



BOOK 37
Pages 539-546



**AMHERST COUNTY
BOARD OF SUPERVISORS**

Board of Supervisors

Drew Wade
District 5
David W. Pugh, Jr.
District 4
Tom Martin, Supervisor
District 1
L. J. Ayers III, Supervisor
District 3
Claudia D. Tucker, Supervisor
District 2

MINUTES

December 7, 2021
Administration Building - 153 Washington
Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 3:00 PM

County Administrator

Dean C. Rodgers

County Attorney

Mark Popovich

I. Call to Order

At a regular meeting of the Amherst County Board of Supervisors held on December 7, 2021 at 3:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

Jennifer R. Moore, Chair
David W. Pugh, Jr., Vice-Chair
Tom Martin, Supervisor
L. J. Ayers III, Supervisor (late arrival)

ABSENT: Claudia D. Tucker, Supervisor

STAFF:

Dean C. Rodgers, County Administrator
David R. Proffitt, Deputy County Administrator
Michael Lockaby, County Attorney
Regina M. Rice, Clerk

Chair Moore called the meeting to order at 3:01 p.m.

NOTE: All Board of Supervisors' meetings are streamed live on Facebook and on YouTube.

II. Approval of Agenda

By motion of Supervisor Martin and with the following vote, the Board amended the agenda for December 7, 2021 by striking VIII. B. Revision to HR Regulation Chapter 7 and X. A. Parks, Recreation & Cultural Development Board and B. Agriculture Committee. In addition, V. Citizen Comment was renumbered as IV., and IV. Ordinances – First Readings was renumbered as V.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin
NAY: None
ABSENT: Mrs. Tucker and Mr. Ayers

Note: Mr. Ayers arrived at 3:06 p.m.

III. Invocation and Pledge of Allegiance

Vice-Chair Pugh led the Invocation and Pledge of Allegiance.

IV. Ordinances - First Readings **Renumbered as V. Ordinances - First Readings**

- A. Ordinance 2021-0009, Landscaping requirements for self-storage and accessory buildings.

Community Development Director Jeremy Bryant presented the proposed ordinance that would require landscaping regulations to apply to self-storage containers/accessory structures.

Mr. Bryant advised the Beautification Committee and Planning Commission discussed this matter and discovered that the current permitted use for landscaping was not required along some locations on Rt. 29 Business. He said that the proposed ordinance would now require landscaping regulations and would also be included in zoning approval.

By motion of Supervisor Ayers and with the following vote, the Board directed staff to schedule a public hearing on proposed Ordinance 2021-0009 at the December 21, 2021 meeting.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers
NAY: None
ABSENT: Mrs. Tucker

- B. Ordinance 2021-0010 Recreational Vehicle Code Modifications
A-1 Agricultural Residential District

Community Development Director Jeremy Bryant advised the current ordinance allows citizens who are issued a single-family dwelling permit to stay in a recreational vehicle on the site for 30 consecutive days.

Mr. Bryant said that due to the number of requests from applicants to stay in recreational vehicles while building single-family dwellings, staff proposed a version that would allow a recreational camping vehicle to stay on site for 12 consecutive months and would require a building permit, water and septic permit and electricity onboard and be located on one lot. Furthermore, Mr. Bryant recommended adding language to the ordinance that a "single camper is allowed during the construction".

Supervisor Martin commented on who would regulate the onboard electricity and water and sewer. Mr. Bryant replied that the Health Department has set regulations regarding campers and that his department would also work with them.

By motion of Supervisor Martin and with the following vote, the Board amended proposed Ordinance 2021-0010 and forwarded the staff proposal, as amended, to the December 21, 2021 meeting for a public hearing.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: Mrs. Tucker

C. Ordinance 2021-0013, Amending Section 3-76, hunting near highways

County Administrator Rodgers presented an amended ordinance changing the current ordinance that restricts hunting at least 100 yards from a road and makes it unlawful to hunt from the ditch line.

Supervisor Martin understood the need for this, but said it would be better to mirror State Code to read, "Discharge a firearm, muzzleloader, arrowgun, or archery tackle in or across or within the right-of-way of any road".

Supervisor Martin said that when you say the "ditch line", you may be in the "ditch line" but may also be on the public right-of-way, which would be against State Code.

Supervisor Ayers and Vice-Chair Pugh agreed with mirroring the verbiage in State Code.

By motion of Vice-Chair Pugh and with the following vote, the Board amended proposed Ordinance 2021-0013 to mirror the verbiage in State Code and directed staff to schedule a public hearing for December 21, 2021.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None
ABSENT: Mrs. Tucker

V. Citizen Comment
Renumbered as IV. Citizen Comment

Chair Moore opened the Citizen Comment session.

