

1993-3

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
~~City~~ of Chenango  
~~Town~~  
~~Village~~

Local Law No. 3 of the year 19 93

A local law Banning Possession of Weapons in Chenango County Buildings  
(Insert Title)

Be it enacted by the Board of Supervisors of the  
(Name of Legislative Body)

County  
~~City~~ of Chenango as follows:  
~~Town~~  
~~Village~~

The Agriculture, Building and Grounds Committee presented the following for enactment:

Adopted Local Law No. 3 of 1993

A LOCAL LAW BANNING POSSESSION OF WEAPONS  
IN CHENANGO COUNTY BUILDINGS

BE IT ENACTED by the Board of Supervisors of Chenango County as follows:

Section 1. LEGISLATIVE INTENT:

The County of Chenango, through its County Board of Supervisors, declares that it is necessary for the security, safety, protection and well-being of its employees, and its property and individuals present thereupon, to place restrictions on the bearing and possession of firearms and other dangerous weapons and instruments by individuals while entering into and being present in buildings owned, leased and/or operated by the County of Chenango.

Section 2. PROHIBITED ACTS:

No person shall bear or have in his or her possession, either openly or concealed, any firearm, gun, explosive device or substance, lethal or debilitating chemical or gas, a "deadly weapon" as defined in subdivision 12 of Section 10 of the New York State Penal Law, a "dangerous instrument" as defined in subdivision 13 of Section 10 of the New York State Penal Law, while entering or being present in any building owned, leased or operated by the County of Chenango. Prohibited items shall include but are not limited to: a rifle, shotgun, handgun, pistol, target pistol, imitation pistol, knife, dagger, dirk, razor, stiletto, switchblade, blackjack and metal knuckles.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

Section 3. EXCLUSIONS:

This local law shall not apply to a "police officer" or "peace officer" as defined in the New York State Criminal Procedure Law.

Section 4. PENALTIES:

A violation of this local law shall be an unclassified misdemeanor punishable by imprisonment for not more than three months and/or a fine not exceeding Five Hundred Dollars.

Section 5. SEPARABILITY AND SAVINGS:

This local law is separate and apart from any other local law and each provision hereof is separate from any other provision. If this law or portion thereof is found to be invalid, no other law or unaffected portion of this law shall be affected thereby and shall remain in full force and effect.

Section 6. EFFECTIVE DATE:

This law shall take effect immediately subject to filing requirements of Section 27 of the Municipal Home Rule Law.

Seconded by Mr. Schlafer.

Mr. MacIntosh moved, seconded by Mr. Phelan to refer the Local Law back to Agriculture, Buildings and Grounds Committee.

Results of a Roll Call Vote on the referral were: Yes-151, No-1,848, Absent-177, Deceased-89.

Yes: Supervisors Phelan, Spann and MacIntosh

Absent: Supervisor Knoll

Deceased: Supervisor Proskine

The motion was defeated.

Results of a Roll Call Vote on the Local Law as presented were: Yes-1,848, No-151, Absent-177, Deceased-89

No: Supervisors Phelan, Spann and MacIntosh

Absent: Supervisor Knoll

Deceased: Supervisor Proskine

The Chairman declared the Local Law duly adopted.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 19 93 of the (County)(City)(Town)(Village) of Chenango was duly passed by the Board of Supervisors on September 13 1993, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 19 \_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 19 \_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19 \_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.



[Signature]  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: September 15, 1993

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Chenango

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Chenango County, SS  
Recorded on this 16<sup>th</sup> Day  
of September 1993 at 4:53  
o'clock P. M., in Liber 1 of  
Local Laws  
at Page 156 and examined  
Fred A. DePal Clerk

Richard W. Beed  
Signature  
County Attorney  
Title  
County \_\_\_\_\_  
City \_\_\_\_\_ of Chenango  
Town \_\_\_\_\_  
Village \_\_\_\_\_  
Date: September 15, 1993