

## ORDINANCE NO 427

### AN ORDINANCE REPEALING ORDINANCE NO. 183 OF THE BOROUGH OF MONT ALTO, FRANKLIN COUNTY, PENNSYLVANIA AND PROHIBITING THE USE AND DISCHARGE OF ANY FIREARM, GUN OR FIREWORKS WITH THE BOROUGH OF MONT ALTO, FRANKLIN COUNTY, PENNSYLVANIA AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE BOROUGH OF MONT ALTO, FRANKLIN COUNTY, PENNSYLVANIA:

SECTION 1: Ordinance No. 183 is hereby repealed.

SECTION 2: No person shall, except in necessary defense of person or property, fire or discharge any firearm, gun or consumer firework or display firework within the Borough of Mont Alto, Franklin County, Pennsylvania.

SECTION 3. Definitions:

Firearm: Firearm shall mean any weapon which designed to or may readily be converted to expel any projectile by the action of an explosive, and shall include but not be limited to and shall include but not be limited to spring guns, rifles, shotguns, pistols, handguns, air guns, paint ball guns or flobert rifles (target shooting rifles).

Consumer Firework: Any combustible or explosive composition or any substance or combination of substances intended to produce visible and/or audible effects by combustion and which is suitable for use by the public that complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to commercial practices) or any successor regulation and which complies with the provisions for "consumer fireworks" as defined in the American Pyrotechnics Association (APA) Standard 87-1, or any successor standard.

The term does not include devices as "ground and hand-held sparkling devices," "novelties" and "toy caps" in APA Standard 87-1, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth.

Display Firework: The term "display fireworks" shall be defined as provided in [27 CFR § 555.11](#) (relating to meaning of terms).

SECTION 3: Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of \$250.00 and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment in the Franklin County prison for a period of ten (10) days.

SECTION 4: The provisions of this Ordinance shall be immediately effective.

Ordained and enacted into an Ordinance this 7th day of August, 2006.

BOROUGH OF MONT ALTO

ATTEST:



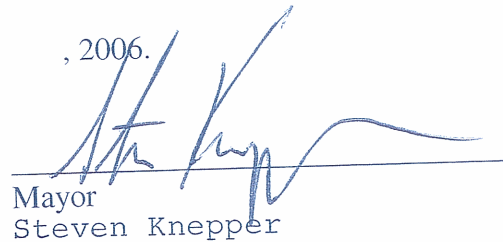
Secretary  
Patricia A. Kocek



President of the Town Council  
Michael W. Gossard

Approved this 7th day of August

, 2006.



Mayor  
Steven Knepper