

State Laws and Published Ordinances – North Carolina

Current through Session Laws 2019-227 of the 2019 Regular Session of the General Assembly.

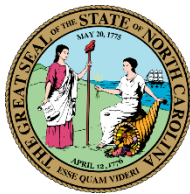
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Catawba County	Kenly	Salisbury
Chapel Hill	King	Scotland Neck
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Cherokee Indians Eastern Band	Lincolnton	Siler City
Clayton	Locust	Spring Lake
Clemmons	Lumberton	Statesville
Cumberland County	Moore County	Stokesdale
Dare County	Mooresville	Stoneville
Dobson	Mount Airy	Surf City
Dunn	Nash County	Surry County
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Elkin	Oak Island	Wilmington
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Chapter 14 – Criminal Law
Subchapter 06 – Criminal Trespass
Article 23 – Trespasses to Personal Property

Section 14-160.2. Alteration, destruction, or removal of serial number from firearm; possession of firearm with serial number removed.

(a) It shall be unlawful for any person to alter, deface, destroy, or remove the permanent serial number, manufacturer's identification plate, or other permanent distinguishing number or identification mark from any firearm with the intent thereby to conceal or misrepresent the identity of the firearm.

(b) It shall be unlawful for any person knowingly to sell, buy, or be in possession of any firearm on which the permanent serial number, manufacturer's identification plate, or other permanent distinguishing number or identification mark has been altered, defaced, destroyed, or removed for the purpose of concealing or misrepresenting the identity of the firearm.

Subchapter 09 – Offenses Against the Public Peace
Article 35 – Offenses Against the Public Peace

Section 14-269.2. Weapons on campus or other educational property.

(a) The following definitions apply to this section:

(1) **Educational property.** Any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education or school board of trustees, or directors for the administration of any school.

(1a) **Employee.** A person employed by a local board of education or school whether the person is an adult or a minor.

(1b) **School.** A public or private school, community college, college, or university.

(2) **Student.** A person enrolled in a school or a person who has been suspended or expelled within the last 5 years from a school, whether the person is an adult or a minor.

(3a) **Volunteer school safety resource officer.** A person who volunteers as a school safety resource officer as provided by G.S. 162-26 or G.S. 160A-288.4.

(4) **Weapon.** Any device enumerated in subsection (b), (b1), or (d) of this section.

(b) It shall be a Class I felony for any person knowingly to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. Unless the conduct is covered under some other provision of law providing greater punishment, any person who willfully discharges a firearm of any kind on educational property is guilty of a Class F felony. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.

(b1) It shall be a Class G felony for any person to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property or to a curricular or extracurricular activity sponsored by a school. This subsection shall not apply to fireworks.

(c) It shall be a Class I felony for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.

(c1) It shall be a Class G felony for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1 on educational property. This subsection shall not apply to fireworks.

(f) Notwithstanding subsection (b) of this section it shall be a Class 1 misdemeanor rather than a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, on educational property or to a curricular or extracurricular activity sponsored by a school if:

(1) The person is not a student attending school on the educational property or an employee employed by the school working on the educational property; and

(1a) The person is not a student attending a curricular or extracurricular activity sponsored by the school at which the student is enrolled or an employee attending a curricular or extracurricular activity sponsored by the school at which the employee is employed; and

(2) Repealed by Session Laws 1999-211, s. 1, effective December 1, 1999, and applicable to offenses committed on or after that date.

(3) The firearm is not loaded, is in a motor vehicle, and is in a locked container or a locked firearm rack.

(4) Repealed by Session Laws 1999-211, s. 1, effective December 1, 1999, and applicable to offenses committed on or after that date.

(g) This section shall not apply to any of the following:

(1) A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority.

(1a) A person exempted by the provisions of G.S. 14-269(b).

(2) Firefighters, emergency service personnel, North Carolina Forest Service personnel, detention officers employed by and authorized by the sheriff to carry firearms, and any private police employed by a school, when acting in the discharge of their official duties.

(3) Home schools as defined in G.S. 115C-563(a).

(4) Weapons used for hunting purposes on the Howell Woods Nature Center property in Johnston County owned by Johnston Community College when used with the written permission of Johnston Community College or for hunting purposes on other educational property when used with the written permission of the governing body of the school that controls the educational property.

(5) A person registered under Chapter 74C of the General Statutes as an armed armored car service guard or an armed courier service guard when acting in the discharge of the guard's duties and with the permission of the college or university.

(6) A person registered under Chapter 74C of the General Statutes as an armed security guard while on the premises of a hospital or health care facility located on educational property when acting in the discharge of the guard's duties with the permission of the college or university.

(7) A volunteer school safety resource officer providing security at a school pursuant to an agreement as provided in G.S. 115C-47(61) and either G.S. 162-26 or G.S. 160A-288.4, provided that the volunteer school safety resource officer is acting in the discharge of the person's official duties and is on the educational property of the school that the officer was assigned to by the head of the appropriate local law enforcement agency.

(h) No person shall be guilty of a criminal violation of this section with regard to the possession or carrying of a weapon so long as both of the following apply:

(1) The person comes into possession of a weapon by taking or receiving the weapon from another person or by finding the weapon.

(2) The person delivers the weapon, directly or indirectly, as soon as practical to law enforcement authorities.

(i) The provisions of this section shall not apply to an employee of an institution of higher education as defined in G.S. 116-143.1 or a nonpublic post-secondary educational institution who resides on the campus of the institution at which the person is employed when all of the following criteria are met:

(1) The employee's residence is a detached, single-family dwelling in which only the employee and the employee's immediate family reside.

(2) The institution is either:

a. An institution of higher education as defined by G.S. 116-143.1.

b. A nonpublic post-secondary educational institution that has not specifically prohibited the possession of a handgun pursuant to this subsection.

(3) The weapon is a handgun.

(4) The handgun is possessed in one of the following manners as appropriate:

a. If the employee has a concealed handgun permit that is valid under Article 54B of this Chapter, or who is exempt from obtaining a permit pursuant to that Article, the handgun may be on the premises of the employee's residence or in a closed compartment or container within the employee's locked vehicle that is located in a parking area of the educational property of the institution at which the person is employed and resides. Except for direct transfer between the residence and the vehicle, the handgun must remain at all times either on the premises of the employee's residence or in the closed compartment of the employee's locked vehicle. The employee may unlock the vehicle to enter or exit, but must lock the vehicle immediately following the entrance or exit if the handgun is in the vehicle.

b. If the employee is not authorized to carry a concealed handgun pursuant to Article 54B of this Chapter, the handgun may be on the premises of the employee's residence, and may only be in the employee's vehicle when the vehicle is occupied by the employee and the employee is immediately leaving the campus or is driving directly

to their residence from off campus. The employee may possess the handgun on the employee's person outside the premises of the employee's residence when making a direct transfer of the handgun from the residence to the employee's vehicle when the employee is immediately leaving the campus or from the employee's vehicle to the residence when the employee is arriving at the residence from off campus.

(j) The provisions of this section shall not apply to an employee of a public or nonpublic school who resides on the campus of the school at which the person is employed when all of the following criteria are met:

- (1)** The employee's residence is a detached, single-family dwelling in which only the employee and the employee's immediate family reside.
- (2)** The school is either:
 - a.** A public school which provides residential housing for enrolled students.
 - b.** A nonpublic school which provides residential housing for enrolled students and has not specifically prohibited the possession of a handgun pursuant to this subsection.
- (3)** The weapon is a handgun.
- (4)** The handgun is possessed in one of the following manners as appropriate:
 - a.** If the employee has a concealed handgun permit that is valid under Article 54B of this Chapter, or who is exempt from obtaining a permit pursuant to that Article, the handgun may be on the premises of the employee's residence or in a closed compartment or container within the employee's locked vehicle that is located in a parking area of the educational property of the school at which the person is employed and resides. Except for direct transfer between the residence and the vehicle, the handgun must remain at all times either on the premises of the employee's residence or in the closed compartment of the employee's locked vehicle. The employee may unlock the vehicle to enter or exit, but must lock the vehicle immediately following the entrance or exit if the handgun is in the vehicle.
 - b.** If the employee is not authorized to carry a concealed handgun pursuant to Article 54B of this Chapter, the handgun may be on the premises of the employee's residence, and may only be in the employee's vehicle when the vehicle is occupied by the employee and the employee is immediately leaving the campus or is driving directly to their residence from off campus. The employee may possess the handgun on the employee's person outside the premises of the employee's residence when making a direct transfer of the handgun from the residence to the employee's vehicle when the employee is immediately leaving the campus or from the employee's vehicle to the residence when the employee is arriving at the residence from off campus.

(k) The provisions of this section shall not apply to a person who has a concealed handgun permit that is valid under Article 54B of this Chapter, or who is exempt from obtaining a permit pursuant to that Article, if any of the following conditions are met:

- (1)** The person has a handgun in a closed compartment or container within the person's locked vehicle or in a locked container securely affixed to the person's vehicle and only unlocks the vehicle to enter or exit the vehicle while the firearm remains in the closed compartment at all times and immediately locks the vehicle following the entrance or exit.
- (2)** The person has a handgun concealed on the person and the person remains in the locked vehicle and only unlocks the vehicle to allow the entrance or exit of another person.
- (3)** The person is within a locked vehicle and removes the handgun from concealment only for the amount of time reasonably necessary to do either of the following:
 - a.** Move the handgun from concealment on the person to a closed compartment or container within the vehicle.
 - b.** Move the handgun from within a closed compartment or container within the vehicle to concealment on the person.

(l) It is an affirmative defense to a prosecution under subsection (b) or (f) of this section that the person was authorized to have a concealed handgun in a locked vehicle pursuant to subsection (k) of this section and removed the handgun from the vehicle only in response to a threatening situation in which deadly force was justified pursuant to G.S. 14-51.3.

Section 14-269.7. Prohibitions on handguns for minors.

- (a)** Any minor who willfully and intentionally possesses or carries a handgun is guilty of a Class 1 misdemeanor.
- (b)** This section does not apply:

(1) To officers and enlisted personnel of the Armed Forces of the United States when in discharge of their official duties or acting under orders requiring them to carry handguns.

(2) To a minor who possesses a handgun for educational or recreational purposes while the minor is supervised by an adult who is present.

(3) To an emancipated minor who possesses such handgun inside his or her residence.

(4) To a minor who possesses a handgun while hunting or trapping outside the limits of an incorporated municipality if he has on his person written permission from a parent, guardian, or other person standing in loco parentis.

(c) The following definitions apply in this section:

(1) Handgun. A firearm that has a short stock and is designed to be fired by the use of a single hand, or any combination of parts from which such a firearm can be assembled.

(2) Minor. Any person under 18 years of age.

Section 14-269.8. Purchase or possession of firearms by person subject to domestic violence order prohibited.

(a) In accordance with G.S. 50B 3.1, it is unlawful for any person to possess, purchase, or receive or attempt to possess, purchase, or receive a firearm, as defined in G.S. 14-409.39(2), machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by the court for so long as that protective order or any successive protective order entered against that person pursuant to Chapter 50B of the General Statutes is in effect.

(b) Any person violating the provisions of this section shall be guilty of a Class H felony.

**Subchapter 10 – Offenses Against the Public Safety
Article 36A – Riots, Civil Disorders, and Emergencies**

Section 14-288.8. Manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of weapon of mass death and destruction; exceptions

(a) Except as otherwise provided in this section, it is unlawful for any person to manufacture, assemble, possess, store, transport, sell, offer to sell, purchase, offer to purchase, deliver or give to another, or acquire any weapon of mass death and destruction.

(b) This section does not apply to any of the following:

(1) Persons exempted from the provisions of G.S. 14-269 with respect to any activities lawfully engaged in while carrying out their duties.

(2) Importers, manufacturers, dealers, and collectors of firearms, ammunition, or destructive devices validly licensed under the laws of the United States or the State of North Carolina, while lawfully engaged in activities authorized under their licenses.

(3) Persons under contract with the United States, the State of North Carolina, or any agency of either government, with respect to any activities lawfully engaged in under their contracts.

(4) Inventors, designers, ordnance consultants and researchers, chemists, physicists, and other persons lawfully engaged in pursuits designed to enlarge knowledge or to facilitate the creation, development, or manufacture of weapons of mass death and destruction intended for use in a manner consistent with the laws of the United States and the State of North Carolina.

(5) Persons who lawfully possess or own a weapon as defined in subsection (c) of this section in compliance with 26 U.S.C. Chapter 53, §§ 5801-5871. Nothing in this subdivision shall limit the discretion of the sheriff in executing the paperwork required by the United States Bureau of Alcohol, Tobacco and Firearms for such person to obtain the weapon.

(c) The term "**weapon of mass death and destruction**" includes:

(1) Any explosive or incendiary:

a. Bomb; or

b. Grenade; or

c. Rocket having a propellant charge of more than four ounces; or

d. Missile having an explosive or incendiary charge of more than one-quarter ounce; or

e. Mine; or

f. Device similar to any of the devices described above; or

(2) Any type of weapon (other than a shotgun or a shotgun shell of a type particularly suitable for sporting purposes) which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2 inch in diameter; or

(3) Any firearm capable of fully automatic fire, any shotgun with a barrel or barrels of less than 18 inches in length or an overall length of less than 26 inches, any rifle with a barrel or barrels of less than 16 inches in length or an overall length of less than 26 inches, any muffler or silencer for any firearm, whether or not such firearm is included within this definition. For the purposes of this section, rifle is defined as a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder; or

(4) Any combination of parts either designed or intended for use in converting any device into any weapon described above and from which a weapon of mass death and destruction may readily be assembled.

The term "**weapon of mass death and destruction**" does not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of § 4684(2), 4685, or 4686 of Title 10 of the United States Code; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting purposes, in accordance with Chapter 44 of Title 18 of the United States Code.

Subchapter 11 – General Police Regulations Article 39 – Protection of Minors

Section 14-315. Selling or giving weapons to minors.

(a1) Sale of Handguns. If a person sells, offers for sale, gives, or in any way transfers to a minor any handgun as defined in G.S. 14-269.7, the person is guilty of a Class H felony and, in addition, shall forfeit the proceeds of any sale made in violation of this section. This section does not apply in any of the following circumstances:

(1) The handgun is lent to a minor for temporary use if the minor's possession of the handgun is lawful under G.S. 14-269.7 and G.S. 14-316 and is not otherwise unlawful.

(2) The handgun is transferred to an adult custodian pursuant to Chapter 33A of the General Statutes, and the minor does not take possession of the handgun except that the adult custodian may allow the minor temporary possession of the handgun in circumstances in which the minor's possession of the handgun is lawful under G.S. 14-269.7 and G.S. 14-316 and is not otherwise unlawful.

(3) The handgun is a devise and is distributed to a parent or guardian under G.S. 28A-22-7, and the minor does not take possession of the handgun except that the parent or guardian may allow the minor temporary possession of the handgun in circumstances in which the minor's possession of the handgun is lawful under G.S. 14-269.7 and G.S. 14-316 and is not otherwise unlawful.

(b1) Defense. It shall be a defense to a violation of this section if all of the following conditions are met:

(1) The person shows that the minor produced an apparently valid permit to receive the weapon, if such a permit would be required under G.S. 14-402 for transfer of the weapon to an adult.

(2) The person reasonably believed that the minor was not a minor.

(3) The person either:

a. Shows that the minor produced a drivers license, a special identification card issued under G.S. 20-37.7, a military identification card, or a passport, showing the minor's age to be at least the required age for purchase and bearing a physical description of the person named on the card reasonably describing the minor; or

b. Produces evidence of other facts that reasonably indicated at the time of sale that the minor was at least the required age.

Section 14-315.2. Warning upon sale or transfer of firearm to protect minor.

(a) Upon the retail commercial sale or transfer of any firearm, the seller or transferor shall deliver a written copy of G.S. 14-315.1 to the purchaser or transferee.

(b) Any retail or wholesale store, shop, or sales outlet that sells firearms shall conspicuously post at each purchase counter the following warning in block letters not less than 1 inch in height the phrase: "IT IS UNLAWFUL TO STORE OR LEAVE A FIREARM THAT CAN BE DISCHARGED IN A MANNER THAT A REASONABLE PERSON SHOULD KNOW IS ACCESSIBLE TO A MINOR."

Article 52A – Sale of Weapons in Certain Counties

Section 14-402. Sale of certain weapons without permit forbidden.

(a) It is unlawful for any person, firm, or corporation in this State to sell, give away, or transfer, or to purchase or receive, at any place within this State from any other place within or without the State any pistol unless: (i) a license or permit is first obtained under this Article by the purchaser or receiver from the sheriff of the county in which the purchaser or receiver resides; or (ii) a valid North Carolina concealed handgun permit is held under Article 54B of this Chapter by the purchaser or receiver who must be a resident of the State at the time of the purchase.

It is unlawful for any person or persons to receive from any postmaster, postal clerk, employee in the parcel post department, rural mail carrier, express agent or employee, railroad agent or employee within the State of North Carolina any pistol without having in his or their possession and without exhibiting at the time of the delivery of the same and to the person delivering the same the permit from the sheriff as provided in G.S. 14-403. Any person violating the provisions of this section is guilty of a Class 2 misdemeanor.

(b) This section does not apply to an antique firearm or an historic edged weapon.

(c) The following definitions apply in this Article:

(1) Antique firearm. Defined in G.S. 14-409.11.

(4) Historic edged weapon. Defined in G.S. 14-409.12.

Section 14-403. Permit issued by sheriff; form of permit; expiration of permit.

The sheriffs of any and all counties of this State shall issue to any person, firm, or corporation in any county a permit to purchase or receive any weapon mentioned in this Article from any person, firm, or corporation offering to sell or dispose of the weapon. The permit shall expire 5 years from the date of issuance. The permit shall be a standard form created by the State Bureau of Investigation in consultation with the North Carolina Sheriffs' Association, shall be of a uniform size and material, and shall be designed with security features intended to minimize the ability to counterfeit or replicate the permit and shall be set forth as follows:

North Carolina, _____ County.

I, _____, Sheriff of said County, do hereby certify that I have conducted a criminal background check of the applicant, _____ whose place of residence is _____ in _____ (or) in _____ Township, _____ County, North Carolina, and have received no information to indicate that it would be a violation of State or federal law for the applicant to purchase, transfer, receive, or possess a handgun. The applicant has further satisfied me as to his, her (or) their good moral character. Therefore, a permit is issued to _____ to purchase one pistol from any person, firm or corporation authorized to dispose of the same. This permit expires five years from its date of issuance.

This ___ day of _____, _____.

_____, Sheriff.

The standard permit created by this section shall be used statewide by the sheriffs of any and all counties and, when issued by a sheriff, shall also contain an embossed seal unique to the office of the issuing sheriff.

Section 14-404. Issuance or refusal of permit; appeal from refusal; grounds for refusal; sheriff's fee

(a) Upon application, and such application must be provided by the sheriff electronically, the sheriff shall issue the permit to a resident of that county, unless the purpose of the permit is for collecting, in which case a sheriff can issue a permit to a nonresident, when the sheriff has done all of the following:

(1) Verified, before the issuance of a permit, by a criminal history background investigation that it is not a violation of State or federal law for the applicant to purchase, transfer, receive, or possess a handgun. The sheriff shall determine the criminal and background history of any applicant by accessing computerized criminal history records as maintained by the State Bureau of Investigation and the Federal Bureau of Investigation, by conducting a national criminal history records check, by conducting a check through the National Instant Criminal Background Check System (NICS), and by conducting a criminal history check through the Administrative Office of the Courts.

(2) Fully satisfied himself or herself by affidavits, oral evidence, or otherwise, as to the good moral character of the applicant. For purposes of determining an applicant's good moral character to receive a permit, the sheriff shall only consider an applicant's conduct and criminal history for the 5-year period immediately preceding the date of the application.

(3) Fully satisfied himself or herself that the applicant desires the possession of the weapon mentioned for (i) the protection of the home, business, person, family or property, (ii) target shooting, (iii) collecting, or (iv) hunting.

(b) If the sheriff is not fully satisfied, the sheriff may, for good cause shown, decline to issue the permit and shall provide to the applicant within 7 days of the refusal a written statement of the reason(s) for the refusal. The statement shall cite the specific facts upon which the sheriff concluded that the applicant was not qualified for the issuance of a permit and list, by statute number, the applicable law upon which the denial is based. An appeal from the refusal shall lie by way of petition to the superior court in the district in which the application was filed. The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of the sheriff's refusal, and shall be final.

(b1) The sheriff shall keep a list of all permit denials, with the specific reasons for the denials noted. The list shall not include any information that would identify the applicant whose application was denied. The list, as described in this subsection, shall be a public record, and the sheriff shall make the list available upon request to any member of the public. The list shall be organized by the quarters of the year, showing the number of denials and the reasons in each 3-month period, and the list shall only be released for past, completed quarters.

(c) A permit may not be issued to the following persons:

(1) One who is under an indictment or information for or has been convicted in any state, or in any court of the United States, of a felony (other than an offense pertaining to antitrust violations, unfair trade practices, or restraints of trade). However, a person who has been convicted of a felony in a court of any state or in a court of the United States and (i) who is later pardoned, or (ii) whose firearms rights have been restored pursuant to G.S. 14-415.4, may obtain a permit, if the purchase or receipt of a pistol permitted in this Article does not violate a condition of the pardon or restoration of firearms rights.

