

2024-20

**ORDINANCE OF THE
TOWN OF MIDDLETOWN, RHODE ISLAND**

**AN ORDINANCE AMENDING THE TOWN CODE OF THE
TOWN OF MIDDLETOWN**

TITLE IX GENERAL REGULATIONS

Chapter 90, Animals

&

XIII GENERAL OFFENSES

Chapter 130 General Offenses

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

FIRST: That Town Code Title IX, General Regulations, Chapter 90, entitled "Animals" is hereby amended by amending Section 90.01, entitled "Hunting Restricted, Permit Required" as set forth below; and that Title XIII, General Offenses, Chapter 130, entitled "General Offenses" is amended by deleting Section 130.67, entitled "Discharge of Firearms Prohibited While Hunting on Sunday" in its entirety (language to be deleted is stricken out within brackets; language to be added is underlined and presented in red ink):

TITLE IX GENERAL REGULATIONS

Chapter 90, Animals

§ 90.01 HUNTING RESTRICTED, PERMIT REQUIRED.

(A) No person shall hunt, take or kill any wild bird or animal at any time within the town; provided, that nothing herein contained shall prohibit an owner or a tenant of land from hunting and killing wild animals or birds thereon, nor shall it prohibit not more than three persons at any one time, inclusive of an owner or tenant of land, from hunting and killing wild animals or birds that are causing destruction to the crops, livestock or nursery stock of any owner or tenant of land.

(B) No persons, including an owner or tenant of land, shall hunt, take, or kill any wild animal or bird at any time without a seasonal and daily written permit from the Chief of Police or his authorized deputy. The Chief of Police or his authorized deputy shall provide the application for any such permits and shall be responsible to conduct any and all background checks or other investigations necessary prior to the issuance of any such permits. The Chief of Police or his authorized deputy may reject any such permits if, in the opinion of the Chief or his authorized deputy, there are no wild animals or birds causing destruction to crops, livestock, or nursery stock, or the granting or any such permits would impact adversely on public health, safety, or welfare.

(C) No person shall hunt, take, or kill any wild animal or bird with any firearm other than a shot gun.

(D) No person shall, while hunting or pursuing wild animals or birds, shoot or discharge any firearm or other deadly weapon within 500 feet of any occupied dwelling, house, residence, or other building occupied by human beings, or any barn, stable, or other buildings used in connection therewith, [, without the specific permission of the owner or tenant.] In addition to the foregoing, any discharge from a firearm must be in a direction to insure that the discharge will land on the property being hunted.

(E) The Chief of Police or his/her authorized Deputy may at his/her discretion allow the hunting, taking or killing of any wild animal or bird with a firearm other than a shotgun to address a compelling public safety threat or continuous public nuisance. If authorized no caliber of ammunition higher than .229 is allowed from April 1 through September 30.

[(F) All hunting activity within the Town shall be done in strict compliance with all applicable regulations of the Rhode Island Department of Environmental Management.]

XIII GENERAL OFFENSES

Chapter 130 General Offenses

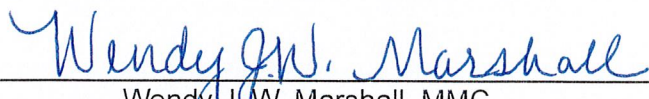
~~§ 130.67 DISCHARGE OF FIREARMS PROHIBITED WHILE HUNTING ON SUNDAY.~~

~~—No person shall use or discharge any rifle or other firearm in the pursuit or hunting of birds or animals in the town during the first day of the week commonly called Sunday.~~

SECOND: This ordinance shall take effect upon its adoption and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

AUGUST 5, 2024

READ AND ADOPTED IN COUNCIL



Wendy J.W. Marshall, MMC
Town Clerk