



## **Board Prevents Effort To Essentially Ban Shooting in Loudoun - Directs Staff to Investigate Possible Safety Adjustment to Ordinance**

June 22, 2018

Following the May 6, incident in the Willowsford area involving stray rounds fired from a neighboring property which ended up striking three Willowsford homes, I made the following Facebook post:



**Tony Buffington, Blue Ridge Supervisor**



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Willowsford Area Firearm Discharge Incident:

Many of you are aware of Sunday afternoon's incident in the Willowsford area involving stray rounds fired from a residents 7 acre non-Willowsford property which ended up striking multiple homes in Willowsford.

First, I'm extremely thankful that no one was injured as this could have been a tragic event.

Second, it's my opinion that those who discharge firearms are responsible for every round that exits their firearm. In this case, a number of those rounds struck nearby residences; therefore, I encourage the Loudoun County Sheriffs Office, in working with the Commonwealth Attorneys Office, to pursue criminal charges based on state law. I am not an attorney, but I would think this situation could very well amount to reckless discharge of a firearm, regardless of criminal intent by the operator. The individual should also be civilly liable for all necessary repairs.

Third, I have asked the County Attorney's Office to provide me with options that would allow the Board to address the specific issue at hand without affecting the discharge of firearms throughout all of western Loudoun. In other words, I am looking for a targeted approach rather than a sweeping overhaul.

Fourth, I want to make clear that any possible change to the County's Discharge of Firearms Ordinance would NOT affect zoning. For example, an adjustment to the County's Discharge of Firearms Ordinance would have no affect on an areas designation as either Rural Policy Area, Transition Policy Area, or Suburban Policy Area.

As always, I will keep you informed as additional information becomes available.

<https://www.nbcwashington.com/.../Rules-About-Where-You-Can-S...>



At the May 17, Business Meeting the Board voted unanimously (Meyer absent) to have County Staff present an Information Item at the June 21, Business Meeting to update the Board on Chapter 684 of the Codified Ordinance (Discharge of Firearms section) as to its authority to regulate discharge of firearms; Loudoun's current ordinance and amendment history; and to provide a boundary map of currently regulated discharge areas. The Board also requested that Sheriff Chapman and Commonwealth Attorney Plowman be available to provide details of the Willowsford incident and answer questions from the Board.

On June 14, the information packet for the June 21 Business Meeting became available to Supervisors and the public in order to prepare for the June 21 meeting. In that packet was a Board Member Initiative from Supervisor Umstadd (Leesburg) with a proposal to expand the discharge of firearms minimum distance from a building with occupancy permit from its current 100 yards, to 880 yards (a half mile).

**I adamantly opposed this Item as its approval would have essentially banned all shooting in Loudoun County.**

With that background, last night's Business Meeting included two separate Items regarding Loudoun's Discharge of Firearms Ordinance:

- Supervisor Umstattd's individual Board Member Initiative; and
- The Board's unanimously requested Information Item

**Regarding Supervisor Umstattd's Initiative:**

Supervisor Umstattd's Motion failed to receive a Second from any member of the Board; thereby failing. An overwhelmingly large group of residents spoke adamantly against this Motion during public comment.

**Regarding the Board's Information Item:**

After much discussion, the Board approved the below Motion (6-3) to:

*"direct the County Administrator to study the safety concerns identified by the Board regarding the provisions of Chapter 684.03 of the Codified*

*Ordinances in order to report back to the Board at the December 4, 2018, Board Business meeting with possible solutions designed to improve safety while ensuring continued support of the lawful discharge of firearms in Loudoun County. Staff should consult with adjacent rural counties, the County Attorney's office, the Virginia Department of Game and Inland Fisheries, the Commonwealth Attorney's Office, the Loudoun County Sheriff's Office, and representatives from shooting ranges and hunt clubs within Loudoun County.*

*I further move that the groups work shall be strictly limited to discussion of:*

- 1. Prohibiting discharge of firearms towards buildings with current occupancy permits issued within a limited range.*
- 2. Prohibiting bullet trajectory over another person's property without their permission.*
- 3. An examination of the 684.03 prohibited area with recommendations to adjust the line to account for existing dense development."*

This gives staff time to work with a group of firearms professionals under a set of narrowly defined and practical parameters in order to consider whether the above listed safety

considerations would improve safety for residents while ensuring the continued support of the lawful discharge of firearms within Loudoun County. It also allows the group to fully analyze the options in order to identify and eliminate unintended consequences prior to advising the Board of its findings and recommendations at the Dec 4, 2018, Business Meeting.

As always, I will keep you informed as additional information becomes available.

All my best,

A handwritten signature in black ink, appearing to read 'Tony Buffington'.

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