(2) One who is a fugitive from justice.

(3) One who is an unlawful user of or addicted to marijuana or any depressant, stimulant, or narcotic drug (as defined in 21 U.S.C. § 802).

(4) One who has been adjudicated mentally incompetent or has been committed to any mental institution.

(5) One who is an alien illegally or unlawfully in the United States.

(6) One who has been discharged from the Armed Forces of the United States under dishonorable conditions.

(7) One who, having been a citizen of the United States, has renounced his or her citizenship.

(8) One who is subject to a court order that:

a. Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;

b. Restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner of the person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

c. Includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child; or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury.

(c1) Repealed by Session Laws 2015-195, s. 11(c), effective August 5, 2015.

(d) Nothing in this Article shall apply to officers authorized by law to carry firearms if the officers identify themselves to the vendor or donor as being officers authorized by law to carry firearms and provide any of the following:

(1) A letter signed by the officer's supervisor or superior officer stating that the officer is authorized by law to carry a firearm.

(2) A current photographic identification card issued by the officer's employer.

(3) A current photographic identification card issued by a State agency that identifies the individual as a law enforcement officer or a probation and parole officer certified by the State of North Carolina.

(4) A current identification card issued by the officer's employer and another form of current photographic identification.

(e) The sheriff shall charge for the sheriff's services upon receipt of an application a fee of \$5 for each permit requested. There shall be no limit as to the number or frequency of permit applications and no other costs or fees other than provided in this subsection shall be charged for the permit, including, but not limited to, any costs for investigation, processing, or medical background checks by the sheriff or others providing records to the sheriff.

(e1) The application for a permit shall be on a form created by the State Bureau of Investigation in consultation with the North Carolina Sheriffs' Association. This application shall be used by all sheriffs and must be provided by the sheriff both electronically and in paper form. Only the following shall be required to be submitted by an applicant for a permit:

(1) The permit application developed pursuant to this subsection.

(2) Five dollars for each permit requested pursuant to subsection (e) of this section.

(3) A government issued identification confirming the identity of the applicant.

(4) Proof of residency.

(5) A signed release, in a form to be prescribed by the Administrative Office of the Court, that authorizes and requires disclosure to the sheriff of any court orders concerning the mental health or capacity of the applicant to be used for the sole purpose of determining whether the applicant is disqualified to receive a permit pursuant to this section.

No additional document or evidence shall be required from any applicant.

(f) Each applicant for a license or permit shall be informed by the sheriff within 14 days of the date of the application whether the license or permit will be granted or denied and, if granted, the license or permit shall be immediately issued to the applicant.

(g) An applicant shall not be ineligible to receive a permit under subdivision (c)(4) of this section because of involuntary commitment to mental health services if the individual's rights have been restored under G.S. 14-409.42.

(h) The sheriff shall revoke any permit upon the occurrence of any event or condition subsequent to the issuance of the permit, or the applicant's subsequent inability to meet a requirement under this Article, which would have resulted in a denial of the application submitted to obtain the permit if the event, condition, or the applicant's current inability to meet a statutory requirement had existed at the time of the application and prior to the issuance of the permit. The following procedures apply to a revocation:

(1) The sheriff shall provide written notice to the permittee, pursuant to the provisions of G.S. 1A-1, Rule 4(j), that the permit is revoked upon the service of the notice. The notice shall provide the permittee with information on the process to appeal the revocation.

(2) Upon receipt of the written notice of revocation, the permittee shall surrender the permit to the sheriff. Any law enforcement officer serving the notice is authorized to take immediate possession of the permit from the permittee. If the notice is served by means other than by a law enforcement officer, the permittee shall surrender the permit to the sheriff no later than 48 hours after service of the notice.

(3) The sheriff shall insure that the list of permits which have been revoked is immediately updated so that any potential transferor calling to check the validity of the permit will be informed of the revocation.

(4) A permittee may appeal the revocation of a permit pursuant to this subsection by petitioning a district court judge of the district in which the permittee resides.

(5) Any person who willfully fails to surrender a permit upon notice of revocation shall be guilty of a Class 2 misdemeanor.

(i) A person or entity shall promptly disclose to the sheriff, upon presentation by the applicant or sheriff of an original or photocopied release form described in subdivision (5) of subsection (e1) of this section, any court orders concerning the mental health or capacity of the applicant who signed the release form

Section 14-406. Dealer to keep record of sales; confidentiality of records.

(a) Every dealer in pistols and other weapons mentioned in this Article shall keep an accurate record of all sales thereof, including the name, place of residence, date of sale, etc., of each person, firm, or corporation to whom or which such sales are made. The records maintained by a dealer pursuant to this section are confidential and are not a public record under G.S. 132-1; provided, however, that the dealer shall make the records available upon request to all State and local law enforcement agencies.

Section 14-407.1. Sale of blank cartridge pistols.

The provisions of G.S. 14-402, 14-405, and 14-406 shall apply to the sale of pistols suitable for firing blank cartridges. The sheriffs of all the counties of this State are authorized and may in their discretion issue to any person, firm or corporation, in any such county, a license or permit to purchase or receive any pistol suitable for firing blank cartridges from any

person, firm or corporation offering to sell or dispose of the same, which said permit shall be in substantially the following form:

North Carolina, _____ County

I, _____, sheriff of said county, do hereby certify that _____, whose place of residence is _____ Street in _____ (or) in _____ Township in _____ County, North Carolina, having this day satisfied me that the possession of a pistol suitable for firing blank cartridges will be used only for lawful purposes, a permit is therefore given said _____ to purchase said pistol from any person, firm or corporation authorized to dispose of the same, this ____ day of _____,

_____, Sheriff

The sheriff shall charge for the sheriff's services, upon issuing such permit, a fee of \$0.50.

Section 14-408.1. Solicit unlawful purchase of firearm; unlawful to provide materially false information regarding legality of firearm or ammunition transfer.

(a) The following definitions apply in this section:

(1) **Ammunition.** Any cartridge, shell, or projectile designed for use in a firearm.

(2) **Firearm.** A handgun, shotgun, or rifle which expels a projectile by action of an explosion.

(3) **Handgun.** A pistol, revolver, or other gun that has a short stock and is designed to be held and fired by the use of a single hand.

(4) **Licensed dealer.** A person who is licensed pursuant to 18 U.S.C. § 923 to engage in the business of dealing in firearms.

(5) **Materially false information.** Information that portrays an illegal transaction as legal or a legal transaction as illegal.

(6) **Private seller.** A person who sells or offers for sale any firearm, as defined in G.S. 14-409.39, or ammunition.

(b) Any person who knowingly solicits, persuades, encourages, or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances that the person knows would violate the laws of this State or the United States is guilty of a Class F felony.

(c) Any person who provides to a licensed dealer or private seller of firearms or ammunition information that the person knows to be materially false information with the intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition is guilty of a Class F felony.

(d) Any person who willfully procures another to engage in conduct prohibited by this section shall be held accountable as a principal.

(e) This section does not apply to a law enforcement officer acting in his or her official capacity or to a person acting at the direction of the law enforcement officer.

Section 14-409. Machine guns and other like weapons.

(a) As used in this section, "**machine gun**" or "**submachine gun**" means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than 1 shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any combination of parts designed and intended for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person.

(b) It shall be unlawful for any person, firm or corporation to manufacture, sell, give away, dispose of, use or possess machine guns, submachine guns, or other like weapons as defined by subsection (a) of this section: Provided, however, that this subsection shall not apply to the following:

Banks, merchants, and recognized business establishments for use in their respective places of business, who shall first apply to and receive from the sheriff of the county in which said business is located, a permit to possess the said weapons for the purpose of defending the said business; officers and soldiers of the United States Army, when in discharge of their official duties, officers and soldiers of the militia when called into actual service, officers of the State, or of any county, city or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties; the manufacture, use or possession of such weapons for scientific or experimental purposes when such manufacture, use or possession is lawful under federal laws and the weapon is registered with a federal agency, and when a permit to manufacture, use or possess the weapon is issued by the sheriff of the county in which the weapon is located; a person who lawfully possesses or owns a weapon as defined by subsection (a) of this section in compliance with 26 U.S.C. Chapter 53, §§ 5801-5871. Nothing in this subdivision shall limit the discretion of the sheriff in executing the paperwork required by the United States Bureau of Alcohol, Tobacco and Firearms for such person to obtain the weapon. Provided,

further, that any bona fide resident of this State who now owns a machine gun used in former wars, as a relic or souvenir, may retain and keep same as his or her property without violating the provisions of this section upon his reporting said ownership to the sheriff of the county in which said person lives.

(c) Any person violating any of the provisions of this section shall be guilty of a Class I felony.

Article 53A – Other Firearms

Section 14-409.10. Purchase of rifles and shotguns out of State.

Unless otherwise prohibited by law, a citizen of this State may purchase a firearm in another state if the citizen undergoes a background check that satisfies the law of the state of purchase and that includes an inquiry of the National Instant Background Check System.

Section 14-409.11. "Antique firearm" defined

(a) The term "antique firearm" means any of the following:

(1) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured on or before 1898.

(2) Any replica of any firearm described in subdivision (1) of this subsection if the replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition.

(3) Any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder substitute, and which cannot use fixed ammunition.

(b) For purposes of this section, the term "antique firearm" shall not include any weapon which:

(1) Incorporates a firearm frame or receiver.

(2) Is converted into a muzzle loading weapon.

(3) Is a muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

Article 53B – Firearm Regulation

Section 14-409.39. Definitions.

The following definitions apply in this Article:

(1) **Dealer.** Any person licensed as a dealer pursuant to 18 U.S.C. § 921, et seq., or G.S. 105-80.

(2) **Firearm.** A handgun, shotgun, or rifle which expels a projectile by action of an explosion.

(3) **Handgun.** A pistol, revolver, or other gun that has a short stock and is designed to be held and fired by the use of a single hand.

Section 14-409.40. Statewide uniformity of local regulation.

(a) It is declared by the General Assembly that the regulation of firearms is properly an issue of general, statewide concern, and that the entire field of regulation of firearms is preempted from regulation by local governments except as provided by this section.

(a1) This subsection applies only to causes of action brought under subsection (g) of this section.

(b) Unless otherwise permitted by statute, no county or municipality, by ordinance, resolution, or other enactment, shall regulate in any manner the possession, ownership, storage, transfer, sale, purchase, licensing, taxation, manufacture, transportation, or registration of firearms, firearms ammunition, components of firearms, dealers in firearms, or dealers in handgun components or parts.

(c) Notwithstanding subsection (b) of this section, a county or municipality, by zoning or other ordinance, may regulate or prohibit the sale of firearms at a location only if there is a lawful, general, similar regulation or prohibition of commercial activities at that location. Nothing in this subsection shall restrict the right of a county or municipality to adopt a general zoning plan that prohibits any commercial activity within a fixed distance of a school or other educational institution except with a special use permit issued for a commercial activity found not to pose a danger to the health, safety, or general welfare of persons attending the school or educational institution within the fixed distance.

(d) No county or municipality, by zoning or other ordinance, shall regulate in any manner firearms shows with regulations more stringent than those applying to shows of other types of items.

(e) A county or municipality may regulate the transport, carrying, or possession of firearms by employees of the local unit of government in the course of their employment with that local unit of government.

(f) Nothing contained in this section prohibits municipalities or counties from application of their authority under G.S. 153A-129, 160A-189, 14-269, 14-269.2, 14-269.3, 14-269.4, 14-277.2, 14-415.11, 14-415.23, including prohibiting the possession of firearms in public-owned buildings, on the grounds or parking areas of those buildings, or in public parks or recreation areas, except nothing in this subsection shall prohibit a person from storing a firearm within a motor vehicle while the vehicle is on these grounds or areas. Nothing contained in this section prohibits municipalities or counties from exercising powers provided by law in states of emergency declared under Article 1A of Chapter 166A of the General Statutes.

Section 14-409.42. Restoration process to remove mental commitment bar.

(a) Any individual over the age of 18 may petition for the removal of the disabilities pursuant to 18 U.S.C. § 922(d)(4) and (g)(4), G.S. 14-415.3, and G.S. 14-415.12 arising out of a determination or finding required to be transmitted to the National Instant Criminal Background Check System by subdivisions (1) through (6) of subsection (a) of G.S. 14-409.43. The individual may file the petition with a district court judge upon the expiration of any current inpatient or outpatient commitment.

(b) The petition must be filed in the district court of the county where the respondent was the subject of the most recent judicial determination or finding or in the district court of the county of the petitioner's residence. The clerk of court upon receipt of the petition shall schedule a hearing using the regularly scheduled commitment court time and provide notice of the hearing to the petitioner and the attorney who represented the State in the underlying case, or that attorney's successor. Copies of the petition must be served on the director of the relevant inpatient or outpatient treatment facility and the district attorney in the petitioner's current county of residence.

(c) The burden is on the petitioner to establish by a preponderance of the evidence that the petitioner will not be likely to act in a manner dangerous to public safety and that the granting of the relief would not be contrary to the public interest. The district attorney shall present any and all relevant information to the contrary. For these purposes, the district attorney may access and use any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The applicant must sign a release for the district attorney to receive any mental health records of the applicant. This hearing shall be closed to the public, unless the court finds that the public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in camera inspection of any mental health records. The court may allow the use of the record but shall restrict it from public disclosure, unless it finds that the public interest would be better served by making the record public. The district court shall enter an order that the petitioner is or is not likely to act in a manner dangerous to public safety and that the granting of the relief would or would not be contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision. In making its determination, the court shall consider the circumstances regarding the firearm disabilities from which relief is sought, the petitioner's mental health and criminal history records, the petitioner's reputation, developed at a minimum through character witness statements, testimony, or other character evidence, and any changes in the petitioner's condition or circumstances since the original determination or finding relevant to the relief sought. The decision of the district court may be appealed to the superior court for a hearing de novo. After a denial by the superior court, the applicant must wait a minimum of 1 year before reapplying. Attorneys designated by the Attorney General shall be available to represent the State, or assist in the representation of the State, in a restoration proceeding when requested to do so by a district attorney and approved by the Attorney General. An attorney so designated shall have all the powers of the district attorney under this section.

(d) Upon a judicial determination to grant a petition under this section, the clerk of superior court in the county where the petition was granted shall forward the order to the National Instant Criminal Background Check System (NICS) for updating of the respondent's record.

Article 54A – The Felony Firearms Act

Section 14-415.1. Possession of firearms, etc., by felon prohibited.

(a) It shall be unlawful for any person who has been convicted of a felony to purchase, own, possess, or have in his custody, care, or control any firearm or any weapon of mass death and destruction as defined in G.S. 14-288.8(c). For the purposes of this section, a firearm is (i) any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any firearm muffler or firearm silencer. This section does not apply to an antique firearm, as defined in G.S. 14-409.11.

Every person violating the provisions of this section shall be punished as a Class G felon.

(b) Prior convictions which cause disenfranchisement under this section shall only include:

- (1)** Felony convictions in North Carolina that occur before, on, or after December 1, 1995; and
- (2)** Repealed by Session Laws 1995, c. 487, s. 3, effective December 1, 1995.

(3) Violations of criminal laws of other states or of the United States that occur before, on, or after December 1, 1995, and that are substantially similar to the crimes covered in subdivision (1) which are punishable where committed by imprisonment for a term exceeding one year.

When a person is charged under this section, records of prior convictions of any offense, whether in the courts of this State, or in the courts of any other state or of the United States, shall be admissible in evidence for the purpose of proving a violation of this section. The term "conviction" is defined as a final judgment in any case in which felony punishment, or imprisonment for a term exceeding 1 year, as the case may be, is authorized, without regard to the plea entered or to the sentence imposed. A judgment of a conviction of the defendant or a plea of guilty by the defendant to such an offense certified to a superior court of this State from the custodian of records of any state or federal court shall be prima facie evidence of the facts so certified.

(c) The indictment charging the defendant under the terms of this section shall be separate from any indictment charging him with other offenses related to or giving rise to a charge under this section. An indictment which charges the person with violation of this section must set forth the date that the prior offense was committed, the type of offense and the penalty therefor, and the date that the defendant was convicted or plead guilty to such offense, the identity of the court in which the conviction or plea of guilty took place and the verdict and judgment rendered therein.

(d) This section does not apply to a person who, pursuant to the law of the jurisdiction in which the conviction occurred, has been pardoned or has had his or her firearms rights restored if such restoration of rights could also be granted under North Carolina law.

(e) This section does not apply and there is no disenfranchisement under this section if the felony conviction is a violation under the laws of North Carolina, another state, or the United States that pertains to antitrust violations, unfair trade practices, or restraints of trade.

Section 14-415.3. Possession of a firearm or weapon of mass destruction by persons acquitted of certain crimes by reason of insanity or persons determined to be incapable to proceed prohibited.

(a) It is unlawful for the following persons to purchase, own, possess, or have in the person's custody, care, or control, any firearm or any weapon of mass death and destruction as defined by G.S. 14-288.8(c):

(1) A person who has been acquitted by reason of insanity of any crime set out in G.S. 14-415.1(b) or any violation of G.S. 14-33(b)(1), 14-33(b)(8), or 14-34.

(2) A person who has been determined to lack capacity to proceed as provided in G.S. 15A-1002 for any crime set out in G.S. 14-415.1(b) or any violation of G.S. 14-33(b)(1), 14-33(b)(8), or 14-34.

(b) A violation of this section is a Class H felony. Any firearm or weapon of mass death and destruction lawfully seized for a violation of this section shall be forfeited to the State and disposed of as provided in G.S. 15-11.1.

(c) The provisions of this section shall not apply to a person whose rights have been restored pursuant to G.S. 14-409.42.

Section 14-415.4. Restoration of firearms rights.

(a) Definitions. The following definitions apply in this section:

(1) Firearms rights. The legal right in this State of a person to purchase, own, possess, or have in the person's custody, care, or control any firearm or any weapon of mass death and destruction as those terms are defined in G.S. 14-415.1 and G.S. 14-288.8(c).

(2) Nonviolent felony. The term nonviolent felony does not include any felony that is a Class A, Class B1, or Class B2 felony. Also, the term nonviolent felony does not include any Class C through Class I felony that is one of the following:

a. An offense that includes assault as an essential element of the offense.

b. An offense that includes the possession or use of a firearm or other deadly weapon as an essential or nonessential element of the offense, or the offender was in possession of a firearm or other deadly weapon at the time of the commission of the offense.

c. An offense for which the offender was armed with or used a firearm or other deadly weapon.

d. An offense for which the offender must register under Article 27A of Chapter 14 of the General Statutes.

(b) Purpose. It is the purpose of this section to establish a procedure that allows a North Carolina resident who was convicted of a single nonviolent felony and whose citizenship rights have been restored pursuant to Chapter 13 of the General Statutes to petition the court to remove the petitioner's disenfranchisement under G.S. 14-415.1 and to restore the person's firearms rights in this State. If the single nonviolent felony conviction was an out-of-state conviction or a federal conviction, then the North Carolina resident shall show proof of the restoration of his or her civil rights and the right to possess a firearm in the jurisdiction where the conviction occurred. Restoration of a person's firearms rights under this

section means that the person may purchase, own, possess, or have in the person's custody, care, or control any firearm or any weapon of mass death and destruction as those terms are defined in G.S. 14-415.1 and G.S. 14-288.8(c) without being in violation of G.S. 14-415.1, if otherwise qualified.

(c) Petition for Restoration of Firearms Rights. A person who was convicted of a nonviolent felony in North Carolina but whose civil rights have been restored pursuant to Chapter 13 of the General Statutes for a period of at least 20 years may petition the district court in the district where the person resides to restore the person's firearms rights pursuant to this section. A person who was convicted of a nonviolent felony in a jurisdiction other than North Carolina may petition the district court in the district where the person resides to restore the person's firearms rights pursuant to this section only if the person's civil rights, including the right to possess a firearm, have been restored, pursuant to the law of the jurisdiction where the conviction occurred, for a period of at least 20 years. The court may restore a petitioner's firearms rights after a hearing in court if the court determines that the petitioner meets the criteria set out in this section and is not otherwise disqualified to have that right restored.

(d) Criteria. The court may grant a petition to restore a person's firearms rights under this section if the petitioner satisfies all of the following criteria and is not otherwise disqualified to have that right restored:

(1) The petitioner is a resident of North Carolina and has been a resident of the State for 1 year or longer immediately preceding the filing of the petition.

(2) The petitioner has only 1 felony conviction and that conviction is for a nonviolent felony. For purposes of this subdivision, multiple felony convictions arising out of the same event and consolidated for sentencing shall count as 1 felony only.

(3) The petitioner's rights of citizenship have been restored pursuant to Chapter 13 of the General Statutes or, if the conviction was in a jurisdiction other than North Carolina, have been restored, pursuant to the laws of the jurisdiction where the conviction occurred, for a period of at least 20 years before the date of the filing of the petition.

(4) The petitioner has not been convicted under the laws of the United States, the laws of this State, or the laws of any other state of any misdemeanor as described in subdivision (6) of subsection (e) of this section since the conviction of the nonviolent felony.

(5) The petitioner submits his or her fingerprints to the sheriff of the county in which the petitioner resides for a criminal background check pursuant to G.S. 143B-959.

