

**TOWN BOARD OF THE TOWN OF KINGSBURY
COUNTY OF WASHINGTON, STATE OF NEW YORK**

**A LOCAL LAW
AMENDING CHAPTER 136 OF THE CODE OF THE TOWN OF KINGSBURY
PROHIBITING THE POSSESSION OF
FIREARMS ON TOWN PROPERTY**

Be it enacted by the Town Board of the Town of Kingsbury, as follows:

Section 1. Purpose.

This Town Board finds that the State of New York has enacted the “New York Safe Act” which regulates firearms safety. This Town Board finds that possession of firearms on Town property shall comply with standards established by the “New York Safe Act” and regulations established by this Town Board. This Town Board also finds non-concealed possession of firearms by persons on Town property may impair the performance of government functions by way of intimidation to Town employees or others. Therefore, the purpose of this chapter is to provide for the safety, health, protection and general welfare of the people in the town of Kingsbury by regulating the possession of firearms on Town property.

Section 2. Amendment to Chapter 136 of the Code of The Town of Kingsbury

Chapter 136. Firearms of the Code of the Town of Kingsbury is hereby repealed in its entirety and shall be replaced as follows:

Chapter 136. Firearms

§ 136-1. Title; statutory authority.

This chapter shall be known as “**A Local Law Managing the Possession of Firearms on Town Property.**” It is adopted pursuant to § 10 of the Municipal Home Rule Law.

§ 136-2. Purpose.

- A. This Town Board finds that the State of New York has enacted the “New York Safe Act” which regulates firearms safety.
- B. This Town Board finds that possession of firearms on Town property shall comply with standards established by the “New York Safe Act” and regulations established by this Town Board.
- C. This Town Board also finds non-concealed possession of firearms by persons on Town property may impair the performance of government functions by way of intimidation to Town employees or others.

- D. Therefore, the purpose of this chapter is to provide for the safety, health, protection and general welfare of the people in the town of Kingsbury by regulating the possession of firearms on Town property.

§ 136-3. Definitions.

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

FIREARM

A firearm is a barreled ranged weapon that inflicts damage on targets by launching one or more projectiles driven by rapidly expanding high-pressure gas produced by exothermic combustion of a chemical propellant, historically gunpowder, now smokeless powder, included is a class of weapon which uses compressed gases that is classified by New York State Environmental law as a firearm.

TOWN PROPERTY

Both real and personal property owned by the Town, including any public building, structure, vacant land, employee parking lots, park or playground owned, occupied, or operated by the Town of Kingsbury.

§ 136-4. Prohibited acts.

No person shall possess a firearm on any Town property except as noted in Section 136-5.

§ 136-5. Exceptions.

The prohibition of possession of firearms on Town property shall not apply under the following circumstances:

- A. The person is a holder of a New York State recognized concealed carry Pistol Permit;
- B. A police officer or peace officer authorized to carry or use under New York State law;
- C. The owner of the firearm has secured firearm in a locked case and it is stored within a locked vehicle which is under the control of the owner of the firearm;
- D. A person in the military service of the State of New York or the United States when duly authorized to possess firearms and acting within the scope of duty of such military service;
- E. A Town official or Town employee specifically authorized by the Town Board to possess a firearm on Town property, according to any and all restrictions or limitations which the Town Board may place upon such authorization.

§ 136-6. Penalties for offenses.

A violation of any provision of this chapter shall be an unclassified misdemeanor, punishable by a fine not to exceed \$500 or by imprisonment for a term not to exceed one month, or by both such fine and imprisonment.

Section 3. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 4. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.