

- Never shoot at glass bottles, living trees, or inappropriate targets which would create a hazard for other persons or damage the environment.

If you would like an alternative to shooting your weapon in your backyard the CCSO gun range is free and open to the public on the first and third Saturday of each month from 8 a.m. to noon. The range is located at 4441 70TH Ave N.E., Golden Gate Estates.

The range is for pistol use only. No rifles or long guns allowed.

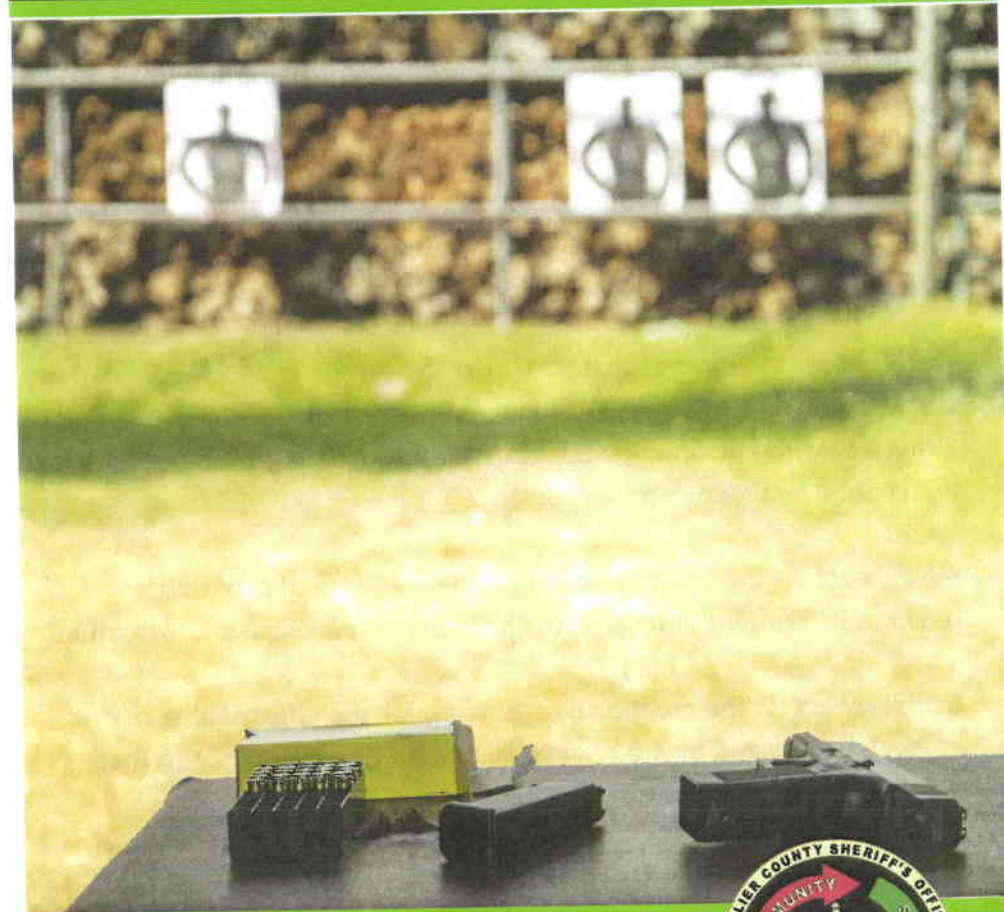
Please call the Range Master for further details at 239-348-9186.

**NOTE:** *The Collier County Sheriff's Office cannot provide you with legal guidance, advice or make any recommendations in reference to this issue. If you have any questions regarding whether or not certain actions will be in violation of this law, and those are not answered below, you should consult your own attorney.*



SHERIFF KEVIN RAMBOSK  
[www.colliersheriff.org](http://www.colliersheriff.org)

# *Laws About Backyard* **GUN RANGES**



Collier County Sheriff's Office  
SHERIFF KEVIN RAMBOSK  
Emergency 911 NON Emergency 252-9300  
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### FSS 790.15 allows people to shoot on their private property:

The statute states, in part, "...any person who knowingly discharges a firearm in any public place or on the right-of-way of any paved public road, highway, or street, who knowingly discharges any firearm over the right-of-way of any paved public road, highway, or street or over any occupied premises, or who recklessly or negligently discharges a firearm outdoors on any property used primarily as the site of a dwelling as defined in FSS 776.013 or zoned exclusively for residential use commits a misdemeanor of the first degree"

Local governments have been prohibited from pre-empting state gun laws since 1987, but it wasn't until 2011 that Florida decided to put some teeth into its enforcement. That's when Gov. Rick Scott signed a bill in which local officials can be fined \$5,000 and removed from office if they interfere with state gun laws. That includes local ordinances prohibiting or restricting backyard shooting ranges.

### Considerations when discharging firearms in the backyard:

Firing a weapon in a private backyard could still be a violation of the law if it is done *negligently* or *recklessly*.

**Negligence** is "the failure to exercise the standard of care that a reasonably prudent person would have exercised in a similar situation".

**Recklessness** is "the creation of a substantial and unjustifiable risk of harm to others and by a conscious disregard or indifference to that risk."

### The following actions are prohibited:

- Firing a gun over a paved public road.
- Firing a gun over any occupied premises.
- Firing a gun in public (this could include your backyard).

- Firing a gun on your personal property either negligently or recklessly.
- It is illegal to use firearms while under the influence of alcoholic beverages or drugs.
- It is illegal to fire a gun in a residential area with a density of less than one dwelling unit per acre.

**FSS 790.151** Using a firearm while under the influence of alcoholic beverages, chemical substances, or controlled substances; penalties.

(1) As used in FSS 790.151-790.157, to "use a firearm" means to discharge a firearm or to have a firearm readily accessible for immediate discharge.

(2) For the purposes of this section, "readily accessible for immediate discharge" means loaded and in a person's hand.

(3) It is unlawful and punishable as provided in subsection (4) for any person who is under the influence of alcoholic beverages, any chemical substance set forth in FSS 877.111, or any substance controlled under chapter 893, when affected to the extent that his or her normal faculties are impaired, to use a firearm in this state.

(4) Any person who violates subsection (3) commits a misdemeanor of the second degree, punishable as provided in FSS 775.082 or FSS 775.083.

(5) This section does not apply to persons exercising lawful self-defense or defense of one's property.

### Safety rules related to your target:

- Positively identify your target and the threat it poses before firing at it.
- What's behind your target? Always make sure that a stray shot, or a bullet which penetrates its intended target through and through, will be safely stopped.
- Never shoot at a hard surface, or at water your shot may glance off, ricochet and injure someone.