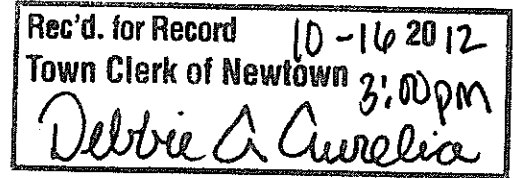


Mary Ann Jacob, Chair
Mitch Bolinsky, Vice Chair
Joe Girgasky, Recording Secretary
A. Jeffrey Capeci
Phil Carroll
Robert Merola



TOWN OF NEWTOWN

Minutes of the Legislative Council Ordinance Committee DRAFT-DRAFT-DRAFT

The Ordinance Committee met October 10, 2012 at the Newtown High School cafeteria. Ordinance Committee Chairman Jacob called the meeting to order at 7:00 pm.

Present: Ms. Jacob, Mr. Merola, Mr. Carroll, Mr. Capeci, Mr. Bolinsky, Police Chief Michael Kehoe, attorneys David Grogins and David Dobin.

Not Present: Mr. Girgasky.

PUBLIC PARTICIPATION:

Elmer E. Cox – 31 Pond Brook Road. See attachment 1.

REVIEW AND APPROVAL OF MINUTES FOR September 10, 2012 Motion made by Mr. Capeci, seconded by Mr. Merola. Ms. Jacob asked if anyone recalled who made the motion and second for the minutes approved at the September 10 meeting. No one responded. Ms. Jacob called the motion, all in favor.

DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:

Firearms Ordinance - Chief Kehoe distributed a matrix of existing legislation regulating firearms (attachment 2). He then discussed Sgt Haynes memo dated 10/10/2012 RE: Sound Levels at Range (attachment 3) and Laurel Trail Firing Range Report dated October 8 (attachment 4). Loudest recorded sound was 122dB approx. 12 from rifle and 50 ft. from tannerite target, the majority of the sound emanating from the exploding tannerite. Attorney Grogins noted that meters are not often helpful in court when defending noise ordinance infractions other municipalities often hire an audiologist to make the case in court. Chief Kehoe said Newtown officers are trained on the use of the meter but have no court experience.

Attorney Dobin discussed state hunting laws and DEEP regulation 26-66-4 (attachment 5) which prohibits the discharge of guns within 500 feet of a structure. Ms. Jacob asked what would stop someone from discharging a weapon in her neighborhood of fractional acre zoning across her lawn out over Lake Zoar. Chief Kehoe said while that behavior would not be in violation of the ordinance as it exists today such activity would likely be in violation of other state law. Attorney Dobin stated that CGSA 53-203 (attachment 6) makes it unlawful for any person to intentionally, negligently or carelessly discharge a firearm in such a manner to likely cause bodily injury or death to persons or domestic animals, or the wanton destruction of property. Mr. Capeci asked Chief Kehoe why CGSA 53-203 could not be used against those who fire guns in the most careless instances such as the example given previously of detonating propane canisters. Chief Kehoe responded that it is often very difficult for the police to prove all three requirements of the law (intentional, negligence and carelessness).

Attorney Dobin discussed preemptive law, stating that hunting ordinances are preempted. Local ordinances cannot deny that which state hunting statutes allow. There is no case law with respect to the general discharge of firearms. He then discussed Bill 6377 (attachment 7) which states that no municipality can enact legislation to regulate, restrict or license ownership, possession or use... of firearms. This legislation if passed, would nullify any local

ordinances on the subject. In his research, he found no evidence this legislation went beyond the Committee on Public Safety and Security.

Mr. Girgasky discussed research he did on ordinances in other municipalities (attachment 8). Attorney Grogins discussed privately held open space in town such as that owned by Newtown Forest Association and stated he believed that organization does not permit discharge of weapons.

Ms. Jacob closed the discussion on Firearms with a request for public comment.

Jack McWhiggan - NSSF

No need to tighten ordinance 500ft language, everyone is clear on the meaning. HB 6377, state preemption will never pass in Connecticut. Underage discharge should remain legal. The committee must decide whether the goal of changing the ordinance is to solve a noise or a safety issue.

Andy Buzzi 38 Obtuse Road. He grew up and had years of training while learning to hunt with his father. The committee should consider differences between hunting and recreational shooting. Many Ordinances have been struck down in court that attempt to regulate firearms at the municipal level, i.e. Kaluszka v. East Hartford. It is expensive to fight ordinances in court. Just because an ordinance exists does not mean it is right. He does not want to live in a town that has incorrect legislation.

Anti-Blight Ordinance – Ms. Jacob invited Attorney Dobin to discuss the changes he recommended the committee make on to the draft ordinance (attachment 11, 12).

The Committee agreed to meet on November 14, 2012, 7:00 pm at a location to be determined.

A motion to adjourn was made by Mr. Capeci, seconded by Mr. Girgasky.

Respectfully Submitted,
Jeff Capeci, clerk pro tem

Attachments:

1. Elmer E. Cox Voter Comments
2. Chief Kehoe COMPARISION of Existing Laws and Proposed Ordinance
3. Sgt Hynes Memo dated Oct 10, 2012
4. Laurel Trail Firing Report dated Oct 08, 2012
5. Regulations of Connecticut State Agencies 26-66-1
6. Connecticut General Statutes Annotated 53-203
7. Connecticut General Assembly Raised Bill No. 677 An Act Concerning Firearms Preemption
8. Various Municipal Firearm Ordinances
9. David E. Dobin Memo and Research Dated May 8, 2012
10. OLR Research Report 2011-R-0137 Firearms Preemption Issues
11. David E. Dobin Memo on Anti-Blight Ordinance Dated Oct 3, 2012
12. Marked up Anti-Blight Draft Ordinance.