Mr. Dallas Hill of Amherst, Virginia addressed the Board in reference to the local firearm ordinance in Amherst County.

Mr. Hill provided the Board with a copy of the Local Firearms Ordinances from the Virginia Department of Wildlife Resources. He suggested that Amherst County stay with state law and asked the Board to amend the current ordinance. (See Attachment 1)

Chair Moore closed the Citizen Comment session.

VI. Consent Agenda

By motion of Supervisor Martin and with the following vote, the Board approved the Consent Agenda for December 7, 2021.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers
NAY: None
ABSENT: Mrs. Tucker

A. Minutes - November 1, 2021

It was moved that the Board adopt the Minutes for November 1, 2021.

B. Appropriation of Revenue - Schools

It was moved that the Board appropriate the \$136,259.35 received for the 2021-2022 School Operational Budget.

C. Grounds Maintenance Transfer

It was moved that the Board approve the transfer of the Grounds Supervisor's payroll expenses as described in the attached document.

D. Appropriation of Revenue - DSS

It was moved that the Board approve the distribution of funds as described.

VII. New Business

A. Dodd's Store Easement

Purchasing Agent David Proffitt advised that when the County purchased the Dodd's Store property on Rt. 60 to build a convenience center, there was no boundary survey made of the property. However, an easement did exist that allowed the adjacent property owner access to Route 60.

Mr. Proffitt reported that the County is now establishing a boundary line and easement with the property owner to avoid any interference with the convenience center.

Mr. Proffitt said the adjacent property owner, the Dorset Investment Group, has provided a property survey, which has been reviewed and approved by the County Attorney. He said it would be necessary to hold a public hearing and requested the Board schedule such for its next meeting on December 21, 2021.

Supervisor Martin asked how this would affect the County if, in the future, the County wanted to expand the convenience center.

County Administrator Rodgers advised that the County had moved the easement as far as possible to the boundary line, and therefore, the County could not expand the convenience center area.

By motion of Supervisor Ayers and with the following vote, the Board directed staff to conduct a public hearing to establish the boundary line and easement, as proposed, at the next Board of Supervisors' meeting scheduled for December 21, 2021.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: Mrs. Tucker

VIII. County Administrator's Report

- A. Boards/Commissions/Committees - Quarterly update (January 1 - March 31, 2022)

County Administrator Rodgers reported on upcoming vacancies on Boards, Commissions and Committees. This item was for informational purposes only.

B. Revision to HR Regulation Chapter 7

This item was stricken from the agenda.

C. Boards/Commissions/Committees - ACSA, EDA and Parks & Recreation vacancies

County Administrator Rodgers reported the term of Mr. Wesley Woods, a citizen member of the Service Authority Board, will expire on December 31, 2021. Mr. Woods submitted a letter of interest on November 16, 2021 requesting reappointment to serve a new four-year term on the ACSA Board.

The term of Ms. Veronica Tuggle, District 2 member on the Amherst County Parks, Recreation & Cultural Development Board, will expire on December 31, 2021. Ms. Tuggle submitted a letter of interest on November 22, 2021 requesting reappointment to serve another five-year term on the Parks, Recreation & Cultural Development Board.

Mr. David Wall, District 4 member on the Economic Development Authority Board, resigned on October 15, 2021 due to a conflict of interest between his two businesses and his appointment to the EDA. Mr. Wall's term will end on January 18, 2024.

Ms. Carrie (Shelly) Hunt submitted a letter of interest on November 29, 2021 requesting appointment to fulfill the unexpired term of Mr. Wall. Ms. Hunt resides in District 4.

Staff advertised the vacancies in the News & Advance on November 7, 2021 and in the New Era Progress on November 11, 2021. The closing date ended on November 29, 2021 and staff did not receive any additional letters of interest.

Mr. Rodgers asked for the Board's direction.

By motion of Supervisor Martin and with the following vote, the Board reappointed Mr. Wesley Woods as the citizen member on the ACSA Board, reappointed Ms. Veronica Tuggle as the District 2 representative to the Parks & Recreation Board, and appointed Ms. Carrie (Shelly) Hunt to complete the unexpired term of David Wall as the District 4 representative to the EDA Board.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None
ABSENT: Mrs. Tucker

A second matter was added by County Administrator Rodgers regarding the Madison Heights Master Planning effort. Mr. Rodgers reported that EPR has been hired and has asked for an advisory group to be appointed. He said staff members that will serve are Jeremy Bryant, Victoria Hanson, Bob Hopkins and himself. Mr. Rodgers said there should be one member from each of those boards who would also serve as a steering group and provide input into the plan. He asked that the Board appoint one member.