(6) The petitioner is not disqualified under subsection (e) of this section.

(e) Disqualifiers Requiring Denial of Petition. The court shall deny the petition to restore the firearms rights of any petitioner if the court finds any of the following:

(1) The petitioner is ineligible to purchase, own, possess, or have in the person's custody, care, or control a firearm under the provisions of any law in North Carolina other than G.S. 14-415.1.

(2) The petitioner is under indictment for a felony or a finding of probable cause exists against the petitioner for a felony.

(3) The petitioner is a fugitive from justice.

(4) The petitioner is an unlawful user of, or addicted to, marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802.

(5) The petitioner is or has been dishonorably discharged from the Armed Forces of the United States.

(6) The petitioner is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for 1 or more crimes of violence constituting a misdemeanor, including a misdemeanor under Article 8 of Chapter 14 of the General Statutes, or a misdemeanor under G.S. 14-225.2, 14-226.1, 14-258.1, 14-269.2, 14-269.3, 14-269.4, 14-269.6, 14-276.1, 14-277, 14-277.1, 14-277.2, 14-277.3, 14-281.1, 14-283, 14-288.2, 14-288.4(a)(1) or (2), 14-288.6, 14-288.9, former 14-288.12, former 14-288.13, former 14-288.14, 14-288.20A, 14-318.2, 14-415.21(b), or 14-415.26(d), or a substantially similar out-of-state or federal offense.

(7) The petitioner has had entry of a prayer for judgment continued for a felony, in addition to the nonviolent felony conviction.

(8) The petitioner is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would prohibit the person from having his or her firearms rights restored under this section.

(9) An emergency order, ex parte order, or protective order has been issued pursuant to Chapter 50B of the General Statutes or a similar out-of-state or federal order has been issued against the petitioner and the court order issued is still in effect.

(10) A civil no-contact order has been issued pursuant to Chapter 50C of the General Statutes or a similar out-of-state or federal order has been issued against the petitioner and the court order issued is still in effect.

(f) Notice of Hearing and Hearing Procedure. The clerk of court shall provide notice of the hearing to the district attorney in the district in which the petition is filed at least 4 weeks before the hearing on the matter. The petitioner may present evidence in support of the petition, and the district attorney may present evidence in opposition to the requested restoration of firearms rights or may otherwise demonstrate the reasons why the petition should be denied. The burden is on the petitioner to establish by a preponderance of the evidence that the petitioner is qualified to receive the restoration under subsection (d) of this section and that the petitioner is not disqualified under subsection (e) of this section.

(g) Right to Petition Again Upon Denial of Petition. If the court denies the petition, the person may again petition the court for restoration of his or her firearms rights in accordance with this section 1 year from the date of the denial of the original petition. However, if the sole basis for the denial of the petition are the grounds set out under G.S. 14-415.4(e)(9) or (10), then the person does not have to wait for 1 year from the date of denial of the original petition but may petition again upon the expiration of the order.

(h) Certified Copies of Order Granting Petition to Sheriff, Department of Justice, and National Instant Background Check System Index. – If the court grants the petition to restore the petitioner's firearms rights, the clerk of court shall forward within 10 days of the entry of the order a certified copy of the order to the sheriff of the county in which the petitioner resides, the North Carolina Department of Justice, and the denied person's file of the national instant criminal background check system index.

(i) Restoration is Not an Expunction or Pardon. A restoration of firearms rights under this section does not result in the expunction of any criminal history record information nor does it constitute a pardon.

(j) Automatic Revocation Upon Conviction of a Subsequent Felony. If a person's firearms rights are restored under this section and the person is convicted of a second or subsequent felony, then the person's firearms rights are automatically revoked and shall not be restored under this section.

(k) Fee. A person who files a petition for restoration of firearms rights under this section shall pay the clerk of court a fee of \$200 at the time the petition is filed. Fees collected under this subsection shall be deposited in the General Fund. This subsection does not apply to petitions filed by an indigent.

(l) Criminal Offense to Submit False Information. A person who knowingly and willfully submits false information under this section is guilty of a Class 1 misdemeanor. In addition, a person who is convicted of an offense under this subsection is permanently prohibited from petitioning to restore his or her firearms rights under this section.

Article 54B – Concealed Handgun Permit

Section 14-415.10. Definitions.

The following definitions apply to this Article:

(1) Carry a concealed handgun. The term includes possession of a concealed handgun.

(1a) Deployed or deployment. Any military duty that removes a military permittee from the permittee's county of residence during which time the permittee's permit expires or will expire.

(2) Handgun. A firearm that has a short stock and is designed to be held and fired by the use of a single hand.

(2a) Military permittee. A person who holds a permit who is also a member of the Armed Forces of the United States, the reserve components of the Armed Forces of the United States, the North Carolina Army National Guard, or the North Carolina Air National Guard.

(3) Permit. A concealed handgun permit issued in accordance with the provisions of this Article.

(3a) Proof of deployment. A copy of the military permittee's deployment orders or other written notification from the permittee's command indicating the start and end date of deployment and that orders the permittee to travel outside the permittee's county of residence.

(4) Qualified former sworn law enforcement officer. An individual who retired from service as a law enforcement officer with a local, State, campus police, or company police agency in North Carolina, other than for reasons of mental disability, who has been retired as a sworn law enforcement officer 2 years or less from the date of the permit application, and who satisfies all of the following:

a. Immediately before retirement, the individual was a qualified law enforcement officer with a local, State, or company police agency in North Carolina.

b. The individual has a nonforfeitable right to benefits under the retirement plan of the local, State, or company police agency as a law enforcement officer; or has 20 or more aggregate years of law enforcement service and

has retired from a company police agency that does not have a retirement plan; or has 20 or more aggregate years of part-time or auxiliary law enforcement service.

c. The individual is not prohibited by State or federal law from receiving a firearm.

(4a) Qualified retired correctional officer. An individual who retired from service as a State correctional officer, other than for reasons of mental disability, who has been retired as a correctional officer 2 years or less from the date of the permit application and who meets all of the following criteria:

a. Immediately before retirement, the individual met firearms training standards of the Division of Adult Correction of the Department of Public Safety and was authorized by the Division of Adult Correction of the Department of Public Safety to carry a handgun in the course of assigned duties.

b. The individual retired in good standing and was never a subject of a disciplinary action by the Division of Adult Correction of the Department of Public Safety that would have prevented the individual from carrying a handgun.

c. The individual has a vested right to benefits under the Teachers' and State Employees' Retirement System of North Carolina established under Article 1 of Chapter 135 of the General Statutes.

d. The individual is not prohibited by State or federal law from receiving a firearm.

(4b) Qualified retired law enforcement officer. An individual who meets the definition of "qualified retired law enforcement officer" contained in § 926C of Title 18 of the United States Code.

(4c) Qualified retired probation or parole certified officer. An individual who retired from service as a State probation or parole certified officer, other than for reasons of mental disability, who has been retired as a probation or parole certified officer 2 years or less from the date of the permit application and who meets all of the following criteria:

a. Immediately before retirement, the individual met firearms training standards of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety and was authorized by the Division of Adult Correction and Juvenile Justice of the Department of Public Safety to carry a handgun in the course of duty.

b. The individual retired in good standing and was never a subject of a disciplinary action by the Division of Adult Correction and Juvenile Justice of the Department of Public Safety that would have prevented the individual from carrying a handgun.

c. The individual has a vested right to benefits under the Teachers' and State Employees' Retirement System of North Carolina established under Article 1 of Chapter 135 of the General Statutes.

d. The individual is not prohibited by State or federal law from receiving a firearm.

(5) Qualified sworn law enforcement officer. A law enforcement officer employed by a local, State, campus police, or company police agency in North Carolina who satisfies all of the following:

a. The individual is authorized by the agency to carry a handgun in the course of duty.

b. The individual is not the subject of a disciplinary action by the agency that prevents the carrying of a handgun.

c. The individual meets the requirements established by the agency regarding handguns.

Section 14-415.11. Permit to carry concealed handgun; scope of permit.

(a) Any person who has a concealed handgun permit may carry a concealed handgun unless otherwise specifically prohibited by law. The person shall carry the permit together with valid identification whenever the person is carrying a concealed handgun, shall disclose to any law enforcement officer that the person holds a valid permit and is carrying a concealed handgun when approached or addressed by the officer, and shall display both the permit and the proper identification upon the request of a law enforcement officer. In addition to these requirements, a military permittee whose permit has expired during deployment may carry a concealed handgun during the 90 days following the end of deployment and before the permit is renewed provided the permittee also displays proof of deployment to any law enforcement officer.

(b) The sheriff shall issue a permit to carry a concealed handgun to a person who qualifies for a permit under G.S. 14-415.12. The permit shall be valid throughout the State for a period of 5 years from the date of issuance.

(c) Except as provided in G.S. 14-415.27, a permit does not authorize a person to carry a concealed handgun in any of the following:

(1) Areas prohibited by G.S. 14-269.2, 14-269.3, and 14-277.2.

(2) Areas prohibited by G.S. 14-269.4, except as allowed under G.S. 14-269.4(6).

(3) In an area prohibited by rule adopted under G.S. 120-32.1.

- (4) In any area prohibited by 18 U.S.C. § 922 or any other federal law.
- (5) In a law enforcement or correctional facility.
- (6) In a building housing only State or federal offices.
- (7) In an office of the State or federal government that is not located in a building exclusively occupied by the State or federal government.
- (8) On any private premises where notice that carrying a concealed handgun is prohibited by the posting of a conspicuous notice or statement by the person in legal possession or control of the premises.

(c1) Any person who has a concealed handgun permit may carry a concealed handgun on the grounds or waters of a park within the State Parks System as defined in G.S. 143B-135.44.

(c2) It shall be unlawful for a person, with or without a permit, to carry a concealed handgun while consuming alcohol or at any time while the person has remaining in the person's body any alcohol or in the person's blood a controlled substance previously consumed, but a person does not violate this condition if a controlled substance in the person's blood was lawfully obtained and taken in therapeutically appropriate amounts or if the person is on the person's own property.

(c3) As provided in G.S. 14-269.4(5), it shall be lawful for a person to carry any firearm openly, or to carry a concealed handgun with a concealed carry permit, at any State-owned rest area, at any State-owned rest stop along the highways, and at any State-owned hunting and fishing reservation.

(d) A person who is issued a permit shall notify the sheriff who issued the permit of any change in the person's permanent address within 30 days after the change of address. If a permit is lost or destroyed, the person to whom the permit was issued shall notify the sheriff who issued the permit of the loss or destruction of the permit. A person may obtain a duplicate permit by submitting to the sheriff a notarized statement that the permit was lost or destroyed and paying the required duplicate permit fee.

Section 14-415.12. Criteria to qualify for the issuance of a permit.

(a) The sheriff shall issue a permit to an applicant if the applicant qualifies under the following criteria:

(1) The applicant is a citizen of the United States or has been lawfully admitted for permanent residence as defined in 8 U.S.C. § 1101(a)(20), and has been a resident of the State 30 days or longer immediately preceding the filing of the application.

(2) The applicant is 21 years of age or older.

(3) The applicant does not suffer from a physical or mental infirmity that prevents the safe handling of a handgun.

(4) The applicant has successfully completed an approved firearms safety and training course which involves the actual firing of handguns and instruction in the laws of this State governing the carrying of a concealed handgun and the use of deadly force. The North Carolina Criminal Justice Education and Training Standards Commission shall prepare and publish general guidelines for courses and qualifications of instructors which would satisfy the requirements of this subdivision. An approved course shall be any course which satisfies the requirements of this subdivision and is certified or sponsored by:

a. The North Carolina Criminal Justice Education and Training Standards Commission,

b. The National Rifle Association, or

c. A law enforcement agency, college, private or public institution or organization, or firearms training school, taught by instructors certified by the North Carolina Criminal Justice Education and Training Standards Commission or the National Rifle Association.

Every instructor of an approved course shall file a copy of the firearms course description, outline, and proof of certification annually, or upon modification of the course if more frequently, with the North Carolina Criminal Justice Education and Training Standards Commission.

(5) The applicant is not disqualified under subsection (b) of this section.

(b) The sheriff shall deny a permit to an applicant who:

(1) Is ineligible to own, possess, or receive a firearm under the provisions of State or federal law.

(2) Is under indictment or against whom a finding of probable cause exists for a felony.

(3) Has been adjudicated guilty in any court of a felony, unless: (i) the felony is an offense that pertains to antitrust violations, unfair trade practices, or restraints of trade, or (ii) the person's firearms rights have been restored pursuant to G.S. 14-415.4.

(4) Is a fugitive from justice.

(5) Is an unlawful user of, or addicted to marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802.

(6) Is currently, or has been previously adjudicated by a court or administratively determined by a governmental agency whose decisions are subject to judicial review to be, lacking mental capacity or mentally ill. Receipt of previous consultative services or outpatient treatment alone shall not disqualify an applicant under this subdivision.

(7) Is or has been discharged from the Armed Forces of the United States under conditions other than honorable.

(8) Except as provided in subdivision (8a), (8b), or (8c) of this section, is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for 1 or more crimes of violence constituting a misdemeanor, including but not limited to, a violation of a misdemeanor under Article 8 of Chapter 14 of the General Statutes except for a violation of G.S. 14-33(a), or a violation of a misdemeanor under G.S. 14-226.1, 4-258.1, 14-269.2, 14-269.3, 14-269.4, 14-269.6, 14-277, 14-277.1, 14-277.2, 14-283 except for a violation involving fireworks exempted under G.S. 14-414, 14-288.2, 14-288.4(a)(1), 14-288.6, 14-288.9, former 14-288.12, former 14-288.13, former 14-288.14, 14-415.21(b), or 14-415.26(d) within 3 years prior to the date on which the application is submitted.

(8a) Is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for 1 or more crimes of violence constituting a misdemeanor under G.S. 14-33(c)(1), 14-33(c)(2), 14-33(c)(3), 14-33(d), 14-277.3A, 14-318.2, 14-134.3, 50B-4.1, or former G.S. 14-277.3.

(8b) Is prohibited from possessing a firearm pursuant to 18 U.S.C. § 922(g) as a result of a conviction of a misdemeanor crime of domestic violence.

(8c) Has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for 1 or more crimes involving an assault or a threat to assault a law enforcement officer, probation or parole officer, person employed at a State or local detention facility, firefighter, emergency medical technician, medical responder, or emergency department personnel.

(9) Has had entry of a prayer for judgment continued for a criminal offense which would disqualify the person from obtaining a concealed handgun permit.

(10) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would disqualify him from obtaining a concealed handgun permit.

(11) Has been convicted of an impaired driving offense under G.S. 20-138.1, 20-138.2, or 20-138.3 within 3 years prior to the date on which the application is submitted.

(c) An applicant shall not be ineligible to receive a concealed carry permit under subdivision (6) of subsection (b) of this section because of an adjudication of mental incapacity or illness or an involuntary commitment to mental health services if the individual's rights have been restored under G.S. 14-409.42.

Section 14-415.12A. Firearms safety and training course exemption for qualified sworn law enforcement officers and certain other persons.

(a) A person who is a qualified sworn law enforcement officer, a qualified former sworn law enforcement officer, a qualified retired correctional officer, or a qualified retired probation or parole certified officer is deemed to have satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an approved firearms safety and training course.

(a1) An individual who is a qualified retired law enforcement officer and has met the standards, as approved by the North Carolina Criminal Justice Education and Training Standards Commission, for handgun qualification for active law enforcement officers within the last 12 months is deemed to have satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an approved firearms safety and training course.

(b) A person who is licensed or registered by the North Carolina Private Protective Services Board under Article 1 of Chapter 74C of the General Statutes as an armed security guard, who also has a firearm registration permit issued by the Board in compliance with G.S. 74C-13, is deemed to have satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an approved firearms safety and training course.

Section 14-415.13. Application for a permit; fingerprints.

(a) A person shall apply to the sheriff of the county in which the person resides to obtain a concealed handgun permit. The applicant shall submit to the sheriff all of the following:

- (1) An application, completed under oath, on a form provided by the sheriff, and such application form must be provided by the sheriff electronically. The sheriff shall not request employment information, character affidavits, additional background checks, photographs, or other information unless specifically permitted by this Article.
- (2) A nonrefundable permit fee.
- (3) A full set of fingerprints of the applicant administered by the sheriff.
- (4) An original certificate of completion of an approved course, adopted and distributed by the North Carolina Criminal Justice Education and Training Standards Commission, signed by the certified instructor of the course attesting to the successful completion of the course by the applicant which shall verify that the applicant is competent with a handgun and knowledgeable about the laws governing the carrying of a concealed handgun and the use of deadly force.
- (5) A release, in a form to be prescribed by the Administrative Office of the Courts, that authorizes and requires disclosure to the sheriff of any records concerning the mental health or capacity of the applicant to be used for the sole purpose of determining whether the applicant is disqualified for a permit under the provisions of G.S. 14-415.12. This provision does not prohibit submitting information related to involuntary commitment to the National Instant Criminal Background Check System (NICS).

(b) The sheriff shall submit the fingerprints to the State Bureau of Investigation for a records check of State and national databases. The State Bureau of Investigation shall submit the fingerprints to the Federal Bureau of Investigation as necessary. The sheriff shall determine the criminal and background history of an applicant also by conducting a check through the National Instant Criminal Background Check System (NICS). The cost of processing the set of fingerprints shall be charged to an applicant as provided by G.S. 14-415.19.

Section 14-415.14. Application form to be provided by sheriff; information to be included in application form.

(a) The sheriff shall make permit applications readily available at the office of the sheriff or at other public offices in the sheriff's jurisdiction. The permit application shall be in triplicate, in a form to be prescribed by the State Bureau of Investigation, and shall include the following information with regard to the applicant: name, address, physical description, signature, date of birth, social security number, military status, law enforcement status, and the drivers license number or State identification card number of the applicant if used for identification in applying for the permit.

(b) The permit application shall also contain a warning substantially as follows:

"CAUTION: Federal law and State law on the possession of handguns and firearms may differ. If you are prohibited by federal law from possessing a handgun or a firearm, you may be prosecuted in federal court. A State permit is not a defense to a federal prosecution."

(c) Any person or entity who is presented by the applicant or by the sheriff with an original or photocopied release form as described in G.S. 14-415.13(a)(5) shall promptly disclose to the sheriff any records concerning the mental health or capacity of the applicant who signed the form and authorized the release of the records.

Section 14-415.15. Issuance or denial of permit.

(a) Except as permitted under subsection (b) of this section, within 45 days after receipt of the items listed in G.S. 14-415.13 from an applicant, and receipt of the required records concerning the mental health or capacity of the applicant, the sheriff shall either issue or deny the permit. The sheriff may conduct any investigation necessary to determine the qualification or competency of the person applying for the permit, including record checks. The sheriff shall make the request for any records concerning the mental health or capacity of the applicant within 10 days of receipt of the items listed in G.S. 14-415.13. No person, company, mental health provider, or governmental entity may charge additional fees to the applicant for background checks conducted under this subsection. A permit shall not be denied unless the applicant is determined to be ineligible pursuant to G.S. 14-415.12.

(b) Upon presentment to the sheriff of the items required under G.S. 14-415.13 (a)(1), (2), and (3), the sheriff may issue a temporary permit for a period not to exceed 45 days to a person who the sheriff reasonably believes is in an emergency situation that may constitute a risk of safety to the person, the person's family or property. The applicant may submit proof of a protective order issued under G.S. 50B-3 for the protection of the applicant as evidence of an emergency situation. The temporary permit may not be renewed and may be revoked by the sheriff without a hearing.

(c) A person's application for a permit shall be denied only if the applicant fails to qualify under the criteria listed in this Article. If the sheriff denies the application for a permit, the sheriff shall, within 45 days, notify the applicant in writing, stating the grounds for denial. An applicant may appeal the denial, revocation, or nonrenewal of a permit by petitioning a district court judge of the district in which the application was filed. The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of the sheriff's refusal. The determination by the court shall be final.

Section 14-415.16. Renewal of permit.

(a) At least 45 days prior to the expiration date of a permit, the sheriff of the county where the permit was issued shall send a written notice to the permittee explaining that the permit is about to expire and including information about the requirements for renewal of the permit. The notice shall be sent by first class mail to the last known address of the permittee. Failure to receive a renewal notice shall not relieve a permittee of requirements imposed in this section for renewal of the permit.

(b) The holder of a permit shall apply to renew the permit within the 90-day period prior to its expiration date by filing with the sheriff of the county in which the person resides a renewal form provided by the sheriff's office, an affidavit stating that the permittee remains qualified under the criteria provided in this Article, a newly administered full set of the permittee's fingerprints, and a renewal fee.

(c) Upon receipt of the completed renewal application and the appropriate payment of fees, the sheriff shall determine if the permittee remains qualified to hold a permit in accordance with the provisions of G.S. 14-415.12. The permittee's criminal history shall be updated, including with another inquiry of the National Instant Criminal Background Check System (NICS), and the sheriff may waive the requirement of taking another firearms safety and training course. If the permittee applies for a renewal of the permit within the 90-day period prior to its expiration date and if the permittee remains qualified to have a permit under G.S. 14-415.12, the sheriff shall renew the permit. The permit of a permittee who complies with this section shall remain valid beyond the expiration date of the permit until the permittee either receives a renewal permit or is denied a renewal permit by the sheriff.

