

MIDDLEBOROUGH HOUSING AUTHORITY
Firearm/Weapon Policy

The Middleborough Housing Authority (MHA) recognizes the Constitution of the United States Second Amendment right that allows its citizens to keep and bear arms. In the interest of safety and in compliance with the laws of the Commonwealth of Massachusetts (Commonwealth) (M.G.L. Chapter 140 § 121-131P), MHA has adopted the following policy.

Firearms are pistols, revolvers or other weapons of any description, loaded or unloaded, from which a shot or bullet can be discharged of which the length of the barrel or barrels is less than 10 inches or 18 inches in the case of a shotgun as originally manufactured. (M.G.L. Chapter 140 §121 – Firearms Licensing). A weapon may be any rifle, shotgun or firearm. Any antique firearms **MUST** be registered pursuant to this policy. All tenants must declare firearms, ammunition, and weapons of any kind, including but not limited to: hand guns, rifles, BB guns, air guns, Tasers, crossbows, etc., which are to be kept in their MHA unit;

All persons who own and/or receive a firearm must register with the Commonwealth as per M.G.L. Chapter 140 § 121B (E-FA-10 Online Firearms Transaction Recording Application) within seven days of a transaction. The Authority will require that all weapons located on the Authority property **MUST** be registered via the E-FA-10 website. Proof of registration is required to be presented to the Executive Director or his/her representative. Possession of a firearm, rifle or shotgun cannot be possessed in the home without a Firearms Identification Card (FID) or License to Carry (LTC) (M.G.L. Chapter 140 § 128B). Therefore, the Authority shall require that each adult member of the household have a Firearm Identification Card. The FID and/or LTC card must be presented as documentation to the Executive Director or his/her representative.

All firearms must be secured per safety regulations governed by State of Massachusetts licensing authority as follows:

- Firearm must be stored so they are not accessible to unauthorized persons;
- Firearm must be stored in a locked cabinet or be equipped with a trigger lock in compliance with the State of Massachusetts law (M.G.L. c. 140, § 131K);
- Firearm must be stored unloaded; and
- Ammunition must be stored separately from the firearm.

Ammunition may not exceed the state regulations (M.G.L. Ch. 148 § 13.

The transfer of a firearm, rifle or shotgun upon the death of an owner to his heir or legatee shall be subject to the provisions of M.G.L. Ch. 140 § 131, provided that said heir or legatee shall within one hundred and eighty days of such transfer, obtain a firearm identification card or a license to carry firearms.

MHA will provide a list of unit numbers that house firearms to the Middleborough Police Department and the Middleborough Fire Department for public safety purposes.

The Head of Household agrees to be responsible for the safety of all occupants of their MHA unit where firearms and/or weapons are stored. Weapons must be stored in a secured locked container or equipped with a tamper-resistant mechanical lock or another safety device to render weapon inoperable (M.G. L. Ch. 140 § 131L (a)).

In accordance with Massachusetts law, it is unlawful to discharge a firearm within 500 feet of a dwelling unit or other building in use, without the consent of the property owner. MHA does not authorize the discharge of a firearm, paintball gun air gun or BB gun on any MHA property.

Explosive devices including old mortars, torpedoes or any explosives of like nature, or any other explosives, fireworks, firecrackers, or any substance having such properties that may spontaneously, or acting under the influence of any contiguous substance, or of any chemical or physical agency, ignite, or inflame or generate inflammable or explosive vapors or gases to a dangerous extent are not permitted on any authority property.

All adult occupants of the MHA unit must abide by all provisions within this policy by signing a copy of same which will be placed in their tenant file. By signing this policy all adult MHA residents understand this policy applies to any under aged household member or any invited guest while on any MHA property. Failure to abide by this policy is a violation of your lease with MHA and could negatively impact your tenancy. The appropriate authorities will be contacted when necessary in regard to violations to the law and/or policy.

All Resident are asked to carefully review and acknowledge receipt of this policy by signing below. If you store firearm(s) please provide the documentation requested herein to the Housing Authority along with the return of this signed policy within seven (7) days of receipt of this policy.

Sources: Law Enforcement Guide to Firearms Law 16th Edition
M.G.L. Ch. 140 §§ 121-131P
M.G.L. Ch. 148 § 9-13

Resident Signature

Date

Resident Signature

Date

Adopted: January 13, 2010
Revised: May 18, 2022
Reviewed By Police & Fire Chiefs: May 16, 2022