Vice-Chair Pugh suggested moving this forward to the first meeting in January.

Chair Moore said she would like to wait until that time, since newly elected Board member Drew Wade would be seated.

IX. County Attorney's Report

The County Attorney had no matter to discuss.

X. Liaison and Committee Reports

A. Parks, Recreation & Cultural Development Board- Tom Martin
This item was stricken from the agenda.

B. Planning Commission - David Pugh

Vice-Chair Pugh, liaison for the Planning Commission, reported that the Planning Commission is in the process of making revisions to the Comprehensive Plan.

Vice-Chair Pugh also reported on an item regarding a short-term rental property located at Robinson Gap Road that will be coming before the Board of Supervisors soon.

XI. Departmental Reports

A. Budget Status Report as of September 30, 2021
For information only.

B. General Fund Availability Report
For information only.

XII. Citizen Comment

There was no public comment.

XIII. Matters from Members of the Board of Supervisors

Chair Moore said she had received several calls from citizens regarding the stoplights at Dillard Road and Temple Baptist Church. She was informed that both stoplights changed green at the same time and asked the County Administrator to contact VDOT.

Vice-Chair Pugh had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Supervisor Martin had no matter to discuss.

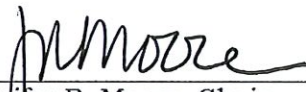
XIV. Adjournment

By motion of Supervisor Ayers and with the following vote, the Board adjourned at 3:29 p.m.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: Mrs. Tucker



Jennifer R. Moore, Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk

The following counties and cities have regulations concerning the use and transportation of firearms. The number or numbers following that county name indicate the regulations listed below for that particular county. In addition, certain counties have ordinances other than those listed, primarily pertaining to possession of firearms near parks or schools, hunting or discharging firearms near populated areas,

residences, or buildings, and age limitations for possession of loaded firearms on public roads. Before hunting in a county or city, hunters should become familiar with all ordinances particular to that county or city by contacting the county or city directly. **If a locality is not listed, state firearms restrictions apply (see Legal Use of Firearms and Archery Tackle on page 22).**

Local firearms ordinances are established by individual counties/cities.

Please contact the appropriate locality for more information.

COUNTY	#
Accomack	43
Albemarle	16, 54
Alexandria	1, 54
Amherst	18
Arlington	59
Buckingham	12, 60
Caroline	17, 83, 87, 88
Campbell	11
Charles City	7, 33, 42
Chesapeake	46
Chesterfield	7, 14, 21, 22, 37, 54, 70
Clarke	25, 54
Culpeper	18, 22, 54
Cumberland	5, 17, 27, 74
Danville	54
Dinwiddie	12, 13, 38, 84
Essex	86
Fairfax	2, 22, 25, 45, 51, 54
Fauquier	14, 18, 22, 36, 54
Franklin	26
Fredericksburg (city)	2, 18, 30, 51, 54, 64
Gate City	55
Gloucester	14

COUNTY	#
Goochland	9, 10, 23, 33, 77
Greensville	15, 22
Halifax (county)	33, 61, 75
Halifax (town)	89, 90
Hampton (city)	31, 45
Hanover	20, 53, 85
Isle of Wight	8, 12, 35
James City	40, 54
King and Queen	49, 68
King George	6, 17, 22, 26, 54
King William	17, 18, 28
Lancaster	6, 12, 26
Loudoun	18, 54, 62, 64, 65
Louisa	17, 27
Lunenburg	17
Madison	22, 25, 54
Mecklenburg	27
Middlesex	26
Nelson	22
New Kent	8, 12, 25, 54
Newport News	1
Northampton	7, 53
Northumberland	17, 26, 42, 54

COUNTY	#
Orange	18, 22, 34
Petersburg	54
Pittsylvania	26
Poquoson (city)	22, 69, 71, 72
Prince George	4, 32, 43, 92
Prince William	2, 12, 20
Rappahannock	18
Richmond	7, 66, 67, 68
Richmond (city)	1, 54
Roanoke	25, 54, 64, 77, 79
Southampton	3, 8, 19, 41, 80
Stafford	81, 82
Suffolk	44, 52, 76
Surry	7, 53, 54
Sussex	48, 73, 91
Virginia Beach	2, 7, 54, 56, 57, 58
Warren	54
Westmoreland	50
Williamsburg	1, 54
York	47

Permanently disabled hunters possessing a valid hunting license, hunters holding a lifetime disabled hunting license, and hunters holding a lifetime disabled veterans hunting license are exempt from any local ordinance requiring hunting from an elevated platform or tree stand.

