

ORDINANCE 2017-17

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING SECTION 3-6, TITLED “HUNTING, FIREARMS AND OTHER WEAPONS” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM AND REPLACING WITH A NEW SECTION 3-6, TITLED “USE OF FIREARMS AND OTHER WEAPONS” TO ALLOW THE USE OF FIREARMS OR WEAPONS FOR DEER AND BEAR HUNTING

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that Section 3-6, titled “Hunting, Firearms and Other Weapons” of the Revised General Ordinances of the Township of Chatham is hereby repealed and replaced with a new Section 3-6, titled “Use of Firearms and Other Weapons” as follows:

Section 1. Section 3-6, titled “Hunting, Firearms and Other Weapons” of the Revised General Ordinances of the Township of Chatham is hereby repealed and replaced with a new Section 3-6, titled “Use of Firearms and Other Weapons” as follows:

3-6 USE OF FIREARMS AND OTHER WEAPONS.

3-6.1 Definitions.

As used in this section:

Chief of Police shall mean the Chief of the Police Department of the Township of Chatham.

Firearm shall mean any gun, shotgun, rifle, air rifle, pistol, revolver or other device from which a shot is fired by explosive force.

Game shall mean any wild bird, animal or fowl.

Township shall mean the Township of Chatham in the County of Morris, New Jersey.

Weapon shall mean any firearm, bow and arrow, slingshot, or like device.

3-6.2 Use of Firearms or Weapons Prohibited.

Except as provided in Subsections 3-6.3 and 3-6.4 below, no person shall at any time within the Township use, discharge or fire any firearm or weapon.

3-6.3 Target Practice; Shooting Preserves; Control of Certain Destructive Animals.

Nothing contained in this Section 3-6 shall be interpreted to prohibit the use or discharge of firearms or weapons in connection with any of the following activities:

- a. Target practice with bow and arrow on private property owned or leased by the persons engaged in such practice or their guests;
- b. Trap shooting or skeet shooting with shotguns at shooting facilities complying with the following safety standards and conditions:

1. No shooting station shall be located within three hundred (300) yards of any of the following: any public street or highway; any dwelling or other structure occupied or used by persons or domestic animals; any park or recreation lands, whether public or private, which are used by persons or domestic animals.
2. A safety shot fall zone semi-circular in shape shall be provided on the same property with the shooting stations, which zone shall have a radius of not less than three hundred (300) yards measured from the central shooting station. All land in this safety zone which is within one hundred (100) yards of the center shooting station shall be cleared. Conspicuous warning signs shall be maintained along the outer limits of this safety zone.
3. Structures housing traps shall be located and constructed so as to complete protection for operators.
4. A fence or other barrier shall be maintained to keep spectators at least seventy-five (75) feet behind any shooting station.
5. Only shotguns shall be permitted at any trap or skeet shooting facility. Only shot no larger than No. 4 fine shot may be used. Solid projectiles shall not be discharged from any shotgun at any time.
6. A trap or skeet shooting range shall be operated only during daylight hours.
7. At all times during the operation of a trap or skeet shooting facility, the facility shall be under the immediate supervision and control of a person qualified in safety procedures in accordance with standards established by the National Rifle Association.
8. No alcoholic beverages shall be permitted at or in the vicinity of a shooting facility on any day when the facility is in operation.
9. No firearms or ammunition shall be stored at any shooting facility at any time when the facility is not in operation. In order to assure compliance with the foregoing safety standards and conditions, no trap or skeet shooting facility shall be operated in the absence of written approval issued by the Chief of Police after inspection of the facility. Such an approval shall remain in effect until revoked. If at any time the Chief of Police finds that the foregoing safety standards or conditions are not being complied with, then the Chief of Police may revoke the approval by a written notice setting forth the violation or violations, which notice shall be delivered to the owner of the property upon which the facility is located. The facility shall not be again operated until any violations are corrected and a new written approval has been issued by the Chief of Police.

c. The operation of a commercial pheasant, wild turkey, quail and partridge-shooting preserve from time to time licensed by the Division of Fish and Game in the Department of Environmental Protection of the State of New Jersey in accordance with N.J.S.A. 23:3-29, provided that owner or tenant of the land used for such preserve first files from time to time with the Chief of Police a statement regarding any license issued, the expiration date thereof and the tract of land subject of the license; or

d. The control by farmers and fruit growers of certain animals destructive to crops, produce and poultry as provided in N.J.S.A. 23:4-9, 25 and 42 or other statutes of the State of New Jersey, provided that the owner or tenant of any property where such control will be carried on first files a statement to that effect with the Chief of Police.

e. The harassment of waterfowl on any property larger than five (5) acres by the owner or occupier thereof by the use of shellcrackers discharged from a firearm, provided that the owner or occupier of such property where such harassment will take place first files a statement to that effect with the Chief of Police.

f. Deer hunting with bow and arrow, subject to the following safety standards and conditions:

