

CHAPTER 115: SHOOTING RANGES

§ 115.01 SHOOTING RANGE DEFINED

As per IC 14-22-31.5-3, shooting range means an area designed and operated for the use of archery, rifles, shotguns, pistols, muskets, or similar firearms that are fired at silhouettes, skeet, trap, paper, stillboard, or other similar targets.

§ 115.02 REGULATION OF SHOOTING RANGES

IC 14-22-31.5-3 authorizes a local unit of government to regulate the location, use, operation, safety, and construction of a shooting range.

The following regulations shall apply to all shooting ranges within the unincorporated areas of the county.

- (A) No potentially dangerous projectile including, but not limited to, an arrow, a bullet, or shotgun slug shall leave the property upon which the shooting range is located.
- (B) The shooting range shall be used only between the hours of 8:00 a.m. and 11:00 pm.
- (C) It shall be unlawful to discharge a projectile across any roadway, alley, or public right-of-way.

§ 115.03 EXCEPTIONS

This chapter does not apply to:

- (A) the discharge of weapons in defense of one's life or property or to kill a dangerous or destructive animal;
- (B) the discharge of weapons during hunting activities;
- (C) the discharge of weapons by any duly authorized peace officer or law enforcement official acting in the proper performance of his or her duties;
- (D) the discharge of weapons during a managed hunt to control the deer population under the supervision of the federal, state, or local law enforcement or game management officials;
or,
- (E) the discharge of blank cartridges in theatrical performances or sporting events
or at military funerals or affairs

subject to other federal, state, and local laws and regulations.

§ 115.03 PENALTY

- (A) Any person violating any of the provisions of this chapter shall be charged with an ordinance violation, a Class C Infraction, and shall be fined Fifty Dollars (\$50.00) for the first violation, One Hundred Dollars (\$100.00) for the second violation, and Two Hundred Dollars (\$200.00) for each violation thereafter. Every day any such violation shall occur, and for each projectile that leaves the shooting range property, shall constitute a separate offense.
- (B) A shooting range which, in violation of § 115.02(A), has any projectile(s) leave the shooting range property shall discontinue operations of the shooting range until they can provide adequate assurance to the Hearing Authority, as defined in Owen County's Unsafe Building and Premises Law, Owen County Code §156.03, that measures have been put in place to stop such projectiles from leaving the shooting range property. Such a shooting range must discontinue its operations as soon as they become aware of the projectile leaving the shooting range property.
- (C) The shooting range owner and operator who continues operations in violation of § 115.03(B) shall be charged with an ordinance violation, a Class A Infraction, and shall be fined Two Thousand Dollars (\$2,000.00) for the first violation, Five thousand Dollars (\$5,000.00) for the second violation, and Ten Thousand Dollars (\$10,000.00) for each violation thereafter. Every day any such violation shall occur, and for each projectile that leaves the shooting range property from the time the shooting range owner or operator becomes aware of the violation, shall constitute a separate offense.
- (D) Penalties shall be placed in the Unsafe Building Fund as established in Owen County Code §156.03.

§ 115.04 JOINT AND SEVERAL LIABILITY

In addition to any person who violates any of the provisions of the chapter, the shooting range owner and shooting range operator shall be jointly and severally liable for any penalty resulting from the violation.

§ 115.05 CIVIL ACTIONS FOR ENFORCEMENT OF THIS CHAPTER

The county attorney may bring a civil action to enforce this chapter in the Owen Circuit Court. The county is not liable for the costs of such an action. Such costs are to be paid by the violator.

§ 115.06 INJUNCTIONS

A court acting under section §115.05 of this Chapter may grant a mandatory or prohibitory injunction against any person and the owner and/or operator of the shooting range that will cause this chapter to be complied with. Person as used herein means an individual, an association, a business entity, or similar entity.