- No discharge of firearms except on approved ranges.
- No rifles larger than .22 for hunting.
- It is unlawful to hunt with a muzzleloading shotgun loaded with slugs or sabot slugs.
- Deer hunting with a rifle of a caliber larger than .22 rimfire is prohibited in the county. However, hunting of groundhogs with a rifle of a caliber larger than a .22 rimfire between March 1 and August 31 is permitted, and a rifle of a caliber larger than a .22 rimfire may be used for hunting all other game, bird, and varmint species as allowed by state law and regulations. Deer hunting with a shotgun loaded with slugs is permitted so long as such hunting is conducted from a stand located at least ten feet in elevation above the ground.
- It is lawful to hunt groundhogs with rifles of a caliber larger than .22 rimfire during the season between March 1 and August 31.
- No rifles larger than .22 for hunting except groundhogs outside of the regular hunting season.
- No rifles for deer hunting.
- No rifles for big game hunting.
- It shall be unlawful to hunt in the county with a rifle, pistol, or revolver of a caliber larger than .22 caliber or with a shotgun loaded with

- slugs, except that rifles of a larger caliber, shotguns loaded with slugs and pistols or revolvers firing cartridges rated in manufacturers' tables at 350 foot pounds of energy or greater may be used to hunt from a stand elevated at least 10 feet from the ground, provided that no cartridge shall be used with a bullet of less than .23 caliber.
- It shall be unlawful to have in immediate possession any hunting firearm other than a muzzleloading rifle while hunting with a muzzleloading rifle during the early muzzleloader season.
- It shall be unlawful to hunt with a firearm on or within the ditch line of any primary or secondary highway.
- It is lawful to use muzzleloading rifles for game animals in the regular hunting season.
- It is lawful to hunt deer with muzzleloading rifles only from stands elevated 10 feet.
- It is unlawful to hunt from the road with firearms.
- It is unlawful to hunt with firearms from the road and within 10 feet of the ditch bank.
- It is unlawful to hunt within 100 feet of the road.
- Muzzleloading rifles are permitted during any authorized deer season where firearms are permitted.

- It is unlawful to hunt with a firearm within 100 yards of a road.
- It is unlawful to transport, possess or carry a loaded rifle in any vehicle while on the road from October 1 through February 15.
- It shall be unlawful to discharge or shoot any firearm or other weapon in or along any public road or street or within 100 yards thereof or within 100 yards of any building occupied or used as a dwelling or place where the public gathers, not his own dwelling or residence.
- Except for target shooting, no person shall shoot an arrow from a bow with a peak draw weight of 10 pounds or more within 150 feet of a business, public building, public gathering, public meeting place, or dwelling of another unless they have the permission of the dwelling owner or occupant.
- It is unlawful to possess a loaded firearm on the road except when permission to hunt is obtained from landowners on each side.
- It is unlawful to transport, possess, or carry a loaded shotgun or loaded rifle in any vehicle on any public street, road, or highway within the county during the time between sunset and sunrise.
- No rifles over .22 caliber for hunting except for groundhogs between March 1 and August 31.

