

**SAFETY ZONE AMENDED ORDINANCE NO. 2021-01**  
**TOWNSHIP OF TUNKHANNOCK**

**WHEREAS**, the Board of Supervisors of Tunkhannock Township, Monroe County, Pennsylvania, continues to deem it to be in the best interests and general welfare of the citizens of the Township to promote the safe and responsible use of firearms so that firearm shooting activity can safely co-exist with the increase in population in Tunkhannock Township.

**WHEREAS**, many of the citizens of Tunkhannock Township, at the request of the Board of Supervisors, formed a Safety Zone Committee to provide a recommendation to the Board of Supervisors to best accomplish the goals set forth above, and have acted diligently and with extreme prudence in doing so.

**NOW, THEREFORE**, it is hereby enacted and ordained by the Board of Supervisors of Tunkhannock Township, Monroe County, Pennsylvania, as follows:

**Section 1. PURPOSE:** The purposes of this ordinance amendment are set forth below. This ordinance does not apply to lawful hunting activities occurring within Tunkhannock Township. The ordinance also does not apply to commercial shooting ranges which are separately governed by the Tunkhannock Township Zoning Ordinance. This ordinance only applies to the private, not for profit target shooting activities not otherwise regulated by federal, state, or local law.

**Section 2. DEFINITIONS:** For the purpose of this amended ordinance the following terms, phrases, words and their derivations shall have the following meanings:

1. "Owner" is a person owning, leasing, occupying or having charge of any premises within the Township.
2. "Person" is any individual or group of individuals.

3. "Firearm" - A weapon including a pistol, rifle, a shotgun shooting a slug or large projectile, or machine gun capable of firing a projectile and using an explosive charge.

**Section 3: FIREARMS.** The discharge of firearms within the boundaries of Tunkhannock Township, as defined within this ordinance, shall be a violation of this ordinance under the following circumstances:

1. No person shall discharge a firearm while under the influence of alcohol or controlled substances under the Pennsylvania law, or on any types of medication which would render the individual incapable of safe discharge of the firearm;

2. The discharge of firearms is prohibited between the hours of sunset to sunrise;

3. The discharge of firearms during day light hours shall only occur on the following conditions:

(A) all discharge of firearms shall be directed at a backstop, excepting fine shot used for trap and skeet;

(B) the backstop for the firearm is capable of stopping the projectile from the firearm without any reasonable possibility of ricochet or penetration and exit out of the backstop;

(C) the discharge of the firearm must occur on the individual's own property, or the property of another with the permission of the property owner;

(D) the line of fire of the firearm cannot be directed over another person's property without their permission.

4. In the event the discharge of the firearm is to occur within 150 yards of an adjoining property owner's house or business, the person intending to discharge the firearm must notify the adjoining property owner prior to discharge.

5. This ordinance does not apply to commercial shooting ranges. Commercial

shooting ranges, that is, for profit shooting ranges, will adhere to the requirements set forth within the Tunkhannock Township Zoning Code, Section 3.18.4.

**Section 4. ENFORCEMENT.** Upon receiving a complaint or information regarding violations to this ordinance, the Pocono Mountain Regional Police Department shall make investigation, and if the activity is determined to be a violation of this ordinance, a summary citation prepared in accordance with the

Pennsylvania Rules of Criminal Procedure and/or Tunkhannock Township Zoning Ordinance shall be issued against the violator(s).

**Section 5. PENALTY FOR VIOLATION:**

1. Enforcement shall be by an action before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Board of Supervisors hereby set a fine in the amount of up to \$600.00 per violation, plus costs of prosecution to be set by the district justice. Each day's continuance of the violation shall constitute a separate event.

**Section 6. SEVERABILITY:** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**Section 7: EFFECTIVE DATE:** This Ordinance shall become effective upon passage.

**ORDAINED AND ENACTED** into an ordinance at a regular meeting of the Board of Supervisors of Tunkhannock Township, Monroe County, Pennsylvania, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

**BOARD OF SUPERVISORS OF  
TUNKHANNOCK TOWNSHIP**

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Martina Kernan, Secretary

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Fran DePiano, Chairperson

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George Ewald, Vice-Chairperson

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Steve Malaico, Supervisor