

Facts & DETAILS

Proposed Resolution

Discharge of Firearms across Property Boundaries in the Unincorporated Area of Sedgwick County, Kansas

What area of Sedgwick County would be covered by the proposed resolution?

The proposed resolution would be enforced with regard to firearms discharged in the unincorporated area only. However, consult with city officials regarding prohibitions of discharging firearms within city limits.

As a landowner, if this resolution is passed, can I be charged for someone else shooting a firearm on my property?

No. Only a person shooting the firearm would be able to be charged. That person could only be charged if they would shoot a projectile (bullet or shot) across property lines without permission.

What is the penalty for the proposed resolution?

Any person who is convicted of this proposed resolution could be fined a maximum of \$500. Each violation of this proposed resolution would constitute a separate offense and is punishable as a separate violation.

What if I own the adjoining properties or have permission of a landowner to shoot a firearm, can I be found guilty of this proposed resolution?

No. It is a defense if you own the real property where the firearm is discharged and all other property onto, or over, which the projectile travels. It is also a defense if you have prior consent to discharge a firearm of the owner of the real property where the firearm is discharged and the owners of all other real property onto, or over, which the projectile travels.

Can I be fined under the proposed resolution if a bullet flies across a property but doesn't land on the person's property?

Yes, unless you have prior consent of the owner of the real property onto, or over, which the bullet travels.

If the draft resolution is approved, and I live in the unincorporated area, can I still fire a gun on my property or on property where I have permission of the landowner?

Of course. You can only be fined under this proposed resolution if your bullet crosses property lines without prior consent of the landowner of the real property on which the gun is fired and the consent of the landowner onto or over which the projectile travels.

What if I fire my gun in self-defense, can I be charged with this proposed resolution?

It is not a violation of this proposed resolution when your bullet crosses a property line if you are discharging the firearm in lawful defense.

How would the proposed resolution be enforced?

The investigation of a violation of this code provision will be by Sedgwick County Sheriff's Office. They may write you a citation and you would have to respond through the Sedgwick County Court.

When would this proposed resolution become effective?

The proposed resolution would become effective upon its adoption by the Sedgwick County Board of County Commissioners and its publication once in the official county newspaper.

Can I be held civilly liable in addition to a code violation?

Potentially, yes. A landowner impacted by a stray bullet could file a separate lawsuit for their own damages in civil court, apart from any violation of this proposed resolution.

What if a bullet comes on my property, but I don't know who fired the gun or what direction the bullet came from? What should I do?

Any stray shooting should be immediately reported to the Sedgwick County Sheriff's Office for investigation by dialing 9-1-1.



Sedgwick County...
working for you

Sedgwick County Strategic Communications Office

316-660-9370 525 N. Main Suite 315 Wichita KS 67203 www.sedgwickcounty.org