

The MUZZLEBLAST

Florida's Largest Gun Club, over 3,600 and growing...

2010 Bi-Monthly publication of the Gateway Rifle and Pistol Club of Jacksonville, FL. March - April

You Asked for it! Here it is.

Bill Craig, GRPC Secretary

At the November, 2009, General Meeting of GRPC, a request from the floor asked for a legal opinion of just exactly what our Club could face in terms of legal action that could shut down our Club and its operations at our present location. This request was echoed by other Club members at that meeting. Richard Stoudemire, Esq, researched this subject at the request of the Board of Directors: The following is his legal opinion:

MEMO

DATE: January 14, 2010

RE: GATEWAY RIFLE & PISTOL CLUB, INC.
Review & Consideration of Possible Forced Relocation

I. Issue: What potential legal avenues exist whereby citizens or governmental entities might force the relocation of GRPC

A. Challenges by individual citizens.

1. Civil lawsuit based upon an alleged detrimental effect on an individual's property.

The club is located in an area of Jacksonville which has become more populated with private individual dwellings. It is probable that some surrounding landowners could hear and complain about noise from the discharge of firearms. However, the club is "grandfathered" by Florida Statute §823.16 and under the circumstances is not subject to civil liability nor criminal prosecution in any matter relating to noise or noise pollution. This statute further provides that a person who acquires property which is adversely affected by a sports shooting range, cannot maintain a nuisance action against the range to restrain or restrict the use of the range, where there has been no substantial change in the nature of the use of the range.

2. Personal injury to individual citizen.

It appears unlikely that a "stray round" would find its way off the club premises such that it might cause personal injury. However, if that were to occur, there is no statutory restriction for an action based on negligence or recklessness in the operation of the shooting range or by a person using the range. Reported verdicts in Florida involving "stray rounds" cannot be specifically identified. However, multiple verdicts in excess of \$1,000,000.00 involving the negligent discharge of firearms were identified. It is reasonable to believe that many unreported private settlements in excess of \$1,000,000.00 have likewise occurred under similar circumstances. The club has a general liability insurance policy which has a per occurrence limit of \$1,000,000.00. The club property therefore would be subject to execution if a judgment in excess of \$1,000,000.00 was obtained by an adverse individual. (Continued on Page 2)

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You Asked for it (Continued from page 1)

B. Challenges by governmental entities.

1. Challenges by the City or County.

The city and county are similarly limited by Florida Statute §823.16 and thus an attempt to limit or prohibit noise or noise pollution would be precluded. Likewise, a general challenge based on the nature of the operation would fail under the circumstances where the club was not in violation of any law at the time that it was constructed and so long as it conforms to NRA gun safety and shooting range standards. Further, Florida Statutes §790.33 provides that state law preempts any attempt at the regulation of firearms and ammunition at shooting ranges, including the environmental effects of projectile deposition at sports shooting and training ranges. Most importantly, this provides “safe harbor” to the club regarding the accumulation of lead and the environmental affects that it might cause (At least from the State of Florida and its political subdivisions). When read in conjunction with Florida Statutes §823.16, it is clear that attempts to create or amend zoning or land use regulations to adversely impact the club would be prohibited. However, the club would still be subject to zoning and land use regulations that affect all other businesses equally and which do not single out the club for individual treatment. (As will be further considered later)

2. Despite the protections afforded by Florida Statutes §790 and §823, the occurrence of a stray round with injurious consequences could result in a Court entering an injunction to prohibit or limit further discharges of firearms. This would be based on the general powers of the Court to protect the health, safety and welfare of its citizens. Likewise, the statutes which give safe harbor to the club specifically except instances of negligence or recklessness in operation.

3. Jacksonville Aviation Authority

Herlong Airport borders the club on three sides. There is a buffer of property between the active landing fields and club property. The club has a lease agreement with the airport that essentially provides an easement for parking and for a shotgun pellet drop zone. This is a year-to-year lease that can be cancelled upon 30 days notice.

A. Adverse action by airport based upon stray round.

It has been reported that an alleged stray bullet struck a parked aircraft at Herlong Airport. Since then, the club has modified the range to better protect against such an occurrence. However, a “fail safe environment” whereby such an occurrence would never again be a possibility is impossible to achieve. If an event such as this occurred again, it is more than probable that steps would be taken to prohibit further discharge of firearms at the club. This could be accomplished by a court ordered injunction, again based upon the general power to protect citizens from harm. It also appears that this could be accomplished through airport specific zoning..

