

## SHOOTING RANGE REGULATIONS

### Section 1. Purpose

This Ordinance is intended to regulate the establishment and operation of outdoor shooting range facilities. Such recreational and training complexes, due to their potential noise impacts and safety concerns, merit careful review to minimize adverse effects on adjoining properties. This Ordinance does not otherwise apply to the general discharge of firearms or the use of bows and arrows in accordance with all other applicable laws or regulations.

(Ord. of 9-21-92, § 1)

### Section 2. Intent

It is the intent of this Ordinance to accomplish the following:

- A. *Permitting, registration, and compliance.* New shooting range facilities shall only be established and operated in accordance with a valid permit issued by Pitt County. In addition, existing ranges shall be registered and shall comply with the provisions of this Ordinance within one (1) year.
- B. *Shot containment.* Each shooting range facility shall be designed to contain the bullets, shot, or arrows on the range facility.
- C. *Noise mitigation.* Each shooting range facility shall be designed to minimize off-site noise impacts generated by the activities conducted on the range facility.

(Ord. of 9-21-92, § 2)

### Section 3. Authority

This Ordinance is adopted under the authority of North Carolina General Statute (N.C.G.S.) 153A- 121.

(Ord. of 9-21-92, § 3)

### Section 4. Definitions

As used in this Ordinance, the following terms shall have the respective meanings ascribed to them:

**Archery:** The art, sport, or skill of shooting with a bow and arrow.

**dBA:** The sound pressure level, in decibels, as measured using the impulse mode and "A" weighting network on a precision sound level meter.

**Firearm:** A weapon, including pistols, rifles, and shotguns, capable of firing a projectile using an explosive charge as a propellant.

**Firing line:** A line parallel to a target from which firearms or arrows are discharged.

**Person:** Any individual, corporation, association, club, firm, or partnership.

**Safety fan:** An area on a shooting range facility designed to contain all projectiles fired from a shooting range.

**Shooting range:** An area designed and improved to encompass shooting stations or firing lines, target areas, berms and baffles, and other related components.

**Shooting range facility:** A public or private facility, including individual shooting ranges, safety fans or shotfall zones, structures, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms or the practice of archery. Does not include incidental target practice areas on private property.

**Shooting station:** A fixed point from which firearms or arrows are discharged.

**Shotfall zone:** An area within which the shot or pellets contained in a shotgun shell typically fall.

**Structure:** A walled and roofed building that is principally above ground; a manufactured or mobile home; a storage tank for gases or liquids; or any other permanent, manmade facilities.

(Ord. of 9-21-92, § 3)

## **Section 5. Applicability**

This Ordinance is applicable to all existing and future shooting ranges in unincorporated Pitt County outside of any municipal planning jurisdiction.

(Ord. of 9-21-92, § 4)

## **Section 6. Performance Standards**

The following performance standards shall apply to all shooting range facilities:

- A. *Shot containment.* Shooting range facilities shall be designed to contain all of the bullets, shot, or arrows or any other debris on the range facility.
- B. *Noise mitigation.* Noise levels measured at the property line where the facility is maintained or, in the case of leased land, at the property line of any leased parcel shall not exceed sixty-five (65) dBA when located adjacent to residential or commercial property or seventy-five (75) dBA when adjacent to industrial property.
- C. *Written variance.* These performance measures may be varied with written permission of adjoining property owners affected thereby, except that written approval is not needed for any adjoining land owned by the State of North Carolina.

(Ord. of 9-21-92, § 5)

## **Section 7. Development Requirements**

- A. *Setbacks.* Notwithstanding the performance standards of Section 6, all shooting stations on a range facility shall be located a minimum of two hundred (200) feet from any property line.
- B. *Warning signs.* Warning signs meeting National Rifle Association (NRA) guidelines for shooting ranges shall be posted at one hundred-foot intervals along the entire perimeter of the shooting range facility.
- C. *Distance from occupied dwelling.* All shooting stations shall be located at least one-fourth (¼) mile (one thousand three hundred twenty (1,320) feet) from any existing, occupied dwelling.

- D. *Written variance.* The distance requirements of this Section may be varied with written permission of adjoining property owners affected thereby, except that written approval is not needed for any adjoining land owned by the State of North Carolina.

(Ord. of 9-21-92, § 6)

### **Section 8. Operational Requirements**

- A. *Hours of operation.* Shooting ranges shall be allowed to operate between sunrise and sunset, except that the hours may be extended after sunset for purposes of subdued-lighting certification of law enforcement officers, or may be extended for other purposes only when a permit allowing such activity is issued in advance by the Sheriff's Department. On Sundays, shooting shall not commence before 12:30 p.m., unless a permit allowing such activity is issued in advance by the Sheriff's Department.
- B. *Liability insurance.* The permittee shall be required to carry a minimum of five hundred thousand dollars (\$500,000.00) of liability insurance. Such insurance shall name Pitt County as an additional insured party and shall save and hold Pitt County, its elected and appointed officials, and employees acting within the scope of their duties harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any property damage arising out of the acts or omissions of the permittee, his/her group, club, or its agents or representatives. The County shall be notified of any policy changes or lapses in coverage.

