

THE BOROUGH OF PEN ARGYL
ORDINANCE No. 738
AMENDING CHAPTER 53 OF THE CODE TO DELETE SECTION 53-2
AND TO AMEND SECTION 53-8 AND CHAPTER 79
OF THE CODE OF THE BOROUGH OF PEN ARGYL

THE PURPOSE OF THIS ORDINANCE IS TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF PEN ARGYL TO DELETE SECTION 53-2 DECLARING THE DISCHARGE OF CERTAIN WEAPONS A SUMMARY OFFENSE, AMENDING SECTION 53-8 TO DELETE THE PENALTY FOR DISCHARGE OF WEAPONS AND AMENDING CHAPTER 79 OF THE CODE OF THE BOROUGH OF PEN ARGYL TO DELETE THE PROHIBITION ON DISCHARGE FIREARMS ON PARK PROPERTY OF THE BOROUGH OF PEN ARGYL AND PENALTIES THEREFORE AS WELL,AS RENUMBERING REMAINING SECTIONS

WHEREAS The Borough of Pen Argyl has enacted certain Ordinances codified under Chapter 53 of the Code of The Borough of Pen Argyl defining certain activities as constituting Disorderly Conduct;

AND WHEREAS The Borough of Pen Argyl has also adopted Ordinances codified as Chapter 79 of the Code of The Borough of Pen Argyl regulating conduct in Weona Park, a public park owned and operated by The Borough;

AND WHEREAS The Borough of Pen Argyl has determined that certain Sections of Chapter 53 and 79 in regulating the discharge of firearms and classifying such discharge as a Summary Offense are duplicative and unnecessary insofar as they either duplicate provision of the Pennsylvania Crimes Code or might be inconsistent with the provisions of said Crimes Code;

AND WHEREFORE Borough Council wishes to repeal those Sections of the above mentioned Chapters 53 and 79 for the reasons mentioned above.

NOW THEREFORE Be it Ordained and it is hereby Ordained as follows:

Section 1:

Section 53-2 regulating the use of prohibited weapons is repealed in its entirety. And the succeeding subsections renumbered

Section 2:

Section 58-1 (A) prescribing penalties for the use of prohibited weapons is repealed in its entirety.

Section 3:

Section 79-6 A(9) is hereby repealed in its entirety.

The remainder of Section 79-6 (A) is renumbered to reflect the deletion of former Section (9).

Section 4:

Section 79 (B) is hereby Amended to read as follows:

- (1) Any person violating the provisions of Subsection A (1) through (7) and renumbered Sections (9), (10), (17), (18), and (20) shall be guilty of a Summary Offense and shall upon conviction be sentenced to pay a fine of not less than \$50 and not more than \$300.

Any person violating the provisions of Subsection A (8) and renumbered (11) through (16) (19) and (21) of this Section shall be guilty of a Summary Offense and shall upon conviction pay a fine of not less than \$25 and not more than \$300.

Section 5:

The remainder of Chapters 53 and Chapters 79 shall be readopted without change.

Section 6:

This Ordinance shall take effect immediately upon passage.

ATTEST:


Juli Lemak
Juli Lemak, Secretary

BOROUGH OF PEN ARGYL

Joseph LeDonne
BY: Joseph LeDonne, President
Borough Council

APPROVED ON THIS 5th DAY OF AUGUST 2025

ATTEST:


Juli Lemak
Juli Lemak, Secretary

BOROUGH OF PEN ARGYL

Stephen Male
Stephen Male, Mayor