Florida statutes section §333.01 et. Seq., provides specific authority for airport zoning. It further specifically grants political subdivisions the authority to adversely acquire private land in order to insure the safe operation of airports. And it permits zoning specific to airports. It is therefore conceivable that a zoning regulation could be passed which would effectively eliminate the current use of the land by the club. (It is not entirely clear how this statute would interact with the statute which prohibits zoning that singles out a gun range. However, if a zoning regulation were passed to generally prohibit the discharge of firearms within a radius encompassing all surrounding landowners, presumably it would withstand challenge.) This mechanism would be available to address concerns relating to possible stray rounds.

B. Imminent domain action by airport to acquire property.

In 2008, the Jacksonville Aviation authority completed recommendations for its 20 year master plan. The gun club is specifically referenced multiple times. Two of the options considered in the report would require relocation of the club. (continued on page 7)

Gateway Rifle & Pistol Club
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BOARD OF DIRECTORS

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GRPC Employee



Say hello to Dan when you stop by the store.

**Volunteers Wanted
 for Club Financial Audit!**

Our Club Bylaws require that each year, an internal audit of the previous year's financial records be examined by a committee of Club members. You do not have to be an accountant or math wizard to participate. Just common sense, a desire to participate and an inquisitive nature are desirable. You can actively participate or just observe the proceedings. Ideally, at least five people (not including the Treasurer or Business Manager who will be present) but not more than ten or so are ideal. The audit will be done after our 2009 federal tax return is finished (not later than April 30th) and historically consisted of at least two to three meetings at night although weekend meetings are OK. Contact me or Lloyd Watkins President if you are interested.

Our phone numbers are in all issues of the Muzzleblast.
 Bill Craig - Club Secretary



Vince Edwards IDPA Safety Officer
Photo taken February 6 at GRPC
by Tom Eichling

Discipline Contacts:

IR 50/50 22 Benchrest
 Bill Smith 904-276-1008,
 work 904-790-6112.

Smallbore Rifle Silhouette
 Chuck Deason 945-8268 or
 759-8779

IDPA
 Ed Sevetz 272-8484
 (office callback)

Club 1800 Bullseye
 Randy Erickson 448-3174

High Power Rifle
 Tom Inman 292-0063

3x20 Highpower Rifle Prone
 Joe Zullo 230-1894

Black Powder Muzzle Loading
 Stan Goldy 904-410-1723.

**Black Powder Cartridge
 Rifle Silhouette**
 Roger Bump 723-2677

NRA/1800 Bullseye
 Randy Erickson 448-3174

NRA/2700 Bullseye
 Randy Erickson 448-3174

Cowboy Action/SASS
 Jay Ault 778-4184

4-H Junior Shooters
 Gerald Vaughan 725-4317

Range Maintenance Schedule:

Mondays 8 AM-11AM 100 yard Rifle Range
 Tuesdays 8 AM-11AM All Pistol Ranges
 Wednesdays 8 AM-11AM Silhouette Range
 Thursdays 8 AM-11AM 200 yd. Rifle Range
 Fridays 8 AM-11AM all multi purpose ranges
 New 100 yard rifle range

**Saturday, February 6 at GRPC
 IDPA**

Photos by Joan Zullo



Match director Ed Sevetz



Cowford Regulators + 4H Junior Shooters

Article by Marion Estes and photos by Heather Grandle



Nikki Martorana

Just in by telegraph. The Cowford Regulators, GRPC’s SASS organization, asked the Junior Shooters to assist with the two day SASS match in November, with the reward being a SASS match for the juniors who showed up and worked. Deal struck, courtesy of “J Bird Blue” (aka Jay Ault) and “Charlie Covington” (aka Darrell Abram).

Cowboy RSOs guided the juniors through their duties of resetting metal targets, scrounging brass and generally being available for gofer details. Two long days, but it seemed to help run the match more smoothly.

19 December, 0900, Reward Match: The Regulators set up two bays with multiple steel targets, each bay having two scenarios run through it.

A safety meeting was held first, then familiarization with the single action revolvers, lever action rifles and side-by-side “coach” shotguns. Each stage involves using all three types of firearms.

