

Sussex County

An Ordinance to Allow the Use of Shotgun Slug Rifles and Modern Muzzle Loading Rifles to Hunt Deer

Be it Ordained by the Sussex County Board of Supervisors that Article V. Game and Firearms Provisions of the County Code is Hereby Amended to Allow for the Use of Slug Guns and Modern Muzzle Loading Rifles to Hunt Deer as Set out Below:

ARTICLE V. GAME AND FIREARMS*

Sec. 4-156. Penalty for violations.

Any violation of this article shall be a Class 3 misdemeanor.

(Code 1991, § 3-98; Ord. of 4-18-1991(1))

Sec. 4-157. Taking game with muzzle loading weapons.

- (a) The taking or hunting of deer with single-shot muzzle rifles of .45 caliber or larger is permitted during the season designated by the Virginia Department of Wildlife Resources for the muzzle loading season.
- (b) Muzzle loading pistols may be used to hunt nuisance species of birds and animals between sunrise and sunset except over inland water and raccoons during the legal hunting hours for such species.
- (c) The use of muzzle loading pistols is permitted for hunting small game where .22 caliber rifles are permitted.
- (d) The person first obtains written permission from the landowner.

(Code 1991, § 3-95; Ord. of 4-18-1991(1))

State law reference—Local ordinances for hunting with firearms, Code of Virginia, § 29.1-528.*

Sec. 4-158. Permitted muzzle loading weapons.

Only single-shot muzzle loading guns, rifles and handguns using flintlocks or percussion caps without being equipped with telescopic sights or sabots may be used. Rifles shall be .45 caliber or larger, and handguns shall be .40 caliber or larger, and modern muzzle loading rifles, which may include telescopic sights.

(Code 1991, § 3-96; Ord. of 4-18-1991(1))

Sec. 4-159. Prohibited acts.

- (a) The hunting of deer with any other rifle not herein named is prohibited.
- (b) No rifle of any type may be used to hunt or take wild turkey.

(Code 1991, § 3-97; Ord. of 4-18-1991(1))

***Sec. 4-160. Hunting with slug guns and certain caliber rifles.**

A. Notwithstanding any other provision of County Code to the contrary, a person may use a rifle other than a muzzle loading rifle to hunt deer during the regular hunting season only as follows:

- (i) The rifle shall be a 0.23 caliber or larger;
- (ii) The person shall hunt only from an elevated stand at least ten (10) feet above ground level, unless the hunter obtains the disabled hunter exemption as provided by Virginia Code § 29.1-528.2 or other applicable state law;
- (iii) The rifle shall have a round in its chamber only when it is on the top of the elevated stand;
- (iv) The person first obtains written permission from the landowner; and
- (v) The person complies with all safety and other regulations of this Code and the Virginia Department of Wildlife Resources.

B. Nothing in this section shall prohibit a landowner or lessee from killing a deer, elk or bear that is damaging fruit trees, crops, livestock or personal property utilized for commercial agricultural production, as long as the owner or lessee of the property complies with Virginia Code §29.1-529 and other applicable state law.

C. Persons may also use slug guns pursuant to the provisions of this section. However, the elevated stand requirement in A(ii) shall not apply to the use of slug guns.

State Law reference— Hunting with certain firearms, Code of Virginia, § 29.1-528

Be it Further Ordained, that this Ordinance shall be effective immediately upon adoption, and that except as amended hereby, the remainder of County Code shall remain in effect as previously adopted.

Adopted by the Sussex County Board of Supervisors this 29th day of October 2020.

By: 
Susan Seward, Chair

Attest: 
Clerk to the Board

***Section 4-160 was adopted by the Board of Supervisors at its regular October 15, 2020 meeting. This Ordinance, which in part amends Section 4-160 as adopted on October 15, 2020, was adopted by the Board of Supervisors at a continued meeting held on October 29, 2020. Both ordinances were duly advertised, and public hearings were conducted prior to Board adoption of both ordinances.**