

EXETER TOWNSHIP  
BERKS COUNTY, PENNSYLVANIA  
ORDINANCE NO. 712 of 2011

**AN ORDINANCE OF EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA,  
AMENDING THE CODE OF ORDINANCES, CHAPTER 173, FIREARMS &  
WEAPONS**

PURSUANT TO THE AUTHORITY CONTAINED IN THE SECOND CLASS TOWNSHIP CODE, AS AMENDED, THE BOARD OF SUPERVISORS OF EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, DOES HEREBY ENACT AND ORDAIN AS FOLLOWS:

**SECTION I.** The Exeter Township Firearms Ordinance, Chapter 173 of the Township Code, is hereby amended as follows:

**§ 173-1 Discharge of firearms prohibited.**

Except as provided in § 173-2 of this chapter, it shall be unlawful within the Township of Exeter for any person to discharge a firearm other than:

- A) Constables, sheriffs, prison or jail wardens, or their deputies, policemen of this Commonwealth or its political subdivisions, or other law-enforcement officers while engaged in their official duties including, but not limited to, training sessions.
- B) Officers or employees of the United States duly authorized to carry a firearm while engaged in their official duties.
- C) Any person engaged in the business of manufacturing, repairing, or dealing in firearms, or the agent or representative of any such person, having in his possession, discharging such a firearm in the usual or ordinary course of such business.

**§ 173-2 Exceptions.**

A person may discharge a firearm:

- A) While hunting as provided for by (1) Pennsylvania Title 34 known as the Pennsylvania Game Law; (2) by the rules and regulations of the Pennsylvania Game Commission; and (3) applicable zoning regulations.
- B) at any gun club or on any private outdoor target, trap, skeet, or shooting range that is properly constructed and complies with both NRA standards for range safety and applicable zoning regulations, except that no discharge of a firearm is permitted:
  - (1) onto, across, or within 50 yards of a public road;

- (2) into or within the “safety zone”, the dimensions of which are defined at Title 43 section 2505(c), as may be amended; or
- (3) from, onto, or across public or private property without the owner or occupant's prior written consent;
- C) in a private basement or cellar target range that is properly constructed and complies with both NRA standards for range safety and applicable zoning regulations.
- D) when necessary to protect life or property;
- E) to kill a dangerous animal

**The phrase “properly constructed” is defined as meeting all applicable state and local laws and regulations.**

Nothing in this section shall exempt any person or persons from being subject to all the rules and regulations promulgated and set forth by Pennsylvania Title 34 known as the Pennsylvania Game Law as amended.

#### **§ 173-3 Use of air rifles or similar devices restricted.**

It shall be unlawful within the Township of Exeter for any person to discharge any air rifle, air pistol, spring gun, spring pistol, B-B gun, or similar device, or any implement that is not a firearm, which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm at any place, within the Township of Exeter except as provided in §173-4 of this chapter.

#### **§ 173-4 Exceptions:**

A person may discharge an air rifle or similar device when:

- A) on a properly constructed target range that complies with both NRA standards for range safety and applicable zoning regulations, or
- B) on any private grounds or residence under circumstances when such air rifle or similar devices can be fired, discharged or operated in such a manner as not to endanger persons or property, and then only, if it is used in such manner as to prevent the projectile from transversing any grounds or space outside the limits of such grounds or residence and if it is allowed under applicable zoning regulations.

**The phrase “properly constructed” is defined as meeting all applicable state and local laws and regulations.**

Nothing in this section shall exempt any person or persons from being subject to all the rules and regulations promulgated and set forth by Pennsylvania Title 18 Pa. C.S. 6304 Sale and Use of Air Rifles as amended.

**§ 173-5 Use of bow and arrows or similar devices restricted.**

Except as provided in § 173-6 of this chapter, it shall be unlawful within the Township of Exeter for any person to discharge a bow and arrow.

**§ 173-6 Exceptions.**

A person may discharge a bow and arrow:

- A) while hunting as provided for by (1) Pennsylvania Title 34 known as the Pennsylvania Game Law; (2) by the rules and regulations of the Pennsylvania Game Commission; and (3) applicable zoning regulations;
- B) on any properly constructed private outdoor target or shooting range, as may be permitted under applicable zoning regulations, except that no discharge of a bow and arrow is permitted:
  - (1) onto, across, or within 50 yards of a public road;
  - (2) into or within the safety zone into or within the “safety zone”, the dimensions of which are defined at Title 43 section 2505(c), as may be amended;  
or
  - (3) from, onto, or across public or private property without the owner or occupant's written consent;
- C) private grounds or residence under circumstances when such bow and arrow or similar devices can be released, fired, discharged or operated in such a manner as not to endanger persons or property, and then only, if it is used in such manner as to prevent the arrow from transversing any grounds or space outside the limits of such grounds or residence and complies with any applicable zoning regulations;
- D) in a private basement or cellar target range that is properly constructed and complies with standards for range safety;
- E) when necessary to protect life or property; or
- F) to kill a dangerous animal.

**The phrase “properly constructed” is defined as meeting all applicable state and local laws and regulations.**

Nothing in this section shall exempt any person or persons from being subject to all the rules and regulations promulgated and set forth by Pennsylvania Title 34 known as the Pennsylvania Game Law as amended.

**§ 173-4 Violations and penalties.**

Any person, firm or corporation who shall violate any provision of this chapter, 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 chapter continues or each section of this chapter which shall be found to have been violated shall constitute a separate offense.

***SEVERANCE CLAUSE***

Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.

***REPEALER CLAUSE***

All Ordinances or parts of Ordinances or Resolutions conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

***ENACTED AND ORDAINED*** into an Ordinance this 23<sup>rd</sup> day of May 2011.

EXETER TOWNSHIP  
BOARD OF SUPERVISORS

By: Donald Wilson  
Chairperson

Attest: [Signature]  
Secretary