

ORDINANCE NO. 5 - 1992

AN ORDINANCE OF THE BOROUGH OF COALDALE PROHIBITING THE DISCHARGE OF ANY GUN, FIREARM, AIR RIFLES, BOWS AND ARROWS OR SIMILAR DEVICES, SUBJECT TO CERTAIN EXCEPTIONS, WITHIN THE BOROUGH OF COALDALE AND PRESCRIBING PENALTIES FOR VIOLATION.

Be it ordained by the Council of the Borough of Coaldale, and it is hereby ordained by the authority of the same as follows:

Section 1. Discharge of Firearms Prohibited. Except in necessary defense of person and property and except as provided in section 3 of this ordinance, it shall be unlawful for any person to use, fire, or discharge any gun or other firearm within the Borough of Coaldale.

Section 2. Use of Air Rifles, Bow and Arrows, or Similar Devices Restricted.

A. It shall be unlawful for any person under the age of eighteen (18) years, unless accompanied by an adult, to carry 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 of any kind with a force that can reasonably be expected to cause bodily harm, along any street or public area within the Borough of Coaldale.

B. 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 of any kind with a force that can reasonably be expected to cause bodily harm, at any place within the Borough of Coaldale, except on a target range which is properly constructed to trap or stop the projectile.

Section 3. Exceptions. This ordinance shall not apply to:

1. persons licensed to hunt in the Commonwealth while actually engaged in hunting where permitted under the laws of the Commonwealth of Pennsylvania;
2. members of any organization incorporated under laws of this Commonwealth engaged in target shooting upon the grounds or property belonging to or under the control of such organization; and
3. any law enforcement officers when used in the discharge of their official duties.

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), and in default of payment, to imprisonment for a term not to exceed thirty (30) days.

Section 5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 6. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Council of the Borough of Coaldale that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. Effective Date. This ordinance shall become effective on June 9, 1992.

BOROUGH OF COALDALE

BY: *Ken J. Poli*
President of Council

ATTEST:

Bernadine C. Reef
Borough Secretary

John M. Mosh...
Mayor