

AMENDMENT TO CHAPTER 18

OFFENSES AND MISCELLANEOUS PROVISIONS

THAT CHAPTER 18 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES EDGEcombe COUNTY, NORTH CAROLINA IS HEREBY AMENDED TO ADD AN ADDITIONAL SECTION AS FOLLOWS:

Sec. 18-2. Discharge of Firearms.

DEFINITION: For the purposes of this section firearm shall mean any handgun, shotgun, or rifle that expels a projectile by the ignition of gunpowder or by other explosive reaction.

(a) It shall be unlawful for any person to discharge a firearm except into a natural or constructed backstop adequate to stop the projectile. This shall not apply to trapshooting, skeet shooting, or sporting clays when such activities are undertaken through the use of a shotgun.

(b) It is unlawful for any person to discharge a firearm carelessly or heedlessly in disregard for the safety of others.

(c) 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 unless that person has written permission from the property owner which must be immediately available at the time of the discharge and shall be provided to any investigation officer.

(d) 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 GS 20-4.01. An investigating officer may ascertain the consumption of an impairing substance or any level of impairment in any lawful manner.

(e) It is unlawful for any person to discharge a firearm within 500 feet of a dwelling or other building or structure that is designed to be occupied by human beings.

(f) It is unlawful to use a firearm for the purpose of terrorizing others or to use a firearm to the danger of others.

(g) It shall be unlawful for any person to discharge a firearm on or from any public street or highway or the rights-of-way thereof.

(h) It is unlawful to discharge a firearm between the hours of 11:00 p.m. and 7:00 a.m.

EXCEPTIONS: Nothing in this section shall be construed as prohibiting the discharge of a firearm:

- (1) Used in defense of persons or property;
- (2) Used by law enforcement officers in their official capacity;
- (3) When used pursuant to lawful directions of law enforcement officers;
- (4) Used for lawful hunting activities pursuant to NCGS Chapter 113, Subchapter IV;

- (5) At shooting ranges or other such facilities that are operated pursuant to a permit;
- (6) By a member of the armed forces acting in the line of duty;
- (7) At historical, holiday, or ceremonial functions or at organized or community events held for historical, holiday, or charitable purposes;
- (8) Shooting within 500 feet of a dwelling or other building or structure designed to be occupied on by human beings if such dwelling or other building or structure is located on the shooter's own property or if the shooter has the written permission of the owner;
- (9) Shooting on a person's own property for the purpose of protecting the premises or its occupants from dangerous or destructive animals or reptiles that are a menace to public health and have become a nuisance upon the person's premises; or
- (10) At school-sanctioned instructional or recreational activities intended to further the use of safe firearms practices.

ENFORCEMENT: A violator of this Section shall be guilty of a Class III misdemeanor punishable by a fine of up to \$500.00 and/or imprisonment of for not more than thirty (30) days. Violators may be subject to a civil penalty of \$500.00 per violation to be recovered in the nature of debt if not paid within thirty (30) days. In addition, the county may enforce this ordinance by any one or more of the remedies authorized by GS 153A-123.

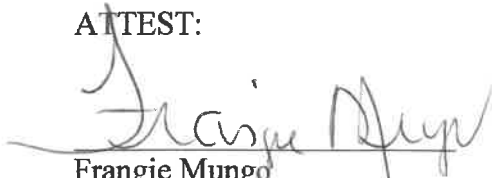
This Ordinance shall be effective upon its adoption.

Adopted this 1st day of February, 2021.



Leonard Wiggins, Chairman
Edgecombe County Board of Commissioners

ATTEST:



Frankie Mungo
Clerk to the Board