LOCAL FIREARMS ORDINANCES

25. No hunting with firearms of game species from within 100 yards of a road.
26. No hunting with firearms of any game animal from the road right-of-way.
27. No hunting with firearms from the road including ditch to ditch.
28. No hunting with a rifle larger than .22 caliber during the deer season.
30. It shall be unlawful for any person to hunt any bird or game animal using a muzzleloading rifle or a shotgun loaded with slugs, except from a stand elevated at least 10 feet above the ground.
31. All hunting within the City of Hampton is prohibited, with the exception of waterfowl blinds licensed by the Commonwealth where no firearm other than shotguns loaded with shot not heavier than double ought buckshot shall be discharged and no shot shall be discharged landward within 500 feet of the shoreline.
32. It is lawful to hunt deer with muzzleloading rifles only from stands elevated at least 10 feet above the ground; however, this requirement shall be expressly inapplicable to all legally handicapped persons.
33. The use of a muzzleloading rifle shall be permitted during the early muzzleloading season and during the entire regular firearms season for deer hunting.
34. It is unlawful to transport or possess a loaded shotgun or rifle in a vehicle on a road during open deer season.
35. It shall be unlawful to possess outside of a vehicle, or shoot or hunt with a rifle, muzzleloader, pistol, or shotgun loaded with slugs, or to possess shotgun slugs on Ragged Island Wildlife Management Area in Isle of Wight County. In addition, it shall be unlawful to discharge any firearm within 100 yards of the boardwalk or nature trail on Ragged Island Wildlife Management Area.
36. It is unlawful to discharge a firearm from or across any sidewalk, highway or on public land.
37. It is unlawful for minors to carry firearms on public highways or public lands unless accompanied by certain adults.
38. It shall be unlawful to use a rifle of a caliber larger than .22 rimfire except that groundhogs may be hunted with a rifle of a caliber larger than .22 rimfire between March 1 and August 31 and coyotes may be hunted for the entire year.
39. It shall be lawful to use muzzleloading rifles for deer and squirrels during the regular seasons.
40. It shall be unlawful to discharge a rifle larger than .22 caliber, a muzzleloader larger than .36 caliber, or a shotgun loaded with slugs except from stands elevated at least 10 feet above the ground, except for groundhogs in certain areas between March 1 and September 1.
41. It shall be unlawful to hunt with a muzzleloading rifle at any time.
42. It shall be unlawful to use a rifle of a caliber larger than .22 rimfire except that groundhogs may be hunted with a rifle of a caliber larger than .22 rimfire between March 1 and August 31.
43. It shall be unlawful to hunt with a firearm on or within 50 feet of the center of any primary and secondary highway.
44. Rifles are permitted for bear and deer hunting when used from stands elevated at least 15 feet above the ground (except legally handicapped hunters are exempt from tree stand requirements).
45. The discharge or use of a rifle, pistol, muzzleloader, or shotgun loaded with slugs is prohibited.
46. It is unlawful to discharge any firearms, spring propelled rifle or pistol, or air-propelled rifle or pistol from, on, across or within 150 yards of any city building, dwelling, street, sidewalk, alley, roadway or public place within the city limits: check local county/city ordinances.
47. No discharge of rifles larger than .22 except as specifically approved by local County ordinance.
48. Muzzleloading rifles are permitted during the special muzzleloading season.
49. Muzzleloading rifles are permitted during any authorized firearms season for the hunting of game animals except for the hunting of turkeys during the spring gobbler season.
50. It shall be unlawful for any person to hunt in the county with a shotgun loaded with slugs or a muzzleloading rifle other than during the prescribed open season for the hunting of big game species or with a rifle of a caliber larger than .22 caliber.
51. It shall be unlawful to shoot an arrow in a manner that can be reasonably expected to result in the impact of the arrow upon the property of another without permission from the owner or tenant of such property.
