

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE BOROUGH OF NESQUEHONING, CARBON COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES PROHIBITING THE DISCHARGE OF FIREARMS OR SIMILAR DEVICES AND PROVIDING PENALTIES FOR VIOLATIONS

BE IT ORDAINED and hereby ENACTED as follows:

SECTION 1. DISCHARGE OF FIREARMS PROHIBITED.

Except in necessary defense of person and/or property and except as provided hereunder, it shall be unlawful for any person to use, fire or discharge any gun or other firearm within the Borough of Nesquehoning. No person may shoot within one hundred fifty (150) yards of any occupied residence, camp, industrial or commercial building, farmhouse, farm building, school or playground. (For example– consider this as a safety zone of one and a half football fields in length.)

SECTION 2. USE OF AIR RIFLES, BOWS AND ARROWS OR SIMILAR DEVICES RESTRICTED.

It shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol, B-B gun, bow and arrow, or similar device, or any implement that is not a firearm but which impels a pellet or arrow with a force that can reasonably be expected to cause bodily harm at any place within the Borough, except as provided in Section 3 hereunder, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the Chief of Police.

SECTION 3. EXCEPTIONS.

This Ordinance shall not apply to:

- a) Persons licensed to hunt in this Commonwealth while actually engaged in hunting where permitted under the laws of the Commonwealth of Pennsylvania,.
- b) Persons firing or discharging a firearm, bow and arrow or other similar weapon at a rifle or gun range established by the Pennsylvania Game Commission, or owned, leased or maintained by a state or federal military or police organization or an organized shooting association or club at a safeguarded range; and,
- c) Any law enforcement officers when used in the discharge of their official duties.

d) Persons firing or discharging a bow and arrow or crossbow at a private range or target, either indoors or outdoors, and contained entirely within the boundaries of the real estate or real property provided that there is the construction of a backstop, approved by the Chief of Police and which prevents arrows and/or bolts from traveling more than fifteen (15) yards beyond the target in any direction accounting for deflection of the discharge.

1) Ranges are for use by hunter or furtaker license holders and those who possess a valid shooting range permit. Range permits are valid for one year from the date of purchase from a license issuing agent.

SECTION 4. PENALTIES FOR VIOLATION.

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars(\$600.00) together with costs, and in default of payment. to imprisonment for a term of not more than thirty(30) days.

SECTION 5. ENFORCEMENT

The Nesquehoning Borough Police Department shall be charged with the enforcement of this Ordinance.

SECTION 6. INCLUSION IN CODE

It is the intent of the Borough Council of the Borough of Nesquehoning that the provisions of this Ordinance shall become and be made part of the Code to the Borough of Nesquehoning and the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section" or "article" or such other appropriate work or phrase in order to accomplish the intention of the Borough Council.

SECTION 7. SEVERABILITY


The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision hereof shall be determined to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not impair or affect any remaining provisions of the Ordinance, it being the intention of the Borough Council that it would have adopted the Ordinance even if the offending language had not been included.

SECTION 8. EFFECTIVE DATE

Thus Ordinance shall become effective upon adoption hereof

ORDAINED AND ENACTED this 25th day of September, 2024

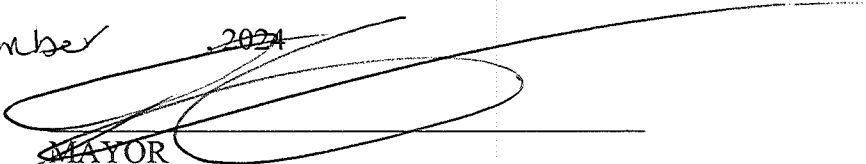
NESQUEHONING BOROUGH COUNCIL

By: 

Council President

ATTEST: 

Secretary

Approved this 25th day of September, 2024


MAYOR