(d) No fingerprints shall be required for a renewal permit if the applicant's fingerprints were submitted to the State Bureau of Investigation after June 30, 2001, on the Automated Fingerprint Information System (AFIS) as prescribed by the State Bureau of Investigation.

(e) If the permittee does not apply to renew the permit prior to its expiration date, but does apply to renew the permit within 60 days after the permit expires, the sheriff may waive the requirement of taking another firearms safety and training course. This subsection does not extend the expiration date of the permit.

Section 14-415.16A. Permit extensions and renewals for deployed military permittees.

(a) A deployed military permittee whose permit will expire during the permittee's deployment, or the permittee's agent, may apply to the sheriff for an extension of the military permittee's permit by providing the sheriff with a copy of the permittee's proof of deployment. Upon receipt of the proof, the sheriff shall extend the permit for a period to end 90 days after the permittee's deployment is scheduled to end. A permit that has been extended under this section shall be valid throughout the State during the period of its extension.

(b) A military permittee's permit that is not extended under subsection (a) of this section and that expires during deployment shall remain valid during the deployment and for 90 days after the end of the deployment as if the permit had not expired. The military permittee may carry a concealed handgun during this period provided the permittee meets all the requirements of G.S. 14-415.11(a).

(c) A military permittee under subsection (a) or subsection (b) of this section shall have 90 days after the end of the permittee's deployment to renew the permit. In addition to the requirements of G.S. 14-415.16, the permittee shall provide to the sheriff proof of deployment. The sheriff shall renew the permit upon receipt of this documentation provided the permittee otherwise remains qualified to hold a concealed handgun permit.

Section 14-415.18. Revocation or suspension of permit.

(a) The sheriff of the county where the permit was issued or the sheriff of the county where the person resides may revoke a permit subsequent to a hearing for any of the following reasons:

(1) Fraud or intentional and material misrepresentation in the obtaining of a permit.

(2) Misuse of a permit, including lending or giving a permit or a duplicate permit to another person, materially altering a permit, or using a permit with the intent to unlawfully cause harm to a person or property. It shall not be considered misuse of a permit to provide a duplicate of the permit to a vender for record-keeping purposes.

(3) The doing of an act or existence of a condition which would have been grounds for the denial of the permit by the sheriff.

(4) The violation of any of the terms of this Article.

(5) Repealed by Session Laws 2013-369, s. 20, effective October 1, 2013.

A permittee may appeal the revocation, or nonrenewal of a permit by petitioning a district court judge of the district in which the applicant resides. The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of the sheriff's refusal.

(a1) The sheriff of the county where the permit was issued or the sheriff of the county where the person resides shall revoke a permit of any permittee who is adjudicated guilty of or receives a prayer for judgment continued for a crime which would have disqualified the permittee from initially receiving a permit. Upon determining that a permit should be revoked pursuant to this subsection, the sheriff shall provide written notice to the permittee, pursuant to the provisions of G.S. 1A-1, Rule 4(j), that the permit is revoked upon the service of the notice. The notice shall provide the permittee with information on the process to appeal the revocation.

Upon receipt of the written notice of revocation, the permittee shall surrender the permit to the sheriff. Any law enforcement officer serving the notice is authorized to take immediate possession of the permit from the permittee. If the notice is served by means other than by a law enforcement officer, the permittee shall surrender the permit to the sheriff no later than 48 hours after service of the notice.

A permittee may appeal the revocation of a permit pursuant to this subsection by petitioning a district court judge of the district in which the permittee resides. The determination by the court, on appeal, shall be limited to whether the permittee was adjudicated guilty of or received a prayer for judgment continued for a crime which would have disqualified the permittee from initially receiving a permit. Revocation of the permit is not stayed pending appeal.

(b) The court may suspend a permit as part of and for the duration of any orders permitted under Chapter 50B of the General Statutes.

Chapter 50B – Domestic Violence

Section 50B-3.1. Surrender and disposal of firearms; violations; exemptions.

(a) Required Surrender of Firearms. Upon issuance of an emergency or ex parte order pursuant to this Chapter, the court shall order the defendant to surrender to the sheriff all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms that are in the care, custody, possession, ownership, or control of the defendant if the court finds any of the following factors:

- (1)** The use or threatened use of a deadly weapon by the defendant or a pattern of prior conduct involving the use or threatened use of violence with a firearm against persons.
- (2)** Threats to seriously injure or kill the aggrieved party or minor child by the defendant.
- (3)** Threats to commit suicide by the defendant.
- (4)** Serious injuries inflicted upon the aggrieved party or minor child by the defendant.

(b) Ex Parte or Emergency Hearing. The court shall inquire of the plaintiff, at the ex parte or emergency hearing, the presence of, ownership of, or otherwise access to firearms by the defendant, as well as ammunition, permits to purchase firearms, and permits to carry concealed firearms, and include, whenever possible, identifying information regarding the description, number, and location of firearms, ammunition, and permits in the order.

(c) Ten-Day Hearing. The court, at the 10-day hearing, shall inquire of the defendant the presence of, ownership of, or otherwise access to firearms by the defendant, as well as ammunition, permits to purchase firearms, and permits to carry concealed firearms, and include, whenever possible, identifying information regarding the description, number, and location of firearms, ammunition, and permits in the order.

(d) Surrender. Upon service of the order, the defendant shall immediately surrender to the sheriff possession of all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms that are in the care, custody, possession, ownership, or control of the defendant. In the event that weapons cannot be surrendered at the time the order is served, the defendant shall surrender the firearms, ammunitions, and permits to the sheriff within 24 hours of service at a time and place specified by the sheriff. The sheriff shall store the firearms or contract with a licensed firearms dealer to provide storage.

(1) If the court orders the defendant to surrender firearms, ammunition, and permits, the court shall inform the plaintiff and the defendant of the terms of the protective order and include these terms on the face of the order, including that the defendant is prohibited from possessing, purchasing, or receiving or attempting to possess, purchase, or receive a firearm for so long as the protective order or any successive protective order is in effect. The terms of the order shall include instructions as to how the defendant may request retrieval of any firearms, ammunition, and permits surrendered to the sheriff when the protective order is no longer in effect. The terms shall also include notice of the penalty for violation of G.S. 14-269.8.

(2) The sheriff may charge the defendant a reasonable fee for the storage of any firearms and ammunition taken pursuant to a protective order. The fees are payable to the sheriff. The sheriff shall transmit the proceeds of these fees to the county finance officer. The fees shall be used by the sheriff to pay the costs of administering this section and for other law enforcement purposes. The county shall expend the restricted funds for these purposes only. The sheriff shall not release firearms, ammunition, or permits without a court order granting the release. The defendant must remit all fees owed prior to the authorized return of any firearms, ammunition, or permits. The sheriff shall not

incur any civil or criminal liability for alleged damage or deterioration due to storage or transportation of any firearms or ammunition held pursuant to this section.

(e) Retrieval. If the court does not enter a protective order when the ex parte or emergency order expires, the defendant may retrieve any weapons surrendered to the sheriff unless the court finds that the defendant is precluded from owning or possessing a firearm pursuant to State or federal law or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order.

(f) Motion for Return. The defendant may request the return of any firearms, ammunition, or permits surrendered by filing a motion with the court at the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order and not later than 90 days after the expiration of the current order or final disposition of any pending criminal charges committed against the person that is the subject of the current protective order. Upon receipt of the motion, the court shall schedule a hearing and provide written notice to the plaintiff who shall have the right to appear and be heard and to the sheriff who has control of the firearms, ammunition, or permits. The court shall determine whether the defendant is subject to any State or federal law or court order that precludes the defendant from owning or possessing a firearm. The inquiry shall include:

(1) Whether the protective order has been renewed.

(2) Whether the defendant is subject to any other protective orders.

(3) Whether the defendant is disqualified from owning or possessing a firearm pursuant to 18 U.S.C. § 922 or any State law.

(4) Whether the defendant has any pending criminal charges, in either State or federal court, committed against the person that is the subject of the current protective order.

The court shall deny the return of firearms, ammunition, or permits if the court finds that the defendant is precluded from owning or possessing a firearm pursuant to State or federal law or if the defendant has any pending criminal charges, in either State or federal court, committed against the person that is the subject of the current protective order until the final disposition of those charges.

(g) Motion for Return by Third-Party Owner. A third-party owner of firearms, ammunition, or permits who is otherwise eligible to possess such items may file a motion requesting the return to said third party of any such items in the possession of the sheriff seized as a result of the entry of a domestic violence protective order. The motion must be filed not later than 30 days after the seizure of the items by the sheriff. Upon receipt of the third party's motion, the court shall schedule a hearing and provide written notice to all parties and the sheriff. The court shall order return of the items to the third party unless the court determines that the third party is disqualified from owning or possessing said items pursuant to State or federal law. If the court denies the return of said items to the third party, the items shall be disposed of by the sheriff as provided in subsection (h) of this section.

(h) Disposal of Firearms. If the defendant does not file a motion requesting the return of any firearms, ammunition, or permits surrendered within the time period prescribed by this section, if the court determines that the defendant is precluded from regaining possession of any firearms, ammunition, or permits surrendered, or if the defendant or third-party owner fails to remit all fees owed for the storage of the firearms or ammunition within 30 days of the entry of the order granting the return of the firearms, ammunition, or permits, the sheriff who has control of the firearms, ammunition, or permits shall give notice to the defendant, and the sheriff shall apply to the court for an order of disposition of the firearms, ammunition, or permits. The judge, after a hearing, may order the disposition of the firearms, ammunition, or permits in one or more of the ways authorized by law, including subdivision (4), (4b), (5), or (6) of G.S. 14-269.1. If a sale by the sheriff does occur, any proceeds from the sale after deducting any costs associated with the sale, and in accordance with all applicable State and federal law, shall be provided to the defendant, if requested by the defendant by motion made before the hearing or at the hearing and if ordered by the judge.

(i) It is unlawful for any person subject to a protective order prohibiting the possession or purchase of firearms to:

(1) Fail to surrender all firearms, ammunition, permits to purchase firearms, and permits to carry concealed firearms to the sheriff as ordered by the court;

(2) Fail to disclose all information pertaining to the possession of firearms, ammunition, and permits to purchase and permits to carry concealed firearms as requested by the court; or

(3) Provide false information to the court pertaining to any of these items.

(j) Violations. In accordance with G.S. 14-269.8, it is unlawful for any person to possess, purchase, or receive or attempt to possess, purchase, or receive a firearm, as defined in G.S. 14-409.39(2), machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by the court for so long as that protective order or any successive

protective order entered against that person pursuant to this Chapter is in effect. Any defendant violating the provisions of this section shall be guilty of a Class H felony.

(k) Official Use Exemption. This section shall not prohibit law enforcement officers and members of any branch of the Armed Forces of the United States, not otherwise prohibited under federal law, from possessing or using firearms for official use only.

(l) Nothing in this section is intended to limit the discretion of the court in granting additional relief as provided in other sections of this Chapter.

Asheville Code of Ordinances

Current through Ordinance 4783, adopted December 10, 2019. (Supplement 53, Update 2)

**Chapter 7 – Development
Article VIII – General Use and Expansion Districts**

Section 7-8-19. River District.

(c) Prohibited uses. The following uses are prohibited in the River District:

Manufacture or storage of ammunition, dynamite, or other high explosives.

Bessemer City Code of Ordinances

Current through Ordinance passed August 12, 2019. (Supplement 16)

**Title XI – Business Regulations
Chapter 110 – Business Licenses**

Section 110.14 Schedule of business taxes.

(A) Privilege license taxes are required to be paid before beginning operation of all types of businesses located within the city limits of Bessemer City, except for those businesses exempted by federal, state or local authority. Businesses located outside the city doing business within the city limits are also required to obtain a privilege license.

Schedule B Business Types Subject to Taxation

Businesses Subject to Tax	Fee
Weapons	
Ammunition only	50
Firearms (pistols/rifles)	50

Boon Code of Ordinances

Current through ordinance passed December 16, 2019. (Supplement 22)

**Title XI – Business Regulations
Chapter 112 – Privilege License Tax**

Section 112.04. Who must pay tax.

(A) Each person who conducts a business within the town is subject to this chapter. A person conducts business when he or she engages in one act of business taxed under this chapter.

(B) A person conducts the business within the town if he or she maintains a business location within the town or if, either personally or through agents, he or she:

- (1) Solicits business within the town limits; or**
- (2) Picks up or delivers goods or services within the town limits.**

Section 112.35. Business license fee schedule.

(B) Specific businesses.

Exceptions/Special Provisions	G.S. Section	Fee	Term
Dealers in firearms	§ 105-80	\$50	per year

Butner Land Development Ordinance

Current through Ordinance A.19.09, passed November 7, 2019. (Supplement 1)

Article 7 – Use Standards

Section 7.1. Table of permitted uses.

7.1.1 Explanation of the structure of the table of permitted uses.

(D) Prohibited uses. A blank cell indicates that a particular use type is not allowed in the Base Zoning District.

(2) No hazardous or noxious uses are allowed within any zoning district established by the land development ordinance such as, but not limited to:

(v) Explosives, ammunition, fireworks or gunpowder manufacturing.

Caldwell County Code of Ordinances

Current through Ordinance passed November 19, 2018. (Supplement 5)

Title XV – Land Usage

Chapter 157 – Zoning Regulations

Section 57.053. RA-20, Residential–Agricultural District.

(C) Conditional uses. The following uses are permitted when authorized by the Board of Commissioners after the Board holds a public hearing pursuant to the provisions of this chapter.

(1)

(a) Backyard workshops, provided they are secondary to a main dwelling and:

1. That the use will not materially endanger the public health or safety if located where proposed and according to an approved plan and plot plan;

2. That the use will not substantially injure the value of adjoining properties;

3. That the location and character of the use, if allowed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located;

4. No employees other than the occupants of the primary dwelling; and

5. All state and federal regulations must be met in order to sell, repair, or build guns (such as the Federal Firearms License (FFL)).

(b) Those uses allowed as backyard workshops are for building tradesmen, small appliance and lawn mower repair shops, cabinet and woodworking shops, upholstery shops, and gunsmiths and firearms dealers, provided they are limited in size to the following:

1. Maximum of 500 square feet if located on 1-1/2 acre of land or less, and shall be set back 100 feet from any adjoining dwelling; or

2. Maximum of 1,000 square feet if located on more than 1-1/2 acre of land and shall be set back 200 feet from an adjoining dwelling.

(c) Furthermore, there shall be no open storage and a properly installed buffer shall be provided as required by this chapter.

(13) Indoor and outdoor commercial shooting ranges.

(g) Gunsmiths and firearms dealers are allowed as incidental uses to indoor and outdoor commercial shooting ranges.

(i) Retail gun stores are allowed as incidental uses to indoor and outdoor commercial shooting ranges in any district that allows commercial ranges as well as retail or wholesale uses (G-B, IND, and L-IND).

Section 157.059. G-B, General Business District.

(C) Conditional uses. The following uses shall be permitted subject to finding by the County Board of Commissioners after the Board holds a public hearing:

(6) Indoor and outdoor commercial shooting ranges.

Uses	Rural Conservation (RCon)	Office-Institutional (O-I)	Rural Commercial (RC)	Highway Commercial (HC)	Light Industrial (LI)	General Industrial (GI)	Reference
Gun and ammunitions sales				P			
Gunsmith, repair services				P			

Chapel Hill Code of Ordinances

Current through Ordinance 2019-11-20/O-3, enacted November 20, 2019. (Supplement 23, Update 2)

**Chapter 10 – Licenses and Business Regulations
Article I – In General**

Section 10.6. License prerequisite to conduct of business.

It shall be unlawful for any person or his agent or servant to engage in or carry on a business in the town for which there is required a license, without first having paid the license tax and obtained the license. For the purpose of this section, the opening of a place of business, or offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business shall be construed to be engaging in or carrying on such business.

Article VII – Licenses for Specific Businesses

Section 10.203. Weapons dealers.

Every person who is engaged in the business of keeping in stock, selling, or offering for sale any of the articles or commodities enumerated in this section shall pay a license tax as follows:

Firearms other than antique firearms, fifty dollars (\$50.00).

For bowie knives, dirks, daggers, leaded canes, iron or metallic knuckles, or articles of like kind, two hundred dollars (\$200.00).

For blank cartridge pistols, fifty dollars (\$50.00).

If such person deals only in metallic cartridges, five dollars (\$5.00).

Charlotte Code of Ordinances

Current through Ordinance 9585, enacted June 24, 2019. (Supplement 41)

**Chapter 13 – Licenses
Article II – Business and Occupational Licenses
Division 1 – Generally**

Section 13-27. Who must pay tax.

Each person who conducts or engages in all trades, occupations, professions, businesses, and franchises physically located within the city.

Division 2 - Schedules

Section 13-76. License tax schedules.

(188) Firearms (rifles, handguns, etc.)

(a) Firearms sale and/or manufacturers, including, but not limited to, rifles, handguns, shotguns, etc. \$50.00

Cherokee Indians Eastern Band Code of Ordinances

Current through Ordinance 233 enacted July 19, 2018. (Supplement 23)

**Chapter 14 – Criminal Law
Article VIII – Weapons Offenses**

Section 14-34.1. Educational property.

(a) The following definitions apply in this section:

(1) Educational property. Any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used or operated by any board of education, school, college or university.

(2) Student. A person enrolled in school, college or university, or a person who has been suspended or expelled within the last five years from a school, college or university, whether the person is an adult or minor.

(4) Weapon. Any firearm of any kind, a knife, or any dynamite cartridge, bomb, grenade, mine, powerful explosive as defined in North Carolina law, BB gun, air rifle, air pistol, bowie knife, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, of educational property.

(5) Firearm. Any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any firearm muffler or firearm silencer. Firearm does not include an antique firearm, a BB gun, stun gun, air rifle, or air pistol.

(b) It shall be a criminal offense for any person to possess or carry, whether openly, or concealed, any weapon on educational property.

(c) It shall be a criminal offense for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any weapon on educational property.

(d) This section shall not apply to:

(1) A weapon used solely for educational or school-sanctioned ceremonial purposes, or used in a school approved program conducted under the supervision of an adult whose supervision has been approved by the school authority.

(2) Armed forces personnel, officer and soldiers of the militia and national guard, law enforcement personnel, and any private police employed by an educational institution, when acting in the discharge of their official duties; or

(3) Home schools as defined under North Carolina law.

Section 14-34.4. Punishment.

Persons subject to the criminal jurisdiction of the Cherokee Court who violate C.C. Sections 14-34.1, 14-34.2, or 14-34.3 shall be subject to punishment by a fine of up to \$1,000.00, imprisonment for not more than one year for each offense, or both, except that persons subject to the criminal jurisdiction of the Cherokee Court who violate C.C. Section 14-34.1 by possessing or carrying, or by causing, encouraging, or aiding a minor less than 18 to possess or carry a firearm or powerful explosive in violation of said section shall be subject to punishment by a fine of up to \$15,000.00, imprisonment for not more than three years, or both.

Section 14-34.10. Weapons offense.

(a) It shall be unlawful to:

(1) Have a firearm or other dangerous weapon in one's actual possession while being addicted to any narcotic drug; or after having been declared mentally incompetent; or while being intoxicated or otherwise under the influence of alcoholic beverages or any other intoxicating substance, drug, or medicine; or while possessing the intent to unlawfully assault another; or while under the age of 16 years, and without the consent of his or her parent or guardian; or

(b) Definitions:

(1) Dangerous weapon means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In determining whether an item, object or thing not commonly known as a dangerous weapon is a dangerous weapon, the character of the instrument, object or thing, the character of the wound produced, if any, and the manner in which the instrument, item or thing was used shall be determinative.

(2) Firearm means any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any firearm muffler or firearm silencer. Firearm does not include an antique firearm, a BB gun, stun gun, air rifle, or air pistol.

(3) Weapons offense shall be punishable by a fine not to exceed \$5,000.00, by a term of imprisonment not to exceed one year or both.

Section 14-34.12. Dangerous devices.

(a) It shall be unlawful to:

(1) Deliver or cause to be delivered to any express, railway company or common carrier, or place on the mail or deliver to any person, or throw or place on or about the premises or property of another or in any place where another

may be injured thereby, a dangerous device, knowing it to be such, unless the threatened person is informed of the nature thereof and its placement is for some lawful purpose; or

(2) Knowingly construct or contrive any dangerous device, or with the intent to injure another in his person or property, have a dangerous device in one's possession.

(b) For purposes of this section, a "**dangerous device**" is any box, package, contrivance, bomb, or apparatus containing or arranged with an explosive or acid or poisonous or flammable substance, chemical, or compound, or knife, loaded firearm or other dangerous or harmful weapon or thing, constructed, contrived, or arranged so as to explode, ignite, or throw forth its contents, or to strike with any of its parts, unexpectedly when moved, handled, or opened or after the lapse of time or under conditions or in a manner calculated to endanger health, life, limb, or property.

(c) Dangerous devices shall be punishable by a fine not to exceed \$5,000.00, by a term of imprisonment not to exceed one year, or both.

Section 14-34.15. Purchase or possession of firearms, etc. by person subject to domestic violence order.

(a) It is unlawful for any person to purchase, attempt to purchase, or possess any gun, rifle, pistol, or other firearm while there remains in force and effect a domestic violence order issued pursuant to any federal, tribal, or state jurisdiction, prohibiting the person from purchasing or possessing a firearm.

