

CHAPTER 6

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PART 1

DISCHARGE OF FIREARMS

§6-101. Definitions.

As used in this Part, the following terms shall have the meanings indicated:

FIREARM — a weapon used in the propulsion of shot, shell, bullet or any other object by the action of gunpowder or other explosive powder, excluding compressed gas or compressed air.

FARMER — a person actively engaged in the business of raising agricultural products or livestock in order to earn a livelihood.

SHOTGUN — a shoulder-held firearm that fires multiple pellets through a smooth bore.

SUNDOWN — the time that the sun sets as listed in the local newspaper.

(Ord. 2005-05-01, 5/23/2005)

§6-102. Prohibited Activities.

The discharge of any firearm within the Township is prohibited.

(Ord. 2005-05-01, 5/23/2005)

§6-103. Exemptions.

The provisions of this Part shall not apply to the following uses or activities involving firearms where otherwise legal:

- A. Authorized law enforcement officers acting in the line of duty.
- B. Hunting or other activities regulated by and conducted in accordance with the Pennsylvania Game and Wildlife Code, 34 Pa.C.S.A. §101 et seq.
- C. Indoor commercial shooting ranges.
- D. Use of firearms in defense of human life.
- E. Farmers protecting their crops or livestock with other than a single-projectile firearm.

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- F. On parcels of 10 acres or more, shotguns and .22 caliber rim fire pistols or rifles discharged, except as follows:
- (1) No discharge within 100 yards of a building.
 - (2) No discharge within 100 yards of a property line.
 - (3) No projectile may cross any property line.
 - (4) No discharge of .22 caliber rim fire pistols or rifles, except with adequate backstop.
 - (5) No discharge between the hours of sundown and 9:00 a.m.

(Ord. 2005-05-01, 5/23/2005)

§6-104. Violations and Penalties.

Any person or persons, corporation, partnership or other entity whatsoever violating any of the provisions of this Part shall, upon conviction, be sentenced to pay a fine not to exceed \$1,000, plus costs of prosecution, and/or to imprisonment for a term not exceeding 30 days.

(Ord. 2005-05-01, 5/23/2005)

PART 2

**PROHIBITING THE TRANSPORTATION, POSSESSION OR CONSUMPTION
OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS.**

§6-201. Prohibited Activities.

No person shall possess or transport any alcoholic beverage in an open container or consume any alcoholic beverage in or upon the streets, sidewalks, alleys or other public ways within the Township, nor in or upon any private shopping center or store parking area or other public area under the jurisdiction of the Police Department of the Township, nor in any motor vehicle in or upon said places.

(Ord. 83-2-2, 2/28/1983, §1)

§6-202. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 83-2-2, 2/28/1983, §2; as amended by Ord. 2007-02-01, 2/12/2007)

PART 3
NUISANCES

§6-301. Prohibition of Nuisance.

It shall be unlawful for any property owner to maintain a nuisance within New Britain Township.

(Ord. 81-11-1, 11/9/1981, §I)

§6-302. Definitions.

ABANDONED or JUNKED MATERIAL — shall include, but not be limited to, trailers, boats, appliances, furniture, vehicles and parts thereof of little value and not properly housed.

JUNK — shall include, but not be limited to, any and all forms of waste and refuse or type of material, including scrap metal, abandoned and junked motor vehicles, glass and industrial waste.

NUISANCE — shall include, but not be limited to, accumulations of garbage and rubbish, and the storage and accumulation of abandoned or junked motor vehicles, or motor vehicles not used or licensed, the storage or accumulation of other abandoned or junked material, the carrying on of any offensive manufacture or business and the accumulation of junk.

NUISANCES — may include an activity which creates noise which is offensive and annoying to Township residents such as the noise created by dirt bikes or trail bikes; and may also include the keeping of dogs, cats and other domestic and wild animals under conditions which cause damage, inconvenience, annoyance or discomfort to others in the legitimate enjoyment of their property or personal rights.

PROPERTY — shall include both private and public property.

PROPERTY OWNERS — shall include all natural persons, corporations, associations, school districts and churches, tenants or occupiers of property in the Township.

(Ord. 81-11-1, 11/9/1981, §II)

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§6-303. Township Rights.

The Township shall have the right and authority to remove any nuisance on public or private property after 15 days' written notice to the property owner to remove such nuisance. Should the property owner default and fail to remove the nuisance within the time specified, the Township may do so and collect the costs of so doing from the property owner together with a penalty of 10% by any legal means, including the filing of a municipal lien.

(Ord. 81-11-1, 11/9/1981, §III)

§6-304. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offense under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 81-11-1, 11/9/1981, §IV; as amended by Ord. 2007-02-01, 2/12/2007)

§6-305. Additional Rights.

In addition to the penalties set forth in §6-304, New Britain Township shall have the right to institute proceedings in equity in the Court of Common Pleas to enforce the terms and provisions of this Part.

(Ord. 81-11-1, 11/9/1981, §V)

§6-306. Severability.

1. The provisions of this Part are severable and if any of its Sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such illegality, invalidity or unconstitutionality shall not affect or impair any of the remaining Sections, clauses or sentences of this Part.
2. It is hereby declared to be the intent of the Supervisors of the Township of New Britain that this Part would have been adopted if such illegal, invalid or unconstitutional Sections, clauses or sentence had not been included herein.

(Ord. 81-11-1, 11/9/1981, §VI)

§6-307. Additional Provisions.

The provisions of this Part are to be in addition to zoning, fire prevention, sanitary and building laws and other ordinances or resolutions now enforced and applicable in New Britain Township.

(Ord. 81-11-1, 11/9/1981, §VII)

