

**PEN ARGYL BOROUGH
ORDINANCE NO. 732**

AN ORDINANCE REGARDING THE DISCHARGE OF FIREARMS AMENDING CHAPTER 53 OF THE CODE OF THE BOROUGH OF PEN ARGYL TO PROHIBIT THE OWNER OR LEGAL OCCUPANT OF ANY PROPERTY WITHIN THE BOROUGH OF PEN ARGYL FROM AUTHORIZING OR PERMITTING THE DISCHARGE OF ANY WEAPON WITHIN THE BOROUGH LIMITS AND ESTABLISHING THAT SUCH VIOLATION IS A SUMMARY OFFENSE AND INCREASING THE PENALTY FOR VIOLATION

WHEREAS, Chapter 53 of the Code of the Borough of Pen Argyl Section 53-1 et seq. prohibits the discharge of any weapon within the Borough limits with certain exceptions for licensed shooting ranges and hunting as permitted by the Pennsylvania Game Code.

AND WHEREAS, such section provides no penalty for owners or legal occupants of property within the Borough who give permission for the discharge of such weapons.

AND WHEREAS, the Borough Council wishes to provide that the authorization and discharge of such weapons is also prohibited and shall be a summary offense.

NOW THEREFORE, it is ordained as follows:

Chapter 53 of the code of the Borough of Pen Argyl is hereby amended as follows:

Section 1. Section 53-2 is Amended to add the following language:

No persons, shall, except unnecessary defense of persons or property, use, discharge, fire or otherwise propel or give permission or authorization to another person to use discharge or propel, any projectile with enough force which may endanger persons or property within the Borough of Pen Argyl, as provided below:

- A. The Following weapons are specifically prohibited from being discharged within the limits of the Borough of Pen Argyl: Firearms, including rifles, shotguns, pistols, or any other weapon that is capable of firing a projectile by use of an explosive charge.

The giving of permission or authorization, by the owner or legal occupant of any property within the Borough of Pen Argyl to another person, for that person to discharge upon that property any weapon prohibited under this Subsection 53-2-A shall also be prohibited.

Section 2. Section 53-8 is Amended to add the following provision:

(a) Any Person violating Section 53-2 shall upon conviction in a Summary Proceeding before a Magisterial Judge, be sentenced to pay a fine of \$1000 and costs of prosecution and in default of payment of such fine and costs to imprisonment in a County Jail for not more than 30 days.

(b) Any Person violating the remaining provisions of this Chapter shall, upon conviction in a summary proceeding before a District Magistrate, be sentenced to pay a fine of not more than \$300 and costs of prosecution, with the minimum fine for the first offense to be \$50, the minimum fine for the second offense to be \$150 and the minimum fine for the third and each subsequent offense to be \$300, and, in default of payment of such fine and costs, to imprisonment in the county jail for not more than 30 days.

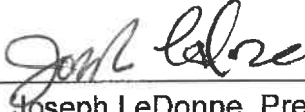
Section 3. The remainder of Chapter 53 shall and is re-adopted without change.

Section 4. This Section shall take effect immediately upon passage.

ATTEST:


Juli Lemak, Secretary

BOROUGH OF PEN ARGYL


By: 
Joseph LeDonne, President
Borough Council

APPROVED this 7th day of May, 2024

ATTEST:


Juli Lemak, Secretary

BOROUGH OF PEN ARGYL

By: 
Stephen M. Male, Mayor