

## ORDINANCE NO. 2 OF 2014

AN ORDINANCE OF THE BOROUGH OF PORT ROYAL, PENNSYLVANIA, REGARDING REGULATING CONDUCT AND ESTABLISHING AN ORDINANCE PROHIBITING DISCHARGE OF FIREARMS OR SIMILAR DEVICES WITHIN THE BOROUGH LIMITS AND SETTING PENALTIES FOR ANY VIOLATION THEREOF.

Pursuant to the authority granted the Borough Council of Port Royal Borough, Juniata County, Pennsylvania by Section 1731 of the Borough Code (53 P.S. §46731), as amended, the Borough Council of the Borough of Port Royal hereby enacts and ordains as follows:

### Prohibiting Discharge of Firearms or Similar Devices

§101. Discharge of Firearms Prohibited. Except in necessary and *lawfully justified* defense of person and property and *as further* provided in §103 of this Ordinance, it shall be unlawful for any person to use, fire or discharge any gun, firearm or any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosion or the frame or receiver of any such weapon within the Borough of Port Royal.

§102. Use of Air Rifles, Bow 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 of any kind with a force that can be reasonably be expected to cause bodily harm or *potential injury*, at any place within the Borough of Port Royal, except as provided in §403 of this Ordinance, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the County Sheriff or such other appropriated person.

§103. Exceptions. This Ordinance shall not apply to:

A. Any person(s) lawfully licensed to hunt in this Commonwealth while actually engaged in hunting where permitted under the laws of the Commonwealth of Pennsylvania;

B. Any law enforcement, *police or peace* officer(s) when used in the discharge of their official duties.

§104. Penalties for Violation. Any person who shall violate any provision of this Ordinance, shall, upon conviction thereof shall be guilty of a summary offense and be sentenced to pay a fine:

A. Upon a first offense, of not more than fifty (\$50.00) dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed fifteen (15) days.

B. Upon a second offense, of not more than one hundred (\$100.00) dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days.

C. Upon a third and subsequent offense, of not more than six hundred (\$600.00) dollars plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days.

Duly enacted and ordained this 10<sup>th</sup> day of November, 2014, by the Council of the Borough of Port Royal in public session, with quorum present.

PORT ROYAL BOROUGH

BY:

  
President

Attest:

  
Secretary