

**TOWNSHIP OF LONG HILL
ORDINANCE 504-22
PROHIBITING WITH CERTAIN EXCEPTIONS THE DISCHARGE OF FIREARMS ANYWHERE IN THE
TOWNSHIP OF LONG HILL AND AMENDING SECTION 3-7 OF THE TOWNSHIP CODE ENTITLED
"FIREARMS" IN ITS ENTIRETY**

WHEREAS, the Township Firearms Ordinance was first adopted by the Township Committee on September 5, 1973 as Ordinance #33-73 and amended in its entirety on October 7, 1974 by Ordinance #26-74; and

WHEREAS, in 1984, the Township Committee, recognizing that the Township had become more densely populated as a result of development during the previous ten years, adopted Ordinances Nos. 3-84 and 14-84 which prohibited the discharge of firearms and other weapons in certain designated areas of the Township; and

WHEREAS, there were no other amendments to the Ordinance after it was first adopted 48 years ago; and

WHEREAS, there has been a significant amount of new development in the Township during that time; and

WHEREAS, the Township Committee has determined that as a result of that development, the health, safety and welfare of the Township's residents requires that, with certain exceptions, the discharge of firearms must be prohibited throughout the Township; and

WHEREAS, N.J.S.A. 40:48-1 provides that, "The governing body of every municipality may make, amend, repeal and enforce ordinances to . . . 18. Regulate and prohibit the sale and use of guns, pistols, firearms, and fireworks of all descriptions;"

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter 3 of the Township Code entitled "Police Regulations" is hereby amended as follows:

Section 1. Section 3-7 entitled "Firearms," consisting of subsections 3-7.1 through 3-7.7.7 inclusive, is hereby repealed in its entirety.

Section 2. There is hereby created a new section 3-7 entitled "Discharge of Firearms Prohibited" which reads as follows:

"3-7 Discharge of Firearms Prohibited

3-7.1 Discharge of Firearm Prohibited in the Township of Long Hill

"Except as permitted by section 3-7.3 below, no person shall discharge any firearm within the boundaries of the Township of Long Hill."

3-7.2 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

"Firearm" means any handgun, rifle, shotgun, machine gun, automatic or semi-automatic 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, with sufficient force to injure a person.

3-7.3 Exceptions.

The prohibitions of § 3-7.1 and N.J.S.A. 2C:39-6 et seq. (as exist or may be amended to exist) shall apply but not be solely limited to the following:

- A. Law enforcement officers of any governmental agency, federal, state, county and/or municipal, at all times (N.J.S.A. 2C:39-6).
- B. Members of any legally recognized military organization while in the performance of their official duties (N.J.S.A. 2C:39-6).
- C. Privately employed security personnel who are authorized by law to carry firearms while in the performance of their official duties (N.J.S.A. 2C:39-6).
- D. Persons lawfully using firearms in the protection of their person or property.
- E. Persons engaged in the discharge of firearms loaded only with blanks for commemorative events or historic pageants; provided, however, that such persons shall obtain a special permit from the Township Police Division upon application prescribed by the Director of the Department of Public Safety or designee (N.J.S.A. 2C:39-6).
- F. Members of any full-time paid or part-time paid Fire Department or force assigned full-time or part-time to a municipal or county arson investigation unit (N.J.S.A. 2C:39-6).
- G. Civilian employees of the state and federal government while in the performance of their official duties (N.J.S.A. 2C:39-6).
- H. Any representative of the Division of Fish, Game and Wildlife, Department of Environmental Protection (DEP), State of New Jersey, or deputy state conservation officer or full-time employee of the State Division of Parks and Forestry or a New Jersey transit police officer while in the performance of their official duties (N.J.S.A. 2C:39-6).
- I. A guard in the employ of any railway express company, banking or building and loan or savings and loan institution of the State of New Jersey while in the actual performance of official duties (N.J.S.A. 2C:39-6).
- J. Owner, tenant or lessee, the latter two having express written and dated permission of the owner, on file with the Township Police Division, when controlling woodchuck or other pests as legally defined, authorized and allowed by the hunting regulations promulgated by the Division of Fish, Game and Wildlife, Department of Environmental Protection, State of New Jersey. This subsection shall also apply to farmers (N.J.S.A. 2C:39-6).
- K. A person carrying a firearm for the purpose of hunting, provided that the firearm is legal and appropriate for hunting purposes in this State and the person has in possession a valid hunting license issued by the State of New Jersey, subject to the following conditions:
 - 1. No person shall discharge any firearm upon or across any State, County or municipal street, and no person except the owner or lessee of the property and persons specifically authorized by him in writing shall have in his possession a loaded firearm while within 450 feet of any occupied dwelling in the Township of Long Hill or while within 450 feet of a school playground.
 - 2. The discharge of any firearm shall be prohibited in the following areas of the Township:

- a. The area south of Long Hill Road to its intersection with Meyersville Road and, from that intersection, the area south of Meyersville Road.
- b. The area north of Valley Road and south of Long Hill Road.
- c. The area west of Carlton Road and north of Long Hill Road.
- d. The area east of South Main Avenue and south of Valley Road.
- e. The area beginning at a point being the northeasterly corner of Lot 10-21 in Block 1-1 as shown on the tax maps of the Township of Long Hill; and, running thence in a generally southerly direction following the boundary line between Lot 10-21, Block 1-1 and Lot 11, Block 1, 1,000 feet to a point; and, thence running in a generally westerly direction approximately 2,500 feet to the southeasterly corner of South Northfield Road; and, running thence in a generally northerly direction following the easterly sideline of South Northfield Road, 1,000 feet to a point; and, thence running in a generally easterly direction approximately 2,500 feet to the point and place of beginning.

- L. Any person who holds a valid permit to carry a handgun issued pursuant to N.J.S.A. 2C:58-4, as supplemented and amended

3-7.4 Violations; Penalties

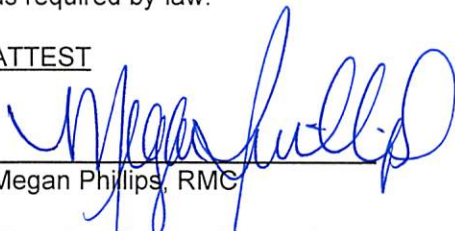
"Any person who is found to be in violation of the provisions of this section shall upon conviction thereof be subject to the penalty as stated in section 1-5 of this Code entitled "General Penalty."

Section 3. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 4. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST


Megan Phillips, RMC


Matthew Dorsi, Mayor

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