

**** PUBLIC NOTICE ****

NOTICE IS HEREBY GIVEN THAT ORDINANCE NO. O-9-2016-029 ENTITLED "AMENDING CHAPTER 76 OF THE CODE OF THE TOWNSHIP OF MONROE TO PROHIBIT THE DISCHARGE OF FIREARMS AND WEAPONS AND REGULATE POSSESSION" HAS BEEN WITHDRAWN FROM CONSIDERATION AT THE OCTOBER 5, 2016 REGULAR MEETING UPON MOTION MADE BY COUNCILMAN DIPIERRO AND SECONDED BY COUNCIL VICE PRESIDENT DALINA.

PATRICIA REID, Township Clerk

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO. O-9-2016-029

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AMENDING CHAPTER 76
OF THE CODE OF THE TOWNSHIP OF MONROE
TO PROHIBIT THE DISCHARGE OF FIREARMS AND WEAPONS
AND REGULATE POSSESSION**

WHEREAS the Police Chief of the Township of Monroe has recommended certain amendments to the Township's Ordinance regarding the discharge and possession of firearms; and

WHEREAS, the Township Council believes such restrictions are in the best interests of the citizens of Monroe; and

WHEREAS, the Township attorney has reviewed the proposed revisions and finds them to be legally enforceable;

NOW, THEREFORE, BE IT ORDAINED that Chapter 76, § 1, of the Township Code be amended to add the following:

"No person shall discharge any firearm or arrow within the limits of the Township or across any part of the Township, nor shall any person have in his possession a loaded gun or nocked arrow while within 450 feet of any occupied building, except the owner or lessee of such building or a person specifically authorized in writing by such owner or lessee, or within 450 feet of any Township-owned property or any school playground."

Chapter 76, § 2, of the Township Code shall be amended to add the following definitions:

"As used in this section and pursuant to N.J.S.A. 23:4-16d, "occupied building" shall mean any building constructed or adapted for overnight accommodation of a person, or for operating a business or engaging in an activity therein, whether or not a person is actually present."

;and

"As used in this section, "firearm" shall mean any handgun, 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 projectable 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 explosive or the igniting of flammable or explosive substances. It shall also include, without limitation, any firearm which is in the nature of an 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 3/8 of an inch in diameter, with sufficient force to injure a person."

Chapter 76 shall be further amended to add a new section:

Exemption to Firearm Restrictions

"The foregoing firearm restrictions shall not apply to the following:

- “(1) Law enforcement officers of any governmental agency while in the performance of their duties;
- “(2) Members of any legally recognized military organization while in the performance of their duties;
- “(3) Privately employed security personnel who are authorized by law to carry firearms while in the performance of their duties;
- “(4) Persons lawfully using firearms in the protection of person or property;
- “(5) Persons engaged in the discharge of firearms loaded only with blanks at commemorative events or historic pageants; provided, however, that such persons shall have obtained prior thereto a special permit from the Township Committee upon application prescribed by the Township Clerk;
- “(6) Members of government or civilian rifle or pistol clubs duly organized in accordance with the rules prescribed by the National Board for the Promotion of Rifle Practice in going to or from their several places of target practice and carrying weapons necessary for such practice; and in discharging firearms as part of such practice, provided that a copy of the charter is filed with the Chief of Police and that the practice range, if within the Township, is approved by the Chief of Police as complying with nationally recognized standards for such ranges;
- “(7) Persons engaged in skeet or trap shooting on ranges approved by the Chief of Police as complying with recognized standards for such ranges;
- “(8) Members of nonprofit civil or government-affiliated organizations while engaged in a rifle target shoot sponsored by such organization; provided that the range for such target shoot shall first be approved by the Chief of Police as complying with recognized standards and that the location of such range, the type and caliber of the ammunition to be used at such target shoot and the date of such shoot shall first be approved by the Chief of Police as being reasonably commensurate with the safety of the public and the participants in the shoot; and provided, further, that the sponsor of the target shoot shall first file with the Chief of Police a certificate of an insurance company authorized to do business in the State evidencing that the sponsor and the Township are insured against liability for personal injury or death in the sum of at least \$500,000 and against liability for property damage arising from the conducting of the target shoot in the sum of at least \$25,000;
- “(9) Animal control activities limited to the euthanization of animals which have been fatally injured or trapped; and
- “(10) Farmers, or their designees, carrying or discharging firearms in the performance of animal control activities in compliance with State law on properties which are qualified as farmland under the New Jersey Farmland Assessment Act, N.J.S.A. 54:5-23.1, *et seq.*”

All other ordinances or parts of ordinances contained in said Chapter shall remain in full force and effect.

SO ORDAINED, as aforesaid.

LESLIE KOPPEL, Council President

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed at a meeting of the Monroe Township Council held on September 7, 2016. Said Ordinance will again be read and considered for final passage at a meeting of the Monroe Township Council to be held on October 5, 2016 at 7:00 p.m. in the Municipal Complex, 1 Municipal Plaza, Monroe Twp., NJ 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to its consideration for final passage.