52. It shall be unlawful to discharge a firearm within any densely populated area: within 200 yards from any structure or within 100 yards from any public street, secondary road, or highway within the city, except on a permitted firing range or at or upon the property of another without permission.
53. It is lawful to hunt deer with muzzleloading rifles.
54. It is unlawful to transport, possess, or carry a loaded rifle or shotgun in any vehicle on any public street, road or highway.
55. It shall be unlawful for any person in the town, except a duly authorized officer in the course of his duty, to fire or discharge any gun, pistol, or other firearms of any kind.
56. No discharge of firearms across or within 150 yards of any building, dwelling, street, sidewalk, alley, roadway, public land, or public place.
57. No discharge of firearms north or west of a line from the Chesapeake-Virginia Beach boundary; thence northwardly along North Landing Road; thence eastwardly along Indian River Road; thence northeastwardly along New Bridge Road; thence eastwardly along Sandbridge Road to the Atlantic Ocean, or across any land north of False Cape Park and east of Shipp's Bay and Point Creek. No discharge of rifles larger than .22 south of this line except muzzleloading rifles may be used to hunt deer during the firearms deer season.
58. Shotguns firing pellets are lawful on certain agricultural lands of 50 contiguous acres or more, and on certain lands south of a line from the Chesapeake-Virginia Beach boundary, thence northeastwardly along Elbow Road; thence southeastwardly along Salem Road; thence northeastwardly along North Landstown Road; thence southeastwardly along Princess Anne Road; thence eastwardly along Sandbridge Road to the Atlantic Ocean. The property must be permitted by the City Manager for this purpose.
59. It shall be unlawful for any person to discharge or shoot off a firearm in the county. It shall be unlawful for any person to discharge or shoot or throw any dangerous missiles by mechanical, explosive, air- or gas-propelled means, or similar method or device onto or across any public sidewalk, path, or roadway, at any public structure or building, or at or onto the property of another. It is unlawful for any person to shoot a compound bow, crossbow, longbow, or recurve bow at or upon the property of another without permission. It shall be unlawful to discharge a projectile from any of the aforementioned bows within 100 yards of any public road, public building or structure, private residence or structure, or property of another. Nothing in this ordinance shall be construed to prohibit the use of firearms or other instruments or missiles or compound bows, crossbows, longbows, or recurve bows in lawful self defense or in the lawful defense of property, or to prohibit the use of firearms or other missiles or compound bows, crossbows, longbows, or recurve bows in supervised sport, recreation, or training conducted on safety-inspected and approved ranges and courses, provided the same is not contrary to existing law.
60. It shall be lawful to hunt deer and bear from a stand elevated at least 10 feet from the ground or within a ten (10) foot perimeter from a stationary, pre-identified and marked point, such point having been established by an easily visible fixed marker, with a .23 or larger caliber. However such rifles can only be loaded while the hunter is in the elevated tree stand, within the 10 feet of the stationary pre-identified and marked point, if ground hunting, or while attempting to recover wounded game within a 300-yard perimeter of the elevated stand or the pre-identified and marked point from which the game was shot.
61. It is unlawful to hunt or attempt to hunt on a primary or secondary state maintained highway, and within the side ditches of such highways.
62. Discharging firearms is prohibited within certain areas (check local county ordinance for area description), except deer hunting is permitted with handguns, shotguns, or muzzleloading rifles using a single projectile and all other hunting is allowed with rifles of .22 caliber rimfire or less, handguns, shotguns, and muzzleloading rifles using single or multiple projectiles.
64. Discharge of firearms is prohibited within 100 yards of any public park or school.

