

Discharging Firearms on Private Property in York Township, Ohio

In the State of Ohio, townships do not have the power to create their own laws and ordinances like cities and villages do. The laws available to township governments for regulation, zoning, and enforcement purposes on private property are those specifically provided by the Ohio Revised Code. The Ohio Revised Code does not make it illegal to discharge firearms on private property within Ohio's townships.

It is legal to discharge firearms on private property in York Township provided the act of discharging the firearm(s) is done in a safe and legal manner AND the person(s) discharging the firearm(s) is the landowner or someone whom the landowner has given permission to. In a similar manner, it is legal to hunt on private property in York Township. Hunters are bound by the rules and regulations as set forth by the Ohio Division of Wildlife/Ohio Department of Natural Resources and the Ohio Revised Code.

There are laws that prohibit certain persons from possessing a firearm, let alone discharging one. Some examples of persons prohibited from possessing a firearm include convicted felons, convicted domestic violence violators, and persons who are under the influence of alcohol. There are specific laws provided by the Ohio Revised Code for dealing with such prohibited persons.

So, what is a safe and legal manner? Let's discuss safety first. A private property owner, prior to allowing any discharging of a firearm on his/her private property, needs to have a proper backstop for target practicing. A proper backstop, in short, is one made of soil or some other soft, porous material that is free of rocks or any other hard material that may increase chances of a ricochet bullet. The backstop must also be of sufficient height and width that will guarantee capture of all bullets fired at a target(s). "The woods" is not an acceptable backstop, while the woods may be dense with trees, bullets striking trees pose a ricochet hazard. The National Rifle Association has a book called the NRA Range Source Book that provides useful and in-depth information on the construction of shooting ranges.

Another safety aspect is that shooters are aware of neighboring or nearby houses and structures. A range should be located so that nobody is toward a house, vehicles, roadway, or other structure even with a backstop. ORC 2923.162 prohibits persons from discharging firearms upon, over, or within 100 yards of a cemetery. The same code prohibits persons from discharging firearms upon or over a public roadway, and also on the ground appurtenant to a schoolhouse, church, or inhabited dwelling, or the property of another. Thus the necessity for an appropriate backstop and that shooting activities are conducted in a safe and prudent manner and all shooting activities are contained to the rightful property. REMEMBER! Once your bullet leaves the barrel of the firearm you are shooting, you still own that bullet wherever it goes. If someone else's property is damaged or a person is injured as a result of being struck by your bullet, you are subject to criminal charges.

In order to be safe while discharging firearms, a shooter needs to be able to see his/her intended target, the backstop, and beyond. For this reason, shooting activities should be restricted to daylight hours.

If the sheriff department is called due to a complaint of firearms being discharged, the responding deputy(s) will first attempt to locate where the shooting activity is taking place. Once located, the shooting range will be surveyed to ensure a proper backstop is in place and that person(s) are shooting in a safe direction. Not all private property is suitable for shooting activities. Properties located in a housing development are typically not suitable for a private property shooting range due to smaller lot sizes and the close proximity of neighboring houses and properties in all directions. The responding deputy will determine if the location of the shooting is safe and if the shooting activity is or has been conducted in a safe manner and advise the shooter(s) and/or landowner accordingly. If the deputy deems the location or the shooting activity unsafe, he/she may order a cease fire until the location, backstop, and activity is made safe.