Attachment #1

Elmer E. Cox
31 Pond Brook Road
Newtown, Ct.
203-426-4755

I still believe that the Town's existing ordinances goes a long way to protect the people of Newtown. Presently you may not discharge a firearm within 500 feet of a building which is occupied by persons or domesticated animals, unless you have within your possession the prior written consent of the owner or occupier. This already prevents the discharge of firearms in many locations. If your house is 450 feet away from your neighbors on both sides, then their no shooting zone would include your house. If they don't want you to shoot you can't. So in the more heavily populated areas of Newtown it is already almost impossible to discharge a firearm. Also it is not legal to shoot on posted land, so people owning larger tracts of land should think about posting the property.

There may be areas that you could consider. One would be hours of shooting similar to the State's hunting regulation. Shooting towards flammable or explosive materials could be made illegal. Just a couple thoughts.

In general I feel the town has good sound ordinances and they should be enforced, without any major changes.

Thanks

Eugene Cox

COMPARISION of Existing Laws and Proposed Ordinance

Elements of the law	Ordinance Section 226-1	Ordinance Section 226-2	State Reg. 26-66-4(d)	Proposed PC Ordinance
Hunt with firearms		X	X	
Discharge firearms	X	X	X	X
Carry loaded firearms		X	X	
Carry or possess firearms Anywhere in Newtown	X	X		X
500 hundred ft of any building (people or animals or combustible materials)			X	
500 hundred ft of building (people or animals)	X		X	
Landowner or occupier has posted no hunting on the land		X		
<u>Exception-</u> own the building			X	
<u>Exception-</u> actor has possession of written permission of owner	X	X	X	
<u>Exception-</u> actor is on his own property or leased property	X			
<u>Exception-</u> actor is landowner or spouse or lineal descendants			X	
<u>Exception-</u> written permission within last 12 months		X		
<u>Exception-</u> permitted by law				X
<u>Exception-</u> landowner/agents protecting animals/crops				X
<u>Exception-</u> persons legally authorized to hunt				X
<u>Exception-</u> indoor ranges*				X
<u>Exception-</u> target ranges approved by COP*				X
Penalties				
\$90 Town Citation	X	X		
\$100 Town Citation				X
\$100 Infraction under Sec. 7-148				X
\$135 Infraction under Sec. 7-148	X	X		
Misdemeanor Summons to Court: Fine less than \$251, sixty days or less in prison or both (prison & fine) (Section 26-71 GGS)			X	

*must be between the hours of 9:00 am and 8:00 PM.


Attachment #2

Newtown Police
Department

Memo

RECEIVED

NEWTOWN POLICE

To: Chief Kehoe
From: Sgt. Hynes 
Date: 10/10/2012
Re: Sound Levels at Range

On 09/13/2012, the sound meter was brought to the Monroe Police Department's range on Garder Road to measure sound levels during our training exercises. Officer Ketchum monitored sound levels while using a LIDAR unit to accurately gauge his distance from the shooters. There was heavy machinery operating at Monroe's dump adjacent to the range intermittently throughout the day. Below are the sound level readings that were collected:

Ambient noise level with heavy machinery operating: 53-73dB

Noise level w/.45 caliber-200 feet behind shooters: 80-85 dB

Noise level w/.45 caliber-150 feet to the right side of shooters: 83-96 dB

Noise level w/.45 caliber-320-350 feet behind shooters: 64-72 dB

Noise level w/M4 (.223 cal) 200-300 feet behind shooters: 83-84 dB

(heavy machinery was operating as well)

Noise level w/M4 measured near the muzzle: 130 dB

Noise level with a single .45 caliber-300 feet behind shooters: 73 dB

Laurel Trail Firing Range

Mon 10/8/2012 4:57 PM

From: Santucci, Steven (steven.santucci@newtown-ct.gov)

To: Kehoe, Michael (michael.kehoe@newtown-ct.gov)

Cc: Rios, Joe (joerios@newtown-ct.gov), Sinko, George (georgesinko@newtown-ct.gov), Vanghele, Christopher (christopher.vanghele@newtown-ct.gov)

On Friday October 5th 2012, at approx 16:30hrs., Ofc. Guernsey and I went to Laurel Trail and met with Robert Stone at a range that he set up on what he believed to be his property. We were invited to take measurements of decibel levels. I took three measurements.

The first measurement I took was a discharge of a high powered rifle and a target of 1/4lb of tannerite. The sound was measured from approx 12ft from the rifle and 50ft from the tannerite. The discharge of the firearm and the exploding target resulted in a decibel reading of 122 decibels.

The second measurement I took was on Riverside Rd approx 100ft south of the intersection with Bungalow Terrace. There was a vehicle pull off area at this location on the southbound lane of Riverside Road. The source was a high powered rifle fired at a target of 1/2lb tannerite. Ofc. Guernsey was on site of the range while I took the measurement on Riverside Road. The result was a decibel reading of 83 decibels.

The third measurement was taken from the same location on Riverside Road. The source was a high powered rifle that was fired at a target of 1.0lb of tannerite. The result was a decibel reading of 92 decibels. A strong percussion wave could be felt that caused a shockwave that rattled houses on Bungalow Terrace.

Respectfully,

Sergeant Steven Santucci 068

Patrol Division

Newtown Police Department

3 Main Street,

Newtown CT 06470

203-4256-5841

203-270-0637 (fax)

attachment 39

Regulations of Connecticut State Agencies
Title 26. Fisheries and Game
Department of Energy and Environmental Protection (1)
Hunting and Trapping (2)

Regs. Conn. State Agencies § 26-66-1

Sec. 26-66-1. Behavior and actions of hunters

Currentness

(a) The method of taking wild birds and wild quadrupeds by hunting shall be restricted to firearms, high velocity air guns using a single ball or pellet type projectile, and compound, long, or recurved bow. In designated areas, by special permit, the commissioner may allow the use of modified versions of air guns or archery implements to achieve wildlife management objectives. No arrow or projectile which is coated with or contains any drugs, poison or known tranquilizing substance may be used or possessed while engaged in archery hunting.

