

ORDINANCE 2025:01

Notice is hereby given that the ordinance identified as herein after set forth was passed and adopted on second and final reading after a public hearing thereon, at the meeting of the Somerdale Borough Council held on April 8, 2026. A copy of the ordinance is available at Borough Hall, 105 Kennedy Boulevard, Somerdale.

AN ORDINANCE OF THE BOROUGH OF SOMERDALE CONCERNING THE DISCHARGE OF WEAPONS CHAPTER 186-9

BE IT ORDAINED by Mayor and Council of the Borough of Somerdale, County of Camden, State of New Jersey that §186-9, Discharging of Firearms and other weapons; exceptions, of the existing Borough Code be repealed and replaced with the attached new §186-9, Discharge of Firearms and other weapons; exceptions, incorporated herein and made part hereof.

This ordinance shall become effective as provided by law.

Chapter 186. Parks and Recreation

§ 186-9. Discharging of firearms and other weapons; exceptions.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

BOW AND ARROW

Any bow and arrow or slingshot and crossbow, including but not limited to a recurve and compound crossbow.

DISCHARGE

To shoot or fire a firearm or other weapon.

FIREARMS

Any pistol, revolver, rifle, shotgun, machine gun, automatic or semiautomatic rifle 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 explosion 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 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 ejecting a bullet or missile

smaller than three-eighths (3/8) of an inch in diameter, with sufficient force to injure a person. It shall also include any other instrument or weapon in which a loaded or blank cartridge, except as noted herein, is used or may be used.

B. Prohibited acts.

(1) It shall be unlawful to discharge, fire, carry or to have possession of any loaded firearm as defined in this section within the territorial limits of the Borough of Somerdale, except as specifically provided herein.

(2) It shall be unlawful to discharge or fire any bow and arrow as defined in this section on or within **one-hundred and fifty (150) feet / (50) yards** of any occupied dwelling, residence, farmhouse, barn, building, structure, day-care facility, place of worship, public or private school building or grounds or publicly owned open space or park, except as specifically provided herein.

(3) It **shall be unlawful to discharge or fire any firearm as defined in this section on or within four-hundred and fifty (450) feet/ one-hundred and fifty (150) yards of any occupied dwelling, residence, farmhouse, barn, building, structure, day-care facility, place of worship, public or private school building or ground or publicly owned open space or park, except as specifically provided herein.**

(4) It shall be unlawful to discharge any firearm or bow and arrow as defined in this section upon or across any state, county or township road or highway.

C. Exceptions. Nothing contained in this section shall be interpreted to prohibit the use, discharge or possession of firearms or bow and arrow as defined in this section as follows:

(1) Law enforcement officers of any governmental agency, federal, state, county and/or municipality, acting in the course of his or her official duty.

(2) Members of any legally recognized military organization while in the performance of their official duties.

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

(4) Persons lawfully using firearms or bows and arrows in the protection of their person or property for self-defense.

(5) Persons engaged in the discharge of firearms loaded only with blanks for commemorative events or historic pageants; provided, however, that such persons shall obtain a special permit from the Borough Police upon application prescribed by the Director of the Department of Public Safety or designee.

(6) Members of any full-time paid or part-time paid Fire Department or force assigned full-time or part-time to a municipal or county arson investigation unit while in the performance of their official duties.

(7) Civilian employees of the state and federal government while in the performance of their official duties,

(8) Any representative of the Division of Fish, Game and Wildlife, Department of Environmental Protection (DEP), State of New Jersey, or deputy state conservation officer or full-time employee of the State Division of Parks and Forestry or a New Jersey transit police officer while in the performance of their official duties.

(9) A guard in the employ of any railway express company, banking or building and loan or savings and loan institution of the State of New Jersey while in the actual performance of official duties.

(10) Persons, keeping or carrying but not discharging any firearms or bow and arrow about their residence, premises or business or on land leased by them; or to or from any place of purchase or repair of firearms or bow and arrow and their residence, premises, business or leasehold; provided, however, that they fully comply with the appropriate sections of Title 2A of the New Jersey Revised Statutes, as amended.

(11) Persons transporting any firearm or bow and arrow while traveling directly to or from any proper hunting place, provided that such persons have in their possession a valid hunting license, or while traveling directly to or from any proper place for practice, match, target, trap or skeet shooting or shooting exhibitions; provided, however, that during the course of traveling for the purposes set forth in this subsection, the firearm or bow and arrow is unloaded and contained in a closed and fastened case, gun box, securely tied package or locked in the trunk of the automobile in which the person is transporting the firearm or bow and arrow; and provided further that the course of travel to or from such places may include such deviation as may be reasonable or necessary under the circumstances.

(12) Shooting or discharging of a firearm or bow and arrow by a person having in his or her possession a validly issued and current hunting license, which firearm or bow and arrow is actually aimed at legal game and during a legal open season recognized by the Fish and Game laws or under a depredation permit issued under the direction of the NJ Division of Fish and Wildlife or the US Fish and Wildlife Service; provided that the firearm or bow and arrow so used must be a legal weapon allowed to be employed for the type of hunting or damage control being so conducted; and further provided that the firearm or bow and arrow is being employed in the manner required by the Fish and Game Laws; and further provided that the person so engaged is not in violation of any statute or ordinance related to trespass or to the use of property. Under this subsection, the prohibitions set forth in Sections **186-98 (2)** and (3) above shall still apply.

(13) Shooting or discharging of a firearm or bow and arrow at a legally established rifle or pistol range pursuant to Chapter 186 of the Somerdale Borough Code.

D. Violations and penalties. Any person, firm or corporation violating or failing to comply with the provisions of this section shall, upon conviction thereof, be subject to a fine not exceeding one thousand dollars (\$1,000.), a term of imprisonment not exceeding ninety (90) days or community service not exceeding ninety (90) days, or a combination thereof in the discretion of the Court. The continuation of such violation for each successive day shall constitute a separate offense and the person, firm or corporation allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

E. Property Owner's Responsibility.

Property owners who shoot or discharge firearms and or bow and arrows on their own land or, or give permission for others to do so, shall post their land to indicate their property boundary beyond which such discharge is prohibited; permission shall be in writing and shall be carried by the individual relying on such permission. Any such property owner shall file with the Somerdale Police Department a written notice providing the legal description of the land and the individual granted such permission prior to allowing use of the property for such use.

F. Removing or defacing public notices or advertisements.

No person shall, within the limits of the borough, willfully or maliciously take down, remove or injure any notice, advertisement or other placard legally and publicly set up by an officer or person in accordance with law, before the time to which such notice, advertisement or placard relates.

This Ordinance will become effective upon publication as provided by law.

Date Introduced: March 11, 2026

Date Adopted: April 8, 2026

Michele D. Miller, CMC, RMC