(b) Violation of this section shall be punishable by a fine not to exceed \$15,000.00, by a term of imprisonment not to exceed three years, or both.

Section 14-34.17. Possession of firearms, etc. by felon prohibited.

(a) It shall be unlawful for any person who has been convicted of a felony to purchase, own, possess, or have in his custody, care, or control any firearm or any dangerous device as defined in C.C. Section 14-34.12(b).

(b) For the purposes of this section, a firearm is any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any firearm muffler or firearm silencer. Firearm does not include an antique firearm, a BB gun, stun gun, air rifle, or air pistol.

(c) Prior convictions which cause disqualification under this section shall include only the following: violations of criminal laws of other federally recognized Indian tribes, of the states, or of the United States, that are substantially similar to the crimes covered in Cherokee Code Chapter 14 which are punishable by imprisonment for a term exceeding one year.

(d) When a person is charged under this section, that person's records of prior convictions of any offense, regardless of whether the prior convictions were in the Cherokee Court, in a court of another federally recognized Indian tribe, in a state court, or in the courts of the United States, shall be admissible in evidence for the purpose of proving a violation of this section. The term "conviction" is defined as a final judgment in any case in which felony punishment, or imprisonment for a term exceeding one year, as the case may be, is authorized, without regard to the plea entered or to the sentence imposed. A judgment of a conviction of the defendant or a plea of guilty by the defendant to such an offense certified by the custodian of records of such documents in the jurisdiction where the conviction or plea was entered shall be prima facie evidence of the facts so certified.

(e) This section does not apply to a person who, pursuant to the law of the jurisdiction in which the conviction occurred, has been pardoned or has had his or her firearms rights restored if such restoration of rights could also be granted under the law of the Eastern Band of Cherokee Indians.

(f) This section does not apply and there is no disqualification to the possession of firearms under this section if the felony conviction is a violation under the laws of the Cherokee Court, a court of another federally recognized Indian tribe, a state court, or the courts of the United States, that pertains to antitrust violations, unfair trade practices, or restraints of trade.

Article IX Crimes of Bodily Injury

Section 14-40.1. Domestic violence.

(k) Willful violation of court order. It shall be unlawful to commit a willful violation of a court order, which is defined as any violation of any term contained in a lawful order issued by a properly constituted judicial authority pursuant to a criminal or civil case in tribal, federal, or state court where said order:

(5) Prohibits the perpetrator from using or possessing a firearm or other weapon specified by the Court;

(n) Initial appearance.

(5) Before releasing a person charged with a crime involving domestic violence, special domestic violence or willful violation of court order, the Court must make written findings concerning the determination made in accordance with subsection (n)(3) and may impose conditions of release or bail on the defendant to protect the alleged victim of domestic or family violence and to ensure the defendant's appearance at a subsequent court hearing. The conditions may include, but are not limited to, an order:

- e. That the defendant be prohibited from using or possessing a firearm or other weapon specified by the court;
- (t) Conditions of probation or parole.

(2) After reviewing the facts and determining that the defendant poses a credible threat of violence, repeated harassment or bodily injury to the alleged victim or family or household of the victim, the court will make findings of fact and will condition any probation or parole upon compliance with certain conditions, including but not limited to the following:

- e. That the defendant be prohibited from using or possessing a firearm or other weapon specified by the Court and surrender any weapons owned or possessed;

(y) Willful violation of the prohibition on possessing a firearm. No person convicted of the crime of domestic violence, special domestic violence, or willful violation of court order or any comparable crime in any federal, state or tribal jurisdiction may ever possess a firearm once they have been convicted, irrespective of the sentence received. Willful violation of this prohibition will subject the defendant to a period of confinement not less than 30 days and not to exceed one year and a fine of not less than \$1,000.00, but not more than \$5,000.00, plus costs, except when the prior conviction is for special domestic violence or a comparable crime in a federal, state or tribal jurisdiction, in which case, the violation shall be punishable by imprisonment of up to three years, a fine of up to \$15,000.00 or any combination of these.

Chapter 50B – Domestic Violence Prevention

Section 50B-9. Contents of protective orders.

(a) The Court may grant any protective order or approve any consent agreement to stop or to prevent acts of domestic violence. Relief granted pursuant to an ex parte order shall expire at such time as a final protective order is entered. Relief granted pursuant to a final order shall be for a fixed period not to exceed two years duration and may be modified or extended at a subsequent hearing upon proof and a finding by the court that the threat of domestic violence still exists. If an immediate modification or renewal is needed, this may done ex parte (see section 50B-10 below). Permanent orders regarding matters of custody, visitation, support or division of property should be addressed by filing separate civil actions with the court in accordance with the applicable rules of civil procedure. The orders or agreements may:

- (10) Prohibit a respondent from receiving, using, possessing, purchasing or transporting a firearm or ammunition.

Chapter – 144 Firearms

Section 144-1. Firearm sales.

The sale of firearms on the Cherokee Reservation shall be lawful from a vendor who possesses a valid Trader's License, together with required federal firearms licenses.

Section 144-2. Handgun sales.

The sale of handguns on the Cherokee Reservation shall be lawful only upon the issuance of a permit to the purchaser by the Superintendent of the Cherokee Indian Agency. Such permit shall only be issued after certification to the Superintendent that the applicant is of good moral character, has never been convicted of a felony, is not suffering from any mental disorder, and that the weapon is necessary for self-defense or the protection of the house.

Clayton Code of Ordinances

Current through Ordinance 2019-07-04, passed July 15, 2019. (Supplement 15)

Title XV – Land Usage

Chapter 155 – Unified Development Code

Section 155.308. Accessory structures and uses.

(C) Accessory Uses in Residential Districts.

(2) Home Occupations.

(a) Prohibited Home Occupations. The following uses are not permitted as home occupations:

- 7. Sale or repair of firearms.

Clemmons Code of Ordinances

Current through Ordinance 2019-01, passed February 11, 2019. (Supplement 22)

Title XIII – General Offenses

Chapter 130 – General Offenses

Offenses Against Public Peace and Safety

Section 130.01. Discharge and possession of firearms prohibited; Exceptions.

(C) Possession of firearms prohibited in certain places. It shall be unlawful for any person to possess or carry, or to fire or discharge any gun, rifle, pistol or other firearm in any building or appurtenant premises owned or operated by the village (whether within or outside the corporate limits), or on or in any public school building or grounds within the village or on or in any property within the village operated by or under the control of the Forsyth Municipal Alcoholic Beverage Control Board.

(D) Exclusions.

(1) This section shall not apply to an officer lawfully discharging his or her duty, or to a watchman or other person specifically authorized to carry firearms on such premises while acting lawfully and within the scope of his or her authority; nor shall it prohibit the lawful possession or carrying of firearms on the public streets.

Cumberland County Code of Ordinances
 Current through Ordinance of June 20, 2018 (1). (Supplement 5)
Chapter 9.5 – Offenses, Miscellaneous
Article XII – Prohibited Activity On or Within 1,000 Feet of a School

Section 9.5-151. Disruptive activities, members of street gangs and possession of weapons and explosive devices prohibited.

(c) Any person who shall be on the school property or in any of the places referred to in this section or section 9.5-150 who shall have in his or her possession any form of weapon or any pyrotechnic or device capable of being readily made into any explosive or incendiary device or which is apparently capable of containing any such device, without lawful authority or permission to do so, shall be presumed to be in violation of this section.

Dare County Code of Ordinances
 Current through Ordinance passed November 19, 2018. (Supplement 11)
Title XV – Land Usage
Chapter 155 – Zoning Code
Article II – District Regulations

Section 22-22.3. R2-H Medium Density Residential District.

(c) Conditional uses. The following conditional uses are permitted, subject to the requirements of this district and additional regulations and requirements imposed by the Board of Commissioners as provided in Article IX of this chapter or Chapter 152 of this code:

11. Sporting clay courses provided the following conditions can be met:

h. There shall be no firearms sales or the sale of alcoholic beverages at the sporting clay course.

Dobson Code of Ordinances
 Current through Ordinance 2018-01, adopted February 22, 2018. (Supplement 2)
Appendix A – Zoning Ordinance
Article 7 – Establishment and Intent of Districts and Boundaries

Section 7.5. Intent of zoning districts.

Table of Permitted Uses											
P = Permitted with a Certificate of Zoning Compliance from Zoning Administrator P/C = Permit from Zoning Administrator, use must meet additional conditions S = Special Use Permit from Board of Adjustment T = Temporary Use Permit Required											
	R-A	R-S	R-15	R8-A	R-MH	O-I	B-1	B-2	L-I	H-I	Notes
Commercial Uses											
Gun shops							P	P			

Dunn Code of Ordinances

Current through Ordinance O2018-09, enacted August 14, 2018. (Supplement 12)

Chapter 22 – Zoning

Article III – Districts

Division 12 – I-100 Industrial District

Section 22-224. Prohibited uses.

No building or land shall be used and no building shall be hereafter erected or structurally altered for the purpose of conducting any of the uses listed in this section within any of the various districts as established by this chapter, unless plans for the abatement of noise, odor, smoke, ignitable corrosivity, toxicity, or other nuisance or menace to the public welfare which may be created by such activity are submitted to the city council after recommendation from the planning board. These plans shall include a statement of the level of noise, odor, smoke, or other emissions which is to be emitted from such installation, using a recognized standard of measurement. If the city council finds after public hearing as required for amendments to this chapter that the use will not be detrimental to the public health, safety, and welfare, they may issue a conditional use permit to allow the use in the I-100 industrial district. If at any time any of the following uses exceeds the level of emission as stated in the application for a conditional use permit, the use shall be discontinued until such time as the stated level is reached:

- (12) Explosives, ammunition, fireworks, gunpowder manufacture;

Durham Code of Ordinances

Current through Ordinance 15520, enacted August 5, 2019. (Supplement 30)

Chapter 30 – Finance and Revenue

Article V – Privilege License Taxes

Division 5 – Privilege License Taxes Restricted by State Revenue Laws (Identical to County Provisions)

Section 30-268. Firearms dealers and dealers in other weapons.

(a) Firearms. Every person engaged in the business of selling or offering for sale firearms, other than antique firearms or firearms that are weapons of mass death and destruction, shall obtain a city license from the tax collector for the privilege of engaging in business, and shall pay a tax of \$50.00 for the license.

(b) Antique firearm defined. As used in this section, the term "**antique firearm**" means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(c) Weapon of mass death and destruction defined. As used in this section, the term "**weapon of mass death and destruction**" includes:

- (1) Any explosive, incendiary, poison gas or radioactive material:

- a. Bomb;
- b. Grenade;
- c. Rocket having a propellant charge of more than four ounces;
- d. Missile having an explosive or incendiary charge of more than one-fourth ounce;
- e. Mine; or
- f. Device similar to any of the devices described above; or

(2) Any type of weapon (other than a shotgun or a shotgun shell of a type particularly suitable for sporting purposes) which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter;

(3) Any firearm capable of fully automatic fire, any shotgun with a barrel of less than 18 inches in length or an overall length of less than 26 inches, any rifle with a barrel or barrels of less than 16 inches in length or an overall length of less than 26 inches, any muffler or silencer for any firearm, whether or not such firearm is included within this definition. For the purposes of this section, a rifle is defined as a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder;

(4) Any combination of parts either designed or intended for use in converting any device into any weapon described above and from which a weapon of mass death and destruction may readily be assembled;

(5) Radioactive material, which means any solid, liquid or gas which emits or may emit ionizing radiation spontaneously or which becomes capable of producing radiation or nuclear particles when controls or triggering mechanisms of any associated device are operable.

As used in this section, the term "weapon of mass death and destruction" does not include any device which is neither designed nor redesigned for use as a weapon, any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of 10 USC 4684(2), 4685, or 4686; or any other device which the secretary of the treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting purposes, in accordance with 18 USC 44.

(d) Engaged in the business of defined. As used in this section, the term "**engaged in the business of**" shall mean devoting time and attention, and labor to selling or offering for sale firearms as a regular course of trade or business with the principal objective of profit through the repetitive purchase and sale, or the manufacture for sale, of firearms. Such term shall not include the making of occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection, or the sale of all or part of a personal collection of firearms.

(e) License authorizes licensee to engage in business; location. A license issued under this section authorizes the licensee to engage in business at the location for which the license is issued and at a gun show held in the city. A "**gun show**" is an event sponsored either by an organization devoted to the collection, competitive use, or other sporting use of firearms or by an organization that sponsors events devoted to the collection, competitive use, or other sporting use of firearms in the community.

(f) Other weapons. Every person, firm, or corporation who is engaged in the business of selling or offering for sale bowie knives, dirks, daggers, leaded cans, iron or metallic knuckles, or similar weapons shall obtain a city license from the tax collector for the privilege of engaging in business and shall pay a tax of \$200.00 for the license.

Durham County Code of Ordinances

Current through Ordinance of March 24, 2014. (Supplement 34)

Chapter 17 – Offenses and Miscellaneous Provisions

Article II – Offenses Involving Firearms and Other Weapons

Division 3 – Weapons and Instrumentalities of Mass Death and Destruction

Section 17-71. Prohibited; definition.

Except as otherwise provided in this division, it is unlawful for any person to manufacture, assemble, possess, store, transport, sell, offer to sell, purchase, offer to purchase, deliver or give to another, or acquire any weapon of mass death and destruction. For purposes of this division, the term "weapon of mass death and destruction" means a semiautomatic firearm which is designed or specially adapted to fire a cartridge and automatically chamber a succeeding cartridge, ready to fire, with a single function of the trigger and:

(1) Is a semiautomatic action centerfire rifle or carbine which was originally designed and intended to be sold with a detachable magazine with a capacity of more than 21 rounds;

(2) Is a semiautomatic shotgun with a magazine capacity of more than six rounds;

(3) Is a semiautomatic handgun that is:

a. A modification of a firearm described in this section;

b. Part or combination of parts either designed or intended for use in converting any device into any weapon described above and from which such a weapon may readily be assembled if in the possession or control of the same individual;

c. Originally designed to accept a detachable magazine with a capacity of more than 21 rounds;

d. Possessed while a detachable magazine with a capacity of more than 21 rounds, usable with such handgun, is attached or directly accessible; or

(4) A firearm described elsewhere in this division which has temporarily been made to function in a non-semiautomatic fashion but which can be restored to function as an operable semiautomatic firearm.

Section 17-72. Certain weapons excepted.

For purposes of this division, the term "weapon of mass death and destruction" shall not include:

- (1) Any firearm defined as a "weapon of mass death and destruction" in G.S. 14-288.8.
- (2) Any firearm designed for .22 caliber rimfire ammunition with a detachable magazine with a capacity of 30 rounds or less.
- (3) Any semiautomatic firearm which has been modified to make it permanently inoperable or to make it a device which no longer is defined as a weapon of mass death and destruction.

Section 17-73. Certain persons excepted.

This division shall not apply to persons authorized by state or federal law to carry firearms in the performance of their duties or persons exempted by G.S. 14-288.8 from the provisions of that statute.

Section 17-74. Penalty.

A violation of this division shall constitute a misdemeanor and shall be punishable, upon conviction, as prescribed in section 1-6.

Division 4 Possession or Display of Weapons

Section 17-94. Possession or display of firearm by individual under the influence of intoxicating drink or illegal drug prohibited.

It shall be unlawful for any individual to possess or display a loaded firearm or to possess or display an unloaded firearm if ammunition is readily accessible for loading the firearm, anywhere within the county outside the environs of his private residence, while under the influence of intoxicating drink or illegal drugs.

Edenton Code of Ordinance

Current through Ordinance passed November 14, 2017. (Supplement 5)

**Title XIII – General Offenses
Chapter 130 – General Offenses
General Provisions**

Section 130.19. Possession of dangerous weapons.

(A) Except as provided in division (B) of this section, it shall be unlawful for any person to display or willfully or intentionally possess or have immediate access to any deadly weapon within any park, bus, or building owned, leased, operated, occupied, managed, or controlled by the town, including any portion thereof or appurtenant premises. Deadly weapon as used in this division includes, but is not limited to any bowie knife, dirk, dagger, slingshot, loaded cane, brass iron or metallic knuckles, razor, shuriken, pistol, shotgun, rifle, handgun or other weapon of like kind.

(C) It also shall be unlawful for any person to possess, discharge, or otherwise use any deadly weapon, as defined in division (A) of this section, while under the influence of an intoxicating beverage, or controlled substance, as defined in G.S. § 90-86 et seq. which was not prescribed for that person by a licensed practitioner.

Elizabeth City Code of Ordinance

Current through Ordinance 2016-09-13, passed September 26, 2016. (Supplement 1)

**Title XI – Business Regulations
Chapter 110 – General Licensing, Registration and Taxation
Specific Businesses**

Section 110.37. Firearms.

(A) General.

- (1) No merchant within the city shall engage in the business of showing, selling or exchanging pistols without being licensed by the City Council to engage in such business.
- (2) An application shall be filed on forms approved by the Chief of Police for the issuance of a pistol sale or exchange license with the City Council and shall be passed upon by the Council in formal session.

(3) Such applications, among other things, must show the name and address of all employees of the merchant to be licensed who are authorized to make sales of pistols.

(4) Such application shall be denied if such merchant or any of his or her employees has had a criminal conviction involving the use of any weapon or violence or moral turpitude.

(B) Employees to be licensed. All employees of a merchant licensed to make a sale of pistols shall apply to the Chief of Police for a license to sell pistols as an employee of a licensed merchant. Such application shall be passed upon by the City Council and, if approved, a license shall be granted. It shall be unlawful for any employee of a licensed merchant to engage in the sale of pistols without being first licensed in accordance with this section.

(C) Monthly report.

(1) Each merchant to whom a pistol sale or exchange license is issued shall, monthly, report to the Chief of Police all sales or exchanges made, which reports shall give the date of sale, the name of the purchaser or transferor, the caliber of the pistol and such serial number as may be available. A failure to make such report shall be grounds for revocation of the license.

(2) In the case of a secondhand pistol, such report shall list both transferor and purchaser of each pistol.

(D) Security requirements for businesses that buy, sell, trade or otherwise store firearms.

(1) Purpose. This section is enacted to reduce the potential for situations where employees of certain businesses are exposed to potential death and/or injuries because of the actions of people with criminal intent. It is also intended to assist law enforcement with the criminal investigation of crimes that occur at certain businesses. The businesses made subject to this division (D) have certain characteristics which may tend to increase the potential risk of criminal activity at those businesses.

(2) Terms defined. For the purpose of this division (D), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Alarm System. An assembly or equipment, mechanical or electrical, or both, designed and used to signal the occurrence of an illegal or unauthorized entry or attempted entry or other illegal activity on the premises of the alarm user which requires or solicits urgent attention and to which the police are expected to respond.

Alarm User. A person, firm, partnership, corporation, association or other legal entity in control of a building, structure, facility or portion thereof within the city in which an alarm system is used.

Barricades. Devices for preventing entry through windows and doors (including bars) and also known as GUARDS.

Business Establishments or Establishments. Those establishments listed and defined in this division (D) as follows:

1. **Firearm Dealer** means an establishment required to obtain a federal firearms license to buy or sell firearms; and/or

2. **Pawn Broker** means a business required to obtain a Conditional Use Permit issued by the City Council, pursuant to the city's Unified Development Ordinance, and also covered by G.S. Ch. 45.

Minimum Technological Standards for Video Surveillance Systems. Standards which are not antiquated (i.e., VHS tapes and the like) and do not otherwise impede the Police Department's ability to successfully view, retrieve, store and/or keep video images or recordings needed for criminal investigative purposes.

Tamper-Proof Safe. Lockable, secure metal storage container with a key or combination style lock, capable of housing firearms; safe must be able to prevent access to unauthorized persons during the event of a burglary or otherwise unlawful possession.

Security Enhancement. Installation of security measures including video surveillance systems, barricades and/or tamper-proof safes, and alarm systems which aid in the safeguarding of property and curtailing criminal activity, specifically crimes associated with firearms.

Video Surveillance System (VSS). A continuous digital surveillance system including cameras, cabling, monitors and digital video recorders (DVR), which has been approved by the Chief of Police or his or her designee in accordance with this division (D).

(3) Video surveillance system requirements.

(a) Every business establishment, as defined in this section, is hereby required to install a video surveillance system in accordance with this division (D). All establishments which have installed a video surveillance system prior to the effective date of this division (D) shall ensure said systems are in full compliance with this division (D). All video surveillance systems shall be maintained in proper working order at all times; be kept in continuous operation 24 hours a day, seven days a week; and meet the minimum technological standards established in this division (D).

(b) If a crime occurs, or any employee of an establishment believes or suspects a crime has occurred at the establishment premises, the establishment shall contact the Police Department immediately and the establishment shall provide the Police Department immediate access to the media containing the recorded event. The establishment shall retain the continuous digital images recorded by this system for no less than 30 days. If the video surveillance system is web-enabled or has wireless capability, the establishment shall enable the Police Department to directly access the live system during incidents requiring a police response or intervention.

(c) To ensure minimum technological standards are in place, the Police Department shall review the video surveillance system of an establishment at least bi-annually to ensure the system is consistent with the technology needed by the Police Department to investigate criminal activity or suspected criminal activity.