(b) Use of crossbows is prohibited, except during the January bow and arrow season on private land in deer management zones described pursuant to section 26-86a-6(b) of the Regulations of Connecticut State Agencies or except that a person who has a permanent physical disability to the degree that he or she cannot operate a long, recurve or compound bow may obtain a permit to take deer or turkey with a crossbow. A person applying for a crossbow permit under the disability provision of this section shall show proof that he or she has successfully completed the Connecticut conservation education/firearms safety advanced bowhunter education course or its equivalent and present a certificate from a licensed physician that he or she is so disabled. Upon satisfactory proof of disability, the commissioner may issue such a permit under this section which shall be carried at all times while hunting. Such permit shall not be a replacement for and is valid only with any license or permit required for archery hunting under the provisions of chapter 490 of the Connecticut General Statutes or regulations promulgated thereunder. Any crossbow and bolt combination to be used for hunting as permitted under this subsection shall meet the following specifications: (1) The draw weight of the crossbow shall be not less than 125 pounds nor more than 200 pounds; (2) The crossbow shall have a permanent fixed rifle type stock, and a functional and/or fully operational mechanical safety device; (3) The bolt (arrow) length shall be not less than eighteen inches, excluding the broadhead; (4) The bolt weight shall be not less than 450 grains, including the broadhead; (5) the broad head shall have two or more blades with a width not less than seven-eighths of an inch at the widest point. In addition, any crossbow in a drawn and cocked position shall be considered a loaded weapon, whether or not a bolt is loaded on the crossbow.

(c) There shall be no hunting from one-half hour after sunset to one-half hour before sunrise, except that raccoon and opossum hunting is permitted after sunset on state-owned lands which are open to hunting and on privately owned lands where landowners do not object, and provided the open season for hunting migratory game birds shall be governed by the provisions of Section 26-66-4, and provided further that on the third Saturday in October, hunting shall commence at 7:00 a.m. e.d.t. (eastern daylight time) except for waterfowl, turkey and archery deer hunting.

(d) There shall be no hunting with firearms, discharging of firearms or carrying of loaded firearms within five hundred feet of any building occupied by people or domestic animals or used for storage of flammable or combustible materials, unless written permission of owner of such buildings is obtained and carried while hunting to allow closer shooting distances, except that the

Sec. 26-66-1. Behavior and actions of hunters, CT ADC § 26-66-1

above referred to distance shall be not less than two hundred fifty feet unless written permission of owner of such buildings is obtained and carried while hunting to allow closer shooting distances when waterfowl is hunted in tidal water areas from land shooting positions or from floating blinds anchored adjacent to land or from rock formations. The provisions of this subsection shall not apply to landowners, their spouses or lineal descendants when hunting within five hundred feet of buildings owned by them or, when hunting waterfowl, within two hundred fifty feet of such buildings, but shall apply when said persons are hunting within said distances of buildings not so-owned.

(e) No hunting weapon shall be discharged toward any person, building or domestic animal when the same is within range or from or across the traveled portion of any public roadway.

(f) Domestic animals, agricultural crops, signs, fences, installations and facilities of utility companies and other property shall not be damaged.

(g) No dogs shall be trained, run or exercised or be permitted to run at large during the period from June first to the opening of the upland hunting season on any land posted by the Department or its agents against such activity.

(h) Hunting, trapping, fishing and/or trespassing is prohibited on any wildlife refuge, closed area or safety zone posted by the Department or its agents against such activity.

(i) Hunting is prohibited from the traveled portion of a public road or on any road adjacent to any premises used for the breeding, rearing, or holding in captivity of wildlife, or premises used for zoological purposes, or posted by the Department or its agents against such activity.

(j) No animals, except a dog or bird of prey where permitted by law or regulation shall be used in hunting or pursuing any wild bird or wild quadruped. Permits to use of birds of prey may be issued at the discretion of the commissioner to those persons who are engaged in federal, state or university cooperative research programs for the reestablishment of wild populations of raptors.

(k) No motor vehicle shall be operated or parked upon any public or private road, parking area, lane, passageway, right-of-way, field or lot posted by the Department or its agents against such activity.

(l) Discarding of bottles, glass, cans, paper, junk, litter or trash is prohibited on lands and waters open to hunting or otherwise under the jurisdiction of the Department of Environmental Protection.

(m) Vehicles using department-controlled parking areas shall be parked only in authorized places.

(n) At department-controlled boat launching sites, no boat shall be moored or anchored in a manner that will obstruct or interfere with the launching of other boats, and no boat shall be left unattended in the water or beached on shore unless such

Sec. 26-66-1. Behavior and actions of hunters, CT ADC § 26-66-1

boat has, in an exposed area, the name and address of the owner of such boat painted or branded thereon or in any legible manner attached thereto. Any boat anchored, moored, beached or stored in violation of this subsection, and not removed within forty-eight hours after notice has been served on the owner thereof, shall be subject to impoundment at the expense of the owner, and such owner shall be subject to the penalties provided for violations of the provisions of this subsection. For the purpose of this subsection, notice shall be considered to have been served on the owner when a warning card has been affixed to his boat by a representative of the Department.

(o) At department-controlled boat launching areas on inland lakes and ponds, unattended boats left moored, anchored, beached or stored after December fifteenth and before March first shall be subject to impoundment at the expense of the owner and such owner shall be subject to the penalties provided for violations of the provisions of this subsection.

(p) Subject to the provisions of subsection (c), no person shall hunt raccoons or opossums from 1/2 hour after sunset to 1/2 hour before sunrise by the use of a rifle, revolver, or pistol that uses centerfire ammunition or rim fire ammunition having a cartridge case longer than that of a .22 caliber long rifle cartridge case and the projectile of which is heavier than 20 grains or by use of shotgun shells larger or heavier than number two shot. No person shall take or attempt to take raccoons or opossums by the use of a light from a motor vehicle.

