

ALAMANCE COUNTY SHOOTING RANGE ORDINANCE

WHEREAS, the Alamance County Board of Commissioners recognizes the importance of maintaining public safety and the quality of life for its residents; and

WHEREAS, the use and operation of shooting ranges have the potential to create safety risks, noise disturbances, and environmental impacts if not properly regulated; and

WHEREAS, North Carolina General Statutes (N.C. Gen. Stat.) § 153A-121 grants counties the authority to enact ordinances necessary to protect the health, safety, and welfare of their residents; and

WHEREAS, N.C. Gen. Stat. § 153A-129 grants counties the authority to enact ordinances which regulate, restrict, or prohibit the discharge of firearms; and

WHEREAS, the Alamance County Board of Commissioners seeks to balance the interests of firearm enthusiasts, local residents, and the community at large by providing clear standards for the establishment and operation of shooting ranges;

NOW, THEREFORE, BE IT ORDAINED by the Alamance County Board of Commissioners as follows:

Section 1: Authority and Purpose

Pursuant to the authority granted under N.C. Gen. Stats. § 153A-121 and § 153A-129, this Ordinance is enacted to ensure the safety, welfare, and quality of life for residents of Alamance County. The enactment of this Ordinance does not constitute the endorsement of, the limitation of, or the prohibition of sport shooting ranges and facilities. This Ordinance does not, will not, and cannot infer or guarantee in any way that any person at or near a shooting range or facility will be safe from the discharge of firearms. Alamance County hereby expressly states that the establishment, construction, and safe operation of shooting ranges and facilities is the complete, total, and entire responsibility of the owner and/or operator of the shooting ranges. The facilities subject to this Ordinance and the safe use of a shooting range or facility is the sole responsibility of each user. This Ordinance is not intended to infringe upon any individual's rights to possess or carry firearms under state or federal law or to discharge a firearm in lawful self-defense.

Section 2: Definitions

For the purposes of this Ordinance, the following definitions apply:

1. **Shooting Range:** Any area, location, or facility designed or used for the discharge of firearms for practice, recreation, competition, or training, whether formal or informal, and regardless of whether it is owned or operated commercially or non-commercially.

2. **Recreational Shooting:** Any firearm shooting activity which takes place in an unincorporated area of Alamance County that is not expressly exempted in Section 3 of this Ordinance.
3. **Indoor Shooting Range:** A Shooting Range that is located inside a building, or enclosed on all sides, including a roof.
4. **Outdoor Shooting Range:** A temporary or permanent Shooting Range that is not fully-enclosed. This can be an open-air facility designed for shooting activities.
5. **Commercial Shooting Range:** A Shooting Range operated for in exchange for receiving money or in-kind value directly or indirectly from third parties to the owner and/or operator, including, but not limited to, membership fees, use fees, or event fees. Commercial Shooting Ranges may be owned or operated by individuals, for-profit entities, or non-profit entities.
6. **Occupied Building:** A building that is used by any person, at any time, for the purpose of dwelling within, residing within, or living within (such as a family home). Occupied Building also means any building or structure used as a business office where proprietors, building owners, or persons in operational control conduct a commercial act or operate a business for services, uses, goods, or commerce with the public. Occupied Building also means any building or structure used for religious (such as a church or house of worship), service (such as a non-profit organization), or governmental purposes.
7. **Backstop:** A barrier, either natural or manmade, that safely contains and prevents the escape of projectiles from a Shooting Range.
8. **Berm:** A raised earth structure, either natural or manmade, which is intended to act as a safety barrier to prevent the escape of projectiles from a Shooting Range.
9. **Firearm:** A handgun, shotgun, or rifle which expels a projectile by action of an explosion, including an antique firearm as defined in N.C. Gen. Stat. § 14- 409.11.
10. **Projectile:** Any bullet, shot, or other object propelled by a firearm.
11. **Escape:** Projectiles “escape” a Shooting Range when they leave the territorial limits of the real property on which the Shooting Range is situated.

Section 3: Applicability

This Ordinance applies to all Shooting Ranges located within the unincorporated areas of Alamance County. Exemptions are provided for those activities which are exempted under N.C. Gen. Stat. § 153A-129, as well as the following activities:

1. **Hunting Activities:** The discharge of firearms for lawful, bona fide hunting and pest control purposes is exempt from this Ordinance.
2. **Lawful Defense:** The discharge of a firearm in lawful defense of self or others is exempt.
3. **Temporary Shooting Activities:** Shooting activities hosted by or on behalf of charities and lasting less than 72 consecutive hours (such as turkey shoots or similar events) are exempt.
4. **Law Enforcement Training:** Firearm training conducted by or for law enforcement agencies is exempt.
5. **Other Exemptions:** Shooting Ranges within municipal boundaries are excluded unless this Ordinance is expressly adopted by the municipality.

Section 4: Design and Construction Standards for all Shooting Ranges

1. **Safety Features:** All Shooting Ranges shall have or be equipped with backstops, berms, or some other manmade or natural physical barrier designed to prevent the escape of projectiles and to contain projectiles from the caliber(s) of firearm(s) being discharged. Where the geographic features of land are sufficient to prevent the escape of projectiles, no manmade barriers need be erected.
2. **Setback Distances:**
 - a. Outdoor Shooting Ranges must be located at least 300 feet from any Occupied Building not owned or leased by the Shooting Range's owner or operator. All Recreational Shooting should only be undertaken on Outdoor Shooting Ranges meeting this requirement.
 - b. A minimum distance of 100 feet must be maintained between any area of an Outdoor Shooting Range where live fire occurs and any property boundary line.