(d) The video surveillance system shall have no less than one camera dedicated to each register or check-out, entrance/exit, loading dock and parking lot or area designated for customer and/or employee parking use. The placement of cameras included in video surveillance systems required under this section must be approved by the Police Department. The Chief of Police or his or her designee will conduct an assessment of each site required to install a video surveillance system prior to installation of said system and, upon approval, will issue an approval notice which will be placed in plain view inside the establishment premises. This approval notice will also inform customers and employees of the presence of the video surveillance system.

(e) The video surveillance system shall be subject to regular inspection by the Chief of Police or his or her designee, who is authorized to inspect any such system at reasonable times to determine whether it conforms to the standards established in this section. If the video surveillance system does not so conform, the establishment in question shall take immediate steps to bring the system back into compliance, following notice of such non-compliance.

(4) Barricade requirements.

(a) All barricades (also known as guards) shall, at a minimum, be constructed of rigid metal, free of sharp projections, edges or rough surfaces. Barricades/guards shall be so constructed as to reject the passage of a solid 12-inch sphere at every space and interval. Window barricades/guards may not be installed in the windows providing access to fire escapes. In the case of a fire escape, the guard mechanism shall be constructed to repel entry into a business after hours, but not to deny exit from a building from the interior. Optional above minimum standard precautions include installation of a metal roll-down type door or window covering, similar to what is referred to as a roll-down hurricane shutter.

(b) All access points located ten feet above ground, including, but not limited to, windows, doors and those areas accessible by fire escape shall be barricaded after business hours. Barricades must be constructed to reject passage of any object more than 12 inches in diameter from any direction. Fire escape stairs and drop ladders shall be chained and locked in the up position. If the fire escape cannot be rendered reasonably inaccessible in this manner, all windows along the fire escape must be barricaded.

(c) Every licensed firearms dealer who shall buy, sell, trade or transfer any type of firearm is hereby required to install barricades or guards on all access points of the business. The barricades shall be maintained and in proper working order at all times and meet standards as established in this section; the only exception to installation of barricades is defined in divisions (D)(6)(a) and (D)(6)(b) below.

(d) The barricade system shall be subject to regular inspection by the Chief of Police or his or her designee, who is authorized to inspect any such system at reasonable times to determine whether it conforms to the standards as established in this division (D).

(5) Alarm system requirements.

(a) Every business establishment, as defined in this section, is hereby required to install an alarm system in accordance with this division (D). All establishments which have installed an alarm system prior to the effective date of this division (D) shall ensure said systems are in full compliance with this section. All alarm systems shall be maintained in proper working order at all times; be kept in continuous operation 24 hours a day, seven days a week; and be able to communicate effectively with emergency communications (i.e., 9-1-1).

(b) The alarm system shall be monitored by a monitoring company and ensure that there is always effective communication with the emergency communication center (i.e., 9-1-1).

(c) The alarm system shall be subject to regular inspection by the Chief of Police or his or her designee, who is authorized to inspect any such system at reasonable times to determine whether it conforms to this section. If the alarm system does not so conform, the establishment in question shall take immediate steps to bring the system back into compliance, following notice of such non-compliance.

(d) The alarm user shall maintain its alarm system in good operating condition and free of false alarms. The alarm user shall ensure that all persons with access to the premises have an adequate understanding of the alarm system so as to prevent unintended activation of the alarm system. The alarm user shall provide the city's Police Department the names of at least two persons other than the alarm user who have access to keys to the premises would be available to assist the police to secure the premises or reset a malfunctioning alarm. Any changes in the information contained on the application shall be promptly submitted to the city's Police Department within ten days of any such change.

(6) Exemptions.

(a) Any business establishment within the jurisdictional limits of the city, as defined in division (D)(1) above that operates 24 hours a day, seven days a week, shall be exempt from complying with the barricade requirements contained within this division (D).

(b) Any business establishment, not staffed 24 hours a day, seven days a week, that removes firearms each night before closing shall be exempt from the barricade requirements as defined in division (D)(4) above, if all firearms are placed in a tamper-proof safe.

(7) Temporary exemptions/extensions granted. The City Manager or his or her designee may exempt a business for a period of up to 12 months if he or she finds that the business has or will undertake alternative security procedures which are substantially equal to or more effective in preventing criminal activity and in assisting in the apprehension of the perpetrators of crime or for the protection of employees. In addition, the Chief of Police or his or her designee may; authorize alternate procedures on an experimental basis. Such an exemption shall carry a maximum duration of 12 months, and a business must either reapply for an exemption at the end of the exemption period or obtain the city's approval of security enhancements no later than 30 days prior to the end of the exemption period. The City Manager or his or her designee may also authorize temporary extensions of time for installation when an establishment demonstrates to the satisfaction of the city that it is temporarily unable to comply for good cause shown.

(8) Appeal process. Any establishment found to be in violation of this chapter by the City Manager or his or her designee shall have the right to a hearing before the City Manager or his or her designee. Within ten days of mailing of the written notice of violation by the Chief of Police or his or her designee, the owner or principal business operator of an establishment to which a notice of violation has been issued may appeal by requesting a hearing before the City Manager. Such a request must be made in writing and must set forth the specific grounds for the appeal. Within ten days after any timely request for a hearing, the City Manager or his or her designee shall set a time and place for the hearing. That hearing shall be conducted no sooner than five days after the date of the notice which sets the hearing and no later than 20 days after receipt of the request for a hearing. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues to be represented by counsel, and to confront and cross-examine any witness against them. The decision of the City Manager or his or her designee to grant or deny the appeal shall be in writing and shall be rendered within one week of the hearing. The decision shall be considered a final administrative action for purposes of further review pursuant to state law.

Elkin Code of Ordinance

Current through legislation adopted and/or effective through May 14, 2018. (Supplement 5)

**Title XI – Business Regulations
Chapter 110 – Business Licensing
License Taxes**

Section 110.03. Unlawful to conduct business without a license.

It shall be unlawful for any person or his or her agent or servant to engage in or carry on a business in the town for which there is required a license, without first having paid the license tax and obtained the license. For the purpose of this section, the opening of a place of business, or offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business shall be construed to be ENGAGING IN OR CARRYING ON THE BUSINESS; and each day that the person, firm or corporation shall engage in or carry on the business as aforesaid, shall be construed to be a separate offense.

Appendix A – Schedule of License Taxes

On the following trades, professions, agencies, business operations and other subjects herein set out, the following taxes shall be levied and collected.

License Schedule	
Business	G.S. Cite/Fee
Firearms:	G.S. § 160A-211
Every person, firm or corporation engaged in selling or offering for sale firearms	\$50.00

Fletcher Code of Ordinance

Current through Ordinance O-19-11, passed October 14, 2019. (Supplement 14)

**Title XI – Business Regulations
Chapter 110 – Business Licensing
Levy of Tax**

Section 110.016. Who must pay tax.

Each person who conducts a business within this town is subject to this chapter.

(A) A person conducts business when he or she engages in 1 act of any business taxed under this chapter.

(B) He or she conducts the business within the town if he or she maintains a business location in the town; or either personally or through agents, he or she:

- (1)** Solicits business within town limits; or
- (2)** Picks up or delivers goods or delivers services within the town limits.

Schedule of License Taxes

Section 110.080. Taxes imposed.

A license tax shall be levied and collected for the privilege of engaging in the following businesses.

(12) Dealers in firearms and other weapons (G.S. § 160A-211(a)).

(a) Definition, fees. Engaged in the business of selling firearms or other types of weapons.

1. For rifles, shotguns, pistols and the like, fee is \$50 per year;

(b) Exemption. This tax does not apply to persons who sell antique weapons and weapons of mass destruction (defined in G.S. §§ 14-409.11 and 14-288.8); it also does not apply to a person who makes an occasional purchase, sale or exchange of firearms for a personal collection.

Garner Unified Development Ordinance

Current through April 2019.

Article 5 – Use Regulations

Section 5.5. Temporary uses.

D. Prohibited temporary uses.

- 1. Sales of firearms.

Gaston County Unified Development Ordinance

Current through October 30, 2019. (Supplement 5)

Chapter 2 – Definitions

Section 2.7. Terms defined in this ordinance.

A. A list of definitions of terms, phrases and words used in this ordinance follows. Other terms may be defined elsewhere in this ordinance. Terms that are specifically defined in this ordinance outside of this section shall apply solely to the sections or chapters as so indicated, may supersede the definition list in this section. Definitions of terms found in this section shall otherwise be applicable throughout the ordinance.

Gunsmith, Gun and Ammunition Sales	Commercial Services	Gunsmiths repair and modify firearms to blueprint and customer specifications. In their work, gunsmiths use hand tool and machines such as grinders, planers, and millers. They may restore antique guns, convert old rifles to up-to-date firearms, or adapt factory-made rifles to the special needs of customers. Any gunsmiths work for gun manufacturers or sporting goods stores. Some are self-employed. Gunsmiths may participate in the reloading of ammunition and/or sale of arms and ammunition.
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Chapter 7 – Use and Building Lot Standards

Section 7.5. Bulk and dimensional standards.

Bulk and dimensional standards for all uses in all general zoning districts are shown in Tables 7.1-2 through 7.1-5. Such dimensional standards shall apply unless specific more restrictive standards for individual uses are found elsewhere in this ordinance.

Additional setbacks shall be required on corner lots and abutting unlike zoning district lots.

X = Permitted use by right;

C = Conditional Use Permit required;

Table 7.1-1: Table of Uses

Use Category	Residential Zoning Districts								Office Districts			
	R-1	R-2	R-3	RLD	RS-20	RS-12	RS-8	RMF	TMU	OLC	O-1	OM
Commercial Services												
Gunsmith, Gun & Ammunition Sales												

Use Category	Commercial Districts							Industrial Districts				Suppl. Regs. Ch. 8	Parking Regs. Ch. 10
	CBD	UMU	GPX	NBS	C-1	C-2	C-3	I-1	I-2	I-3	IU		
Commercial Services													
Gunsmith, Gun & Ammunition Sales	C	C			X	X	X						<u>1.6</u>

Gates County Code of Ordinance

Current through Ordinance passed December 3, 2018. (Supplement 1)

Title 15 – Land Usage

Section 155.076. Notes to the table of permitted uses.

(D) Note 4: Industries. The following industrial uses shall not be allowed:

- (1) The manufacturing, processing, fabrication, and/or bulk storage of acetylene gas (except for use on premises), ammunition, explosives, fireworks, gunpowder, junk, or matches;

Gilford County Code of Ordinance

Current through Ordinance Number 15-02-GCPL-00679, enacted April 2, 2015. (Supplement 7)

**Article IV – Zoning
4-3 – Permitted Uses**

Section 4-3.3 Prohibited Uses.

Within certain overlay districts, some uses are prohibited, regardless of the uses permitted in the underlying zoning district(s). The following uses are prohibited in the Overlay Districts listed.

Table 4-3-1 Permitted Use Schedule																													
Zoning Districts																													
WCA = Prohibited in the WCA, See Section 7-3.5(A) P=Use by Right D=Development Standards Apply, See Article 6 *=Indicates Additional District Requirements, See Section 4-4.3(B).																													
Use Type		Ref. SIC	A G	R S 4 0	R S 3 0	R S 2 0	R S 1 5	R S 1 2	R S 9	R S 7	R S 5	R M 5	R M 8	R M 1 2	R M 1 8	R M 2 6	L O	G O M	G O H	N B *	L B *	G B *	H B *	S C	C P *	L I *	H I	P I	L U C
Manufacturing And Industrial Uses																													
Ammunition, Small Arms	WC A	348 2																										D	5
Arms and Weapons	WC A	348 0																								P	P	4	

Article VI – Development Standards
6-4 – Development Standards for Individual Uses

Section 6-4.11. Ammunition, Small Arms.

- (A) Where Required: HI District.
- (B) Use Separation: No such facility shall locate within a five hundred (500) foot radius of any residential or public-institutional zoning district.
- (C) Security Fencing: Security fencing shall be provided along the entire boundary of such a facility.
- (D) Operation: The facility and its operation shall observe all Fire Prevention and Protection requirements.

Harnett County Code of Ordinance
Current through August 19, 2019. (Supplement 2)

Title XV – Land Usage
Chapter 153 – Unified Development Code

Section 153.115. Other uses.

(D) Gunsmithing. Gunsmithing facilities operating in conjunction with and are located on an approved firing facility shall be deemed as a permitted accessory use and shall not be required to obtain a conditional use permit. All other gunsmithing activities and facilities shall be required to obtain a conditional use permit. All non-exempt gunsmithing facilities shall adhere to the following requirements:

- (1) Gunsmithing facilities located within a residential structure shall not engage in the onsite display or sale of firearms.

Havelock Unified Development Ordinance
Current through Ordinance 19-O-05, passed October 28, 2019. (Supplement 15)

Chapter 155 – Use Regulations and Standards

Section 155.01. Permitted uses.

- (A) Table of permitted uses.
 - (1) Within each zoning district indicated on the official zoning map and subject to all requirements and conditions specified in the UDO, land, buildings and structures shall only be used and buildings and structures shall only be erected, which are intended or designed to be used for uses listed in the Table of Permitted Uses, Table 155-8.
 - (2) In the appropriate columns of Table 155-8, uses permitted by right, are indicated by a “P”, uses requiring a special use permit are indicated by a “S” and uses requiring rezoning to a conditional zoning district are indicated by “CD”. Uses listed as “S/CD” may be subject to a special use permit or conditional zoning district depending upon whether the use is existing or considered as part of the overall conditional zoning district request.

(3) Uses listed in Table 155-8 are subject to meeting additional development standards if the “Additional Development Standards Required” column contains specific references to § 155.07. Zoning permit applications thus designated

shall demonstrate how compliance with the indicated development standards will be achieved. These additional development standards are in addition to the required development standards for new development. Special use permit applications must also comply with the indicated development standards as well as any additional standards or conditions required by the Board of Adjustment. Conditional Zoning District applications must also comply with the indicated development standards as well as any additional standards or conditions required by the Board of Commissioners.

(4) A blank space in the table indicates that a particular use is not permitted. Should there be a discrepancy between the Table of Permitted Uses and any other section of the UDO as to a use being permitted, the Table of Permitted Uses shall prevail.

Table 155-8 Table of Permitted Uses																			
Use Type	SLUC M No.	R- A	R- 20A	R- 20	R- 13	R- 12	R- 10	R- 7	R- M	R- MH	N- B	H- C	O&I	H-I	L- I	M- R	G- S	Dev. Stds	
Manufacturing & Industrial 2000-3000																			
Ammunition, small arms	3416													(CD)	S				
Arms & weapons	3415													(CD)					

Hendersonville Code of Ordinances

Current through Ordinance 19-1078, enacted October 3, 2019. (Supplement 37)

Chapter 36 – Offenses and Miscellaneous Provisions

Article III – Offenses Against Public Safety

Section 36-86. Possession of firearms by convicted felons.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Felony means a crime punishable by potential sentence of two years or more imprisonment by the courts of this state, or any crime defined as a felony in any other state or of the United States without regard to date of conviction, discharge from prison or termination of probation, parole or suspended sentence or type of crime.

Firearm means, by way of illustration, but not limitation, any gun, pistol, rifle, shotgun, machine gun, revolver, derringer or weapon of like kind in operable condition or which may be made to operate, whether loaded or unloaded including, but not limited to, any item defined in USC 821(J).

(b) Prohibited acts. It shall be unlawful for any person who has previously been convicted of any felony to have in his possession while on the public streets, sidewalks, alleys, other public property and any facility open to the public in the city any firearm.

(c) Penalty for violation of section. Any person found in violation of subsection (b) of this section shall be guilty of a misdemeanor and shall be punished as set forth in G.S. 14-4(a).

(d) Firearms of felon declared contraband. Any firearm found in the possession of any person previously convicted of a felony is hereby declared to be contraband. Such firearm shall be retained by the chief of police until no longer needed as evidence, but no less than 180 days. After the firearm is no longer needed as evidence:

- (1) It shall be returned to the owner if determined to be previously stolen.
- (2) It may be disposed of according to the terms of an order entered by any court of lawful jurisdiction.
- (3) If neither subsection (d)(1) or (d)(2) of this section is applicable, the firearm shall be destroyed.
- (4) Under no circumstances, shall the firearm be returned to any person for the use of any convicted felon.

Iredell County Code of Ordinances

Current through Ordinance of April 5, 2016. (Supplement 29)

Appendix A – Land Development Code

Chapter 2 – Zoning Districts

Section 2.20.3. Meaning of Entries.

The meaning of the entries in the Table are as follows:

- A. "X" indicates the use is permitted by right and a zoning permit may be obtained.
- B. "R" indicates that a use is permitted but has additional performance requirements that the use must meet. The column on the far right labeled "R" indicates the number associated with the Performance Requirement. These requirements are contained in Chapter 3.
- C. "S" indicates the use requires approval of a special use permit in accordance with the procedures in Section 12.2.4. All of these uses have additional Performance Requirements which are identified in the column on the far right labeled "R." The performance requirement shall represent the minimum conditions for issuance of a special use permit.
- D. The listing of a use in the Table of Permitted Uses and Special Uses in no way relieves that use of having to meet all local, state and federal laws pertaining to the establishment and operation of that use.

Section 2.21.4. Manufacturing and Industrial Uses.

Uses	AC	RA	RUR	RR	R20	R12	R8	RO	OI	NB	HB	GB	M1	M2	R
Ammunition, small arms, explosives														R	52

Chapter 3. Performance Requirements

Section R52. Ammunition, Small Arms, and Explosives.

- A. No such facility shall locate within a five hundred-foot radius of any residentially zoned property.
- B. Security fencing or a wall shall be provided along the entire boundary of such a facility.
- C. The facility and its operation shall observe all fire prevention and protection requirements.

Kenly Code of Ordinances

Current through Ordinance 18-10, passed June 10, 2019. (Supplement 4)

**Title XV Land Usage
Chapter 156 Unified Development Code
Specific Use Standards**

Section 156.305. Accessory structures and uses.

(2) Home occupations.

(a) Prohibited home occupations. The following uses are not permitted as home occupations:

- 7. Sale or repair of firearms;

King Code of Ordinances

Current through Ordinance 2019-03, enacted May 6, 2019. (Supplement 16)

**Chapter 32 – Zoning
Article IV – Uses by Zoning District**

Section 32-208. Prohibited uses.

Uses prohibited in all zoning use districts are as indicated:

	R-R	R-20	R-15	R-MF-A	R-MF-C	R-MF-T	R-MH	R-MH-1	R-MH-2	O-1	B-1	B-2	PD-RC	L-1	H-1
Manufacturing, fabrication, and/or bulk storage of ammunition, explosives, firearms, gunpowder or matches	p	p	p	p	p	p	p			p	p	p		p	p

Kinston Code of Ordinances

Current through Ordinance 2015-29, adopted October 19, 2015. (Supplement 3)

**Part III – Unified Development Ordinance
Article 7 – Supplemental Regulations**

Section 7.29. Flea markets.

7.29.3. The sale of firearms and/or alcohol is prohibited.

Lincolnton Code of Ordinances

Current through Ordinance O-10-2019, passed November 7, 2019. (Supplement 8)

**Title XV – Land Usage
Chapter 153 – Unified Development Ordinance
Zoning District Regulations**

Section 153.116. P-B Planned Business District.

(B) Conditional uses. The following uses may be allowed only after a conditional use permit has been issued by the City Council in accordance with §§ 153.235 through 153.244 of this chapter.

- (12) Indoor shooting range/sales of fire arms and ammunition;

Locust Code of Ordinances

Current through Ordinance passed August 8, 2019. (Supplement 5)

**Title III – Administration
Chapter 30 – Taxation
Business Privilege License Tax**

Section 30.023. Who must pay tax.

Each person who conducts a business within this city is subject to this subchapter. A person conducts business when he or she engages in one act of business taxed under this subchapter. He or she conducts the business within the city if he or she maintains a business location within the city.

Section 30.053. Schedule of license taxes.

Category of business	Description of business (where applicable)	Tax rate
Firearms and Other Weapons (G.S. § 105-80)		
Firearms	Engaging in the business of selling or offering for sale firearms. Exemptions: Dealers in antique firearms and weapons of mass death and destruction (G.S. § 14-409.11 and G.S. § 14-288.8) and persons who make occasional sales, purchases, or exchanges for the enhancement of a personal collection of firearms.	\$50

Locust Land Development Ordinance

Current through September 14, 2017.

Article 12 – Definitions and Rules of Construction

Section 12.2.1. General Definitions

Heavy Industrial Uses.

The following uses are subject to the issuance of a conditional use permit, and are classified as Heavy Industrial uses:

mm. Manufacture of ordnance (arms, ammunition, etc.) and accessories except vehicles and guided missiles (SIC Group #348)

Lumberton Code of Ordinances

Current through Ordinance 2017.12.03, enacted December 6, 2017. (Supplement 3)

Chapter 12 – Licenses and Business Regulations

Article II – Privilege License Tax

Division 4 – Amounts Charged

Section 12-37. Who must pay tax.

Each person who conducts a business within this city is subject to this article. A person "**conducts business**" when he engages in one act of business taxed under this article. He conducts the business "within the city" if he maintains a business location within the city; or if, either personally or through agents, he (1) solicits business within the city limits or (2) picks up or delivers goods or services within the city limits.