(q) Rifles and handguns using centerfire ammunition or rim fire ammunition having a cartridge case longer than that of a .22 rim fire long rifle cartridge case and the projectile of which is heavier than 20 grains and shotgun ammunition of loads larger or heavier than number two shot shall not be possessed or used for the purposes of hunting as defined in section 26-1 of the Connecticut General Statutes on any private land during the private land shotgun/rifle deer season as specified in section 26-86a-6(d) of the Regulations of Connecticut State Agencies. This provision relating to rifle and shotgun ammunition shall not apply to persons holding valid private land shotgun and/or rifle deer permits. Waterfowlers hunting from a boat, blind or stationary position may only use the ammunition specified in section 26-66-4(t) of the Regulations of Connecticut State Agencies.

(r) No person shall hunt, pursue, wound or kill any wildlife from September 1 through the last day of February without wearing above the waist at least a total of four hundred square inches of fluorescent orange clothing visible from all sides. This provision does not apply to: (1) archery deer hunting during the open season for hunting deer with bow and arrow; (2) archery deer hunting during the private land muzzleloader or shotgun/rifle deer seasons while hunting from an elevated tree stand more than 10 feet from the ground in zones designated by the commissioner; (3) archery and firearms turkey hunting; (4) waterfowl hunting from blinds or boats or from a stationary position; (5) crow hunting from a blind or a stationary position; (6) hunting raccoon and opossum from one-half hour after sunset to one-half hour before sunrise;

(7) deer hunting by a landowner on his own property; or (8) archery hunting on state lands designated by the commissioner and listed in his applicable annual Connecticut Hunting and Trapping Guide as open to bowhunting only while hunting from an elevated stand more than ten feet from the ground.

Credits

(Added effective January 1, 1993; Amended effective February 16, 1994; October 18, 1995; May 16, 1996; May 29, 1998; August 30, 1999; December 18, 2002; April 27, 2005; August 3, 2009.)

Current with material published in Conn.L.J. through 09/25/2012.

Sec. 26-66-1. Behavior and actions of hunters, CT ADC § 26-66-1

§ 26-66-1, CT ADC § 26-66-1

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Connecticut General Statutes Annotated
Title 53. Crimes (Refs & Annos)
Chapter 943. Offenses Against Public Peace and Safety

C.G.S.A. § 53-203

§ 53-203. Unlawful discharge of firearms

Effective: October 1, 2012

Currentness

Any person who intentionally, negligently or carelessly discharges any firearm in such a manner as to be likely to cause bodily injury or death to persons or domestic animals, or the wanton destruction of property, shall be guilty of a class C misdemeanor.

Credits

(1949 Rev., § 8521; 1973, P.A. 73-457; 2012, P.A. 12-80, § 103.)

Notes of Decisions (1)

C. G. S. A. § 53-203, CT ST § 53-203

Current with enactments from the 2012 February
Regular Session and June 12 Special Session
End of Document

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attachment #36



General Assembly

Raised Bill No. 6377

January Session, 2011

LCO No. 3284

03284 _____ PS_

Referred to Committee on Public Safety and Security

Introduced by:

Attachment #4

(PS)

AN ACT CONCERNING FIREARMS PREEMPTION.

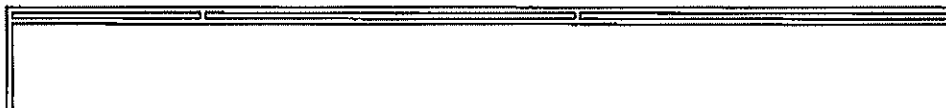
Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2011*) (a) No municipality may regulate, restrict or license the ownership, possession, use, purchase, sale, transportation or transfer of firearms, ammunition for firearms or components for firearms, nor may any municipality maintain or enact any ordinance or regulation which in any way regulates, restricts, prohibits, licenses or affects the ownership, possession, use, purchase, sale, transportation or transfer of such firearms, ammunition or components except as otherwise provided in state or federal law.

(b) The matters described in subsection (a) of this section are under the exclusive jurisdiction of the state and federal government, and the laws relating to such matters are intended to fully occupy the areas described and preempt any city or town, or any political subdivision of a city or town from legislating on such matters except when expressly permitted by the state.

(c) A municipality shall not define any activity related to firearms as constituting a public nuisance or as being detrimental to public health and safety.

(d) The provisions of this section shall supersede any inconsistent ordinances or regulations enacted by a municipality.



This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	New section

Statement of Purpose:

To preempt municipal regulation of firearms.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

TOWN OF AVON

Chapter 36 MISCELLANEOUS PROVISIONS

Sec. 36-1. Discharge of firearms; violation and penalties.

(a) No minor under 16 years of age, shall discharge any firearm, air rifle or air pistol within the limits of the Town, unless such discharge shall be in the presence and under the supervision of the parent or legal guardian of such minor, or a qualified instructor on an authorized range.

(b) Unless otherwise permitted by law, no person shall discharge any firearm outdoors and within 500 feet of any building situated anywhere in the Town, except as to buildings on his own land or on land used in conjunction with a duly organized rifle, fish and game, or gun club, or in an area approved by the Chief of Police.

(c) A landowner may extend to others by written consent, the right to use his property for hunting, target practice or other purposes requiring the use of firearms.

(d) Any person violating any provision of this section, or a parent or legal guardian permitting violation by a minor less than 16 years of age, shall be fined not less than \$40.00 and not more than \$100.00. Each day such violation shall continue after notice to the owner may be deemed a separate offense.

(Ord. No. 11, § 1)

State law references: Penalty for ordinance violations, G.S. § 7-148(c)(10)(A); unlawful discharge of firearms, G.S. § 53-204.

