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ORDINANCE NO. 1068 -- 2011

**AN ORDINANCE OF THE BOROUGH OF PHILIPSBURG,
CENTRE COUNTY, PENNSYLVANIA, PROHIBITING TOBACCO
USE IN BOROUGH PARKS**

BE IT ENACTED AND ORDAINED by the Philipsburg Borough Council,
and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: Part 1, Section 103, entitled "Conduct prohibited in Parks," of Chapter 16 of the Philipsburg Borough Code is hereby amended to prohibit the use of tobacco, in any form, in Borough parks. Therefore, Part 1, Section 103 of Chapter 16 shall be amended to include the following new subsection:

- 18. Tobacco use. No person shall use or dispose of tobacco, of any kind or in any form, within or near any park.**

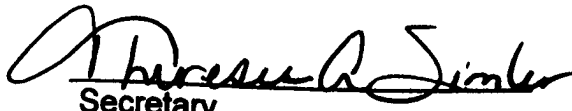
SECTION 2: The Borough Manager, or his designee, is hereby authorized but not directed, to install new signage or to alter existing signage to communicate this new prohibition.

SECTION 3: Any Ordinance or parts of Ordinances of the Borough of Philipsburg, Centre County Pennsylvania, conflicting with this Ordinance or any part thereof is hereby repealed insofar as the same affects this Ordinance.

ADOPTED as an Ordinance of the Philipsburg Borough Council of the Borough of Philipsburg, Centre County, Pennsylvania, at a meeting of said Borough Council held on the 4th day of January, 2010.

IN WITNESS WHEREOF, we hereunto set our hands and corporate seals this 11th day of July, 2011.

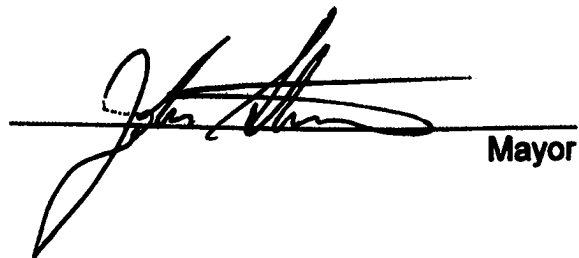
ATTEST:


Secretary

BOROUGH OF PHILIPSBURG

BY 
President of Council

EXAMINED AND APPROVED by me this 18th day of July, 2011.


Mayor

PART 1

FIREARMS AND OTHER WEAPONS

§6-101. Discharge of Firearms Restricted.

Except in necessary defense of person and property and except as provided in §6-103 of this Part, it shall be unlawful, within the Borough of Philipsburg, for any person to use, fire or discharge any gun or other firearms.

(Ord. 888, 3/2/1981, §1)

§6-102. Use of Air Rifles, Paint Guns, Bows and Arrows or Similar Devices Restricted.

It shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol, BB gun, paint gun, bow and arrow or similar device or any implement that is not a firearm which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm at any place, within the Borough except on a properly constructed target range or no closer than 500 feet to any dwelling or public building and except as provided in §6-103 of this Part.

(Ord. 888, 3/2/1981, §1; as amended by A.O.)

§6-103. Exception.

Nothing in this Part shall be deemed to prohibit the proper use of firearms, bows and arrows or similar devices where their lawful use is permitted in hunting as provided for by the Pennsylvania Game Law and by the rules and regulations of the Pennsylvania Game Commission.

(Ord. 888, 3/2/1981, §1)

§6-104. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 888, 3/2/1981, §1; as amended by A.O.)