All juniors received instruction and shot each type of firearm until it was felt they were able to use them safely. The Regulators are sticklers for safety and communication, applause here.



Nick Wright



Alec

Each stage had a scenario, the course of fire was described and illustrated, and it was “Cowboy Up!” with each shooter being timed and scores recorded. Overall score is a function of “hits” divided by time, and “misses” burn you twice: score and a time penalty. “Procedural” errors also have time penalties. Safety violations will result in a disqualification from that stage, no slack given there (more applause).

Award ribbons were presented, then a general invitation to anyone who wanted to shoot more (that would describe the juniors in total, plus some parents). The show ended about 1240 and a cleanup detail evolved from Cowboys, Juniors and Parents, so the event was cleared quickly.

Each junior shot a minimum of 100 plus rounds. There were a few sore shoulders (coach guns), a couple nicks on fingers (pistol and rifle mechanisms), but the overall badge was a huge smile.

Thanks, Cowford Regulators, that was instructive and fun!!!!



Sixty Year Old Idaho Gun Club Closed by Court Order

On February, 7th, 2010, I received a phone call for help from Dave Leptich, who is an official with the Idaho Fish and Game Department. My name was referred to him by Clark Vargas (GRPC member and nationally noted designer of gun ranges) after phone calls Dave made to the National Rifle Association. Leptich reported essentially as follows:

The Farragut Public Shooting Range near Coeur d'Alene Idaho came into public ownership some sixty years ago on part of what used to be a World War II Navy Training Base. As the years passed, more and more housing developments were built near the shooting range. Finally, some home owners sued to have the range closed due to fear of bullets possibly impacting their housing areas. The home owners succeeded in getting a court order to close the range. Safety improvements were made to eliminate the "blue sky" over their ranges by building overhead covers and baffles. The Judge recognizes the "no blue sky" technique as a range design standard for improved bullet containment. He also allowed that examples from other shooting ranges with similar improvements would or might be probative in demonstrating the safety of the range. Leptich got our Club's name, information on our club's most recent safety improvements as well as my name and called me for assistance.

I told Leptich that we would be most glad to help him and the Farragut Gun Club in the pending court matter in any way possible.

I also have some additional comments on this matter. The state of Idaho is known as a very "gun friendly" conservative state compared to let us say Massachusetts. However, a group of home owners have successfully sued so far to close the sixty year old gun club. The Executive Branch of the Idaho State Government to include the Department of Fish and Game as well as the Attorney General's office have united with the Club members to oppose the Judicial Court's ruling. To date, the club is still closed pending further investigation and rulings by the Court. I am also told that the home owners are very active politically and "surf" the internet looking for any reference to the Farragut Gun Club either

favorable or unfavorable. They are determined to keep the club closed.

History also shows that California was once known as a conservative "gun friendly" state. The inter city dwellers through time vastly outnumbered and out voted the rural residents and gun owners in the cities. Now, California has some of the most restrictive gun laws in the United States and even more restrictive laws are being seriously considered.

My purpose in presenting these facts are not to just alarm you but to make you aware that more and more people are moving to Florida, and especially to south and central Florida. The day may soon come when we too in the north Florida area and panhandle could be heavily outnumbered and out voted through politicians eager only to be elected by the masses. We need to all be members of the NRA and keep our elected officials, local, state and national aware of our belief in the second amendment.

Bill Craig, GRPC Club Secretary

Disclaimer

The Muzzleblast is published bi-monthly by Joan Zullo under the direction of the Gateway Rifle & Pistol Club. All newsletter content will be approved by the GRPC before publishing. Technical and/or hand loading data are for informational purposes only. No responsibility is accepted for results obtained by persons using such data, and all liability for any consequential injuries or damages is disclaimed. References herein to any specific commercial product, process or service by trade name, trademark, manufacturer or otherwise, does not necessarily constitute nor imply endorsement, recommendation nor favoring by The Gateway Rifle & Pistol Club, Inc., its Board of Directors, its membership, the editor, nor the publisher. Letters to the editor should be brief, to the point, of firearm related interest and contain the signature, address and telephone number of the sender. Letters to the editor do not necessarily reflect the views of the editor, publisher or Gateway Rifle & Pistol Club. Send submissions to: Gateway Rifle and Pistol Club, 9301 Zambito Rd., Jacksonville, Fl. 32210, or to the Muzzleblast editor at: editor@grpc-jax.com.

