

ARTICLE V Discharge of Firearms. [Adopted 11-23-1999 by Ord. No. 9-1999]

§ 129-12. Definitions.

As used in this Article V, the following words shall have the meanings indicated:

DISCHARGE — the expulsion of a projectile from a firearm.

FIREARM — Any device which is designed and intended to expel a projectile by action of gunpowder, any other explosive, compressed air, compressed gas or mechanical device. By way of example and not limitation, items that are to be considered firearms under this article include guns, pistols, rifles, shotguns, BB guns, pellet guns, air rifles and paint ball guns and paint ball rifles. The definition of "firearm" shall not be deemed to include items that are traditionally considered to be children's toys when used in the manner for which they were designed.

§ 129-13. Acts prohibited.

A. A person is guilty of disorderly conduct (discharging a firearm) if he or she causes the discharge of a firearm anywhere within the City of Lancaster, subject to the exceptions set forth in Subsection B of this § 129-13.

B. The following acts shall not constitute a violation of Subsection A of this § 129-13:

(1) The discharge of a firearm by a law enforcement officer or military personnel acting within the line of duty, including but not limited to active operations, training exercises and ceremonies.

(2) The discharge of a firearm for purposes of hunting or other activities regulated by and conducted in accordance with the Game and Wild Life Code of Pennsylvania.

(3) The discharge of a firearm within a properly constructed and legally permitted firing range duly established within the City of Lancaster.

(4) The discharge of a firearm in defense of human life or the residence or place of business of the person discharging the firearm.

(5) The discharge of a firearm at an event, for which the party organizing or promoting such event has obtained a special permit issued by the Chief of Police of the City of Lancaster.

§ 129-15. Violations and penalties.

Whoever violates any provision of this Article V shall, upon conviction thereof in a summary proceeding before a District Justice, be fined \$500 for the first offense and not more than \$1,000 for any subsequent offense and the costs of prosecution and shall pay restitution, in an amount determined by the court, for damages to person or property suffered by the victim as a result of the violation of this Article V and, in default of payment thereof, shall be imprisoned for not more than 30 days. The fines collected by the District Justice for violations of the provisions of this article shall be paid over to the City of Lancaster.