

§ 3-12. REGULATING THE USE OF FIREARMS, BOWS AND ARROWS, AND FIREWORKS.

§ 3-12.1. Definitions. [Ord. No. 484 § 1]

As used in this section:

FIREARMS — Shall mean any gun, shotgun, rifle, pistol, revolver, or other device from which a bullet, shot, ball, slug, pellet, or other solid projectile or other noxious thing is propelled by means of a cartridge or shell or by the action of an explosive force or compressed gas or the igniting of flammable or explosive substances.

FIREWORKS — Shall mean any combustible or explosive composition or any substance or combination of sub-stances, or article prepared for the purpose of producing a visible or an audible effect by combustion, deflagration, explosion, or detonation.

STRUCTURE — Shall mean any building, shelter or enclosure, whether portable, prefabricated, sectional or otherwise, located upon any lot.

§ 3-12.2. Firearms; Bows and Arrows. [Ord. No. 484 § 2]

It shall be unlawful for any person to discharge any firearm or cast an arrow upon or across any State, County, Municipal road or highway, park, playground or other public or private property within the Borough unless that person has fulfilled the following two requirements:

- a. Obtained a written permit from the Borough Council or its duly authorized agent in accordance with rules and regulations promulgated by the Council; and
- b. Obtained written permission from the owner, lessee, or custodian of the property on which or into which the firearm is discharged or the arrow is cast indicating the duration of its effectiveness, which permit shall be carried in the possession of the person discharging any such firearm or using any such bow and arrow.

§ 3-12.3. Exceptions to Permit Requirements. [Ord. No. 484 § 3; Ord. No. 863 § 1; Res. #2000-131 §§ 1, 2; Ord. No. 2011-1581; Ord. No. 2016-1710]

The permit requirements of Subsection 3-12.2 shall not apply to the following:

- a. Any police officer or law enforcement officer while in the performance of his duty or undertaking duly authorized police training.
- b. Use of bows and arrows for target practice or for purposes of instruction upon public or private property with permission of the person having jurisdiction over the property.
- c. Any person duly licensed to hunt game by the State of New Jersey during the prescribed hunting season subject to the following:
 1. No person shall be permitted to hunt game on any public property owned by the Borough, except as part of a deer management hunt authorized by the

Borough Council.

2. No person shall be permitted to hunt game on any private property within the Borough unless that person is the owner, lessee or custodian of such private property or unless that person carries in his possession written permission from the owner, lessee or custodian of such property indicating the duration of its effectiveness.
3. No person shall, for the purpose of hunting, discharge any firearm or cast an arrow across any public or private property boundary line, unless said person carries in his possession written permission from the owner, lessee or custodian of the property into which the firearm is discharged or the arrow cast indicating the duration of its effectiveness.
4. No person shall, for the purpose of hunting, discharge any firearm or cast an arrow across any State, County, or Municipal road or highway.
5. No person, except the owner or lessee of the building and persons specifically authorized by him in writing, which writing shall be in the person's possession, shall have in his possession a loaded firearm while within 450 feet of any occupied building in this State, or of any school playground.
6. No person, except the owner or lessee of the building and persons specifically authorized by him in writing, which writing shall be in the person's possession, shall, have in his possession a nocked arrow while within 150 feet of any occupied building in this State, or within 450 feet of any school playground, and a nocked arrow shall only be cast when a person is in an elevated position so that any arrow is aimed in a downward angle.
7. The Borough Council may promulgate rules and regulations to implement the standards of Subsection 3-12.3c.¹

§ 3-12.4. Fireworks. [Ord. No. 484 § 4]

It shall be unlawful for any person to set off any explosive, bomb, firecracker, rocket, torpedo, squib, or any other fireworks upon any public or private property within the Borough without complying with the following:

- a. Obtain a written permit from the Borough Council or its duly authorized agent in accordance with rules and regulations promulgated by the Borough Council.
- b. Submit with any such application to the Borough Clerk a certificate of insurance evidencing general liability coverage in minimum amounts of \$100,000/\$300,000 bodily injury and \$50,000 property damage.

1. Editor's Note: See Appendix A to § 3-12 included at the end of § 3-12.

APPENDIX TO SECTION 3-12	
Rules and Regulations for the Discharge of Firearms and Use of Bow and Arrow	
a.	The authorized agent of the Borough Council for the purposes of issuing permits to discharge firearms or use bows and arrows within the Borough shall be the Police Department of the Borough.
b.	Applications for permits shall be upon forms furnished by the Police Department and shall include:
1.	Name, address and telephone number of the applicant;
2.	Description and identification of motor vehicle;
3.	Hunting license number;
4.	Identification of area where firearms discharge or bow and arrow activity is to take place;
5.	Written consent of owner of the subject premises;
6.	Type of ammo used.
c.	The Police Department shall issue appropriate decals/permits for those applications found to be in proper order.
d.	In the event a permit is refused by the Police Department, the applicant may request and shall be afforded a timely hearing by the Borough Council (or a committee appointed for that purpose). Subsequent to such hearing the decision of the Police Department may be modified, affirmed or reversed. In the event of reversal, a permit shall be issued forthwith.
e.	Each permittee shall be furnished with a copy of this section plus Subsections g and h of this appendix and shown a map outlining the perimeter of the area where firearm discharge or bow and arrow activity is permitted.
f.	The discharge of firearms or the use of bows and arrows shall not be permitted on improved parcels of land less than 5.0 acres for firearms and 3.0 acres for Bow and Arrow.
g.	In the event a deer is wounded on huntable land and runs to adjacent non-huntable or posted land, the hunter may proceed (without a weapon) to seek permission from the adjacent property owner to claim the wounded animal. In the event permission is denied, the hunter shall withdraw immediately, report the location of the wounded animal to the Police Department as soon as practicable, and consider the matter closed.
h.	In the event a permittee violates any provision of § 3-12 of this chapter, the Fish and Game law, these regulations or the consent of the owner of the subject property, the ranking officers of the Police Department may summarily revoke the permit issued. [Res. #90-272 § 1-9; Res. #91-188 § 1; Res. #91-221 § 1; Res. #2000-131 § 1; Ord. No. 2018-1787]