Gateway webpage at:
<http://www.GRPC-JAX.com>

2010 DIXIE MATCH

NRA Regional Pistol Championship, NRA Distinguished Revolver Match
and CMP Service Pistol Match.

April 16, 17 and 18, 2010

Gateway Rifle and Pistol Club, 9301 Zambito Road, Jacksonville, FL 32210

Contact: Randy Erickson 904-448-3174

“THE CRAWFISH ARE COMING”

The Florida State IR50/50 Benchrest Championship will be held **April 16th, 17th, and 18th** at Gateway Rifle and Pistol Club. Friday the 16th will be a Practice and set-up day and a good chance for you to come out and meet some of the best “Stool Shooters” in the game. We expect shooters from all over the eastern part of the U.S., some from as far away as New York, Wisconsin, Ohio, Indiana, Arkansas, Virginia, Alabama, and the Carolina’s. This is the beginning of our shooting season and the first State Championship of the year, all of our friends from the frozen north will be here to shake off their “Cabin Fever” and tune up their guns and equipment.

There will be tables set up for a swap meet, door prizes for the competitors, and after Saturday’s match, we will have a Crawfish and Shrimp picnic for all the entrants. Come out and support your local shooters, meet our visitors, see some of the finest Rimfire Competition Rifles and equipment, and witness some of the finest and toughest competition in the world of .22 rimfire shooting. For information contact **Bill Smith, Match Director at 904-276-1008, or 904-534-1219**. We hope to see you there and remember, there will always be time to answer your questions about our sport.

You Asked for it (Continued from page 2)

Ultimately the report did not recommend the options that would adversely impact the club. However, it is clear from the report that the status quo cannot be taken for granted.

4. Adverse action by Federal Aviation Authority

The FAA has no specific jurisdiction over the land occupied by Herlong airport. However, it has exclusive jurisdiction over the airspace above and surrounding the airport. As such, it is probable that the FAA could take action against the club to prohibit or restrict the discharge of firearms if it deems this to be a hazard in the airspace surrounding the airport. Further, Herlong receives grants from the FAA. The grants are conditioned upon various stipulations, including that the airport will insure that appropriate zoning laws will be adopted to insure that land next to or adjoining the airport is compatible with normal and safe airport operations. So the FAA could require the airport to seek adverse action against the club if it deemed it necessary to the safe operation of the airport.

II. Conclusion

There are useful statutory protections afforded gun clubs in Florida. However, it is clear that governmental entities still maintain legal mechanisms by which the club could be forcibly removed or by which its activities could be substantially restricted. Likewise, a substantial civil suit and resulting judgment for personal injury could be detrimental to the club’s continued existence. (This exposure would continue even if the club were to relocate but the current proximity to the airport and residences would seem to make this more possible).

**Respectfully submitted,
Richard M. Stoudemire**

Decision and Actions of the Club’s Board of Directors

December, 2009, BOD meeting:

The annual Women’s Field Day is scheduled for 11 September, 2010. Our PR officer, Arvil Budd, will be in charge and coordinate all activities during that event.

January, 2010:, BOD meeting:

1. **The Norris Tucker Chili Cook-off and Swap Meet** will take place on 8 May, 2010. As previously done, The North Florida Firearms Collectors Association will be invited to attend the Swap Meet.

2. The switch to electronic editions of the Muzzleblast was done for the January/February edition. Only 220 people contacted our Club office to arrange for printed copies to be sent by mail. The cost savings will be significant.

Tournament Schedule				From the Gateway Office:
Match	Range	Time		
Club 1800 Pistol	1	1st Sunday 0900-1200	<p>1. Lost an Item at the Range? Check the “LOST and FOUND BOX” next time you visit the Club.</p> <p>2. All Members, Annual and Life, Visitors, Guests, and Day Shooters must wear ID badges at all times when on the club property.</p> <p>3. Your membership Card must be shown at time of purchasing reloading components in the club store.</p>	
Smallbore Silhouette	4	1st Sunday 1000-1400		
22 Rimfire Benchrest	4	1st Sat. 0800-1300		
IDPA	5	1st Sat.		
High Power XTC	3	2nd Sunday 0800-1100		
Black Powder	4	2nd Sat.		
High Power Rifle Prone	3	3rd Sat. 0800-1100		
NRA 1800 Bullseye	1	3rd Sunday 0900-1200		
Cowboy	5	4th Saturday 0900		
BP Rifle Silhouette	3	4th Sat.		