(Ord. of 9-21-92, § 7)

### **Section 9. Procedure for Securing Approval for New Ranges**

- A. *Permit application.* An application for a permit to establish and operate a shooting range facility shall be submitted by the legal property owner(s) or owner's agent to the Pitt County Planning Department. Such permit shall be secured prior to issuance of any other building or improvement permit by Pitt County.
- B. *Fees.* The application shall be accompanied by an application fee of one hundred dollars (\$100.00).
- C. *Required information.* The applicant shall provide sufficient information as required by these provisions in order to properly evaluate the permit application. In addition, copies of any written agreements from the adjoining property owners and a letter from the insurance company to provide liability insurance shall accompany the permit application.
- D. *Site plan.* A site plan for the entire range facility which shows the following applicable information drawn to an appropriate scale, shall accompany the permit application:
1. Property lines for any parcel upon which the range facility is to be located, north arrow, plan scale, date, and ownership information for the site;
  2. Complete layout of each range, including, shooting stations or firing lines, target areas, shot-fall zones or safety fans, backstops, berms, and baffles;
  3. Projected noise contours;
  4. Existing and proposed structures; occupied dwellings within one-fourth (1/4) mile (one thousand three hundred twenty (1,320) feet); roads, streets, or other access areas; buffer areas; and parking areas for the range facility; and
  5. Any other appropriate information related to the specific type of range(s) being proposed.

E. *Action.* Within thirty (30) working days or at the next available meeting, whichever is sooner, the Planning Board shall take one (1) of the following actions:

1. Reject the application as incomplete; or
2. Approve the issuance of the permit; or
3. Deny the permit request.

In any case, the written findings to support the action taken shall be provided to the applicant.

F. *Permit display.* Permits shall be kept and displayed in a readily visible location on the shooting range facility and at all times be available for public inspection.

G. *Permit transferability.* A permit issued pursuant to this Ordinance may not be transferred to another operator without the written approval and consent of the Pitt County Planning Department.

H. *Changes or expansions.* If any shooting range facility is intended to be substantially changed or expanded to include types of ranges, operations, or activities not covered by an approved permit or otherwise cause nonconformance with this Ordinance, a new permit for the entire facility shall be secured in accordance with all of the provisions of this Ordinance.

(Ord. of 9-21-92, § 8)

#### **Section 10. Registration and Compliance of Existing Ranges**

A. *Registration.* All existing ranges shall provide a site plan, prepared in accordance with Section 9-D, within ninety (90) days after the effective date of this Ordinance. No fees will be charged and no permits will be required.

B. *Compliance.* Within one (1) year after the effective date of this Ordinance, any existing shooting range facility determined not to be in compliance shall be made to obtain a permit and comply with all of the requirements of this Ordinance.

C. *Abandonment and discontinuance.* When an existing shooting range is discontinued without the intent to reinstate the range use, the property owner shall notify the County of such intent.

(Ord. of 9-21-92, § 9)

#### **Section 11. Variances**

A variance may be granted by the Planning Board upon the finding that a practical difficulty or unnecessary hardship would result if this Ordinance were strictly applied. Variance requests shall be considered in accordance with the guidelines and procedures of Section 11-161 (Variances) of the Pitt County Code as applicable to this situation.

(Ord. of 9-21-92, § 10)

#### **Section 12. Enforcement, Remedies, and Penalties**

A. *Enforcement and remedies.* The Pitt County Sheriffs Department shall be responsible for the enforcement of this Ordinance. Any violation or attempted violation of this Ordinance or of any condition or requirement adopted pursuant to these provisions may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings as allowed by state law. Any permit issued under this Ordinance may be suspended or revoked in accordance with the Pitt County Code as per NC.G.S. 153A-362.

- B. *Civil penalties.* Any person who violates any of the provisions of this Ordinance shall be subject to a civil penalty of one hundred dollars (\$100.00) per violation. No penalty shall be assessed until the person alleged to be in violation has been notified of the violation. Each day of a continuing violation shall constitute a separate violation.
- C. *Criminal penalties.* Any person who knowingly or willfully violates this Ordinance or who knowingly or willfully initiates or continues unapproved actions shall be guilty of a misdemeanor punishable by imprisonment not to exceed thirty (30) days, or by a fine not to exceed fifty dollars (\$50.00).

(Ord. of 9-21-92, § 11)