

ORDINANCE NO. 56:

AN ORDINANCE REGULATING THE LOCATION AND
CONSTRUCTION OF SPORT SHOOTING RANGES

Article 1: General Provisions

1.1 Authority

Pursuant to authority in SDCL 21-10-32, the Meade County Board of County Commissioners may regulate the location and construction of sport shooting ranges.

1.2 Purpose

It is the purpose of this Ordinance to promote the safety, health, peace and general welfare of the citizens of Meade County while supporting gun rights and promoting gun education and training.

1.3 Jurisdiction

This Ordinance shall apply to all sport shooting ranges, as defined herein, within Meade County outside the boundary of any municipality.

Article 2: Definitions

Backstop: a feature intended to stop and contain bullets fired on a range. A backstop can be an earthen berm, a steel bullet trap, or any other material intended to stop bullets.

Baffles: 1. Barriers designed to safely contain or redirect projectiles. 2. Muzzle barriers used to restrict the height or direction the muzzle end of a firearm can traverse. 3. Sound barriers designed to reduce, redirect or suppress sound waves.

Berm: an earthen embankment used to facilitate bullet containment on a shooting range.

Bullet: a single projectile fired from a firearm.

Bullet Trap: a device designed to trap or capture a projectile.

Firing Line Cover: a roof structure designed to protect shooters from weather and sun.

Impact Area: that area of an impact berm (backstop) or bullet trap directly behind the target where bullets are expected to impact.

Impact Berm: an earthen embankment that is intended to stop and contain the projectiles fired on a sport shooting range.

Pistol: a firearm capable of being held, aimed and fired with one hand. Also known as a revolver or handgun.

Public Road: Every way or place of whatever nature open to the public, as a matter of right, for purposes of vehicular travel and unimproved section lines.

Rifle: a firearm designed to be fired from the shoulder generally having a barrel more than 16 inches long.

Shotgun: a firearm designed to be fired from the shoulder with a smoothbore barrel that fires shotshells possessing a varying number of projectiles.

Sport Shooting Range: an area commonly open to public use and designed and operated for the use of rifles, shotguns, or pistols as a means of silhouette, skeet, trap, black powder, or other sport shooting. A sport shooting range includes a law enforcement shooting range that is commonly open to public use.

Side Berm: an earthen berm intended to separate and protect areas of a shooting range.

Trajectory: the path a projectile travels from the muzzle to the point of impact.

Article 3: Licensing Requirements

3.1 Any new sport shooting range shall obtain a sport shooting range license as provided herein. If any existing sport shooting range is intended to be substantially changed or expanded in either size of the range or types of guns allowed to be used the sport shooting range shall obtain a sport shooting range license as provided herein.

3.2 A sport shooting range license shall be obtained prior to any grading, construction, or other improvement is undertaken.

3.3 The fee for each sport shooting range license shall be determined by Meade County Resolution. The fee shall be paid at the time of the application.

3.4 The application shall be completed on a form furnished by the Meade County Department of Equalization and Planning, and shall include the following information:

3.4.1 Ownership. Information demonstrating that the applicant is the legal property owner(s) or lessee(s), or their agents, and shall also include the contact information for the applicant.

3.4.2 Written Description. Written description of the sport shooting range facility, its location, and uses abutting the property.

3.4.3 Survey. A standard boundary survey made and certified by a licensed land surveyor in the State of South Dakota, a copy of the deed for the property and copies of any easements, restrictions or covenants.

3.4.4 Site Plan. A site plan for the entire sport shooting range to a scale of no less than one (1) inch equals one hundred (100) feet. The site plan shall include the following information:

3.4.4.1 The property lines for any parcel upon which the sport shooting range is located, north arrow, plan scale, date and ownership information.

3.4.4.2 The complete layout of the sport shooting range facility, including existing and proposed structures, shooting stations, firing lines, target areas, impact areas, berms, baffles and other significant elements of the sport shooting range.

3.4.4.3 Depict adjacent public roads, access roads and parking areas.

3.4.5 Occupied Dwelling. A map depicting Occupied Dwellings within one-half (1/2) mile of the exterior boundary of the sport shooting range.

3.4.6 Secure Access. Fencing, gates, and other features used by the sport shooting range to control access to the facility.

3.4.7 Noise. A study showing the noise limitations as set forth in this ordinance are complied with.

3.4.8 Safety Design. A description of how the proposed sport shooting range compares to the design standards in the National Rifle Association Range Source Book.

3.5 When the Department of Equalization and Planning determines the application is complete they shall cause the application to be put before the Meade County Board of County Commissioners within 30 days.

3.6 Approval of the application shall be effective for one year from the date of approval by the Commission. Extension to complete construction beyond the one-year limitation for a period not exceeding three (3) additional months may be provided upon the developer submitting to the Department of Equalization and Planning a formal request for extension. The request for extension will be considered by the Meade County Board of County Commissioners within 30 days of submission.

Article 4: Location Restrictions

4.1 Orientation of Range

4.1.1 A Pistol Range shall be oriented such that no occupied structure or public road shall lie along or within 5 degrees of the projected trajectory of a bullet from a pistol for a distance of 200 yards.

4.1.2 A Rifle Range shall be oriented such that no occupied structure or public road shall lie along or within 5 degrees of the projected trajectory of a bullet from a rifle for a distance of 880 yards (1/2 mile).

4.1.3 A Shotgun Range shall be oriented such that no occupied structure or public road shall lie along or within 90 degrees of the projected trajectory of projectiles from a shotgun for a distance of 300 yards.

