

# **TOWNSHIP OF LOWER MERION**

## ***Parks & Recreation Committee***

### **Issue Briefing**

**Topic:** Amendment to Township Code Chapter 109 “Parks and Playgrounds” to amend § 109-16, Firearms, fireworks.

**Prepared By:** Donna L. Heller, Director of Parks & Recreation

**Date:** July 26, 2017

- I. Action To Be Considered By The Board:** Amend the Township Code Chapter 109 “Parks and Playgrounds” § 109-16, Firearms, Fireworks, to authorize posting Township Parks to prohibit the discharge of a Firearm or Bow, except where Authorized by the Board of Commissioners.
- II. Why This Issue Requires Board Consideration:** Code amendments require Board of Commissioner approval.
- III. Current Policy Or Practice (If Applicable):** No person except authorized members of the Police Department shall carry or discharge firearms of any kind in a park without a special permit, unless exempted.
- IV. Other Relevant Background Information:** This Ordinance amendment addresses two areas.
  - It replaces the legally objectionable language in the existing ordinance to align with State Law 53 Pa.C.S.A. 2508 regulating firearms while protecting residents and park users.
  - The change will also allow the Board to consider authorized bow and arrow hunting with specific parameters in specific areas to meet the requirements of the PA Game Commission for the Township to be able to obtain a Deer Culling permit.

The state law prohibits hunting and the discharge of a firearm or bow in a Park where the park is posted. 53 Pa.C.S.A. 2508 Limited hunting, if deemed appropriate, can therefore be permitted by not posting the specific area as one where the discharge of a firearm or a bow and hunting is prohibited. As per the Solicitor’s advice, authorizing the posting of parks to prohibit hunting and the discharge of a firearm or bow except where the Board of Commissioners exempts the area is a way to provide flexibility needed to provide one or more authorized bow hunting areas.
- V. Impact On Township Finances:** The financial impact would be the cost of signage to appropriately post the Parks. Forty-seven (47) sites at an average of four (4) signs per site total cost would be approximately \$4,700.00
- VI. Staff Recommendation:** Recommend the Board of Commissioners authorize the Township Secretary to advertise a Notice of Intention to Adopt an Ordinance to Amend the Township Code Chapter 109 “Parks and Playgrounds” § 109-16,

Firearms, fireworks, to authorize posting Township Parks to prohibit the discharge of a Firearm or Bow, except where authorized by the Board of Commissioners.