

Bond Case Briefs

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MUNICIPAL ORDINANCE - MICHIGAN

Oakland Tactical Supply, LLC v. Howell Township, Michigan

United States Court of Appeals, Sixth Circuit - May 31, 2024 - F.4th - 2024 WL 2795571

Potential customers of shooting range, who wished to practice long-distance target shooting in their local area should an appropriate shooting range be built, brought action against township, alleging that township's zoning ordinance violated the Second Amendment and seeking damages and declaratory and injunctive relief.

The United States District Court for the Eastern District of Michigan granted township's motion for judgment on the pleadings. Potential customers appealed. The Court of Appeals vacated and remanded for reconsideration in light of intervening precedent. On remand, the District Court again granted judgment for township. Potential customers appealed.

The Court of Appeals held that:

- Ordinance did not facially violate Second Amendment as an effective ban on shooting ranges in township;
- Proposed course of conduct of engaging in commercial firearms training in a particular part of the township was not protected by plain text of Second Amendment; and
- Proposed course of conduct of engaging in long-distance firearms training within the township was not protected by plain text of Second Amendment.