65. Discharge of firearms is prohibited within 100 yards of a building with a current occupancy permit unless the owner or authorized agent has given permission.
66. Muzzleloaders shall be legal firearms during any firearms season.
67. Shotgun slugs shall be permitted for deer hunting.
68. It shall be unlawful to hunt with a rifle larger than .22 caliber, except rifles of a larger caliber may be used for hunting groundhogs and coyotes outside the general firearms deer season.
69. It shall be unlawful for any person to discharge an air gun, spring gun, or firearm from, along, across or toward, or within 300 yards of any paved public street, highway or road, or any building in the city.
70. It shall be lawful to hunt game species with a muzzleloading rifle during the prescribed open seasons.
71. The discharge or use of a rifle, except for a .22 caliber rim fire is prohibited within the city limits.
72. The use of muzzleloading rifles during the prescribed open seasons for the hunting of game species is permitted in the city; provided, however, that the use of such muzzleloading rifle shall be only from a stand located at least 10 feet above the ground.
73. No rifles for turkey hunting.
74. It is unlawful to hunt deer during the regular hunting season with a rifle of .23 caliber or larger either on public lands or in the area of the county bordered to the north by the James River, to the west by Route 602 from the Willis River, and to the south by Route 45 and Route 684 to the county line (generally known as Cartersville Historic District); except from a tree stand elevated at least 10 feet above the ground. It shall be lawful to hunt with a muzzleloading rifle from the ground or from a tree stand elevated to any height.
75. No person shall hunt using a rifle larger than a .22 caliber rimfire within 100 yards of any residence or occupied building without the written approval of the owner or lessee of the property. It shall be unlawful to discharge a rifle larger than .22 caliber rimfire from an elevated stand within 100 yards of an adjoining property line without first obtaining written permission of the owner or, if different than the owner, the occupant of the adjoining property or within 100 yards of any public street or primary or secondary state-maintained highway.
76. Muzzleloading rifles are permitted during the open seasons for hunting game species from stands elevated at least 10 feet above the ground (except legally handicapped hunters are exempt from tree stand requirements). No early muzzleloader season east of the Dismal Swamp Line.
77. It shall be unlawful to engage in hunting with a firearm within the right-of-way of any primary or secondary highway.
78. It shall be unlawful for any person to engage in hunting with a firearm or to discharge a firearm within 100 yards of a dwelling house or occupied building not his or her own.
79. It shall be unlawful for any person to engage in hunting with a bow or to discharge arrows from bows within 100 yards of a dwelling house or occupied building not his or her own. A "bow" includes all compound bows, crossbows, longbows, and recurves that have a peak draw weight of 10 pounds or more. The term "arrow" means a shaft-like projectile intended to be shot from a bow.
80. It shall be unlawful to hunt with a rifle larger than .22 caliber rimfire, except rifles of a larger caliber may be used for hunting groundhogs and coyotes between March 1 and August 31.
81. It shall be unlawful to shoot or hunt with a firearm within 100 yards of any regularly occupied structure without written permission of its owner or occupant or within 100 yards of any private road located in a subdivision where lots are 10 acres or less in size without written permission of the owner or occupant.
82. It shall be unlawful to shoot or hunt on any county property including, but not limited to, schools, parks, pools, the courthouse and other county offices.
83. Rifle calibers larger than .22 rimfire may be used for hunting groundhogs, coyotes, and feral hogs during any respective season as permitted by state law or permitted under state law for the control of destructive animals.
84. It shall be lawful to hunt with rifles larger than .22 caliber only from stands elevated at least 10 feet.
85. Rifles, .23 caliber or larger, may be used to hunt deer during the firearms deer season provided the hunter is in an elevated stand at least 10 feet above ground level. The rifle may only have a round in its chamber when it is on the elevated stand.
86. It shall be unlawful for any person to hunt in the county with a rifle or pistol of a caliber higher than .22 rimfire except as provided hereafter.
 - a. Rifles and pistols greater than .23 caliber shall be permitted for hunting of deer when hunting from an elevated platform at least 8 feet above ground level.
 - b. Turkey shall not be hunted with a rifle greater than .22 caliber.
 - c. Muzzleloading rifles may be used during the prescribed open season.
 - d. Rifles with caliber larger than .22 rimfire may be used for hunting of groundhogs, coyotes, bears, bobcats, feral hogs, and beavers during any respective season as permitted by state law and/or permitted under state law for the control of destructive animals.
87. Turkeys shall not be hunted with a rifle greater than .22 caliber.
88. Rifles and pistols greater than .23 caliber may be used for hunting deer during the prescribed open season only when hunting from an elevated platform at least eight (8) feet above the ground, except such weapon may be discharged on the ground when necessary to dispatch deer wounded from the elevated platform.
89. Shotguns discharging number 5, 6, 7, 8, or 9 shot may be used for hunting on properties composed of 25 or more contiguous acres when the landowner has applied for and received a permit from the town manager or manager's designee. Persons discharging a shotgun must have written permission from the landowner in possession to discharge such weapon. 000 and #4 buckshot may be discharged only when hunting deer from a platform at least 12 feet above the ground. Shotguns may not be discharged within 100 yards of a property line building, dwelling, street, sidewalk, alley, roadway, public land, or public place within the town limits.
90. Bow hunting for deer during any archery season and the general firearms deer season is allowed within the town limits when the landowner has applied for and received a permit from the town manager or manager's designee. Hunters must have written permission from the landowner in possession while hunting and may only discharge a bow when elevated at least 12 feet above the ground. Arrows shall not be discharged over or across any street, sidewalk, alley, roadway, public land, or public place within the town limits, toward any building or dwelling in a manner that an arrow may strike it, nor over or across the private property of another without written permission.
91. Rifles, .23 caliber or larger, may be used to hunt deer during the firearms deer season provided the hunter is in an elevated stand at least 10 feet above ground level and has first obtained written permission from the landowner. The rifle may have a round in its chamber only when it is on the elevated stand.
92. Rifles, .23 caliber or larger, may be used to hunt deer or bear during the firearms deer season provided the hunter is in an elevated stand at least 10 feet above ground level. The rifle may have a round in its chamber only when it is on the elevated stand.



