

ORDINANCE NO. 2017- 062

**AN ORDINANCE OF THE TOWNSHIP OF HILLTOWN, BUCKS COUNTY, PENNSYLVANIA, DEFINING AND ESTABLISHING REGULATIONS FOR THE DISCHARGE OF FIREARMS, AIR RIFLES AND PISTOLS, CROSSBOWS, BOWS AND ARROWS AND SIMILAR WEAPONS; PERMITTING HUNTING UNDER THE APPLICABLE LAWS OF THE COMMONWEALTH; DESIGNATING AN ENFORCEMENT OFFICER AND PRESCRIBING PENALTIES FOR VIOLATION OF THE ORDINANCE AND REPEALING ORDINANCE NO. 99-7**

The Hilltown Township Board of Supervisors hereby ordains:

WHEREAS, the Board of Supervisors of Hilltown Township adopted Ordinance No. 99-7 defining and establishing regulations for the discharge of firearms; permitting hunting under the applicable laws of the Commonwealth and prescribing penalties for violation of the Ordinance; and

WHEREAS, the Board of Supervisors of Hilltown Township believes that it is in the best interest of Hilltown Township to repeal Ordinance No. 99-7 and to adopt an Ordinance which also regulates the discharge of air rifles, pistols, crossbows and bow and arrows and similar weapons, as well as firearms; and

NOW, THEREFORE, be it, and it is hereby ORDAINED by the Board of Supervisors of Hilltown Township, Bucks County, Pennsylvania, and it is hereby ENACTED and ORDAINED by authority of same as follows:

**SECTION 1. DEFINITIONS.**

**DISCHARGE** – The act of expelling, releasing or propelling a projectile from a firearm or other weapon.

**FIREARM** – Any weapon which is designed to or may readily be converted to expel, release or propel any projectile by the action of an explosive; or the frame or receiver of any such weapon. The term includes shotgun, air gun, air pistol, spring gun, spring pistol, rifle and pistol of any caliber or any implement which impels with force a pellet, pellets or single projectile of any kind.

**HUNTING** – To kill or catch game for food or sport, in accordance with rules, regulations and statutes of the Pennsylvania Game Commission.

**PROJECTILE** – Any object designed to be expelled, released or propelled forward, such as a bullet, an arrow, pellets, etc.

**TARGET SHOOTING** – The act of discharging a firearm or an air rifle or pistol, a crossbow and a bow and arrow and other similar weapons, at an inanimate object for the purposes of sport or for practice in preparation of hunting.

## **SECTION 2. DISCHARGE OF FIREARMS, AIR RIFLES AND PISTOLS, CROSSBOWS, BOW AND ARROWS, SIMILAR DEVICES. PROHIBITED EXCEPTIONS.**

Except as herein otherwise provided, it shall be unlawful and it is hereby prohibited for any person, firm or corporation to discharge any firearm, air rifle, air pistol, spring gun, spring pistol, BB gun, crossbow, bow and arrow, or similar device, or other implementation which impels a pellet, arrow or bolt, of any kind with a force that can reasonably be expected to cause bodily harm (collectively a “firearm or other weapon”), at any place within the Township of Hilltown, except as provided in Section 3 of this Ordinance.

## **SECTION 3. EXCEPTIONS.**

1. Law Enforcement – Nothing herein contained shall prohibit the use of a firearm or other weapon when employed by the duly appointed law officer in the course of his/her official duty.

2. Hunting – Nothing herein contained shall prohibit the use of a firearm or other weapon when used for hunting purposes in accordance with statutes of the Commonwealth of Pennsylvania and the rules and regulations of the Pennsylvania Game Commission.

3. Defense of Person – Nothing herein contained shall prohibit the use of a firearm or other weapon when used in the defense of human life, as authorized by the Pennsylvania Crimes Code, 18 P.S. §101 et seq.

4. Target Shooting – Target shooting is prohibited unless conducted in a safe and reasonable manner, in strict accordance with the following regulations:

(a) Time of Day – No discharge other than during daylight hours, i.e. sunrise to sunset.

(b) School Zones – No discharge within one thousand (1,000) feet of any school property line, public or private.

(c) Property Lines – No projectile from a firearm or other weapon may cross any property line.

**SECTION 4. ENFORCEMENT.**

The Hilltown Township Police Department is charged with enforcement of the provisions of this Ordinance and any rules and regulations related thereto which are promulgated by the Board of Supervisors.

**SECTION 5. SEIZURE OF FIREARMS, AIR RIFLES AND PISTOLS, CROSSBOWS AND BOWS AND ARROWS AND OTHER SIMILAR WEAPONS.**

Any Township police officer lawfully engaged in his/her law enforcement duties within the Township of Hilltown is hereby authorized to seize, for evidentiary purposes, any firearms or other weapons, as defined herein, which shall be fired, discharged or shot within the limits of the Township of Hilltown in violation of this Ordinance.

**SECTION 6. PENALTIES.**

Any person, firm or corporation who shall violate any provision of this Ordinance shall be subject to summary proceedings before the Magisterial District Judge and, upon conviction, be sentenced to pay a fine of not more than One Thousand Dollars (\$1,000.00), and in default of payment, be sentenced to imprisonment for a term not to exceed thirty (30) days. Each section of the Ordinance violated by a single discharge shall constitute a separate violation and each discharge contrary to the regulations herein shall constitute a separate act of violation.

**SECTION 7. REPEALER.**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed and, specifically, Hilltown Township Ordinance No. 99-7 is hereby repealed in whole.

**SECTION 8. SEVERABILITY.**

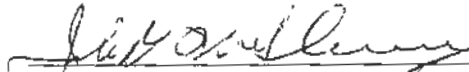
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is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

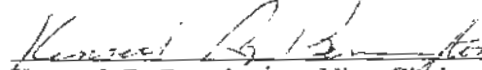
**SECTION 9. EFFECTIVE DATE.**

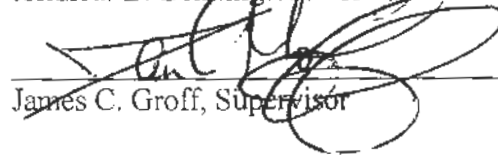
This Ordinance shall become effective five (5) days after final enactment.

ENACTED AND ORDAINED this 22<sup>nd</sup> day of May, 2017.

HILLTOWN TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
John B. McIlhinney, Chairman

  
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Kenneth B. Bennington, Vice-Chairman

  
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James C. Groff, Supervisor