

## Chapter 96

### FIREARMS

**§ 96.1. Possession or use of guns and weapons.**

**§ 96.2. Exceptions.**

**§ 96.3. Violations and penalties.**

**[HISTORY: Adopted by the Borough Council of the Borough of Whitehall 7-6-55 as Ord. No. 233. Section 96.3.1 amended at time of adoption of CODE; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]**

**§ 96.1. Possession or use of guns and weapons. (AMENDED – 2-20-13 by Ord. No. 1051)**

From and after the adoption of this chapter, it shall be illegal for any person in the Borough of Whitehall, Allegheny County, Pennsylvania, to have in his possession, except within his own domicile, or carry or use any air rifle, as defined in 18 Pa. CS § 6304, as amended, or any air gun, BB gun, gas-operated gun or spring gun, or any instrument, toy or weapon commonly known as a "peashooter," "slingshot" or "beany," made for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether such instrument is called by any name set forth above or by any other name.

**§ 96.2. Exceptions. (AMENDED– 2-20-13 by Ord. No. 1051)**

96.2.1. The prohibition of this chapter shall not apply to licensed shooting galleries or in private grounds or premises under circumstances when such instrument can be fired, discharged or operated in such a manner as not to endanger persons or property and also in such manner as to prevent the projectile from traversing any grounds or space outside the limits of such gallery, grounds or residence.

96.2.2. The prohibition of this chapter shall not be construed to forbid United States marshals, sheriffs, constables and their deputies and any regular, special or *ex officio* police officer or any other law enforcement officer from carrying or wearing, while on duty, such weapons as shall be necessary in the proper discharge of their duties.

**§ 96.3. Violations and penalties.**

96.3.1. Any person or persons, corporation, partnership or other entity whatsoever violating any of the provisions of this chapter shall, upon conviction, be sentenced to pay a fine not to exceed the maximum fine of three hundred dollars (\$300.), plus costs of prosecution, and, in default of payment of such fine and costs of prosecution, imprisonment for a term not exceeding thirty (30) days; provided, however, that if the District Justice determines that the defendant is without the financial means to pay the fines and costs immediately or in a single remittance, such defendant shall be permitted to pay the fines or costs in installments and over such periods of time as the District Justice deems to be just.<sup>1</sup>

96.3.2. Each and every violation of this chapter shall be considered as a distinct and separate offense.

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<sup>1</sup> Editor's Note: Amended at time of adoption of CODE; see Ch. 1, General Provisions, Art I.