

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 15th day of June, 2010:

<u>Present</u>	<u>Vote</u>
Donald E. Wiggins, Chairman	Yea
George S. Hrichak, Vice Chairman	Yea
Walter C. Zaremba	Yea
Sheila S. Noll	Yea
Thomas G. Shepperd, Jr.	Yea

On motion of Mr. Hrichak, which carried 5:0, the following ordinance was adopted:

AN ORDINANCE TO AMEND AND REENACT SECTION 16-7, DISCHARGING FIREARMS OR AIR OR GAS OPERATED WEAPONS, YORK COUNTY CODE, TO: DEFINE THE TERMS "FIREARM" AND "PNEUMATIC GUN"; DELETE ALL RESTRICTIONS ON PNEUMATIC GUNS/AIR OR GAS OPERATED WEAPONS DISCHARGES; ADD RIVERWALK TOWNES, QUARTERS OF YORK, WINTERFIELD, WILLOW LAKES, WITHROW, SINGING WOODS, LAKES AT DARE, RAINBROOK VILLAS, WYTHE CREEK FARMS, OVERLOOK POINT, SHERWOOD FOREST, VILLAS ON SHADY BANKS AND BELMONT APARTMENTS TO THE LIST OF RESTRICTED AREAS FOR FIREARMS DISCHARGES; AND, ESTABLISH EXCEPTIONS FOR CERTAIN CIRCUMSTANCES WHERE DISCHARGES WILL BE PERMITTED; AND, TO AMEND SECTION 16-37, DISCHARGE OF HIGH POWERED RIFLES, TO PROVIDE EXCEPTIONS FOR DISCHARGES IN CONJUNCTION WITH AUTHORIZED DEER HUNTS AND FOR LAWFUL DEFENSE OF PROPERTY OR PERSONS OR TO KILL A DANGEROUS OR DESTRUCTIVE ANIMAL

WHEREAS, the York County Board of Supervisors has determined that changes in development patterns and population concentrations necessitate the inclusion of additional areas and subdivisions in the list of areas where firearms discharges are prohibited; and

WHEREAS, the Board has determined that it is appropriate and desirable to distinguish between firearms and pneumatic guns; and

WHEREAS, the Board has determined that additional specific regulations pertaining to discharges in the vicinity of school sites are warranted;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 15th day of June, 2010 that Section Nos. 16-7 and 16-37 of the York County Code be, and they are hereby, amended and reenacted to read as follows:

Sec. 16-7. Discharging firearms within certain areas prohibited.

(a) *Definitions:* For the purposes of this section, terms shall have the following meanings:

- (1) *Firearm.* Any handgun, shotgun or rifle which will, is designed to, or may be readily converted to expel single or multiple projectiles by the action of a combustible material.
- (2) *Pneumatic Gun.* Any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic weapon" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint or other liquid for the purpose of marking the point of impact.

(b) *Firearms restricted.*

- (1) Pursuant to the authority provided under section 15.2-1209 of the Code of Virginia, the board has determined that certain areas of the County are so heavily populated as to make the discharge of firearms dangerous to the inhabitants thereof. Accordingly, discharges of any firearms shall be prohibited in the following areas of York County. These restrictions shall not apply to the discharge of pneumatic guns:

- a. Any property within any part of those areas or subdivisions in the county as described below or commonly known and designated on the plats of subdivision recorded in the clerk's office of the circuit court of the county:

1. Old Quaker Estates, all sections.
2. Banbury Cross, all sections.
3. Skimino Hills, all sections.
4. Scimmino Farms, all sections.
5. Schenk Estates, Sections One, Two and Three.
6. Greensprings/Bypass Road vicinity being further described as the area bounded by the Williamsburg city line on the south running westward to its intersection with Bypass

Road, Bypass Road running eastward to its intersection with Waller Mill Road, Waller Mill Road on the west and northwest, a Virginia Power transmission line right-of-way on the northeast, and Route 132 on the southeast to its intersection with the Williamsburg city line, including, but not limited to, the Plantation Heights, Green Acres, and Green Springs, and Williamsburg Commons subdivisions.