ATTACHMENT 5

CITY OF BRISTOL

ARTICLE I. IN GENERAL

Sec. 16-2. Regulated conduct, activities, substances and acts in public parks.

(e) Dangerous devices.

(1) *Firearms, fireworks and projectile devices.* No person shall possess illegal firearms, and no person, other than a police or security officer, shall carry openly any legal firearm. ~~No person shall possess or discharge a firearm, firecracker, firework, bow, cross-bow, or traditional BB or pellet-firing air gun that expels a metallic or paint-contained projectile through the force of air pressure.~~ This provision shall not apply to the display of fireworks under municipal authority, nor to activities authorized specifically by the board of park commissioners or confined within those areas specifically designated.

(2) *Knives.* No person shall possess any dirk knife, or any switch knife, or any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half (1 1/2) inches in length, or stiletto, or any knife the edged portion of the blade of which is four (4) inches or over in length unless it is being used for the purpose of food preparation.

TOWN OF DURHAM

ARTICLE II. ALLYN BROOK PARK

Sec. 11.5-26. Rules of conduct.

(11) *Firearms.* It shall be unlawful for any person to bring into or have in his possession:

- a. Any pistol or revolver or objects in which loaded or blank cartridges may be used, except for official starters at authorized track and field events.
- b. Any rifle, shotgun, air gun, spring gun, slingshot, bow or other weapon in which the propelling force is gunpowder, a spring or compressed air.

CITY OF HARTFORD

ARTICLE II. PISTOL PERMITS

DIVISION 1. GENERALLY

Sec. 21-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ammunition means any projectile or other device which will or is designed to or may readily be converted to be expelled from any pistol or revolver.

Antique pistol or revolver means any pistol or revolver which was manufactured in or before 1898 and any replica of such pistol or revolver provided such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition except rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and not readily available in the ordinary channel of commercial trade.

Chief of police means the chief of police of the city police department.

Permit includes the word "license."

Person means any individual, corporation, company, association, firm, partnership, society, joint stock company, or organization of any kind.

Pistol and revolver mean any firearm having a barrel less than twelve (12) inches in length.

Transfer includes to sell, assign, lease, loan, give away, or otherwise cause the lawful title or rightful possession of a firearm to vest in another.

DIVISION 2. SALE OR TRANSFER OF PISTOLS AND REVOLVERS

Sec. 21-51. Permit--Required.

It shall be unlawful for any person to advertise, sell, deliver, or offer or expose for sale or delivery, or have in his possession with intent to sell or deliver, or loan, exchange, give away or otherwise transfer the lawful ownership or possession of any pistol or revolver at retail without having a permit therefor issued as provided in this division.

Sec. 21-52. Same--Application.

An application for a permit to sell or transfer pistols and revolvers shall be made in writing to the chief of police on such suitable forms provided or approved by him, setting forth the name and social security number of the applicant, the applicant's residence or registered address, and the address where business is to be conducted. The applicant must be a bona fide resident of, or have a place of business in the city in order to be eligible for a permit. The application for a permit shall also state that the applicant (including in the case of a corporation, partnership, or association, any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership or association) is eighteen (18) years of age or older, that he is not under indictment for nor has been convicted in any court of a felony, is not a

fugitive from justice, is not addicted to the use of narcotics, has not been a patient in a mental institution within the past five (5) years, and is not mentally retarded.

Sec. 21-53. Same--Issuance.

(a) The chief of police shall issue a permit to sell or transfer pistols and revolvers to applicants who have satisfactorily complied with the requirements of this division. It shall be the duty of the chief of police to refuse the permit to any applicant who fails, refuses or is unable to comply with all of the requirements specified in this division.

(b) The chief of police shall notify the applicant not later than eight (8) weeks after a sufficient application has been submitted that the request for a permit has been approved or denied.

Sec. 21-54. Same--Expiration.

A permit for the sale or transfer of pistols and revolvers shall expire five (5) years after the date it becomes effective; and renewal thereof shall expire five (5) years after the expiration date of the permit being renewed.

Sec. 21-55. Same--Fee.

The fee for each permit issued under the provisions of this division shall be fifteen dollars (\$15.00).

Sec. 21-56. Same--Revocation.

The chief of police shall have the authority to revoke a permit issued under this division upon determining that the permit holder has violated any provision of this division or is no longer able to fully comply with all of the requirements specified in this division, and the money paid for such permit shall be forfeited to the city.

Sec. 21-57. Same--Display at place of sale.

No sale of any pistol or revolver shall be made except in the room, store or place described in the permit for the sale of pistols and revolvers, and such permit or a copy thereof certified by the authority issuing the same shall be exposed to view within the room, store or place where pistols or revolvers are sold or offered or exposed for sale.

Sec. 21-58. Required records.

(a) Content of records. Any seller of pistols and revolvers other than a manufacturer selling to a bona fide wholesaler or a retailer or a wholesaler selling to a bona fide retailer shall keep a record of all such pistols and revolvers sold, leased, loaned, given away or otherwise transferred. Such record shall contain the following information:

(1) The name, social security number, age, address, and permit number of the transferor;

- (2) The name, social security number, age, address, and permit number of the transferee;
- (3) The date of the sale;
- (4) The name of the manufacturer, the caliber, make, model and serial number of the pistol or revolver.

(b) Inspection. Records of transfers shall be open for inspection by any duly authorized law enforcement official or by the chief of police or city clerk of the city at all reasonable times.

(c) Evidence of identification of transferee. The person to whom the pistol or revolver is to be delivered must provide evidence of his identification. Such evidence must include a picture identification, as well as information as to the bearer's age and address. The record of transfer shall be signed by the transferor and the transferee, each in the presence of the other.

Sec. 21-59. Application to purchase.

