

**ORDINANCE AMENDING CHAPTER 38, SECTION 38-11 OF THE CITY CODE  
REGARDING THE SALE AND USE OF BB GUNS, PELLET GUNS, AIR RIFLES,  
BOWS, CROSSBOWS AND SLINGSHOTS AND CREATING SECTION 38-11.1**

BE IT ORDAINED by the Mayor and the Winston-Salem City Council as follows:

Section 1. Sec. 38-11. - Sale and use of BB guns, pellet guns, air rifles, bows, crossbows and slingshots is hereby amended to read as follows:

- “(a) *Use.* It shall be unlawful for any person to fire or shoot a BB gun, pellet gun or air rifle, or bow, crossbow-like device, or to operate a slingshot, within the corporate limits of the city or on any property owned or operated by the city outside the corporate limits of the city, except:
- (1) Within a completely enclosed area located at or in a private residence and against a target so placed and arranged that the projectile cannot go outside the enclosed area; or
  - (2) At an established target range which is, at the time of shooting, being operated under the supervision of the recreation or police department of the city; or
  - (3) For archery equipment, as defined by the North Carolina Wildlife Resources Commission, permitted in accordance with the city’s urban archery ordinance as set forth in section 38-11.1 of this code and the rules and regulations promulgated thereunder.

A violation of this subsection shall be a misdemeanor and shall be punishable as provided by law.

- (b) *Possession by minors.* It shall be unlawful for any minor person under 18 years of age, unless accompanied by a parent, legal guardian or other adult person having custody of such child, to have any rifle or shotgun, or ammunition therefor, BB gun, pellet gun, air rifle or slingshot in his possession at any place within the city, except on his own premises, or on any property owned or operated by the city outside the corporate limits of the city. Any BB gun, pellet gun, air rifle or slingshot found in the city or at any place owned or operated by the city outside the corporate limits of the city in the possession of any person under 18 years of age who is not then accompanied by one of the persons named in this subsection and who is on premises other than his own shall be subject to seizure and confiscation by the law enforcement agencies. A violation of this subsection shall be a misdemeanor and shall be punishable as provided by law.
- (c) *Report of acts of vandalism by minors.* Any parent of a minor child or any person having the custody and control of a minor child, receiving knowledge that such child has committed an act of vandalism or malicious damage to the person or property of another by a BB gun, pellet gun, air rifle or slingshot, shall be required to report such act to the law enforcement agencies. Failure to do so shall be a misdemeanor punishable as provided by law.
- (d) *Registration of purchasers; agreement for payment of damages.* Any person selling a rifle or shotgun, or ammunition therefor, a BB gun, pellet gun, air rifle or slingshot to a minor or to an adult for use by a minor shall register the name and address of the purchaser in a book kept for that purpose. In addition, before the sale is made, the seller shall obtain and file a

certificate signed by a parent, the legal guardian or other adult person having custody of the minor purchaser or, if the purchase is being made by an adult person, then by the purchaser, giving the name and address and social security or driver's license number of the person signing, reading as follows:

I, \_\_\_\_\_ (Name) \_\_\_\_\_, \_\_\_\_\_ (Street Address) \_\_\_\_\_, \_\_\_\_\_ (City and State)  
Social Security No. \_\_\_\_\_  
Driver's License No. \_\_\_\_\_  
hereby assume and agree to pay any damage to the person or property of another caused by \_\_\_\_\_, (the minor by or for whom this purchase is made) through the use of the BB gun, pellet gun, air rifle or slingshot purchased this date by, or for the use of, said minor.

	_____ (Seal)
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The seller shall sign the certificate as witness thereto. The seller shall also, at the time of sale, deliver to the adult person who signs the certificate a copy of this section governing the sale and use of rifles or shotguns, or ammunition therefor, BB guns, pellet guns, air rifles and slingshots. The failure of the seller to comply with the requirements of this subsection or to retain and make the certificate available to any proper law enforcement agency, upon request, shall be a misdemeanor punishable as provided by law.”

Section 2. Section 38-11.1 entitled “Urban Archery Deer Hunting” is hereby created to read as follows:

“Section 38-11.1 Urban Archery Deer Hunting.

The purpose of this article is to reduce urban deer populations through voluntary participation in the North Carolina Urban Archery Deer Hunting Program, which is regulated by the North Carolina Wildlife Resources Commission. For the purposes of this section, deer hunting related to this program is permitted within the corporate limits of the city only in accordance with the following provisions:

- (a) For the purposes of this article, hunting is defined as, "all operations during, immediately preparatory, and immediately subsequent to an attempt, whether successful or not, to kill, pursue, or otherwise reduce to possession any deer."
- (b) Hunters shall follow all state and local laws, rules, and ordinances when hunting deer within the corporate city limits.
- (c) Unless provided elsewhere in the city code, hunting with firearms is strictly prohibited. Only archery equipment, as defined by the North Carolina Wildlife Resources Commission, is permitted in accordance with this section.
- (d) Hunting dates and times, for purposes of this Urban Archery Deer Hunting ordinance, are established annually by the North Carolina Wildlife Resources Commission, and be adhered to by hunters.

- (e) Hunters must have in their possession a valid North Carolina Hunting License showing completion of a hunting safety course.
- (f) Hunting is allowed only on private property, provided the hunter has obtained written permission from property owner(s), dated within one year, to hunt on specific private property; or the hunter(s) must be the property owner(s). Said written permission must be kept in the possession of the hunter while hunting.
- (g) No hunting is allowed on publicly owned property.
- (h) No hunting is allowed on private property within 500 feet of the property line of a residential dwelling, church, commercial building, school, daycare center, playground, park, or other occupied building, public gathering place or location where children are likely to be located.
- (i) No hunting is allowed on, from, or across the right-of-way of any public street or highway.
- (j) Hunting is allowed only on a tract or parcel of land which is at least three or more acres, provided written permission of the property owner, as required herein, has been obtained. Adjacent tracts or parcels of land may be combined or pooled to meet this requirement, with written permission from each landowner.
- (k) No archery equipment may be discharged unless the hunter/shooter is located at least 500 feet within the allowed property line. This 500-foot buffer within each property line is an area in which no hunting may occur.
- (l) The crossbow or bow and arrow is discharged only from an elevated platform or stand located at least ten (10) feet above the level of the surrounding grade or target, whichever is less.
- (m) Hunters shall make every reasonable effort to track wounded deer for the purpose of completing the harvest and recovering the carcass.
- (n) A violation of any of the provisions of this section shall constitute a misdemeanor offense pursuant to G.S. 14-4.”

Section 3. This ordinance shall become effective upon adoption.