Send articles by April 20 for submission to the next Muzzleblast to Editor@GRPC-Jax.com

FOR SALE

Only Current Members may list their firearms related items.

Send your ad to: Editor@grpc-jax.com by April 20th

Parker-Hale Midland 2100 Rifle Cal. 30-06. 2-7 power Redfield Wideview scope/PH rings. Iron sights on barrel. Recoil pad installed. Sling swivels and sling included. Low rounds count. Excellent condition. Price- \$400

Contact: Joe Zullo at (904) 230-1894 or Webmaster@grpc-jax.com

Springfield .45 Caliber automatic pistol, 10X gun, accurized by J. Rose, National Match, barrel and bushing, extended Bo-Mar rib, Pistol shot 45 times. Price- \$2,500

Contact: Gerald Stokes at (904)264-9781 leave message

ROHM .38 special revolver, 6 round, 4 inch, Excellent cond. Price- \$165, might consider trade

Taurus 22 magnum 2 inch revolver, blue, 8 round, Excellent condition Price- \$265, might consider trade (pistol/revolver)

Contact: Brad Polhemus at (904) 742-3859

Springfield 1911-PX9151, stainless, 2 mags, case, factory custom, Novak sights, lowered ejection port, ported polished ramp. 500 rds. FMJ ammo, 50 rds. Georgia Arms HP 1000FPS, 40 rds. Hornady custom low flash HP XPT. Including a \$65 Dillon S.O.B. holster. Price- \$890

Remington semi-auto .308 MOD.742 rifle, Weaver V-9 Variabe Scope, one 10 rd. magazine three 5 rd. magazines, leather sling, excellent cond. Price- \$475

Barnett Quad 300 Crossbow, extra bolts, broadheads, range marked scope. Includes a \$140 crank string cocker, Excellent cond. Price- \$400 or trade S.A. Cowboy pistol Taurus, EMF

CVA Hawkin .50 cal. rifle, black powder, brass hardware, burlwood stock Price- \$270 or trade for .357 Snub nosed revolver

1895 Marlin 32" BBL. 12GA. Shotgun, visable hammer, 115 yrs. old. Brite bore, excellent function Price- \$280 or trade for .357 snub nosed revolver

Glock Model 20, 10 mm, night sights, three magazines, includes a \$60 Bianchi holster, 150 rds. Ultramax 180gr. FMJ, 150 rds. Georgia Arms Custom ammo (50rds at 1375 fps and 100 rds at 1000 fps) Price- \$560

Fausti-Traditions ALS 2100 12 ga. semi-auto shotgun, 2 bbls. (one)- \$200 cantilever rifled slug bbl, w/2.5X20 scope, (one) vent rib w/chokes. Turkish walnut stock. Like new. A beautiful gun. Price- \$480

Contact: Tom Duell at (904)284-1369/(904)208-0905

Charter Arms "Pink Lady" .38 special revolver. Lightweight "concealed carry." Approx 1 year old, lightly fired. Paid \$475. Price- \$350

Contact: Keith Schnier 269-7929 or ksch994462@comcast.net.

9MM **SpringField Armory XDM** with "NRA hand gun of the year" engraved on the top of the slide. Less than 500 rounds shot. Like new. Factory accessories included: waterproof case, holster, two 19 round magazines, speed loader, 3 back straps, & lock. Price \$610.00

Contact: Paul Adams 904-759-0062

CZ-82 Czech Pistol, SA/DA auto-loading pistol chambered for 9x18mm Makarov. Straight blowback operated compact pistol comes with two 12 rd. mags, leather holster, and lanyard. Original finish, ambidextrous safety + magazine release, very good ergonomics, extremely reliable. Manuf. in 1988. Price- \$190 Pictures on the web at: <http://picasaweb.google.com/cgborkgb/CZ82>

Ruger KMKIII6 22 LR, Stainless Steel Mark III, 6" tapered barrel, black plastic grips, two 10 round magazines, fixed sights, all the papers, and plastic case. Excellent cond. Has about 500 rds through it. Price- \$350 Pictures on the web at: <http://picasaweb.google.com/cgborkgb/KMKIII6>

Contact: Christian Bowers 352-281-9495 Jax or cgborkgb@gmail.com