7. Parkway Estates/Queens Lake vicinity being further described as the area bounded by the Colonial Parkway on the south, the Williamsburg city line on the west, Queens Creek on the north, and New Quarter Park on the east, including, but not limited to, all sections of the Queens Lake, Royal Grant and Parkway Estates subdivisions.
8. Penniman Road/Government Road/Hubbard Lane vicinity being further described as the area bounded by Route 199 on the southeast, the James City County boundary on the southwest, the Williamsburg city line on the northwest, the Colonial Parkway on the north, and Interstate 64 on the northeast, including, but not limited to, all sections of the Queenswood, Charleston Heights, Springfield Terrace, Nelson Park, York Terrace, Magruder Woods, Penniman Woods, Queens Creek Estates, and Middletown Farms subdivisions.
9. Carver Gardens/Country Club Acres vicinity being further described as the area bounded by Route 143 on the southwest, Route 199 on the northwest, Interstate 64 on the northeast, and the Williamsburg Country Club on the southeast, including, but not limited to, all sections of the Carver Gardens, Williamsburg Bluffs and Country Club Acres subdivisions.
10. Sonshine Acres.
11. Woods of Yorktown.
 - 11.1 Riverwalk Townes, all sections.
12. Rivermeade/Yorktown Square vicinity being further described as the area bounded by Route 17 on the east, Route 238 on the south, and the Colonial National Historical Park on the west and north, including, but not limited to, all sections of the Hickory Hills and Kings Court subdivisions.
13. Yorktown, being further described as the area bounded by the York River on the northeast, the United States Coast Guard Training Center on the east, Route 238 and the Co-

lonial Parkway on the southwest, and Yorktown Creek on the west.

14. Marlbank/York High School/Edgehill vicinity being further described as the Edgehill area bounded by Fort Eustis Boulevard on the south, Newport News Waterworks property on the west, the Colonial National Historical Park on the west and northwest, the West Branch of Wormley Creek on the northwest, Wormley Creek and the Harris Grove subdivision on the east and southeast, and the Melody Heights and Settler's Crossing subdivisions on the south, including but not limited to, all sections of the Edgehill, Burnt Bridge Run, Marlbank Farm, Marlbank Cove, Harris Grove, Melody Heights and Settler's Crossing subdivisions.
15. Woodtowne Quarters Townhouses, all sections.
- 15.1. Quarters of York, all sections.
16. Dunmore.
17. Terrebone.
18. Colberts Trace.
19. Waterview Terrace.
20. Dandy Loop Estates (all sections) and Goodwin Neck Estates.
- 20.1. Winterfield.
21. Seaford area, bounded as follows: Beginning at a point at the intersection of Seaford Road and the eastern boundary of the Evergreen Shores subdivision; thence in a southerly direction along the eastern boundary of Evergreen Shores Subdivision to the centerline of Chisman Creek; thence generally in a southwesterly direction along the centerline of Chisman Creek to the intersection of Chisman Creek and the southern boundary, extended, of the Heritage Hamlet subdivision, Sections Four and Six; thence in a northwesterly direction along the western boundary of the Heritage Hamlet subdivision to the intersection of Seaford Road; thence in an easterly direction along the centerline of Seaford Road to the westerly boundary of the Sommerville subdivision; thence in a northwesterly, then northerly and then easterly direction around the perimeter of the subdivision to Wornom Drive; thence in a northerly direction along the centerline of Wornom Drive and extended to the intersection of Back Creek

Road; thence in a westerly direction along the centerline of Back Creek Road to the intersection of Back Creek Road and White's Lane; thence in a northerly direction along the centerline of White's Lane and extended to the centerline of Back Creek; thence in a line in an easterly direction along the centerline of Back Creek to a point where such line intersects a line parallel to Shirley Road extended in a northerly direction; thence in a southerly direction to the centerline of Shirley Road; thence in a westerly direction along the centerline of Shirley Road to the intersection of Shirley Road and Purgold Road; thence in a southerly direction along the centerline of Purgold Road to the intersection of Purgold Road to the intersection of Purgold Road and Claxton Creek Road; thence in an easterly direction along the centerline of Claxton Creek Road to the deadend of Claxton Creek Road; thence in a westerly direction along the centerline of Claxton Creek Road to the intersection of Claxton Creek Road and Back Creek Road; thence in a southwesterly direction along the centerline of Back Creek Road to the intersection of Back Creek Road and Seaford Road; thence in a southeasterly direction along the centerline of Seaford Road to the point of beginning.

- 22. York Point, all sections.
- 22.1 Withrow and Singing Woods subdivisions, all sections.
- 23. Cooper's Landing.
- 24. Rosewood Place, all sections.
- 25. Acree Acres, all sections.
- 26. Carver Place.
- 27. Wolftrap Estates
- 27.1. Willow Lakes, all sections.
- 28. Grafton Branch.
- 29. Scotch Tom's Wood.
- 30. Barcroft.
- 31. Millside.
- 32. Mill Cove, all sections.

