

Sec. 24-3. - Regulating the discharge of firearms.

- (a) This Section is enacted pursuant to the authority of N.C.G.S. 153A-129. This Section shall be interpreted in accordance with any sections of the North Carolina General Statutes which, by their terms, limit the authority of the County to regulate the discharge of firearms.
- (b) Firearm as referenced herein shall mean any handgun, shotgun, or rifle which expels a projectile by the ignition of gunpowder or by other explosive reaction.
- (c) It is unlawful for any person to discharge a firearm except into a natural or constructed backstop adequate to stop the projectile. This subsection shall not apply to trapshooting, skeet shooting, and sporting clays when such activities are undertaken through use of a shotgun.
- (d) It is unlawful for any person to discharge a firearm carelessly or heedlessly in disregard for the safety of others.
- (e) It is unlawful for any person to discharge a firearm in any manner that causes the projectile to leave the property on which it is discharged. This subsection shall not apply when the person discharging the firearm has written permission for such activity from the person on whose property the projectile comes to rest. The document demonstrating written permission must be immediately available at the time of the discharge and shall be provided to any investigating officer.
- (f) It is unlawful for any person to discharge a firearm after that person has consumed alcohol or any other impairing substance. As used in this paragraph, an impairing substance is defined in N.C. Gen. Stat. § 20-4.01. A conforming alcohol screening device may be used to detect the presence of alcohol. A conforming alcohol screening device is any device listed in the National Highway Traffic Safety Administration's Conforming Products List of Evidential Breath Alcohol Measurement Devices as published in the Federal Register and as that list may be amended from time to time. An investigating officer may ascertain the consumption of an impairing substance or any level of impairment in any lawful manner.
- (g) Nothing in this Section shall be construed as prohibiting the discharge of a firearm:
  - (1) When used for lawful hunting activities pursuant to Chapter 113, Subchapter IV; or
  - (2) When used in defense of person or property; or
  - (3) When used pursuant to lawful directions of law-enforcement officers.
- (h) A violator of this Section shall be guilty of a Class III misdemeanor punishable by a fine of up to \$500.00. A violation of this Section may subject the violator to a civil penalty of up to \$500.00. 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.

(Res. 2016-078, eff. 12-5-2016)