

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Mamaroneck Town Board adopted on January 9, 2017 a Public Hearing will be held on Wednesday, January 18, 2017 at 8:00 PM or as soon thereafter as is possible at the VFW Lodge, 1288 Boston Post Road Larchmont, New York to consider to consider: "Outlawing Firearms on or in Town-owned or Town-leased Property or Buildings" Law

Section 1 – Purpose.

The Town Board is aware of the sad reality currently plaguing our country of shootings, often fatal, of innocent persons. While the Town Board recognizes that it cannot solve this problem, it also recognizes that there is no need for persons, other than specific officers and personnel, to carry firearms on, or in Town-owned or Town-leased property or buildings. This law makes it illegal for persons, other than those permitted to do so by this law, to bring firearms onto such property.

The full text of this law can be viewed on the website or copies can be obtained at the Town Clerk's office during regular hours, Mon-Fri, 8:30 AM to 4:30 PM, In June, July and August until 4:00 PM at 740 W. Boston Post Road Mamaroneck, NY

PLEASE TAKE FURTHER NOTICE that at the Public Hearing all persons interested will be given an opportunity to be heard and that all persons are invited to submit written comments at or prior thereto.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF MAMARONECK

CHRISTINA BATTALIA
TOWN CLERK

Published: January 13, 2017

Local Law No. - 2017

This local law shall be known as the "Outlawing Firearms and ~~Certain Knives~~ on or in Town-owned or Town-leased Property or Buildings" Law.

BE IT ENACTED by the Town Board of the Town of Mamaroneck

Section 1 – Purpose:

The Town Board is aware of the sad reality currently plaguing our country of shootings, often fatal, of innocent persons. While the Town Board recognizes that it cannot solve this problem, it also recognizes that there is no need for persons, other than specific officers and personnel, to carry firearms on, or in Town-owned or Town-leased property or buildings. This law makes it illegal for persons, other than those permitted to do so by this law, to bring firearms onto such property.

Section 2 – Creation of a new article in a current chapter of the Mamaroneck Code:

Chapter 100 of the Code of the Town of Mamaroneck hereby is amended to add the following article to it:

Chapter 100

~~Firearms and Other Weapons~~

Article III –

~~Prohibition of Firearms and Certain Knives~~ on or in Town-owned or Town-leased Property

§ 100-7. Definitions

For the purpose of this article, the following terms have these meanings:

"Exempt person" means

- (a) police officers as that term is defined in subdivision thirty-four of section 1.20 of the NY Criminal Procedure Law,
- (b) peace officers as that term is defined in section 2.10 of the NY Criminal Procedure Law,
- (c) individuals in the military service of the State of New York or the United States, and
- (d) persons in the service of the United States who, whether in pursuit of their official duty, or when authorized by federal law, regulation or order are authorized to possess an item defined in this section.

"Firearm" means an instrument meeting the description contained in any one of the following paragraphs of section 265.00 of the NY Penal Law:

- (1): Machine-gun
- (3): Firearm
- (11): Rifle
- (12): Shotgun
- (15-a): Electronic dart gun
- (15-c): Electronic stun gun
- (20): Disguised gun
- (21): Semiautomatic
- (22): Assault weapon.

~~"Illegal Knife" means an instrument meeting the description contained in any one of the following paragraphs of section 265.00 of the NY Penal Law:~~

- ~~(4): Switchblade knife~~
- ~~(5): Gravity knife~~
- ~~(5 a): Pilum ballistic knife~~
- ~~(5 b): Metal knuckle knife~~
- ~~(5 c): Automatic knife~~
- ~~(13): Cane sword~~
- ~~(14): Chuka stick~~
- ~~(15 b): Kung Fu star.~~

"Real property" includes the buildings and other improvements erected thereon.

"Town-leased property" means any real property that the Town of Mamaroneck or any of its departments or authorities leases from another party whether such lease is oral or in writing.

"Town-owned property" means any real property the title to which is vested in the Town of Mamaroneck or any of its departments or authorities.

§ 100-8. References to state statutes.

The provisions of the state statutes incorporated by reference into this article mean those provisions as they currently exist or as they may exist at the time a violation of this article occurs, or any statute that replaces any of those statutes may exist at the time a violation of this article occurs.

§ 100-9. Illegal possession

It shall be illegal for any person, other than an exempt person, to possess a firearm ~~or an illegal knife~~ when on town-leased property or town-owned property. Notwithstanding the preceding

sentence, a tenant of the Hommocks Park apartments who is allowed by law to possess an item defined in this section shall not violate this law if that tenant possesses such item while on the grounds of the Hommocks Park apartments.

§ 100-10. Penalty

A person who violates this article shall be charged with a violation and if convicted shall be punished by a fine of not less than five hundred and no/thrs (\$500.00) dollars and not more than one thousand and no/thrs (\$1,000.00) dollars.

Section 3 – Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any other provisions of this Local Law, which may be implemented without the invalid or unconstitutional provisions.

Section 4 – Effective Date:

This Local Law shall become effective upon filing with the Secretary of State.

January 6, 2017