

*Town of Newtown, CT  
Monday, December 16, 2024*

## Chapter 128. Firearms

[HISTORY: Adopted by the Legislative Council of the Town of Newtown 8-7-1991 by Ord. No. 71; amended 9-17-2003; 9-4-2013. Subsequent amendments noted where applicable.]

### § 128-1. Purpose.

The purpose of this chapter is to regulate the discharge of firearms in the Town of Newtown.

### § 128-2. Definitions.

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

#### **BACKSTOP**

A device constructed to stop, redirect, and/or contain bullets fired on a range.

#### **BIRDSHOT**

A type of shotgun ammunition typically used for bird hunting.

#### **CLAY PIGEON SHOOTING**

The activity of shooting a firearm up into the air at special flying targets, known as clay pigeons or clay targets, provided that the activity is in full compliance with all other federal, state and local laws.

#### **FIREARM**

Any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded, from which a shot may be discharged.

#### **SCHOOL**

Any boarding, day or night school or college, including one conducted by the Town of Newtown or State of Connecticut, in which full-time academic instruction is offered for one or more grades.

#### **SPORTSMAN'S ORGANIZATION**

A group of individuals or association of individuals approved by the First Selectman and Chief of Police based on the presentation of proof that the organization satisfies all of the following criteria:

- A. The organization has centralized management;
- B. The organization has implemented adequate regulations to ensure safety in the discharge of firearms;
- C. The organization has implemented regulations to ensure individuals discharging firearms have adequate safety training and comply with all applicable federal, state and local laws concerning the possession and discharge of firearms;
- D. The organization requires the presence of an individual trained in firearms safety to oversee and supervise the discharge of firearms at all times;
- E. The organization maintains adequate insurance coverage;

- F. The organization has established membership criteria to ensure safety in the discharge of firearms; and
- G. The organization has taken adequate measures, including the construction of improvements, to ensure all shots, debris and discharge is confined to the target area on the property on which firearms are to be discharged and there is no danger or risk of injury to persons and property.

### § 128-3. Exceptions.

- A. The Provisions of this chapter shall not apply to a peace officer, as defined in Section 53a-3(9) of the Connecticut General Statutes, when acting within the scope of his/her duties.
- B. The provisions of this chapter shall not apply to hunting as defined in Section 26-1(12) of the Connecticut General Statutes, as the same may be amended from time to time.
- C. The provisions of this chapter shall not apply to the discharge of firearms on property owned or leased by the Pequot Fish and Game Club, Newtown Fish and Game Club, Fairfield County Fish and Game Protective Association or any sportsman's organization duly approved by the First Selectman and Chief of Police pursuant to the definition of "sportman's organization" in § 128-2 of this chapter.
- D. The use of birdshot for the purpose of clay pigeon shooting shall be exempt from the requirement to use a backstop per § 128-5C of this chapter.
- E. The provisions of this chapter shall not apply to the use of a firearm by an individual:
  - (1) Discharging blank cartridges in a manner consistent with all federal, state and local laws;
  - (2) Acting to defend himself or herself or a third person from physical force in a manner consistent with all federal, state and local laws;
  - (3) Performing nuisance animal control in a manner consistent with all federal, state and local laws;
  - (4) Engaging in a memorial ceremony in a manner consistent with all federal, state and local laws; or
  - (5) Engaging in an official parade or ceremony in a manner consistent with all federal, state and local laws.

### § 128-4. Safety practices.

- A. Persons participating in the discharging of a firearm must be the owner of the property the discharge is taking place on, an invited guest of the owner who is present, or have written permission from the property owner.
- B. Persons discharging a firearm shall comply with all applicable federal, state and local laws concerning the possession and discharge of firearms and possess and carry, or be supervised by an individual who possesses and carries, one or more of the following:
  - (1) Connecticut hunting license.
  - (2) Connecticut certificate of possession.
  - (3) Connecticut permit to carry pistols or revolvers.
  - (4) Connecticut Long Gun Eligibility Certificate.

- (5) A certificate issued after successfully completing a course approved by the Connecticut Commissioner of Emergency Services and Public Protection in the safety and use of firearms, including, but not limited to:
    - (a) A safety training course in the use of firearms available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection; and
    - (b) A safety or training course in the use of firearms conducted by an instructor certified by the state or the National Rifle Association.
  - (6) Active duty U.S. military members or individuals honorably discharged from the U.S. military are exempt from § 128-4B(1) through (5).
- C. Persons not possessing a license or certificate as provided in Subsection **B** above may be permitted to discharge a firearm provided they are supervised at all times by a person licensed or certified as provided in Subsection **B** above and are in compliance with all applicable federal, state and local laws concerning the possession and discharge of firearms. No more than four (4) such unlicensed or uncertified persons may participate in shooting under the supervision of a person so licensed or certified at the same time.
  - D. No more than one firearm may be fired at a time by any group of individuals engaged in discharging firearms as permitted under this chapter.
  - E. All firearms, not in active use, located in an area being used for discharging firearms, on or off the shooting line, must be unloaded with the action open.

## § 128-5. Regulations.

- A. No person shall discharge a firearm before 8:00 a.m. or after sunset.
- B. Any person who wishes to discharge a firearm must notify the Newtown Police Department by telephone of his or her intent to discharge a firearm 15 minutes prior to beginning such activity. Fifteen minutes after the time of the phone call as recorded in the Newtown Police log shall begin a four-hour window in which such activity will be allowed on the subject property each day.
- C. Any discharge of a firearm must be directed at a natural or man-made backstop sufficient to contain the projectiles from the firearm being discharged with a minimum height of 10 feet above the top of the intended target.
- D. It is prohibited to discharge a firearm within 500 feet of any building occupied by people or domestic animals, unless written permission for lesser distances is obtained from the owner of such building and carried with the person discharging the firearm. The provisions of this section shall not apply to owners, owners' spouses or owners' lineal descendants when discharging a firearm within 500 of buildings owned by them, but shall apply when said persons are discharging a firearm within said distances of buildings not so owned. For the purposes of this section, a building is presumed to be occupied unless it appears from a reasonable inspection of the interior portions of the building that it is in fact unoccupied.
- E. It is prohibited to discharge a firearm in the direction of any visible building occupied by people or domestic animals unless written permission is obtained from the owner of such building and carried with the person discharging the firearm.
- F. Targets that may induce a secondary reaction, including, but not limited to, exploding targets, fuel canisters, and Tannerite®, are prohibited.
- G. Discharging a firearm across property boundaries is prohibited unless contiguous properties are owned by the person discharging the firearm or written permission is obtained from the contiguous property owner.

- H. Discharging a firearm on or into property owned by the Town of Newtown is prohibited.
- I. Discharge of firearms is prohibited within 1/2 mile of any school during regular school hours.

## § 128-6. Penalties for offenses.

Any violation of this chapter shall constitute an offense and be punishable by a fine of \$99 per offense.

## § 128-7. Appeal procedure.

If a person who is issued a citation does not make an uncontested payment of the fine(s), penalties, costs, or fees due for noncompliance as specified by the citation, to the Town, he or she shall adhere to the procedure in the "Code of the Town of Newtown" § **132-10**, Appeals procedure, Subsections **B** through **E**.