

No. 1998-130

AN ACT

SB 56

Amending the act of June 2, 1988 (P.L.452, No.74), entitled "An act exempting owners of shooting ranges from any civil or criminal actions relating to noise pollution," further defining the granted immunity from nuisance actions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 1 and 2 of the act of June 2, 1988 (P.L.452, No.74), entitled "An act exempting owners of shooting ranges from any civil or criminal actions relating to noise pollution," are amended to read:

Section 1. General immunity for noise.

All owners of rifle, pistol, silhouette, skeet, trap, blackpowder or other ranges in this Commonwealth shall be exempt and immune from any civil action or criminal prosecution in any matter relating to noise or noise pollution resulting from the normal and accepted shooting activity on ranges, provided that the owners of the ranges are in compliance with any applicable noise control laws or ordinances extant at the time construction of the range was initiated. *If there were no noise control laws or ordinances extant at the time construction of the range was initiated, then the immunity granted by this act shall apply to said ranges.*

Section 2. Nuisances and injunction.

The owners of the ranges shall not be subject to any action for nuisance, and no court in this Commonwealth shall enjoin the use or operation of the ranges on the basis of noise or noise pollution, provided that the owners of the ranges are in compliance with any applicable noise control laws or ordinances extant at the time construction of the range was initiated. *If there were no noise control laws or ordinances extant at the time construction of the range was initiated, then the immunity granted by this act shall apply to said ranges.*

Section 2. This act shall be retroactive to June 2, 1988.

Section 3. This act shall take effect immediately.

APPROVED—The 21st day of December, A.D. 1998.

THOMAS J. RIDGE