Section 12-60.1. Schedule of license taxes having state limitations.

On the following trades, professions, agencies, business operations and other subjects set out in this section, the following taxes, in accordance with the limitations established by state law, shall be levied and collected:

(22) Firearms: Every person engaged in the business of selling or offering for sale firearms, per annum, the amount written in the adopted annual budget ordinance.

Moore County Code of Ordinances

Current through Ordinance of January 9, 2018. (Supplement 5)

Chapter 9 – Licenses, Permits and Miscellaneous Business Regulations

Article IV – Privilege License

Section 9-62. Tax levy.

(a) Levy of tax. An annual privilege license tax is hereby levied on each business conducted within this county according to the following list. The statute number in parenthesis indicates the former statute that levied this tax.

Firearm dealer (105-80) 50.00

Mooresville Code of Ordinances

Current through Ordinance 2019-2-4, enacted February 4, 2019. (Supplement 22)

Chapter 6 – Business Regulation, Licensing and Taxation

Article II – Privilege License

Division 1 – Generally

Section 6-22. Who must pay tax.

(a) Each person who conducts a business within the town is subject to this article. For purposes of this article, "**person**" shall include both individuals, corporations, partnerships, or any other legal entity involving a business relationship.

(b) A person "**conducts a business**" when he engages in one (1) act of any business. A person or business listed in the yellow pages of the telephone directory issued by the telephone system serving the town, a person or business registered in any manner with the North Carolina Secretary of State's office as doing business in Mooresville, North Carolina, a person or business holding himself out as doing business in Mooresville in any way including, but not limited to, by advertising, listing on any electronically maintained business data base, or on the Internet, shall be prima facie evidence that the person or business is conducting a business within the meaning of this article.

(c) A person conducts a business "**within the town**" if the person maintains a business location within the town, or if, either personally or through agents, such person:

(1) Solicits business within the town;

(2) Picks up or delivers goods or services within the town;

(3) Performs services within the town; or, maintains a building or other property for the purpose of conducting business.

Division 2 – Schedules

Section 6-53. License tax schedules.

(18) Firearms (rifles, handguns, etc.)

(a) Firearms sale and/or manufacturers, including, but not limited to, rifles, handguns, shotguns, etc. \$50.00

Mount Airy Code of Ordinance

Current through Ordinance 2019-26, enacted February 7, 2019. (Supplement 24)

Appendix A – Zoning

Article VI – Table of Permitted and Conditional Uses

Section 6.3. Meaning of Entries.

The meanings of the entries in the Table are as follows:

(1) "X" indicates the use is permitted by right and a Zoning Permit may be obtained.

(2) "C" indicates the use requires approval of a Conditional Use Permit in accordance with the procedures of Section 13.7.4.

The column on the far right, labeled "SR" (Special Requirements) means that there are special additional performance requirements that the use must comply with in its development. These requirements are contained in Section 6.5, "Special Requirements to the Table of Permitted and Conditional Uses." For any use subject to a Conditional Use Permit, the Special Requirement shall represent the minimum conditions for issuance of a Conditional Use Permit.

(3) The listing of a use in the Table of Permitted and Conditional Uses in no way relieves that use of having to meet all local, State and Federal laws pertaining to the establishment and operation of that use.

Section 6.4. Table of Permitted and Conditional Uses.

Table of Permitted and Conditional Uses

Use Types	R-20	R-15	R-8	R-6	R-4	B-1	B-2	B-3	B-4	B-5	M-1	SR
Manufacturing and Industrial Uses												
Ammunition, small arms											X	25

Section 6.5. Special Requirements to the Table of Permitted and Conditional Uses.

The Table of Permitted and Conditional Uses of Article VI contains a column on the far right labeled "SR" for Special Requirements. In any case where a use listed in the Table of Permitted and Conditional Uses has a number in the SR column opposite the use, the use must comply with the additional Special Requirements contained in this section corresponding to the Special Requirement number. For example, the use "Cluster Development, Residential" has the number "2" in the SR column opposite the use, therefore, the development of a Cluster Development, Residential must meet the special requirements for SR2 Cluster Development Residential of this section.

SR 25. Ammunition, Small Arms.

- A. No such facility shall locate within a one-thousand (1000) foot radius of any residentially zoned property.
- B. Security fencing shall be provided along the entire boundary of such a facility.
- C. The facility and its operation shall observe all Fire Prevention and Protection requirements.

Nash County Code of Ordinances

Current through Ordinance of October 3, 2016. (Supplement 7)

Appendix A – Unified Development Ordinance

Article IX – Zoning

Section 9-3. Permitted uses.

9-3.1. Permitted Use Table.

(A) Table of Permitted Uses. Within each zoning district indicated on the Official Zoning Map and subject to all requirements and conditions specified in this Ordinance, land, buildings, and structures shall only be used and buildings and structures shall only be erected which are intended or designed to be used for uses listed in the Table of Permitted Uses, Table 9-3-1. In the appropriate columns of Table 9-3-1 uses permitted by right in the various districts are indicated

by a 'P', uses requiring a Special Use Permit are indicated by an 'S', uses permitted by right subject to meeting additional development standards as set forth in Article XI (Development Standards) are indicated with a 'D', and uses requiring a Conditional Use Permit are indicated by a 'C'.

Zoning Districts																		
Use Type	Ref. SIC	A1	RA-40	R-40	RA-30	R-30	R-20	RA-15	R-15	R-10	R-6	OI	RC	GC	LI	GI	PI	
Manufacturing and Industrial Uses																		
Ammunition, Small Arms	3482																S	
Arms and Weapons	3480															P	P	P

Article XI – Development Standards

Section 11-4. Development standards for individual uses.

11-4.1. Application of Development Standards. The development standards listed herein are additional to other requirements in this Ordinance. These development standards are use-specific and apply to those uses designated with a 'D' in Table 9-3-1 Table of Permitted Uses. Uses requiring approval of a Special Use or Conditional Use Permit (designated with a 'S' or 'C' in Table 9-3-1) shall also be subject to these standards and any additional standards or conditions required by the Special Use Permit or Conditional Use Permit.

11-4.5. Ammunition, Small Arms Manufacture.

- (A) Where Required. GI District.
- (B) Use Separation. No such facility shall locate within a 500-foot radius of any residential or office and institutional zoning district.
- (C) Security Fencing. Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of such a facility.
- (D) Operation. The facility and its operation shall observe all Fire Prevention and Protection requirements.

Nashville Code of Ordinances

Current through Ordinance 2018-06, adopted March 6, 2018. (Supplement 6)

Appendix 18 – Land Use Regulations

Article II – Zoning

Division 4 – District Regulations

Section 18-113. Table of permitted uses.

In the following table:

- (1) Districts in which particular uses are permitted as a use by right are indicated by "X." Districts in which particular uses are permitted as a use by right with certain conditions are indicated by "X" with a reference to a footnote to this table.
- (2) Districts in which particular uses are prohibited are indicated by a blank.
- (3) Districts in which particular uses are permitted as a special use upon approval of the planning board are indicated by "S." See regulations for special uses, section 18-115, for further information.

	A-1	R-30	R-15	R-10	R-6M	R-6	R-4	MF	O-1	B-1	B-2	I-1	Requirements
Any use not otherwise prohibited by law or by this article												X	See note 4

Note 4. Industries.

The following industrial uses shall not be allowed:

- (1) The manufacturing, processing, fabrication and/or bulk storage of acetylene gas (except for use on the premises), ammunition, explosives, fireworks, gunpowder or matches.

New Hanover County Code of Ordinances

Current through Ordinance of July 17, 2017. (Supplement 11)

Chapter 14 – Businesses

Section 14-102. Levy.

(a) Generally. An annual privilege license tax is levied on each business conducted within this county listed in sections 14-131 and 14-132 in the amounts set forth in those sections.

(b) Who must pay tax. Each person who conducts a business within this county is subject to this article. A person conducts business when he engages in one act of business taxed under this article. He conducts the business within the county if he maintains a business location within the county or if, either personally or through agents, he solicits business within the county limits or picks up or delivers goods or delivers services within the county limits.

(f) Separate businesses. A separate license is required and a separate privilege license tax must be paid for each place of business unless two or more places of business under common ownership, each conducting a business subject to the same tax under this article, are contiguous to each other, communicate directly with and open into each other, and are operated as a unit. In addition, a separate privilege license tax must be paid for each business taxable under this article conducted by the taxpayer at any one location; however, the tax collector may issue a single license for all taxable businesses conducted at one location by a single taxpayer.

**Appendix B – Fee Schedule
Division 2 – Schedule**

Section 14-131. Schedule B licenses.

(12) Firearms dealers (G.S. 105-80) 50.00

Newton Code of Ordinances

Current through Ordinance 2016-10, enacted May 17, 2016. (Supplement 18)

**Chapter 102 – Zoning
Article IV – Schedules of District Regulations**

Section 102-201. Schedule of permitted and permissible special uses by districts.

(a) Except as specifically provided in this chapter, regulations governing the use of land, water and structures within the various districts within the zoning jurisdiction of the city shall be as shown in the schedule of permitted and permissible uses by district (Table 4-1).

(b) Use of land or structures which are not expressly listed in this schedule as permitted principal uses, permitted accessory uses or permissible special uses are prohibited uses and shall not be established in that district.

(c) Uses listed as permissible special uses may be established in that district only after approval of an application for a special use permit in accord with the procedures and requirements in article X of this chapter.

(d) Table 4-1 indicates the permitted and permissible uses for the regular zoning districts. The uses permitted or permissible in the planned development districts are listed in article XI of this chapter.

Table 4-1. Schedule of Permitted and Permissible Special Uses by District

Use	R-20	R-20A	R-11	R-9	R-7	R-7A	P-1	B-1	B-2	B-3	B-4	M-1	EM1
Shoppers Goods													
Gun/ammunition sales									X	X	X	X	
MFG Process/Assembly													
Ammunition manufacturing and assembly												X	

North Topsail Beach Code of Ordinances

Current through Ordinance 2018-1, passed January 11, 2018. (Supplement 5)

**Chapter 4 – Licenses, Taxation and Miscellaneous Business Regulation
Article II – Privilege License Tax**

Section 4-35. Beach vendors.

The town shall allow beach vendors with strict limitations and conditions.

(j) No sales of alcoholic beverages, tobacco products, fireworks, firearms, ammunition or products requiring an ABC license or Health Department license will be allowed. Also, no open flames are allowed.

Oak Island Code of Ordinances

Current through Amendments of September 10, 2019. (Supplement 53)

**Appendix A – Unified Development Ordinance
Article 7 – Supplemental Regulations**

Section 7.42. Flea markets.

7.42.3. The sale of firearms and/or alcohol is prohibited.

Oak Ridge Code of Ordinances

Current through Ordinance May 4, 2017. (Supplement 11)

**Chapter 30 – Land Development Code
Article VII – Zoning
Division 1 – Generally**

Section 30-331. Permitted uses.

(a) Permitted use schedule.

(1) Tabulation of permitted uses. Within each zoning district indicated on the official zoning map and subject to all requirements and conditions specified in this chapter, land, buildings, and structures shall only be used and buildings and structures shall only be erected which are intended or designed to be used for uses listed in the permitted use schedule below. In the appropriate columns of the permitted use schedule below, uses permitted by right in the various districts are indicated with a "P," uses requiring a special use permit are indicated by an "S," uses permitted by right subject to meeting additional development standards as set forth in article IX are indicated with a "D," and uses requiring a manufactured housing overlay zone are indicated with a "Z." The column on the far right labeled "LUC" indicates the land use classification of each use as it relates to planting yard requirements found in division 4 of article IX.

Use Type	Ref. SIC	Zoning Districts															
		AG	RS40	RS30	LO	TC-R	GOM	NB*	LB*	GB*	HB*	SC*	CP*	LI*	HI	PI	LUC
Manufacturing and Industrial Uses																	
Ammunition, small arms	3482																5
Arms and weapons	3480													P	P		4

Division 5. Development Standards for Individual Uses

Section 30-1020. Ammunition, small arms.

(a) Where required. HI district.

(b) Use separation. No such facility shall locate within a 500-foot radius of any residential or public-institutional zoning district.

(c) Security fencing. Security fencing shall be provided along the entire boundary of such a facility.

(d) Operation. The facility and its operation shall observe all fire prevention and protection requirements.

Onslow County Code of Ordinances

Current through Ordinance of February 5, 2007. (Supplement 3)

**Appendix A – Zoning
Article XIV – Special Requirements**

Section 1406. Special Requirements.

1406.9 Gift/Novelty/Souvenir shop, Hobby Shop, Interior Designers, Auto-Detailing, Barber/Beauty Shops, Building Cleaning & Maintenance Service, Exterminators, Gun & Ammunition Sales, Gunsmith, Locksmith, Photography Service/Studio, Sewing services (clothing)/Shoe Repair, Upholstery Shop, Watch/Clock & Jewelry Repair Shop.

- a. Business owner must own the property or live on the property.
- b. Buildings housing the business shall be set back 50 feet from the right-of-way and 20 feet from all other property lines.
- c. Limited to one on-premise sign not to exceed 32 square feet limit to six feet in height; setback one foot from the right-of-way.
- d. Storage of vehicles, lawnmowers, and/or raw materials shall be kept out of public view by screening.
- e. Shall comply with the Onslow County Solid Waste Ordinance.

Pasquotank County Code of Ordinances

Current through Ordinance 2016-1, passed September 6, 2016.

**Title XV – Land Usage
Chapter 157 – Zoning
District Regulations**

Section 157.106. Notes to the table of permitted uses.

(D) Note 4. Industries. The following industrial uses shall not be allowed:

- (1) The manufacturing, processing, fabrication and/or bulk storage of acetylene gas (except for use on premises), ammunition, explosives, fireworks, gunpowder, junk or matches;

Pineville Code of Ordinances

Current through Ordinance 2018-01, passed June 12, 2018. (Supplement 3)

**Chapter 110 – Business Regulations and Licensing
Licenses Generally**

Section 110.018. Who must pay tax.

Each person who conducts a business within the town is subject to this subchapter. A person conducts business when he or she engages in business within the town if he or she maintains a business location in the town, or if, either personally or through agents, he or she:

- (A) Solicits business within the town limits; or
- (B) Picks up or delivers goods or delivers services within the town limits.

Enforcement and Collection of Tax; Schedule

Appendix A. License Schedule.

Below is the schedule of privilege license taxes for the various businesses located in the town.

Town Business; Criteria	Fee
Firearms and Other Weapons:	
(a) Firearms sale and/or manufacturers, including but not limited to rifles, handguns, shotguns and the like	\$50.00

Pleasant Garden Development Ordinances

Current through Amendment of April 4, 2016. (Supplement 5)

**Article IV – Zoning
4-3 – Permitted Uses**

Section 4-3.3. Prohibited uses.

Table 4-3-1 Permitted Use Schedule

Use Type	Ref. SIC	Zoning Districts										
		AG	RS80	RS40	LO	LB*	CB*	HB*	LI*	HI	PI	LUC
Manufacturing and Industrial Uses												
Ammunition, small arms	3482									D		5
Arms and weapons	3480								P	P		4

P = Use by right D = Development standards S = Special use permit required * = Indicates additional district requirements, see(B)

**Article VI – Development Standards
6-4 – Development Standards for Individual Uses**

Section 6-4.10. Ammunition, small arms.

- (A) Where required. HI District.
- (B) Use separation. No such facility shall locate within a 500-foot radius of any residential or public-institutional zoning district.
- (C) Security fencing. Security fencing shall be provided along the entire boundary of such a facility.
- (D) Operation. The facility and its operation shall observe all fire prevention and protection requirements.

Red Oak Land Development Code
Current through Ordinance 0-2019-01, passed June 10, 2019.

**Land Development and Usage
Chapter 3 – Zoning
District Regulations**

Section 3.057. Table of permitted uses.

(A) Districts in which particular uses are permitted by right in the various districts are indicated by a “P”, which will require a zoning permit.

Table of Permitted Uses												
Use Type	Ref. SIC	Zoning Districts										
		AR	R-40	R-30	R-30 MH	R-20	R-10	OI	B1	B2	LI	
Manufacturing and Industrial Uses												
Ammunition, small arms	3482											
Arms and weapons	3480											P

Richlands Code of Ordinances
Current through Ordinance 2019-01, passed June 11, 2019. (Supplement 5)

**Title XV – Land Usage
Chapter 153 – Zoning
Permissible Uses**

Section 153.080. Table of permissible uses.

Table of Permitted Uses																
District																
Use	Residential									Commercial					Industrial	
	A-5	R-20	R-15	R-10	RM-10	R-8	RM-8	R-6	RM-6	C-1	C-2	C-3	C-4	C-5	I-1	I-2
Gun and ammunition sales										P	P					

Table of Permitted Uses																	
District																	
Use	Residential									Commercial					Industrial		
	A-5	R-20	R-15	R-10	RM-10	R-8	RM-8	R-6	RM-6	C-1	C-2	C-3	C-4	C-5	I-1	I-2	
Gunsmith (repair shop)										P	P						

Section 153.081. Use of the designations P, S, C in table of permissible uses.

(A) Subject to § 153.082 of this chapter, when used in connection with a particular use in the table of permissible uses, the letter “P” means that the use is permissible in the indicated zone with a zoning permit issued by the Zoning Administrator. The letter “S” means a special use permit must be obtained from the Board of Adjustment, and the letter “C” means a conditional use permit must be obtained from the Board of Aldermen.

Roseboro Code of Ordinances

Current through Ordinance of January 12, 2016. (Supplement 1)

Chapter 18 – Licenses, Taxation and Miscellaneous Business Regulations

Article III – License Tax

Division 2 – Schedule of Taxes

Section 18-61. Conducting business without a license.

It shall be unlawful for any person or his agent or servant to engage in or carry on a business in the town for which there is required a license, without first having paid the license tax and obtained the license. For the purpose of this section, the opening of a place of business, or offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business shall be construed to be engaging in or carrying on such business.

Section 18-151. Gunsmiths and locksmiths.

Every person engaged in business as a gunsmith or locksmith shall pay an annual license tax of \$10.00.

Section 18-185. Pistols.

Every person engaged in selling pistols or offering pistols for sale shall pay an annual license tax of \$50.00.

Rowan County Code of Ordinances

Current through Amendment of September 16, 2019. (Supplement 34)

Chapter 21 – Zoning

Article II – General and Overlay Districts

Section 21-34. Economic development districts established for I-85.

(c) The district are labeled as 85-ED 1 through 4. “85” represents the relationship to I-85. “ED” represents the economic development designation for the sites.

(1) 85-ED-1.

a. In the 85-ED-1 district the following uses are permitted by right with a minimum lot size of five (5) acres:

Manufacturing group:

Ammunition, except for small arms (SIC 3483).

(2) 85-ED-2.

a. Certain industries shall be allowed as permitted uses with standards provided to protect adjacent neighborhoods. Other heavy industries and distribution and wholesale operations may be allowed as conditional uses. If part of a larger master plan limited accessory and ancillary retail and service uses may be allowed.

Manufacturing group:

Ammunition, except for small arms (SIC 3483).

(3) 85-ED-3 Corporate Park District.

a. Allowed primary uses are:

Manufacturing group:

Ammunition, except for small arms (SIC 3483).

Article V Permitted and Conditional Uses

Section 21-113. Table of uses.

P - Permitted by Right

P(A) - Permitted as Accessory Use

SR - Permitted with Special Requirements

C - Conditional Use

Zoning Districts										
		Residential					Nonresidential			
Use		RA	RR	RS	MHP	MFR	CBI	NB	INST	IND
Manufacturing										
3483	Ammunition except for small arms									C

Salisbury Code of Ordinances

Current through Ordinance 2019-22, enacted April 16, 2019. (Supplement 57)

Chapter 11 – Licenses

Article I – In General

Section 11-5. License required.

It shall be unlawful for any person or his agent or servant to engage in or carry on a business in the city for which there is required a license under this chapter without first having paid the license tax and obtained the license. The opening of a place of business, offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business, shall be construed to be engaging in or carrying on a business, and each day that a person(s) shall so engage in, or carry on a business shall be construed to be a separate offense. A license cannot be transferred or sold.

Article II – Schedule

Section 11-24. Taxes enumerated.

On the trades, professions, agencies, business operations and other subjects set out in this section, the following taxes shall be levied and collected.

(76) Firearms and other weapons. (G.S. 105-80). See pawn broker subsection (142).

- a. Firearms, sale and/or manufacturers including, but not limited to rifles, handguns (pistols) and metallic cartridges, shotguns, etc., per annum 50.00
- c. Metallic cartridges only 5.00

Scotland Neck Code of Ordinances

Current through Ordinance passed July 26, 2013.

Title X – Business Regulations

Chapter 110 – Privilege License Taxes

Levy

110.016. Who must pay tax.

Each person who conducts a business within this town is subject to this chapter. A person “conducts business” when he or she engages in one act of business taxed under this chapter. He or she conducts the business “within the town” if he or she maintains a business location within the town; or if, either personally or through agents, he or she solicits business within the town limits, or picks up or delivers goods or delivers services within the town limits.

Appendix A. Schedule of privilege license fees.

Type of Business	License Tax	G.S. Section
Firearms dealer	\$50	105-80

Shelby Code of Ordinances

Current through Ordinance 1-2020, adopted January 6, 2020.