(a) Required; delivery; waiting period. No person shall transfer a pistol or revolver at retail or otherwise transfer except upon written application on a form prescribed and furnished by the commissioner of public safety in triplicate. A copy of the application is to be mailed by first class mail on the day of receipt to the chief of police and one (1) to the commissioner of public safety. No sale or delivery of any pistol or revolver shall be made until the expiration of two (2) weeks from the date of the mailing of such copies.

(b) Exceptions. The waiting period specified in subsection (a) of this section during which delivery may be made shall not apply to the holder of a valid state permit to carry pistols and revolvers, nor to any federal marshal, sheriff, parole officer or peace officer. The provisions of this section shall not apply to antique pistols or revolvers.

(c) Prohibited acts. No person shall sell at retail, deliver or otherwise transfer any pistol or revolver to any alien. No person shall make any false statement or give any false information connected with any purchase or other transfer of any pistol or revolver. No person shall sell or otherwise transfer any pistol or revolver to any other person under the age of eighteen (18) years of age.

Sec. 21-60. Report of sale or transfer.

Any transferor of pistols and revolvers shall, upon selling or otherwise transferring a pistol or revolver, make a report of the sale or gift, which report shall contain the date of sale or transfer, name, age, address, occupation, physical description of purchaser or donee, the purpose for which purchased, the kind, description, including serial number of the pistol or revolver, and the consideration paid therefor, the city and state permit

number, if any, and/or the driver's license number, if any. Such report of sale shall be open for inspection by any duly authorized law enforcement official or by the chief of police or the city clerk at all reasonable times. In addition, the information contained in this section shall be provided by the seller to the chief of police no later than the last business day of each calendar month representing all sales, lease, loans, gifts, or other transfers of any pistol or revolver by the seller.

DIVISION 2A. LOST OR STOLEN FIREARMS

Sec. 21-61. Statement of intent.

The city's experience is that many firearms used in violent crimes are weapons which have been stolen. Existing state law provides for a statewide firearms tracking task force within the division of state police. Requiring owners of firearms to promptly report to the police the loss or theft of firearms will enable the Hartford Police Department to timely investigate and hopefully solve the incidents of initial theft and may well result in taking firearms off the street before they can be used to perpetrate a violent crime. In addition, this legislation provides the city with a vehicle to recover costs expended in connection with police services from owners who fail to report stolen firearms. The section is within the city's police powers authority and its power to protect the public interest.

Sec. 21-62. [Owner to report loss or theft of firearm.]

In the city, any person who is the lawful owner of a firearm and any permitted firearm's owner shall report the loss or theft thereof from premises in the city or from their person to the Hartford Police Department within seventy-two (72) hours of becoming aware of said theft or loss.

Sec. 21-63. [Failure to report loss or theft of firearm.]

In the event that a lost or stolen firearm is determined to have been used to aid or abet the commission of a felony in the city and it shall become known to the Hartford Police that the owner of said firearm failed to report its loss or theft within seventy-two (72) hours of becoming aware of such loss or theft to the organized local police department in the municipality, or the Connecticut State Police, then the Corporation Counsel for the City of Hartford, on a showing of good cause, and consistent with state law, may sue the said owner to recover the costs to the city of police services and other expenses associated with the investigation and prosecution of said felony.

DIVISION 3. PERMIT TO CARRY PISTOL OR REVOLVER

Sec. 21-71. Required.

It shall be unlawful for any person to have in his possession in the city any pistol or revolver, except when such person is within his dwelling house or place of business, unless a permit to carry a pistol or revolver has been issued in accordance with the provisions of this division.

Sec. 21-72. Application.

(a) Documents required generally. Every person applying for a permit to carry a pistol or revolver in the city shall provide the following documents to the Hartford police department, records division, between 8:00 a.m. and 6:00 p.m., Monday through Friday, or 8:00 a.m. to 12:00 noon on Saturday:

(1) A completed, notarized application form to be provided by the police department;

(2) Proof of citizenship in the form of a birth certificate or naturalization papers;

(3) Character references from three (3) persons who can testify to the applicant's character and reputation in the community. The three (3) persons cannot be relatives, city police officers, or civilian employees of the city police department. Character references must indicate how long the person has known the applicant, and an evaluation of the character, reputation and suitability of the applicant to carry a pistol or revolver. Character references shall be mailed to:

Hartford Police Department
50 Jennings Road
Hartford, CT 06120
c/o Pistol Permit Unit

(4) A certified check, cashier's check or money order in the amount of fourteen dollars (\$14.00) made payable to the Federal Bureau of Investigation, for the cost of an investigation by that agency of the applicant's fingerprints.

(b) Documents required for specific use. If you are applying for a permit to carry a pistol or revolver for one (1) of the following reasons, the appropriate documents listed below must accompany the application:

(1) Security guard: A letter from the company, on company letterhead, stating the need for a permit.

(2) Business use: In the case of a business owner, a state sales tax certificate. In the case of an employee required to carry large sums of money, a notarized letter on the employer's letterhead indicating that fact.

(3) Target practice: A club membership card, or a notarized letter of permission to use a pistol range, or a minimum of four (4) receipts in the applicant's name for use of any range. NRA membership alone does not constitute membership in a club.

(c) Fingerprinting. The applicant must be fingerprinted at the police department evidentiary services division, between 10:00 a.m. and 2:00 p.m. on Tuesdays or Thursdays (except holidays).

(d) Range safety and qualification test. The applicant must contact the police department, records unit, permit section, six (6) weeks after being fingerprinted to make an appointment for a range safety and qualification test. Range tests are to be conducted on Wednesdays at 8:00 a.m., by appointment only. The applicant is to report on the day of his appointment to the records unit with his pistol or revolver wrapped in paper and secured with string and shall bring ten (10) rounds of ammunition wrapped separately.

Sec. 21-73. Issuance, fee.