Section 5: Commercial Shooting Ranges

1. **Registration Requirement:** All Commercial Shooting Ranges must register with the Alamance County Planning Department prior to operation and whenever a Shooting Range is subject to significant repairs or replacement. This registration requirement is intended only to create a comprehensive listing of Commercial Shooting Range locations within the county, not to serve as a permitting or credentialing process for Shooting Ranges. Adherence to adequate safety standards and published "best practices" is encouraged.
2. **Registration Process:** On a form generated by the County for this purpose, each Commercial Shooting Range should:
 - a. Submit the name, address, type, and date of initial operation of the Shooting Range.

- b. Provide a general description of the Shooting Range, including its layout, design, and a copy of adopted range safety plans.
 - c. Provide a copy of the Shooting Range's most-recently filed articles of incorporation or organization with the North Carolina Secretary of State.
 - d. Provide evidence of the insurance policy required by this Section.
 - e. Include telephone, mailing address and, if available, email contact information for the owner and operator of the Shooting Range.
3. **Renewal:** Commercial Shooting Ranges must update this information with the Alamance County Planning Department on an annual basis. If ownership or operational control of the Shooting Range changes, a new registration should be filed within thirty (30) days of such change.
4. **Fees:** An initial registration fee, set at \$50, must be submitted with the registration form. The fee for annual renewal is set at \$25. These fees are subject to periodic review and adjustment by the Board of Commissioners to reflect administrative costs.
5. **Additional Requirements for Commercial Shooting Ranges:**
 - a. Fencing which is adequate to prevent unauthorized access must enclose the live fire area of Commercial Shooting Ranges.
 - b. Adequate signage should also be posted at 100 foot intervals to indicate that the Commercial Shooting Range is a live fire area.
 - c. A qualified range officer employed or contracted by the Shooting Range must be present during all shooting activities at Commercial Shooting Ranges to ensure compliance with safety protocols.
 - d. Each Commercial Shooting Range shall be required to carry a minimum of one million dollars (\$1,000,000.00), per occurrence, of liability insurance. Such liability insurance shall provide coverage for personal injury, death or property damage caused by shooting activities on the Shooting Range. The County shall be notified of any policy changes or lapses in coverage. A Commercial Shooting Range shall not operate without insurance in force.

Section 6: Noise

Shooting Range operators and shooters are encouraged to be mindful of the character and setting of their Shooting Range, as well as the effect that noise from use of the Shooting Range may have on others nearby.

1. **No preemption of State law:** This ordinance is not intended to, and does not, preempt any statutory exemption from enforcement of any County Noise Ordinance under N.C. Gen. Stat. § 14-409.46.
2. **No preemption of County Noise Ordinance:** This ordinance is not intended to preempt or replace any County Noise Ordinance. Any enforcement for violations of the Noise Ordinance may be in addition to, and not in lieu of, enforcement for violations of this Ordinance.

Section 7: Safety Standards

1. **Prohibited Times:** Recreational Shooting activities regulated by this Ordinance are permitted on Outdoor Shooting Ranges only between 9:00 AM and 8:00 PM, Monday through Saturday, and from 12:00 PM (noon) to 8:00 PM on Sundays.
2. **Reckless Discharge:** No person may discharge a firearm carelessly or recklessly in disregard for the safety of others. Such carelessness or recklessness is presumed if the discharging person is under the influence of alcohol or any other impairing substance. As used in this paragraph, “under the influence” and “impairing substance” are to be construed as defined in N.C. Gen. Stat. § 20-4.01 (14a) and (48b).
3. **Accountability for Projectiles:** No person may willfully discharge a firearm in any manner that causes or allows the projectile to escape the property on which it is discharged.
4. **Willful Allowance Prohibited:** No person or entity may willfully allow another person, while on property owned, leased, or controlled by that person or entity, to discharge a firearm in violation of this Ordinance.

Section 8: Enforcement and Penalties

1. **Civil Penalties:**
 - a. County officials may conduct inspections to ensure compliance with this Ordinance, pursuant to the authority granted under N.C. Gen. Stats. § 153A-121 and § 153A-123, and any otherwise-applicable federal, state, or local laws.
 - b. Violations of any portion of this Ordinance may result in civil penalties not exceeding \$500 per violation, with each day of continued noncompliance constituting a separate violation.
 - c. All assessed penalties may be recovered in any manner authorized by law and, if not paid within 30 days, may be recovered in the nature of debt.
2. **Criminal Penalties:**

Any willful violation of any portion of Section 7 of this Ordinance shall constitute a Class 3 misdemeanor, punishable by a fine of up to \$500 and/or imprisonment for up to 30 days, as provided under N.C. Gen. Stat. § 14-4.

Section 9: Compliance Grace Period

Shooting Ranges must comply with all applicable portions of this Ordinance within ninety (90) days of the Ordinance's effective date.

Section 10: Severability Clause

This Ordinance is expressly adopted under the County's authority under N.C. Gen. Stats. § 153A-121 and § 153A-129 and is intended to supplement, not to countermand, N.C. Gen. Stat. § 14-409.40, 14-409.46 or any other applicable state or federal laws which regulate the possession or discharge of firearms and shooting ranges. If any provision of this Ordinance is found to be invalid by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

Approved by the Alamance County Board of Commissioners on January 21, 2025 and ratified and adopted this, the _____ day of _____, 2025.

John P. Paisley, Jr., Chairman
Alamance County Board of Commissioners

ATTEST: _____
Tory Frink, Clerk to the Board