**Appendix A – Unified Development Ordinance
Article IX – Zoning Districts and Zoning Provisions**

Section 9.3. Permitted uses.

9-3.1. Permitted use table.

(A) Table of permitted uses. Within each zoning district indicated on the official zoning map and subject to all requirements and conditions specified in this ordinance, land, buildings, and structures shall only be used and buildings and structures shall only be erected which are intended or designed to be used for uses listed in the table of permitted uses, Table 9-3-1. In the appropriate columns of table 9-3-1 uses permitted by right in the various districts are indicated by a "Z", uses permitted by right subject to meeting additional development standards a set forth in article XI (Development standards) are indicated with a "D", uses requiring a conditional use permit from the board of adjustment are indicated by an "C", and uses requiring a special use permit from the city council are indicated by a "S". A blank space in the table indicates that the use is not permitted.

Table 9-3-1 Table of Permitted Uses

Use Type	Ref. SIC	Zoning Districts												
		R20	R10	R8	R6	RR	RO	NB	CB	GB	GB2	CPD	LI	GI
Manufacturing and Industrial Uses														
Ammunition, small arms	3482													C
Arms and weapons	3480												Z	Z

Siler City Code of Ordinances

Current through Ordinance 2011-04, enacted June 20, 2011. (Supplement 9)

**Chapter 14 – Licenses
Article III – License**

Section 14-6. License prerequisite to conduct of business.

It shall be unlawful for any person or his agent to engage in or carry on a business in the town for which there is required a license, without first having paid the license tax and obtained the license. For the purpose of this section the opening of a place of business, or offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business shall be construed to be engaging in or carrying on such business and each day that such person shall engage in or carry on such business without a license shall be construed to be a separate offense.

Section 14-27. Schedule of taxes.

On the following trades, occupations, professions, agencies, business operations and other subjects herein set out, the following taxes shall be levied and collected:

Pistols, Firearms, Cartridges, Knives

- (a) Every person, firm or corporation engaged in selling or offering for sale pistols or firearms\$50.00
- (b) Every person, firm or corporation engaged in selling or offering for sale blank cartridges or metallic cartridges\$5.00

Spring Lake Code of Ordinances

Current through Ordinance (2016)3, adopted May 23, 2016.

**Chapter 26 – Offenses and Miscellaneous Provisions
Article I – In General**

Division 2 – Prohibited Activity On or Within 1,000 Feet of a School

Section 26-15. Disruptive activities, members of street-gangs and possession of weapons and explosive devices prohibited.

(c) Any person who shall be on the school property or in any of the places referred to in this section or section 26-14 of this division who shall have in his or her possession any form of weapon or any pyrotechnic or device capable of being readily made into any explosive or incendiary device or which is apparently capable of containing any such device, without lawful authority or permission to do so, shall be presumed to be in violation of this section of this division.

Statesville Code of Ordinances

Current through Ordinance 41-18, enacted December 17, 2018. (Supplement 45)

**Chapter 10 – Licenses, Taxation and Miscellaneous Business Regulations
Article II – Privilege Tax**

Section 10.28. License, Required; separate or multiple businesses; failure to obtain or renew.

(a) Every person engaging in any business, trade or profession, or doing any act for which a city license is required and a tax is to be paid under the provisions of this article shall, annually in advance, on or before July 1 of each year, or before engaging in such business, trade or profession, or doing such act, make application for, and obtain from the city clerk a city license for the privilege of engaging in such business, trade or profession, or doing such act, shall pay the tax levied therefor.

Section 10.31. License fee schedule.

The amount of special city license taxes levied and imposed is hereby fixed, graded, determined and imposed at the following rates or amounts for the purposes specified herein:

(39) Firearms and other weapons. (G.S. 105-108). See pawn broker subsection (142).

(a) Firearms, sale and/or manufactures including, but not limited to rifles, handguns (pistols) and metallic cartridges, shotguns, etc., per year 50.00

(c) Metallic cartridges only 5.00

**Appendix A – Unified Development code
Article III – Zoning**

Section 3.03. Use matrix and interpretation.

Table 3-1 lists the principal uses allowed within zoning districts and uses permitted by Special Use or Conditional Use Permits. All uses are subject to the standards and regulations within this Code.

E. Prohibited Uses

An empty cell indicates the listed use is not allowed within the respective zoning district, unless otherwise expressly allowed within this Code.

Section 3.04. Zoning District Regulations

Development within the jurisdiction, including Extraterritorial Jurisdiction (ETJ), shall be consistent with the purposes and standards of the applicable zoning district and all applicable provisions of this Code.

Table 3-1: Use Matrix

X, Permitted

S, Special Use Permit

SR, Supplemental Regulations

PS, Performance Standards

Use	R - A	R - 20	R-15	R-15 M	R-10	R-10 M	R-8	R-8 M	R-8 M F	R-5	R-5 M	R-5 M F	O-1	O & I-2	B-1	B-2	B-3*	B-4*	C B	C B P/H-115	B-5	LI	HI	
Gun, gunpowder and ammunition sales																		X	X	X	X	X	X	X
Gunsmith																		X	X	X	X			

Stokesdale Development Ordinances

Current through Ordinance of December 13, 2018(1). (Supplement 1)

Article IV – Zoning

Section 4-3. Permitted uses.

4-3.1 Permitted use schedule.

(A) Tabulation of permitted uses. Within each zoning district indicated on the official zoning map and subject to all requirements and conditions specified in this Ordinance, land, buildings, and structures shall only be used and buildings and structures shall only be erected which are intended or designed to be used for uses listed in the permitted use schedule, Table 4-3-1. In the appropriate columns of Table 4-3-1 uses permitted by right in the various districts are indicated with a "P", uses requiring a special use permit are indicated by an "S", uses permitted by right subject to meeting additional development standards as set forth in article VI (Development standards) are indicated with a "D", and uses requiring a manufactured housing overlay zone are indicated with a "Z." The column on the far right labeled "LUC" indicates the land use classification of each use as it relates to planting yard requirements found in section 6-4 (Landscaping regulations).

4-3.3 Prohibited uses. Within certain overlay districts, some uses are prohibited, regardless of the uses permitted in the underlying zoning district(s). The following uses are prohibited in the overlay districts listed.

(C) Watershed critical area [7-3.5(A)]. See section 7-3.5 (Spill risk reduction) for the list of uses prohibited in the watershed critical areas.

Use Type	Ref. SIC	Zoning Districts																				LUC								
		A G	R S 4 0	R S 3 0	R S 2 0	R S 1 5	R S 1 2	R S 9	R S 7	R S 5	R M 5	R M 8	R M 1 2	R M 1 8	R M 2 6	L O	G O M	G O H	N B .	L B .	G B .		H B .	S C	C P .	L I .	H I	P I	LUC	
Manufacturing and Industrial Uses																														
Ammunition, Small Arms WCA	3482																												D	5
Arms and Weapons WCA	3480																										P	P	4	

Article VI – Development Standards

Section 6-4. Development standards for individual uses.

6-4.10 Ammunition, small arms.

- (A) Where required. HI district.
- (B) Use separation. No such facility shall locate within a 500-foot radius of any residential or public-institutional zoning district.
- (C) Security fencing. Security fencing shall be provided along the entire boundary of such a facility.
- (D) Operation. The facility and its operation shall observe all fire prevention and protection requirements.

Stoneville Code of Ordinances

Current through December 4, 2018. (Supplement 4)

Title XI – Business Regulations

**Chapter 110 – Taxes and Licenses
Levy of Tax**

Section 110.15. License and payment of tax required.

Subject to § 110.16 of this chapter, no person may conduct any business within the town without have paid the tax required by this chapter or without a valid privilege license issued pursuant to this chapter.

Section 110.17. Schedule of license taxes.

General Statute	Business
105-80	Pistol, knife and weapon dealers - Every person, firm or corporation engaged in the business of selling pistols, knives or blank cartridge pistols. Per year:
Pistols	\$50
Bowie knives, daggers or articles of like kind	\$200
Plank cartridge pistols	\$50
Sellers of metallic cartridges only	\$5

Surf City Code of Ordinances

Current through Ordinance 2019-09, passed November 6, 2019. (Supplement 57)

**Chapter 10 – Licenses and Business Regulations
Article II – Privilege License Tax**

Section 10-26. License required.

It shall be unlawful for any person or his agent or servant to engage in or carry on a business in the town for which there is required a license under this chapter without first having paid the license tax and obtained the license. The opening of a place of business, or offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business, shall be construed to be engaging in or carrying on such business, and each day that such person shall so engage in or carry on such business shall be construed to be a separate offense.

Section 10-43. Taxes enumerated.

On the trades, professions, agencies, business operations and other subjects set out in this section, the following taxes shall be levied and collected:

- (97)** Gunsmiths and locksmiths. Every person engaged in business as a gun or locksmith, per annum 40.00
- (168)** Pistols. Every person engaged in the business of selling or offering for sale:
 - a. Pistols and blank cartridge pistols, per annum 50.00

Surry County Code of Ordinances

Current through Ordinance passed September 4, 2018. (Supplement 4)

**Title XV – Land Usage
Chapter 154 – Zoning
General Provisions**

Section 154.011. Definitions.

Gun and Ammunition Sales. These establishments are primarily engaged in sales of small firearms to be carried and fired by the same individual making the purchase, and/or engaged in sales of ammunition for small firearms.

Gunsmith. These establishments are primarily engaged in forging small firearms.

Supplemental Regulations

Section 154.160. Table of uses.

(A) Purpose.

(1) The Table of Uses describes those land uses that are allowed in each of Surry County’s zoning districts. If a land use does not appear then it is prohibited. Uses are identified as either “permitted” or “conditional” in the various zoning districts as shown below:

- (a)** P = Permitted Use; and

(b) C = Conditional Use.

(2) Permitted uses are a use by right meaning that following the issuance of a zoning permit they may be initiated. A conditional use is only allowed following the issuance of a conditional use permit by the Planning Board. Conditional uses are governed by §§ 154.195 through 154.202 of this chapter, with the exception of conditional uses within a special zoning district as defined herein, wireless communication towers are governed by §§ 154.345 through 154.358 of this chapter and manufactured home parks are governed by §§ 154.370 through 154.374 of this chapter.

(B) Table of uses.

Use	RA	RE	RR	RL	RG	MR	CP	MHP	VR	RB	CB	HB	MI	Site Standards / Conditions
Gun and ammunition sales											C	C		
Gunsmith											P	P		

Taylorsville Code of Ordinances
Current through June 12, 2017. (Supplement 22)

Title XI – Business Regulations
Chapter 117 – Business Licenses

Section 117.02. License required.

It shall be unlawful for any person or his or her agent or servant to engage in or carry on a business in the town for which there is required a license, without first having paid the license tax and obtained the license. For the purpose of this section the opening of a place of business, or offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business shall be construed to be engaging in or carrying on such business; and each day that such person shall engage in or carry on such business shall be construed to be a separate offense.

Appendix I. Schedule of fees

Dealer in Firearms - \$50.00.

Engaging in the business of selling or offering for sale firearms.

Thomasville Code of Ordinances
Current through Ordinance 04-2019, adopted April 15, 2019. (Supplement 6)

Appendix A – Zoning
Article V – District Regulations

Section 3. Notes to the table of permitted uses.

These notes provide regulations and conditions for certain uses which are unusual in their nature or complexity, or are potentially incompatible with their surroundings unless special protective restrictions are applied. Each use listed shall comply with the regulations of the district in which it is located and with the requirements specified herein.

Note 5. Industries.

The following industrial uses shall not be allowed:

- (a) The manufacturing, processing, fabrication and/or bulk storage of acetylene gas (except for use on premises), ammunition, explosives, fireworks, gunpowder, jute, or matches.

Washington Code of Ordinances
Current through Ordinance 19-2, enacted January 14, 2019. (Supplement 10)

Chapter 40 – Zoning
Article IV – Zoning Districts

Section 40-93. Table of uses.

The following uses shall be allowed only within the respective zoning districts as specified within this subsection:

- (a) Permitted uses, as specified on the table of uses, are indicated by the letter "P."

(b) Special uses, as specified on the table of uses, are indicated by the letter "S." Special use standards are included in article V of this chapter, pertaining to standards and criteria for special uses.

(c) Permitted uses, subject to developmental standards (see section 40-149), as specified on the table of uses, are indicated by the letter "D."

Table of Uses

Use Types

P=Permitted Use
S=Special Use

D=Subject to Developmental Standards
Blank=Not Permitted

	REF SIC	RA 20	R 15S	R 9S	R 6S	RMF	RMH	RHD	O and I	B1H	B2	B3	B4	I1	I2	AP	CP
Manufacturing and Industrial Uses																	
Ammunition, small arms	3482													P			
Arms and weapons	3480													P	P	S	

Whiteville Code of Ordinances

Current through Ordinance 2019-Z-11, passed October 22, 2019. (Supplement 3)

**Title XV – Land Usage
Chapter 155 – Zoning Code
District Regulations**

Section 155.065. Table of permitted uses.

(A) Districts in which particular uses are an unconditional permitted activity are indicated by "P". Districts in which particular uses are permitted with certain conditions are indicated by "P" with a reference to a footnote to this table.

(B) Districts in which particular uses are permitted as a conditional use upon approval of the City Council are indicated by "C". See §§ 155.095 through 155.097, for details of each conditional use.

(C) Districts in which particular uses are prohibited are indicated by a blank.

Use	RA-20	R-20	R-12	R-6	R-6MF	R-6-MHP	O-I	B-1	B-2	B-3	B-4	I-1	I-2	O-S
Locksmiths/gunsmiths								P		P	P			

Section 155.066. Notes to table of permitted uses.

(D) Note 4 - Industries. The following industrial uses shall not be allowed:

- (1) The manufacturing, processing, fabrication and/or bulk storage of acetylene gas (except for use on premises), ammunition, explosives, fireworks, gunpowder, jute or matches;

Wilmington Code of Ordinances

Current through Ordinance O-2019-59, adopted November 6, 2019. (Supplement 31)

**Chapter 18 – Land Development Code
Article 5 – Zoning District Regulations
Division III – Overlay Districts**

Section 18-213.2. Wrightsville Avenue Corridor regulations.

In addition to the general and specific regulations imposed by this chapter on the use of property in the Wrightsville Avenue Corridor (defined herein as all property fronting on or utilizing for its primary ingress and egress the portion of Wrightsville Avenue between North 17th Street and Oleander Drive/Military Cutoff Road), the following regulations shall apply.

(e) In the CB, Community Business District portions of the corridor:

(2) The following uses shall be prohibited:

j. Gun sales, including repair.

(f) In the CS, Commercial Services District portion of the corridor:

(2) The following uses shall be prohibited:

p. Gun sales, including repair.

Wilson Code of Ordinances

Current through Ordinance O-033-19, enacted April 18, 2019. (Supplement 85)

Chapter 25 – Offenses and Miscellaneous Provisions

Article III – Weapons

Section 25-73. Dangerous and unusual weapons, possession of.

If any person shall have in his immediate possession and control any bowie knife, dirk, dagger, slingshot, loaded cane, brass, iron or metallic knuckles, razor, pistol, shotgun, rifle or other unusual weapon or deadly weapon of like kind while under the influence of intoxicating drink, controlled substance, drug, or at the premises of a church, polling place, place of public assembly; or using the same to terrorize one (1) or more persons on the streets, sidewalks, public parking lots or other public property in the city, he shall be guilty of a misdemeanor. This section shall not be deemed to prohibit the lawful possession of a concealed handgun by a concealed handgun permittee in accordance with the laws and regulations of the State of North Carolina, the federal government, and any agency or subdivision thereof, and as further provided in section 25-75.

Wrightsville Beach Code of Ordinances

Current through Ordinance 1783, passed February 14, 2019. (Supplement 25)

Title XI – Business Regulations

Chapter 110 – Licenses

Levy

Section 110.11. Who must pay tax.

Each person who conducts a business within this town is subject to this chapter. A person "**conducts business**" when he engages in one act of business taxed under this chapter. He conducts the business "**within the town**" if he maintains a business location within the town; or if, either personally or through agents, he solicits business within the town limits or picks up or delivers goods or delivers services within the town limits.

License Tax Schedules

Section 110.65. Schedule of license taxes regulated by G.S. Chapter 105, Article 2, Schedule B.

A license tax shall be levied and collected for the privilege of engaging in the following businesses:

Pistol, Knife, and Weapon Dealers (G.S. § 105-80)

Every person, firm, or corporation engaged in the business of selling pistols, knives or blank cartridge pistols

Per year:

Pistols \$ 50.00

Blank cartridge pistols \$ 50.00

Yadkin County Land Development Code

Current through Ordinance of May 20, 2019. (Supplement 1)

Chapter 111 – Zoning

Article XI – Table of Uses

Section 111-280. Permitted, conditional, and accessory uses.

Use	RA	RR	RL	RG	RI	CP	MHP	CB	HB	MI-1	MI-2
Gun and ammunition sales	C							P	P		
Gunsmiths	C							P	P	P	P

P - Permitted use

C - Conditional use

Article XIII – Accessory and Temporary Uses

Section 111-340. Temporary uses.

(a) Allowable permitted uses and special events may be permitted based on criteria in this section. Examples of permitted temporary uses include, but are not limited to: ... gun shows, turkey shoots, agricultural fairs, charity dinners, Christmas tree lots, craft fairs, film shoots, festivals, seasonal markets, farmers' markets, hot air balloon sites, helicopter landing sites, concerts, and dances.

(b) Permitted use/special event permit process.

(1) The applicant must submit a statement with a description of the proposed use, hours of operation, proposed number of people expected to attend the temporary use/special event, location of parking and driveways, and any other pertinent information.

(2) The following standards must be met when issuing a temporary use/special event permit:

- a. If not on the applicant's privately-owned property, the applicant must provide written approval of the temporary use from the property owner;
- b. The location of the temporary use/special event must minimize adverse effects on surrounding properties, including traffic generation and impacts. The site should contain sufficient land area to accommodate all proposed activities. The owner or event organizer shall notify surrounding property owners of the times of the event, activities planned, and measures to be taken to ensure that traffic congestion is mitigated. Temporary uses/special events are prohibited between 11:00 p.m. and 7:00 a.m.;
- c. Adequate off-street parking must be provided. The use must not displace the required off-street parking spaces or loading areas of the principal permitted uses on the site. The entrance and exit drives shall be designed to prevent traffic hazards and nuisances;
- d. Display areas and/or temporary structures must comply with the required setbacks and must not interfere with the sight triangle of any intersection of roads or streets;
- e. Only one temporary use/special event can be permitted for a single parcel of land at any given time;
- f. Any applicable permits must be obtained from the NCDOT;
- g. Signage is permitted 14 days before the event, and must be removed at the close of the event;
- h. Each event must not exceed 14 days and is not to exceed two times during any 12-month period; and
- i. The temporary use must comply with the county division of environmental health regulations regarding sewage disposal.

(3) If a particular use is not listed in the definition of temporary use/special event, the planning director has the authority to grant a temporary use/special event permit for a similar and compatible use.

Article XVI. Conditional Uses

Section 111-475. Supplemental requirements for specific conditional uses.

(c) The board of adjustment may impose reasonable conditions in addition to those given in this section and elsewhere in this article. In order to do this, the board of adjustment must determine that additional conditions are necessary to protect the welfare and safety of the public and of property, or to meet the tests given elsewhere in this article. Below are specific requirements for conditional uses by name. They are as follows:

(41) Small shops, offices and retail: ...gun and ammunition sales, gunsmiths ...; zoning district RA.

a. Site standards.

- 1. Principal business uses of this nature may be allowed as conditional uses in an RA district, if specifically shown in article XI of this chapter (table of uses), with a minimum setback of twice what is required by this article.

2. Parking areas shall meet the standard district setback requirement.

3. Structures shall be limited in floor area to 1,500 square feet. In cases where existing buildings are desired to be used, the board of adjustment can approve a 1,500-square-foot business within a larger building on a case-by-case basis.

4. Structures shall be limited to one business use.

5. Outdoor storage shall not be permitted.

b. Screening. All structures and parking areas shall be buffered from adjacent property used or zoned for residential purposes by fencing or vegetation meeting the requirements of article XIX of this chapter (buffers and screening).

c. Operational requirements. The use shall not create any noxious fumes, odors, traffic congestion, noise, or other nuisance factors.

Zebulon Code of Ordinances

Current through Ordinance 2016-10, passed July 6, 2015. (Supplement 2)

Title XV – Land Usage

Chapter 152 – Zoning Code

Article VIII – Zoning Districts and Zoning Map

Section 152.129. Permitted uses.

Use Description	Zones																			
	R-30/R-20	RMH-30/RMH-20	R-13	RMH-13	R-10	RMH-10	R-8	RMH-8	R-80W	R-40W	RMF	TR	MA	CB	GB	HB	IL	IHL	Supplemental Regulations	
Gun, weapons, firearms, and ammunition sales shops															G	G	G			

Section 152.130. Use of designations g and s.

Subject to § 152.131 below, when used in connection with a particular use in the Table of Permissible Uses (§ 152.129 above), the letter “G” means that the use is permitted in the indicated zone with a general use permit issued by the Land Use Administrator. The letter “S” means a special use permit must be obtained from the Board of Commissioners.