Upon satisfactorily completing all aspects of the application requirements for a permit to carry a pistol or revolver, the applicant will be scheduled to meet with the commander of the records unit of the police department. At that time, a fee of fifteen dollars (\$15.00) in cash, check or money order made payable to the city shall be paid and a permit issued. If, at any point in the process an application is denied, the payment to the Federal Bureau of Investigation shall be nonrefundable, however, no other charges for processing the application shall be made.

Sec. 21-74. Exceptions to division.

The provisions of this division shall not apply to the carrying of any pistol or revolver by any sheriff, parole officer or peace officer of any other state while engaged in the pursuit of his official duties, or federal marshal or federal law enforcement agent, or to any member of the armed forces of the United States, or of this state, when on duty or going to or from duty, or to any member of any military organization when on parade or when going to or from any place of assembly, or to the transportation of pistols or revolvers as merchandise, or to any person carrying any pistol or revolver while contained in the package in which it was originally wrapped at the time of sale and while carrying the same from the place of sale to the purchaser's residence or place of business, or to any person removing his household goods or effects from one (1) place to another, or to any person while carrying any such pistol or revolver from his place of residence or business to a place or person where or by whom such pistol or revolver is to be repaired or while returning to his place or residence or business after the same has been repaired, or to any person carrying a pistol or revolver in or through the state for the purpose of taking part in competitions or attending any meeting or exhibition of an organized collectors' group if such person is a bona fide resident of the United States having a permit or license to carry a firearm issued by the authority of any other state or subdivision of the United States, or to any person carrying a pistol or revolver to and from a testing range at the request of the issuing authority, or to any person carrying an antique pistol or revolver.

TOWN OF MONTVILLE

§ 277-6. Firearms prohibited.

Carrying and/or discharging of firearms is not permitted on open space land.

CITY OF NEW BRITAIN

ARTICLE IV. WEAPONS*

Sec. 16-76. Permit for carrying weapons.

Any person who has reasonable grounds for fearing an unlawful attack upon his person or upon any member of his family, may apply to the chief of police for a permit to carry a firearm. If such permit is granted, it shall be for a limited period of time only, and the issuance of this permit shall be entered in a record kept for this purpose by the chief of police.

Sec. 16-77. Discharging firearms prohibited; exceptions.

No person shall discharge any gun, pistol, cannon or other firearm of any sort or description within the city limits without a permit issued by the chief of police, or by order of a military officer on the occasion of military exercises or parades. The permit issued by the chief of police shall state the date, duration of such permit, and the name of the permittee. A record of such permits shall be kept by the chief of police in a book provided for this purpose.

Sec. 16-78. Sale or use of air rifles and slingshots prohibited.

No person shall carry, use or discharge within the city limits any slingshot, bow and arrow, or any air gun, air rifle or similar device for the discharge of shot, bullet or projectile by compressed air.

Sec. 16-79. Notice to police department of sale or entry of dangerous weapons.

(a) Sale. Any person who sells to another a sling shot, air rifle, BB gun, blackjack, sandbag, metal or brass knuckles, dagger, or any dirk knife or any switch knife, or any knife having an automatic spring release device by which the blade is released from the handle, having a blade of more than one and one-half (1 1/2) inches in length, or stiletto shall within twenty-four (24) hours give written notice to the chief of police of such sale, describing the article sold and the name and address of the purchaser.

(b) Entry. Any person who enters the city with any of the weapons described in paragraph (a) of this section shall report such possession in the manner required by paragraph (a).

Sec. 16-80. Carrying concealed weapons.

(a) No person shall wear under his clothes, or conceal upon or about his person any deadly or dangerous weapon including, but not limited to any pistol, dagger, metal knuckles, razor, slingshot, blackjack, sword or canegun. The provisions of

this paragraph shall not apply to any person who is found with any such weapon or implement concealed upon his person while lawfully removing his household goods or effects from one place to another, or from one residence to another, nor to any person while actually and peaceably engaged in carrying any such weapon or implement from his place of abode or business to a place or person where or by whom such weapon or implement is to be repaired, or while actually and peaceably returning to his place of abode or business with such weapon or implement after the same has been repaired.

(b) This section shall not apply to any law enforcement officer in the discharge of his duty.

CITY OF NORWICH

Sec. 14-5. Firearms; other weapons.

No firearms, air rifles, gas weapons, slingshots, bows and arrows, or any other weapon shall be displayed, carried, or discharged in Mohegan Park, parklets, or recreation areas.

TOWN OF OLD SAYBROOK

§ 402-7. Hunting and firearms.

Hunting or carrying firearms or bow and arrows in any park, beach or facility is prohibited.

TOWN OF ORANGE

Chapter 211, FIREARMS

§ 211-1. Discharge of firearms restricted.

Except as otherwise specifically permitted by law, no person shall discharge a firearm within the Orange town limits without first having obtained a permit from the Orange Chief of Police to do so.

§ 211-2. Factors for issuance of permit.

In determining whether, or under what circumstances, or with what conditions to issue such a permit, the Chief of Police shall consider the purpose for which the discharge of a firearm is intended in the particular case, the type of firearm and ammunition, the location of the proposed activity, and the proximity of the location to structures or areas inhabited or utilized by members of the public, and shall consider how the facts of the particular case relate to potential threats to life, health or property, and to the preservation of public peace, safety and good order.

§ 211-3. Permit term, conditions and revocation.

Such permit, if issued, shall be valid for such period of time and under such conditions as appear on the face of the permit, and may be withdrawn at any time on notice to the holder thereof, if, because of changed conditions, there is found to be a threat to life, health or property, or the public peace, safety and good order.

§ 211-4. Regulations and forms.

The Chief of Police shall promulgate reasonable regulations and forms to implement the provisions of the chapter.

§ 211-5. Penalties for offenses.

