

Sec. 16-3. - Discharge of firearms.

(a) *[Application.]* The provisions of this section shall apply to all properties located outside of any municipal limits; extraterritorial jurisdictions (ETJs) are not considered to be part of any municipal limit.

(b) *[Definition.]* For purposes of this section, firearm is defined as a handgun, shotgun, rifle or any device which expels a projectile by action of an explosion.

(c) *[Violations.]* It shall be unlawful for any person to:

(1) Discharge a firearm in the county carelessly and heedlessly, so as to endanger any person or property,

(2) Discharge a firearm that results in a projectile crossing the property line of another person without the permission of the owner, or

(3) Discharge a firearm while under the influence of alcohol or a controlled substance (under the influence: determination by the investigating officer that the person is intoxicated by alcohol or a narcotic to the point where physical and mental faculties are appreciably diminished).

(d) *[Discharge on public streets, highways.]* It shall be unlawful for any person to discharge any firearm on, from, or across the traveled portion of any public street or highway.

(e) *[Prohibited times of discharge.]* The discharge of firearms from two hours after sunset to one hour before sunrise is prohibited by article II, subsection 12-32(6) of the Johnston County Code of Ordinances.

(f) *Miscellaneous exceptions.* The following exceptions are permissible under this section:

(1) Law enforcement officers or members of the armed forces acting in the line of duty;

(2) The shooting or killing of any dangerous or destructive animal or reptile when necessary to protect life or property;

(3) All legal hunting activities, pursuant to the North Carolina Department of Agriculture, the North Carolina Wildlife Commission and G.S. chapter 113, subchapter IV, as it is from time to time amended or pursuant to lawfully issued state or federal hunting or wildlife removal permits;

(4) The use of firearms for defense of persons or property, as allowed under state Law;

(5) Nonprofit special events such as turkey shoots with a valid local county permit;

(6) Indoor firing/shooting ranges; and

(7) A bonafide training facility acting in the course of providing firearms proficiency training and certification to law enforcement agencies, private security agencies, employers of armored-car personnel (e.g. Brinks, Loomis, and similar companies), and similar legitimate businesses that require such certification. A "bonafide training facility" is one that is properly authorized to provide such training and certification to North Carolina or federal law enforcement agencies.

(g) *Penalties.* A violation of this article [section] by any person is a misdemeanor and shall subject the offender to a fine of \$100.00 and/or imprisonment for up to 30 days. A second or subsequent violation by the same person within one year shall subject such person to a fine of up to \$300.00 but not less than \$100.00 and/or imprisonment for up to 30 days.

(Ord. of 3-7-2011)