4.2 Noise levels

4.2.1 The noise emitted from a sport shooting range, and received by others off the property, is greatly affected by the orientation of the range.

4.2.2 The sound of gunfire is greatest directly downrange in the direction of fire and is the least 180 degrees from the line of fire.

4.2.3 The sound of gunfire off the range is most intrusive during certain hours when occupied structures reasonably expect minimal intrusion into life activities.

4.2.4 Noise emitted from a sport shooting range shall be measured 20 feet from the nearest occupied residence, school, hotel, motel, hospital or church.

4.2.5 The noise emitted from a sport shooting range shall not exceed 64 dBA at the point of measurement.

4.2.6 The sport shooting range shall use baffles as necessary to achieve the noise limitations.

4.2.7 The sport shooting range shall minimize the intrusion of noise by operating from one-half hour after sunrise to one-half hour before sunset.

Article 5: Construction Requirements

5.1 The design of a sport shooting range shall be completed by a registered civil engineer or architect.

5.2 The construction of a sport shooting range shall be accordance with Meade County Ordinance 34 for building and construction and other applicable Meade County Ordinances.

5.3 The construction of a sport shooting range shall be in accordance with the National Rifle Association Range Source Book.

5.3.1 Backstops and Berms shall conform to the Source Book requirements for the applicable range (pistol, shotgun, long gun, etc.) with Side Berms between each shooting bay to prevent cross shooting from one lane to another.

5.3.2 Where utilized, a Firing Line Cover shall be designed and constructed as a muzzle barrier to restrict the height and direction a muzzle can traverse in order that bullets remain within the impact area.

5.4 Outdoor lighting installations and fixtures shall comply with the following requirements:

5.4.1 Lighting fixtures shall be no higher than 15 feet above grade and shall be restricted to parking areas, walk ways and buildings intended for occupancy;

5.4.2 Lighting fixtures shall be designed and shielded in a manner so that the fixture does not directly illuminate onto adjacent property. A 90-degree cut-off type, deflector, refractor, or forward throw light fixture is required when luminaires are greater than 2,000 lumens. A 90-degree cut-off type, deflector, refractor, or forward throw light fixture is required for any light fixture is located within 150 feet of the property line. The maximum light level shall be no greater than three foot candles field measured at the property line (ground level). All light fixtures shall be shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report; and

5.4.3 Where feasible and applicable, additional landscaping shall be placed to provide light screening between residences and public roads to help prevent light trespass onto adjacent properties.

Article 6: Variance

6.1 The Commission shall have the authority to give a variance from the terms of this Ordinance. The person claiming the variance has the burden of showing that the granting of the variance will not be contrary to the public interest, and

6.1.1 That the literal enforcement of the Ordinance will result in unnecessary hardship;
or

6.1.2 That by granting the variance the spirit of the ordinance will be observed; or

6.1.3 That by granting the variance, substantial justice will be done.

6.2 Application for a variance is required and is to be submitted to the Meade County Department of Equalization and Planning:

6.2.1 Application for a variance shall be submitted in writing by the applicant at least 30 days prior to the Commission considering the application.

6.2.2 The application shall state fully and clearly all facts relied upon by the applicant and shall be supplemented with maps, plans, or other additional data which may aid the Commission if the analysis of the proposed variance.

6.2.3 The fee for each variance application shall be determined by Meade County Resolution. The fee shall be paid at the time of the variance application.

6.3 Notice of the application for variance shall be given to all adjacent landowners by certified mail with return receipt requested. Such notice shall be provided at least 14 days prior to the Commission considering the variance application. Such notice shall state the scope and nature of the variance sought, and the date and time the Commission will consider the variance.

Article 7: Enforcement

7.1 Violation of this Ordinance shall be enforced as a criminal proceeding before a magistrate court.

7.2 Violation may be enforced through a fine not to exceed \$500 for each violation, or by imprisonment for a period not to exceed thirty days for each violation, or by both the fine and imprisonment.

7.2.1 Each day in violation may be deemed a separate offense.

7.3 Violation of this Ordinance may be enforced through an action for civil injunctive relief, pursuant to SDCL Chapter 21-8.

7.4 The provisions of this Ordinance may be, in addition to law enforcement officers, enforced by a County Code Enforcement Officer appointed by the Meade County Board of Commissioners.

7.4.1 The County Code Enforcement Officer shall have the power to make inspections of buildings or premises necessary to carry out the duties of enforcement of this Ordinance.

7.4.2 The County Code Enforcement Officer shall have the power to request deputies approved by the Commission to assist in his duties.

7.4.3 The County Code Enforcement Officer, and any deputies appointed, shall have authority to issue an ordinance violation notice which shall specify, in addition to other information at the discretion of such officer, the following:

7.4.3.1 The date of the violation;

7.4.3.2 The nature of the violation with reference to the Ordinance section;

7.4.3.3 The date the individual is required to appear in court; and

7.4.3.4 The signature, or noted refusal to sign, of the violator.

7.5 Nothing in this Ordinance shall be construed to prevent an action for public or private nuisance or injunction if the sport shooting range is not in compliance with this Ordinance.

Article 8: Effective Date

8.1 This Ordinance shall be effective twenty (20) days after publication.

Dated at Sturgis, South Dakota, this 22nd day of November, 2022.

By: [Signature]
Meade County Board of County Commissioners, Chairperson

Attested: [Signature]
Meade County Auditor



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