Each violation of this chapter shall constitute a separate offense. Any person who violates any provision of this chapter shall be subject to arrest and prosecution by the proper authorities and may be fined an amount not to exceed \$100 for each violation.

TOWN OF ROCKY HILL

Chapter 125: FIREARMS

§ 125-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AIR GUN/RIFLE or BB GUN — Encompasses and means any device in which the expulsive or impelling force is condensed or compressed air or gas.

MINOR — Any person who has not yet attained the age of 18 years.

TOWN OF ROCKY HILL — Any property, public or private, that falls within the geographical boundaries of the Town of Rocky Hill.

§ 125-2. Restrictions on minors.

It shall be unlawful for any minor to possess, purchase or discharge in the Town of Rocky Hill any air gun, air rifle or BB gun, unless said minor is under the direct and immediate presence and supervision of his/her parent or legal guardian.

§ 125-3. Responsibility for damages.

Any damages caused by any person using said air rifle or air gun shall be the responsibility of said person, or his/her parents in the case of minors.

§ 125-4. Penalties for offenses.

Any person violating any provisions of this chapter shall be fined \$25 per day, each day's continued violation constituting a separate offense.

TOWN OF SEYMOUR

Sec. 11-5. Guns and firearms--Declaration of need for regulation.

It is hereby declared that enactment of sections 11-5 through 11-8 is essential as a matter of public necessity and proper for protection and preservation of health, property and the lives of the citizens of the town, to protect the public safety by prohibiting the selling, or offering for sale to any person under the age of 16 years of any air gun or rifle or pistol, BB gun, spring gun, or pistol or any other implement which impels with force a pellet of any kind or any firearm to any person under the age of 16 years and further prohibiting the possession, use or carrying of such a gun or device.

Sec. 11-6. Same--Sale to children prohibited.

It shall be unlawful and is hereby prohibited for any person to sell or offer for sale to any person under the age of 16 years any air gun or rifle or pistol, BB gun, spring gun or pistol, or rifle, or any other implement which impels with force a pellet of any kind or any gun or rifle or pistol which fires or which is designed or intended to fire a bullet, shell or pellet by means of gunpowder, or other chemical propellant which such devices are generally known as firearms, within the limits of the town.

Sec. 11-7. Same--Ownership, possession, use by children prohibited; exception.

(a) It shall be unlawful and is hereby prohibited for any person under the age of 16 years to own, possess, use or carry any air gun or rifle or pistol, BB gun, spring gun or rifle or pistol, or any other implement which impels with force a pellet of any kind or any gun, rifle or pistol which fires or which is designed or intended to fire a bullet, shell or pellet by means of gunpowder or other chemical propellant which such devices are generally known as firearms, within the limits of the town.

(b) Provided, however, that a person under 16 years of age can have the use of a rifle or other device described in this section, provided they are with their parents or guardians and under their supervision.

Sec. 11-8. Same--Confiscation by police authorized.

The police department is hereby authorized, empowered and directed to seize, remove and destroy any gun, rifle, pistol or implement the use of which is prescribed by the terms of sections 11-5 through 11-7.

TOWN OF SOUTH WINDSOR

ARTICLE V. WEAPONS

Sec. 70-191. Discharge of firearms and other dangerous devices.

- (a) No person shall discharge a firearm or dangerous device, out-of-doors, within a distance of 500 feet of a dwelling unless such discharge is with the permission of the owners or occupants of all dwellings within 500 feet.
- (b) No person shall aim and discharge, out-of-doors, a firearm or dangerous device in the direction of a person, building, vehicle or domestic animal within the range of the firearm he is discharging.
- (c) For the purpose of this section, a dangerous device shall be any air rifle, BB gun, slingshot, crossbow, bow and arrow, or any other device capable of projecting an object with sufficient force so as to cause injury to person or domestic animals or to cause damage to property.
- (d) This section shall not apply to any person who shall discharge any firearm or dangerous device in reasonable defense of his person or property or in the performance of any legal duty.
- (e) Any person who shall violate the provisions of this section shall be subject to punishment as provided in section 1-12.

CITY OF STAMFORD

CHAPTER 242. WEAPONS

Sec. 242-1. Discharge of firearms prohibited; exceptions.

It shall be unlawful to discharge any firearm within the city except as follows:

- A. By peace officers acting in performance of their duties as such or by members of the military, naval or air forces of the United States or of this state acting in performance of their duties as such.
- B. By the owner, tenant or authorized agent of such owner or tenant upon his own property for the purpose of extermination of vermin or animals causing damage to the property or for the purpose of killing livestock.
- C. On any shooting range authorized in writing by the Chief of Police.
- D. On any property for the purpose of hunting game, subject to all legal restrictions applicable thereto, and provided that no firearm other than a shotgun shall be used for the purpose and no firearm of any sort shall be discharged within five hundred (500) feet of any dwelling or commercial building or public road, street or highway, and further provided that it shall be unlawful to hunt game, except waterfowl on salt water, before 7:00 a.m.
- E. Hunting of waterfowl at Cove Island Park, including the portion known as "Wallacks Point," above the mean high-water mark on the shore is prohibited.

Sec. 242-2. Issuance of regulations.

Copies of § 242-1 shall be furnished to the office of the Town and City Clerk and he shall give a copy to each person to whom he issues a hunting license.

Sec. 242-3. Specific devices restricted.

Except as otherwise provided in § 242-1, it shall be unlawful for any person within the city to shoot any BB rifle or pistol, air rifle or pistol or similar device, whether the pellets or shot are propelled by spring, compressed air or any other method or device.

TOWN OF TOLLAND

Chapter 112, PARKS AND RECREATION AREAS

§ 112-5. Park regulations.

D. Firearms. No person shall use, carry or possess firearms of any kind or have air- or gas-powered guns, crossbows or bows, or other missile-throwing devices or weapons of any kind within the confines of any Town park.