

**Caroline County
Board of Supervisors Agenda
Executive Summary**

Meeting Date: **March 9, 2021**

Title: **Public Hearing – Proposed Amendment of Chapter 56 of the
Code of Caroline County (Hunting)**

(Check Mark)

<input type="checkbox"/> Consent	<input type="checkbox"/> Closed Meeting
<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> No Action (Information Only)	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Resolution	<input type="checkbox"/> PowerPoint Presentation

Summary: A public hearing to consider the amendment of Chapter 56 of the Code of Caroline County, which governs hunting in the County, has been advertised for the March 9 Board of Supervisors meeting.

The current County ordinance prohibits hunting with a rifle larger than a .22 caliber except: 1) when hunting groundhogs, coyotes and feral hogs outside of the general firearms deer season as set forth by the Virginia Department of Wildlife Resources; and 2) the use of muzzle-loading rifles is permitted during the open season for the hunting and killing of deer.

The proposed ordinance amendment would enable a person to use a rifle other than a muzzle-loading rifle to hunt deer during the regular hunting season with the following restrictions:

- a. The rifle shall be a 0.23 caliber or larger;
- b. The person shall hunt only from an elevated stand at least ten (10) feet above ground level*;
- c. The rifle may have a round in its chamber only when it is on the elevated stand; and

- d. The person complies with all safety and other regulations of this Code and the Virginia Department of Wildlife Resources.

**Note: Under state law, 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 ordinances requiring hunting from an elevated platform or tree stand.*

As directed by the Board of Supervisors, the outright repeal of the existing County ordinance to allow state law to govern hunting in Caroline County in the absence of a local ordinance will also be considered as part of the public hearing.

Budget Impact: N/A

Requested Action from Board of Supervisors: Following the public hearing, Board members may again ask questions, offer amendments and debate the merits of the issue.

A vote to adopt the proposed ordinance may be taken following the public hearing, unless the majority of Board members vote to place it under unfinished business for a third reading and action at a future Board meeting.

Attachment:

- 1) Current County ordinance
- 2) Proposed amended ordinance
- 3) Summary of legal use of firearms for hunting under state law

Caroline County, VA
Thursday, March 4, 2021

Chapter 56. Hunting

[HISTORY: Adopted by the Board of Supervisors of the County of Caroline 3-11-2014.^[1]
Amendments noted where applicable.]

[1] *Editor's Note: This ordinance also repealed former Ch. 56, Hunting, adopted 1-25-1989 by Ord. No. 131, as amended.*

§ 56-1. Hunting; discharge of firearms; exemptions.

- A. It shall be unlawful for any person to hunt with a rifle larger than a caliber of .22 in the County, except:
 - (1) In the hunting of groundhogs, coyotes and feral hogs outside the general firearms deer season as set forth by the Virginia Department of Game and Inland Fisheries and subject to any limitations specified by the same.
- B. It shall be further provided that, during the prescribed open season for the hunting and killing of deer, the use of muzzle-loading rifles is expressly permitted, provided that such use shall be subject to the same rules and regulations, whether state or local, which apply to the use of any other firearm.

§ 56-2. Violations and penalties.

A violation of any provision of Chapter 56 shall be punishable as a Class 3 misdemeanor.

Proposed Amendment of Chapter 56 of the Code of Caroline County (Hunting) for First Reading

§56-1. Hunting with rifles

(a) A person may hunt deer with a rifle only as follows:

- (1) For hunting deer with a muzzle-loading rifle during (i) the special muzzle-loading deer season and (ii) the general firearms deer season, the person shall use only the type of muzzle-loading rifles and ammunition authorized by the Virginia Department of Game and Inland Fisheries and in a manner permitted by this Code.
- (2) A person may use a rifle other than a muzzle loading rifle to hunt deer during the regular hunting season only as follows:
 - a. The rifle shall be a 0.23 caliber or larger;
 - b. The person shall hunt only from an elevated stand at least ten (10) feet above ground level;
 - c. The rifle may have a round in its chamber only when it is on the elevated stand; and
 - d. The person complies with all safety and other regulations of this Code and the Virginia Department of Game and Inland Fisheries.

(b) Any person hunting deer in violation of the provisions of this section shall be guilty of a class 3 misdemeanor.

Legal Use of Firearms and Archery Tackle*

***Source: Virginia Department of Wildlife Resources**

Firearm, Hunting Device, and Ammunition	Deer	Bear	Elk	Fall Turkey	Spring Gobbler
Shotguns (including muzzleloading shotguns) using ammunition loaded with larger than number 2 fine shot	Yes	Yes	Yes	Yes	No
Shotguns (including muzzleloading shotguns)	Yes	Yes	Yes	Yes	Yes
Air guns (.35 caliber or LARGER)	Yes	No	No	Yes	Yes
Rifles and pistols using rimfire ammunition and air guns (.35 caliber or SMALLER)	No	No	No	Yes	Yes
Rifles and pistols using centerfire ammunition (.23 caliber or LARGER) Pistols must generate at least 350 foot pounds of energy or greater.	Yes	Yes	Yes	Yes	Yes
Rifles and pistols using centerfire ammunition (SMALLER than .23 caliber)	No	No	No	Yes	Yes
Muzzleloading firearms – rifles and pistols (.45 caliber or LARGER)	Yes ¹	Yes ¹	Yes ¹	Yes	Yes
Muzzleloading firearms – rifles and pistols (SMALLER than .45 caliber)	No	No	No	Yes	Yes
Archery equipment with broadhead widths/expandables that open to 7/8-inch	Yes	Yes ²	Yes ²	Yes	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 Muzzleloaders used for deer/bear/elk must be loaded from the muzzle and fire only a single shot, single bullet or sabot bullet .35 caliber or larger.

Muzzleloading shotguns/rifles, arrowguns, or archery tackle may be used to hunt during the muzzleloading and firearms seasons.

Archery equipment may include: longbows, recurves, compounds, crossbows, sling-bow and pneumatic powered 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.