot guns or muzzleloaders, within 100 yards of a building or residential dwelling is prohibited without the permission of the owner, or in the owners absence, an adult occupant of the building or dwelling authorized to act on behalf of the owner.

SECTION 5. MUNICIPAL PROPERTIES

5.1 It shall be a violation of this ordinance for any person to discharge a firearm of any type of description at or on municipal properties as listed:

- A. Within 500 feet of any School Property
- B. Gorham Municipal Center
- C. Baxter Memorial Library
- D. The Chick Property located between Main Street, Libby Avenue and Gray Road
- E. Within 300 feet of the Public Works Garage
- F. Within 300 feet of the fuel tanks located on Huston Road
- G. Fort Hill Park
- H. Little Falls Recreation Area
- I. Little Falls School Area
- J. Shaw Park
- K. Robie Park

SECTION 6. NARRAGANSETT GAME SANCTUARY

6.1. "Narragansett Game Sanctuary" as defined in Title 12 M.R.S.A. Sec. 12706 (1)(S) is: "The following described territory situated in the Town of Gorham, in the County of Cumberland: Bounded on the north by the right-of-way of the W.N. and P. division of the Boston & Maine Railroad; on the east side by the Black Brook Road or Scarborough Road, also known as Brackett Road and Libby Avenue¹ so called, in said Town of Gorham; on the south side by the Stroudwater River; and on the west side by South Street or South Gorham Road, so called, in the Town of Gorham, containing 3,600 acres, more or less. For provisions relating specifically to Narragansett Game Sanctuary, see Title 12, M.R.S.A. Section 12707 (2)(D).

SECTION 7. VIOLATIONS/FINES

7.1 Any person found to be in violation of any part of this ordinance shall be fined not less than \$300.00 and not more than \$5,000.00, with the fine recovered for use by the Town of Gorham. The Town of Gorham may initiate any and all actions and proceedings either legal or equitable that may be appropriate or necessary for the enforcement of this ordinance and the Town shall be entitled to recover its legal costs.

SECTION 8. SEVERABILITY

8.1 If any section or provision of this ordinance shall be finally declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining sections and provisions of the ordinance.