

**AN ORDINANCE ESTABLISHING CHAPTER 152 -
FIREARMS - OF THE CODE OF THE BOROUGH
OF HAMBURG TO PROHIBIT THE DISCHARGE
OF FIREARMS**

ORDINANCE # 06-2015

BE IT ORDAINED by the Mayor and Council of the Borough of Hamburg, County of Sussex, State of New Jersey, that Chapter 152 - Firearms - of the Code of the Borough of Hamburg prohibiting the discharge of firearms is hereby established as set forth hereafter.

DEFINITIONS: As used in this Chapter, the following terms shall have the meaning indicated:

1. 152-1 - FIREARM

Any pistol, revolver, rifle, shotgun, machine gun, automatic and semiautomatic rifle, or other firearm as the term is commonly used, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectile, ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It shall also include, without limitation, any firearm which is in the nature of any air gun, spring gun or pistol, carbon dioxide or compressed air gun or pistol, or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas, or vapor, air or compressed air, or is ignited by compressed air, and ejects a bullet or missile smaller than 3/8 of an inch in diameter, with sufficient force to injure the person. It shall also, by definition, include any bow and arrow including cross bow and sling shot.

2. 152 -2 - DISCHARGE OF FIREARMS PROHIBITED

No person shall discharge any firearm within the Borough of Hamburg except as provided in Section Chapter 152-3 of this Chapter.

3. 152-3 - EXCEPTIONS:

This Chapter shall not apply to:

A. Law enforcement officers, or other persons authorized by law, to carry and discharge firearms in the performance of their duties;

B. Members of any legally recognized military organization while in the performance of their official duties;

C. Privately employed security personnel who are authorized by law to carry firearms while in the performance of their official duties;

D. Persons lawfully using firearms in the protection of their person or property for self-defense;

E. Powder charged construction equipment used to connect materials to metals or concrete.

F. Persons lawfully using firearms on property owned by the State of New Jersey

152-4 - PENALTIES.

Violations of the provisions of this Chapter shall be punished as provided in Chapter 1 - General Provisions - Article III.

152-5 - SEVERABILITY

This Ordinance is severable, and in the event any part hereof is deemed or declared invalid for whatsoever reason by a Court of competent jurisdiction, the remainder of the Ordinance shall remain in full force and effect.

152-6 - EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

CERTIFICATION

NOTICE is hereby given that the above ordinance was introduced and passed on first reading of a meeting of the Mayor and Council of the Borough of Hamburg, held on Monday, August 3, 2015 at 7:30 p.m. and will be considered for final passage at a regular meeting of the Mayor and Council to be held on Wednesday, September 9, 2015 at 7:30 p.m. or as soon thereafter as same can be considered, in the Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. A copy of said Ordinance is on file in the Office of the Borough Clerk, Municipal Building, 16 Wallkill Avenue, Hamburg, New Jersey and is available for public inspection during regular business hours. During the week prior and up to the time of public hearing, copies of said ordinance will be available to the member of the general public who requests the same.

Doreen Schott, RMC
Municipal Clerk