33. Seven Hollys.
34. Ship Point, Ship Point Farm and Ship Point Homes, all sections.
35. Howards Landing, all sections.
36. Patricks Landing, all sections.
- 36.1. Lakes at Dare, all sections.
37. Brandywine/Lakeside Forest/York Crossing vicinity being further described as the area bounded by Route 17, Dare Road and Lakeside Drive and including, but not limited to, all sections of the Jacob's Springs, Brandywine, Providence Grove, Winders Pond, and Lakeside Forest subdivision, York Crossing Townhouses and Grafton Station Apartments.
38. Grafton Woods/Glen Laurel vicinity being further described as the area bounded on the east by Grafton Drive, on the south by Glen Laurel Townhouses, on the west by Newport News Waterworks property and on the north by Grafton Woods Townhouses and including, but not limited to, those developments.
- 38.1. Rainbrook Villas, all sections.
39. Kentucky Heights, all sections.
40. Quail Hollow/Meadowview vicinity being further described as the area bounded on the east by Route 17, on the south by Oriana Road, on the west by Burts Road and on the north by the Quail Hollow and Meadowview subdivisions and including, but not limited to, those developments.
41. Piney Point/Harwood's Mill vicinity being further described as the area bounded by Lakeside Drive and Yorkville Road on the north, the Oyster Cove subdivision and Poquoson River on the east and south, and Route 17 on the west, including but not limited to, all sections of the Quartermarsh Estates, Castellow Heights, Piney Point, Devonshire, Breezy Point, Lee's Village, Harwood Heights, Cove Homes, Southall Battery, and Harwood's Mill subdivisions.
42. Whispering Pines.
43. Mill Farms, all sections.

44. Yorkshire, all sections .
45. King's Villa, all sections.
46. Plantation Acres, all sections.
47. Tabb Terrace vicinity being further described as the area bounded by Yorktown Road on the north, the Tabb Terrace and Smithville Terrace subdivision on the east, Route 171 on the south, and Route 134 on the west.
48. Hollymead.
49. Tidemill Estates, all sections.
50. Olde Port Cove, all sections.
51. Lambs Creek Estates, all sections.
52. River Haven, all sections.
53. Poquoson Shores, all sections.
54. Woods of Tabb, all sections.
- 54.1. Wythe Creek Farms, all sections.
- 54.2. Overlook Point.
55. Running Man, all sections.
56. Lotz Acres Estates, all sections.
- 56.1. Sherwood Forest.
57. Yorkshire Downs, all sections.
- 57.1. Villas on Shady Banks, all sections.
58. Pines of York/Four Seasons/Belmont area being further described as the area bounded by Route 134 (Hampton Highway) on the north, the Hampton city line on the east and south, and Big Bethel Road on the west.
59. Woodlake Crossing vicinity being further described as the area bounded by Route 171 on the north, Route 600 on the east, and Route 134 on the south and west, including, but not limited to, all sections of the Edgewood, Meadowlake Farms (Heatherlea), Woodlake Crossing, and Mill Crossing

subdivisions.

60. Tabb Lakes/Coventry vicinity being further described as the area bounded by Route 171 and Route 134 on the north, Route 600 on the east, the Hampton and Newport News city lines on the south, and Route 17 on the west, including, but not limited to, all sections of the York Meadows, Coventry, Tabb Lakes, Greenlands and Patriot Village subdivisions.
 61. Villages of Kiln Creek vicinity being further described as the area bounded by Route 17 on the east, the southern boundaries of Bethel Industrial Park and the Kiln Creek Corporate Center on the south, the Newport News city line on the west, and the northern boundaries of the Villages of Kiln Creek and Foxwood subdivisions and including, but not limited to, all sections of those subdivisions and York Manor and Rich Acres.
- (c) Exceptions. The provisions of section 16-7 shall not apply to law enforcement officers, animal wardens and game wardens in the line of duty, military personnel in the line of duty, the discharge of firearms on firing ranges or target ranges operating in conformance with the county's zoning regulations, the discharge of a firearm in conjunction with a managed hunt to control the deer population pursuant to Code of Virginia section 29.1-529, and any discharge of a firearm in lawful defense of property or persons or to kill a dangerous or destructive animal. Furthermore, the provisions of this section shall not apply to nail guns, rivet guns, or similar implements designed for construction purposes.

Sec. 16-37. Discharge of high-powered rifles prohibited.

- (a) *Prohibition; exceptions.* No person shall discharge at any location in the county any rifle of a caliber larger than .22 rimfire, except for the following:
- (1) Law enforcement officers, animal wardens and game wardens in the line of duty;
 - (2) Military personnel in the line of duty;
 - (3) Persons discharging a rifle on firing ranges operating in conformance with the county's zoning regulations;
 - (4) Persons discharging a rifle in conjunction with and as authorized by a permit to hunt to control the deer population pursuant to Code of Virginia section 29.1-529; and

- (5) Persons discharging a rifle in lawful defense of property or persons or to kill a dangerous or destructive animal.
- (b) *Penalty for violation.* Any person violating this section shall be guilty of a Class 2 misdemeanor.

A Copy Teste:

Mary E. Simmons
Deputy Clerk