

VTFSC Testimony on S.22

Wednesday February 26, 2025

In listening to the sponsor's rationale for putting this bill forward on February 19th, we believe we understand that the reasons for this bill were as follows:

- Two houses in Waterbury were taken over by “drug dealers,”
- These miscreants began shooting firearms on their property,
- The problem property was adjacent to a Daycare, and
- Law Enforcement and Town Officials both said there was nothing they could do.

As an aside here: Waterbury opted to disband its Police Force in 2018 and now contracts with the VSP for police coverage, and we further believe that the problem no longer exists because the bad actors moved away or were otherwise dealt with.

In researching this issue, I began by checking with the Waterbury Town Clerk to inquire as to whether Waterbury had a Noise Ordinance. They do not. In my hometown of Northfield, we have had a Noise Ordinance for 23 years, I participated in drafting it, and I also participated in revising it last year to specifically address a situation remarkably similar to what Waterbury experienced. The amended ordinance solved the problem by giving law enforcement the tool they needed to stop the bad activity – end of story.

Northfield's Disorderly Conduct Ordinance addressed the discharge of firearms within Northfield, with this ordinance fully complying with [24 VSA 2295](#), as well as granting some exceptions. If you are not familiar with 24 VSA 2295, this is Vermont's Preemption Statute based on what is referred to as Dillion's Rule, a rule which constrains a municipality's ability to regulate firearms by limiting municipalities to only control discharge.

Setting aside any incredulity over Waterbury not having a Noise Ordinance, that fact is that the existence of such an ordinance would easily solve the issue which is the apparent basis for this bill.

To be clear: Waterbury already has the power to solve this problem at their local level, just as every other municipality in Vermont does.

Well beyond that simple fact, the expansive nature of this bill is overwhelming. For example, and again using Northfield as an example, Town Records show that the Northfield School District owns 9 parcels of land, some not contiguous, which total 164.1 acres with one of these parcels covering 120.66 acres.

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With a 500’ offset in all directions from that 164.1 acres of property, it can be readily appreciated that a sizable portion of land in Northfield will be affected, which in turn effects hunting and the lawful discharge of firearms in a safe manner on one’s own property, or with the permission of the property owner.

As another consideration in Northfield, we are home to Norwich University (NU) with NU owning approximately 43 properties, some non-contiguous, for a total of over 1,320 acres.

That is over 1,400 total acres that would be affected, plus the land covered by the 500’ offset, and that’s just Northfield. How would a hunter know that they would be in violation if they shot a deer, unless they memorized every school property line, and then calculated the 500’ offset?

UVM would surely qualify as a school, and it owns at least 14 parcels of land across Vermont, almost all non-contiguous, including:

Parcel Name	Parcel Location	Acreage
Washington Forest	Washington	100
Talcott Forest	Williston	83
Wolcott Research Forest	Wolcott	130
Jericho Research Forest	Jericho	476
Carse Wetlands	Hinesburg	225
Centennial Woods	Burlington	65
Colchester Bog	Colchester	175
Concord Woods	Burlington	100
East Woods	Burlington	40
Molly Bog	Lamoille	35
Mount Mansfield	Underhill, Stowe & Cambridge	400
Pease Mountain	Charlotte	180
Redstone Quarry	Burlington	3
Shelburne Pond	Shelburne	1,000+
		3,012+

Over 3,000 acres of property, plus the 500’ offset, is a ridiculous amount of land where hunting and the lawful discharge of firearms would be prohibited.

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Further: If drugs were indeed involved with the situation that spawned this bill, then a situation existed where drug users were in possession of firearms, and existing laws could have been used because **Drug Users are Prohibited Persons** ([13 VSA 4017](#)).

Not to mention that [13 VSA 1025](#) (Recklessly endangering another person) or even [18 VSA 4253](#) (Use of a firearm while selling or dispensing a drug) may have been applicable, but we are certain that the VSP would have considered these and other possible existing firearm laws.

At least currently, we have some very rural schools, and we also have some rural day cares.

Do we know if there are existing shooting ranges which are safely oriented that would be closed because of close proximity to piece of land owned by a quailifying day care or school?

Would this apply to indoor ranges?

This bill will require an inordinate amount of time to “fix”, when the simple and straight-forward solution already exists, which is to have Waterbury Selectboard do what should have been done over 20 years ago (enact a Noise Ordinance).

The Federation strongly opposes this bill as written, it is completely unneeded. Waterbury already has the power to control the problem, not to mention that this bill was written without any regard to the sheer amount of property involved, as well as completely ignoring the time-honored tradition of hunting and the lawful use of firearms in a safe manner.