

**ORDINANCE NO. 1024
BOROUGH OF HATBORO
MONTGOMERY COUNTY, PENNSYLVANIA**

AN ORDINANCE AMENDING THE BOROUGH OF HATBORO CODE OF ORDINANCES CHAPTER SIX, PART ONE, ENTITLED “DISCHARGE OF FIREARMS”, AND CHAPTER SIX, PART THREE, ENTITLED “REGULATING CONDUCT IN PUBLIC PARKING LOTS AND HARASSMENT IN OTHER AREAS” AND CHAPTER SIXTEEN, PART ONE, ENTITLED “PARK RULES AND REGULATIONS”

WHEREAS, the Borough Code, 53 P.S. § 45101, et seq., authorizes the Borough Council of the Borough of Hatboro (“Borough Council”) to make and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health, and welfare of the Borough and its citizens;

WHEREAS, the Borough Council deems it be in the best interest and general welfare of the citizens and residents of the Borough to amend its Code of Ordinances by revising Chapter Six, Part One, entitled “Discharge of Firearms”, Chapter Six, Part Three, entitled “Regulating Conduct in Public Parking Lots and Harassment in Other Areas,” and Chapter Sixteen, Part One, entitled “Park Rules and Regulations”;

WHEREAS, the Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of Hatboro Borough will be served by the amendments stated herein to the Hatboro Borough Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Hatboro, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. CODE AMENDMENTS.

- A. THE BOROUGH OF HATBORO CODE OF ORDINANCES CHAPTER 6 “CONDUCT”, PART 1, ENTITLED “DISCHARGE OF FIREARMS” IS HEREBY AMENDED AND REPLACED WITH THE FOLLOWING TITLE TO READ AS FOLLOWS:**

CHAPTER 6

CONDUCT

Part 1

USE OF AIR RIFLES, BOW AND ARROWS, OR SIMILAR DEVICES

- B. THE BOROUGH OF HATBORO CODE OF ORDINANCES CHAPTER 6 “CONDUCT”, PART 1, SECTION 101, ENTITLED “DISCHARGE OF FIREARMS PROHIBITED” IS HEREBY REPEALED AND RESERVED AS FOLLOWS:

§6-101. Reserved.

- C. THE BOROUGH OF HATBORO CODE OF ORDINANCES INDEX FOR CHAPTER 6 “CONDUCT”, PART 1, ENTITLED “DISCHARGE OF FIREARMS” IS HEREBY AMENDED TO READ AS FOLLOWS:

CHAPTER 6

CONDUCT

PART 1

USE OF AIR RIFLES, BOW AND ARROWS, OR SIMILAR DEVICES

§6-101. Reserved.

§6-102. Use of Air Rifles, Bow and Arrows, or Similar Devices Restricted

§6-103. Exceptions

§6-104. Penalties for Violation

- D. THE BOROUGH OF HATBORO CODE OF ORDINANCES CHAPTER 6 “CONDUCT”, PART 1, SECTION 102, ENTITLED “USE OF AIR RIFLES, BOW AND ARROWS, OR SIMILAR DEVICES RESTRICTED” IS HEREBY AMENDED TO READ AS FOLLOWS:

§6-102. 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, crossbow 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, except as provided in §6-103 of this Part, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the Chief of Police.

- E. THE BOROUGH OF HATBORO CODE OF ORDINANCES CHAPTER 6, PART 3, ENTITLED “REGULATING CONDUCT IN PUBLIC PARKING LOTS AND HARASSMENT IN OTHER AREAS”, SECTION 304 “PROHIBITED CONDUCT”, SECTION “I” IS HEREBY AMENDED TO READ AS FOLLOWS:

- I. Carry or discharge any bow and arrows, crossbows, slingshots, firecrackers, or fireworks upon any public parking lot which have such properties as to cause annoyance or injury to any person lawfully using such public parking lot or injury to the property of such persons.

**F. THE BOROUGH OF HATBORO' CODE OF ORDINANCES CHAPTER 16
"PARKS AND RECREATION", PART 1, "PARK RULES AND REGULATIONS"
SECTION 104, ENTITLED "GENERAL REGULATIONS", SECTION 10 IS
HEREBY AMENDED TO READ AS FOLLOWS:**

10. It shall be a violation of this Part for any person to possess, discharge, or display any bow and arrows, crossbows, firecrackers or fireworks, or rockets. Professional fireworks displays shall be permitted by prior permit at the discretion of the Borough Council.

SECTION 2. REPEALER.

All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. REVISIONS.

The Council of the Borough of Hatboro does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 4. SEVERABILITY.

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

SECTION 6. FAILURE TO ENFORCE NOT A WAIVER.

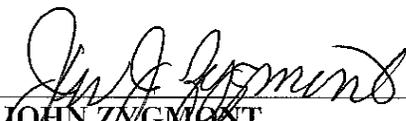
The failure of the Borough of Hatboro to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

ENACTED and ORDAINED by the Borough Council of the Borough of Hatboro, this _____ day of _____, 2015.

ATTEST:

BOROUGH OF HATBORO:

By: 
ALFRED ZOLLERS,
BOROUGH MANAGER

By: 
JOHN ZYGMUNT,
COUNCIL PRESIDENT

Examined and approved as an Ordinance, this _____ day of _____, 2015.

By: 
NORM HAWKES, MAYOR