1. Any person proposing to engage in deer hunting within the borders of the Township of Chatham shall first obtain a permit from the Police Department of the Township of Chatham allowing the discharge of a bow and arrow for deer hunting.
2. Permits shall only be issued to individuals possessing a valid New Jersey State deer bow hunting permit, and shall be limited to no more than twenty (20) permits per day.
3. Discharges of bow and arrow for deer hunting may only take place from tree stands.
4. Discharges of bow and arrow for deer hunting may not take place on properties within the R-3, R-4, R-5, R-6A, R-6B and R-6C Residential Districts as described on the Zone Map of the Township of Chatham, nor where permission has not been obtained from the property owner.
5. For any bow hunter who shall use a motor vehicle to access a permitted hunting area, such hunter shall display during hunting on such motor vehicle, when parked, a copy of the Township permit or such other placard or notice as may be provided by the police department.
6. All laws, rules and regulations regarding hunting now or as may be adopted by the State of New Jersey apply and are incorporated herein.

g. Deer hunting with shotgun, subject to the following safety standards and conditions:

1. Any person proposing to engage in shotgun deer hunting within the borders of the Township of Chatham shall first obtain a permit from the Police Department of the Township of Chatham allowing the discharge of a shotgun for deer hunting.
2. Permits shall only be issued to individuals possessing a valid New Jersey State deer shotgun-hunting permit, and shall be limited to no more than twenty (20) permits per day.
3. Discharges of shotguns for deer hunting may only take place from tree stands.
4. Discharges of a shotgun for deer hunting may take place on properties, as more particularly located on the south side of River Road to the Morris County line with Union County from Passaic Street to the Township boundary with Long Hill Township, on the north side of Green Village Road from the Township boundary with Harding Township to the intersection with Shunpike Road and running north to the Township boundary, on the south side of Green Village Road from the Township boundary with Harding Township to the R-5A District as shown on the Zoning Map of the Township of Chatham and running south to the boundary of the Great Swamp National Wildlife Refuge, on Lots 117 and 117.01 in Block 48.15, Lot 117.27 in Block 48.16, Lot 10.01 in Block 128 along Southern Boulevard, on Lots 1 and 2 in Block 64 along River Road, and Lots 92, 93 and 94 in Block 18, and Lots 74, 76, 77, 87, 88, and 89 in Block 48 at the end of Tanglewood Lane, Block 66, Lot 1 fronting River Road and Hillside Avenue but only when permission has first been obtained from the property owner.

5. For any shotgun hunter who shall use a motor vehicle to access a permitted hunting area, such hunter shall display, while hunting, on such motor vehicles, when parked, a copy of the Township permit or such other placard or notice as may be provided by the police department.
 6. All laws, rules and regulations regarding hunting now or as may be adopted by the State of New Jersey apply and are incorporated herein.
- h. Bear hunting with bow and arrow, subject to the following safety standards and conditions:
1. Any person proposing to engage in bear hunting within the borders of the Township of Chatham shall first obtain a permit from the Police Department of the Township of Chatham allowing the discharge of a bow and arrow for bear hunting.
 2. Permits shall only be issued to individuals possessing a valid New Jersey State bear bow hunting permit, and shall be limited to no more than twenty (20) permits per day.
 3. Discharges of bow and arrow for bear hunting may only take place from tree stands.
 4. Discharges of bow and arrow for bear hunting may only take place on a property and in an area of the Township that complies with all laws, rules and regulations now or as may be adopted by the State of New Jersey, including the person having all necessary State and Township permits.
 5. For any bow hunter who shall use a motor vehicle to access a permitted hunting area, such hunter shall display during hunting on such motor vehicle, when parked, a copy of the Township permit or such other placard or notice as may be provided by the police department.
 6. All laws, rules and regulations regarding hunting now or as may be adopted by the State of New Jersey apply and are incorporated herein.
- i. Bear hunting with shotgun, subject to the following safety standards and conditions:
1. Any person proposing to engage in shotgun bear hunting within the borders of the Township of Chatham shall first obtain a permit from the Police Department of the Township of Chatham allowing the discharge of a shotgun for bear hunting.
 2. Permits shall only be issued to individuals possessing a valid New Jersey State bear shotgun-hunting permit, and shall be limited to no more than twenty (20) permits per day.
 3. Discharges of shotguns for bear hunting may only take place from tree stands.
 4. Discharges of a shotgun for bear hunting may only take place on a property and in an area of the Township that complies with all laws, rules and regulations now or as may be adopted by the State of New Jersey, including the person having all necessary State and Township permits.
 5. For any shotgun hunter who shall use a motor vehicle to access a permitted hunting area, such hunter shall display, while hunting, on such motor vehicles, when parked, a copy of the Township permit or such other placard or notice as may be provided by the police department.
 6. All laws, rules and regulations regarding hunting now or as may be adopted by the State of New Jersey apply and are incorporated herein.

3-6.4 Exceptions.

Any public officer or other person enumerated in N.J.S.A. 2C:39-6 are specifically exempted from the provisions of this section.

3-6.5 Carrying of Loaded Firearms.

The carrying of any loaded firearm within the Township shall constitute prima facie evidence of a discharge prohibited by subsection 3-6.2.

3-6.6 Penalties.

Any person who shall violate any provision of this section shall, upon conviction, be subject to the penalty stated in Chapter I, Section 1-5, for each and every offense.

Section 2. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. Effective Date.

This Ordinance shall take effect after final passage, adoption and publication according to law.

Introduced: November 8, 2017

Adopted:
Attest:

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

BY: _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk