

1 (a) In addition to any other prohibitions which may exist by
2 law, it shall be unlawful for any person to shoot or discharge any
3 firearms:

4 (1) Across or in any public road in this state, at any time;

5 (2) Within ~~four~~ five hundred feet of any ~~schoolhouse~~ school or
6 church; or

7 (3) Within five hundred feet of any dwelling house: Provided,
8 That a person who is a resident of a dwelling house, and his or
9 her authorized guest, may shoot or discharge a firearm in a lawful
10 manner within five hundred feet of the dwelling house where the
11 person lives, if the firearm is being discharged with the express
12 or implied knowledge and consent of all residents of that dwelling
13 house, and no other dwelling houses are located within five hundred
14 feet of where the firearm is discharged; or

15 (4) On or near any park or other place where persons gather
16 for purposes of pleasure. ~~and~~

17 (b) Any person violating this section is guilty of a
18 misdemeanor and, upon conviction thereof, shall be fined not less
19 than fifty dollars nor more than \$500 or confined in jail for not
20 more than one hundred days, or both fined and confined.

21 (b) ~~Provided, however, That~~ Notwithstanding the provisions of
22 subsection (a) of this section, any person operating a gun repair
23 shop, licensed to do business in the State of West Virginia and
24 duly licensed under applicable federal statutes, may be exempted
25 from the prohibition established by this section and section
26 twelve, article seven, chapter sixty-one of this code for the

1 purpose of test firing a firearm. The director of the department
2 Division of Natural Resources shall prescribe such rules as may be
3 necessary to carry out the purposes of the exemption under this
4 section and section twelve, article seven, chapter sixty-one and
5 shall ensure that any person residing in any dwelling home within
6 five hundred feet of such gun repair shop be given an opportunity
7 to protest the granting of such exemption.