



# Discharge of Firearms

Dan Whitten, County Attorney

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# Why was a Citizen Committee Formed to Discuss Discharge of Firearms?

- ▶ Dale Traylor, a Prince George County resident, raised the topic during citizen comment period at the April 12, 2022 Board meeting.
- ▶ Beverly Rodgers, a Prince George County resident, also shared a reckless handling of a firearm complaint with the County Administrator's Office.
- ▶ The County Administrator put together a committee of staff and citizens consisting of:
  - ▶ County Administrator Jeff Stoke
  - ▶ County Attorney Dan Whitten
  - ▶ Chief of Police, Colonel W. Keith Early
  - ▶ Sheriff R. W. "Buck" Vargo
  - ▶ Citizen Dale Traylor
  - ▶ Citizen Beverly Rodgers
  - ▶ Citizen Marlon Dance
  - ▶ Citizen Tom Guess, Legislative Liason for Virginia Department of Wildlife Resources

## What Did the Committee Discuss?

- ▶ The Committee met twice in-person on June 1, 2022 and June 17, 2022.
- ▶ The County Attorney presented a spreadsheet to the Committee showing how adjacent localities and other sample localities handle the discharge of firearms by ordinance.

# Options for the Board of Supervisors

- ▶ 1) Null option - There is not a legal requirement to have a discharge of firearms ordinance.
- ▶ 2) Select another locality's ordinance to copy.
- ▶ 3) Consider the Committee's recommended options.



## Options Recommended from Committee

- ▶ 300 feet from a dwelling, business establishment, public building, public gathering or public meeting place
  - ▶ Shall not apply to a person's own dwelling or business
  - ▶ Shall not apply if the owner or authorized agent of a dwelling or business establishment has given permission
- ▶ 300 feet from the property line of county public school or public park
  - ▶ Shall not apply to lands within a national or state park, state forest or wildlife management area
- ▶ Language requiring Berm/Backstop (see next slide for options)

# Options Considered by Committee for Berm/backstop for Target Shooting

- ▶ The Committee considered the following options:
  - ▶ Null option - don't regulate or require backstops or berms
  - ▶ Projectile can't leave property - The discharge of firearms for recreational or target shooting purposes shall be conducted in such a manner as to ensure that projectiles do not leave the boundaries of the property or parcel upon which the shooting is occurring, unless permission to do so has been granted by the adjacent landowner. (**RECOMMENDED OPTION**)
  - ▶ Require berms or backstops - natural or man-made berm or backstop so that it prevents projectiles from entering the property of another.
    - ▶ A backstop is defined as a device to stop, redirect, and or contain bullets fired on a range.
    - ▶ A berm is defined as an embankment used for restricting bullets to a given area, or as a protective or dividing wall between ranges.

# Exemptions Recommended by Committee

- ▶ The Committee recommended the following exemptions from the ordinance:
  - ▶ (i) law-enforcement officer in the performance of his official duties;
  - ▶ (ii) any person whose discharge of a firearm is justifiable or excusable at law in the protection of life or property;
  - ▶ (iii) the discharge, on land of at least five acres that is zoned for agricultural use, of a firearm for the killing of deer pursuant to Code of Virginia, § 29.1-529;
  - ▶ (iv) the discharge of a firearm that is otherwise specifically authorized by law;
  - ▶ (v) the discharge of black powder firearms using blanks as part of historical reenactments, historical living history programs and historical demonstrations;
  - ▶ (vi) the discharge of starter blank weapons to initiate athletic competitions; or
  - ▶ (vii) ceremonial and patriotic displays

## Penalty Recommended by Committee

- ▶ The penalty recommended is a Class 3 misdemeanor which is up to a \$500 fine and no jail time.



ANY QUESTIONS?