Virginia DWR

BUY LICENSES

Legal Use of Firearms and Archery Tackle

- [Home](#)
- [Hunting](#)
- [Hunting & Trapping Regulations](#)
- Legal Use of Firearms and Archery Tackle

Firearm, Hunting Device, and Ammunition

Shotguns (including muzzleloading shotguns) using ammunition loaded with larger than number 2 fine shot

Deer: Yes	Bear: Yes	Elk: Yes	Fall Turkey: Yes	Spring Gobbler: No
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Shotguns (including muzzleloading shotguns)

Deer: Yes	Bear: Yes	Elk: Yes	Fall Turkey: Yes	Spring Gobbler: Yes
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Air guns (.35 caliber or LARGER)

Deer: Yes	Bear: No	Elk: No	Fall Turkey: Yes	Spring Gobbler: Yes
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Rifles and pistols using rimfire ammunition and air guns (.35 caliber or SMALLER)

Deer: No Bear: No Elk: No Fall Turkey: Yes Spring Gobbler: Yes

Rifles and pistols using centerfire ammunition (.23 caliber or LARGER) Pistols must generate at least 350 foot pounds of energy or greater.

Deer: Yes Bear: Yes Elk: Yes Fall Turkey: Yes Spring Gobbler: Yes

Rifles and pistols using centerfire ammunition (SMALLER than .23 caliber)

Deer: No Bear: No Elk: No Fall Turkey: Yes Spring Gobbler: Yes

Muzzleloading firearms Rifles – .40 caliber or larger; Pistols – .45 caliber or larger

Deer: Yes¹ Bear: Yes¹ Elk: Yes¹ Fall Turkey: Yes Spring Gobbler: Yes

Muzzleloading firearms Rifles – smaller than .40 caliber; Pistols – smaller than .45 caliber

Deer: No Bear: No Elk: No Fall Turkey: Yes Spring Gobbler: Yes

Archery tackle with broadhead widths/expandables that open to 7/8-inch

Deer: Yes Bear: Yes² Elk: Yes² Fall Turkey: Yes Spring Gobbler: Yes

- Unplugged shotguns are legal for hunting nonmigratory game and crows.
- Shotguns (including muzzleloading shotguns) must NOT be larger than 10 gauge and barrels MUST be at least 18 inches. (Rifled barrels are permitted in areas where slugs may be used)
- All game birds and animals may be hunted from a boat (with a SHOTGUN and landowner permission), EXCEPT deer. (Licensed trappers may shoot a .22 caliber rifle or pistol on or over public inland waters to dispatch trapped animals)
- ¹ Muzzleloading rifles must be single shot, load the projectile from the muzzle, and use projectiles .35 caliber or larger. See Legal Methods and Restrictions in the bear (page 29) and deer (page 39) sections for additional details on other muzzleloading weapons.
- Muzzleloading shotguns/rifles, arrowguns, or archery tackle may be used to hunt during the muzzleloading and firearms seasons.
- Archery tackle may include: longbows, recurves, compounds, crossbows, sling-bow and arrowguns/airbows. (Persons with a disability which hinders them from drawing a bow/crossbow may use an arrowgun during archery seasons when in possession of an authorization form provided by DWR and signed by their physician.
- ² Slingbows may NOT be used for bear or elk.
- All methods may be used to hunt nuisance species, crow, and small game.
- Please refer to local firearms ordinances for any additional prohibitions that may be in your locality.

Other Weapons Usage

Unlawful to:

- Hunt migratory game birds with a shotgun capable of holding more than three shells in the magazine and chamber, combined, unless allowed by federal regulations and authorized by the Department.
- Discharge a firearm, muzzleloader, arrowgun, or archery tackle in or across or within the right-of-way of any road.
- Cast a light attached to a vehicle or from a vehicle beyond a roadway upon places used by deer without written permission of the landowner or at anytime while in the possession of a rifle, shotgun, pistol, muzzleloader, arrowgun, archery tackle, or speargun.
- Handle any firearm in a reckless manner so as to endanger the life, limb, or property of any person.
- Shoot a rifle or pistol at wild birds or animals on or over the public inland waters of the state. However, licensed trappers may shoot a .22 caliber rimfire rifle or pistol on or over public inland waters for the purpose of dispatching trapped animals.

- Carry a loaded rifle or pistol on a boat or other floating device on public inland waters for hunting wild birds or animals.
- Kill or attempt to kill any deer while in a boat or other type of watercraft.
- Shoot waterfowl or migratory game birds from a boat being propelled by a motor.
- Shoot or attempt to take any wild bird or animal from any vehicle, except as otherwise provided by law.
- Use vehicles or carry firearms or bows and arrows (including muzzleloaders and concealed weapons) while retrieving dogs on private or prohibited lands without permission of the landowner.
- Hunt with explosive head arrows or arrows to which any drug, chemical, or toxic substance has been added.
- Hunt wild birds and wild animals with fully automatic firearms (i.e., machine guns).

Loaded Weapons Definitions

Loaded Arrowgun

Defined as an arrowgun that has an arrow or bolt inserted on the arrow rest or barrel.

Loaded Crossbow

Defined as a crossbow that is cocked and has either a bolt or arrow engaged or partially engaged on the shooting rail or track of the crossbow, or with a “trackless crossbow” when the crossbow is cocked and a bolt or arrow is nocked.

Loaded Muzzleloader

A muzzleloading firearm is considered “loaded” when the muzzleloader is capped, or has a charged pan, or has a primer or battery installed in the firearm.

Loaded Firearm

Defined as a firearm in which ammunition is chambered or loaded in the magazine or clip and is engaged or partially engaged in a firearm.

Valid Concealed Handgun Permit Holders

Nothing in any Department regulation shall prohibit the possession and transport of a concealed handgun when the individual possesses a valid concealed weapon permit as defined in the Code of Virginia. The granting of a concealed handgun permit shall not thereby authorize the possession of any handgun or other weapon on property or in places where such possession is otherwise prohibited by law or is prohibited by the owner of private property. Furthermore, the possession of a concealed handgun permit does not authorize the use of the concealed handgun for hunting.

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