

ARTICLE 725

Weapons

725.01 Discharging Firearms Prohibited; Exceptions

725.99 Penalty.

CROSS REFERENCE

Discharge of weapons - See 3rd Class §2403(26) [53 P.S. §37403(26)]

725.01 DISCHARGING FIREARMS PROHIBITED; EXCEPTIONS.

- (a) Definitions. As used in this Article, the following terms shall have the meanings herein assigned to them:
- (1) “Discharge” means the expulsion of a projectile from a firearm or from the operation of a firearm in such a manner so as to lead one to reasonably conclude, by sight or sound, that a projectile was expelled from a firearm. If the firearm used is capable of the expulsion of a projectile, its firing alone shall be sufficient to constitute a discharge and no further proof of the expulsion of a projectile shall be necessary to establish a violation of this Article.
 - (2) “Firearm” means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive; or the frame or receiver of any such weapon. The term “firearm” shall not include any air gun, air pistol, spring gun, spring pistol, B-B gun, or any implement that is not a firearm, which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm. [Cross-reference PA Crimes Code 18 Pa.C.S. § 5515 and § 6120.]
- (b) Discharge of firearms prohibited. No person shall discharge any firearm within the City except as provided in subsection (c).
- (c) Exceptions. The following acts shall not constitute violations of this Article:
- (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 compliance with the Pennsylvania Game and Wild Life Code.
 - (3) The discharge of a firearm within a properly constructed and legally permitted firing range duly established within the City of Bethlehem and under circumstances such that the firearm is discharged in such a manner as not to endanger persons or property, and the firing range is constructed and maintained in such a manner as to prevent the projectile from traversing any grounds or space outside the limits of such range.
 - (4) The discharge of a firearm where such discharge is justified pursuant to 18 Pa.C.S. §§ 501-510 (relating to use of force in defense of persons and property).
 - (5) The discharge of a firearm where no projectile is expelled by an honor guard at a military funeral or to start a sports competition.
 - (6) The discharge of a firearm where no projectile is expelled at a public celebration, memorial or exhibition and the discharge is directed away from the nearest persons and property.
- (d) Construction and enforcement. This Article shall not be construed or enforced to regulate or infringe upon the lawful ownership, possession, transfer or transportation of firearms as permitted by the Constitution and laws of the United States and of the Commonwealth of Pennsylvania. In addition, this Article shall not be construed or enforced to regulate firearms to the extent prohibited by 53 Pa.C.S. §2962 and 18 Pa.C.S. § 6120. [Cross-reference Third Class City Code, 53 P.S. § 37423] (Ord. 2015-11. Passed 3/17/15)

725.99 PENALTY.

Any person who violates any provision of this article shall be fined six hundred dollars (\$600.00) or imprisoned not more than ninety days, or both. (Ord. 1768 §1. Passed 11/13/62; Ord. 3242-Passed 2/7/89)