

ORDINANCE NO. 2 of 2016

**TOWNSHIP OF SHENANGO
LAWRENCE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF SHENANGO, LAWRENCE COUNTY,
PENNSYLVANIA, FOR THE PURPOSE OF REGULATING THE USE OF EXPLOSIVE
TARGETS WITHIN THE TOWNSHIP**

Section 1. TITLE.

This Ordinance shall be known and cited as the "Shenango Township Explosive Target Ordinance" (hereinafter referred to as "Ordinance").

Section 2. PURPOSE.

The purpose of this Ordinance is to implement standards for the detonation of explosives that may cause injury, death or damage to personal property, while also preserving the personal freedom to engage in such activities, and while promoting public health, safety, welfare, comfort and prosperity of the citizens of Shenango Township.

Section 3. DEFINITIONS.

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings given unless the context clearly indicates otherwise:

BUILDING – any structure intended for shelter, housing or enclosure of persons, animals or property.

DETONATE – Any action that will cause an explosive material or device to explode.

EXPLOSIVE – any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion.

EXPLOSIVE TARGET – Any device, utilized for the purposes of shot confirmation, which explodes upon impact by a projectile fired from a firearm. Such devices are typically comprised of chemicals or materials that react in an explosive manner once impacted by a projectile or a detonating device, including, but not limited to, binary explosive targets made of separately packaged fuel and oxidizer components that must be mixed to make the explosive device live. Such devices include, but are not limited to, those marketed under the name of Tannerite, Star, Sure-shot and others.

OWNER – a person owning, leasing, occupying or having charge of any premises within the Township.

PERSON – any natural person, firm, partnership, association, corporation, company or organization of any kind.

Section 4. PROHIBITION.

The use of explosive targets is prohibited within Shenango Township except in accordance with the provisions of this Ordinance.

1. Permitted Use. The detonation of explosive targets is only permitted within the Township when used by a person:
 - a. For its intended purpose as a shooting target;
 - b. In accordance with all manufacturer specifications and all applicable State and Federal laws;
 - c. On property located in an Agricultural District (A-1) as identified on the official Shenango Township Zoning Map;
 - d. Where the shooter and target are both located more than two hundred (200) yards from any building or property line; and
 - e. Between the hours of 7:00 a.m. and 7:00 p.m., prevailing time, Monday through Saturday only.

2. Prohibited Use. It shall be unlawful for any person within the limits of the Township to detonate an explosive target:
 - a. In a manner which is not consistent with the provisions of Paragraph 1 above;
 - b. Within fifteen hundred (1,500) feet as measured in a straight line from the point of detonation to the property line of any school, day care, playground, park, church, kennel or stable;
 - c. Without consent of the owner of the property on which the explosive target is located;
 - d. Carelessly or heedlessly in wanton disregard for the safety of others;
 - e. Without due caution or circumspection and in a manner so as to endanger any person or property and resulting in the unlawful property damage or bodily injury of another;
 - f. In a manner resulting in projectiles or shrapnel leaving the property in which the detonation or explosion occurred;
 - g. While consuming and/or under the influence of alcohol or a controlled substance;
 - h. In the form of an explosive target which is encapsulated or in any way enclosed in such a manner where the detonation could create projectiles or shrapnel;
 - i. When detonated from a motor vehicle; or

- j. Under any circumstances, to detonate an explosive target containing more than one pound of explosive mixture.

Section 5. EXCEPTIONS.

This Ordinance shall not be construed to prohibit the following:

1. Use of explosive targets by any Federal, State or Local Law Enforcement Officer, or any member of an organized rescue or fire fighting force, in the performance of an official duty;
2. The detonation of an explosive target at a properly permitted and approved firing range or facility operating as such prior to the adoption of this Ordinance.
3. Any individual, group or company that possesses a valid permit and is operating under all Federal and State guidelines prescribed for such use.
4. This Ordinance shall not apply to the use of pyrotechnics or fireworks, as permitted under Pennsylvania law.

Section 6. PENALTY FOR VIOLATION.

Any person who fails to comply with any of the provisions of this Ordinance shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of not less than \$300 and no more than \$1,000 plus the cost of prosecution, and in default of payment of such fine and costs, shall be imprisoned for not more than 30 days. Each day that a violation continues shall constitute a separate offense.

Section 7. ENFORCEMENT.

The provisions of this Ordinance shall be enforced by the Shenango Township Police Department.

Section 8. SEVERABILITY.

If any section of specific provision or standard of this Ordinance is found by a court to be invalid, the decision of the court shall not affect the validity of any other section, provision, or standard of this Ordinance.

Section 9. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days following the said date of enactment.

ORDAINED AND ENACTED INTO LAW, this 11th day of AUGUST, 2016.

Attest:

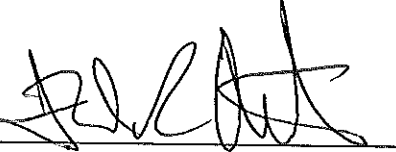
TOWNSHIP OF SHENANGO



Albert Burick, III, Secretary

By: _____

Russell J. Riley, Chairman

By: 

Frank Augustine, Supervisor

By: 

Albert Burick, III, Supervisor