

The following provisions regarding the discharge and possession of firearms is to be added to Part II of General Legislation of the Town of Cortlandville Code as Chapter 91 and entitled "Firearms."

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## **ARTICLE I: DISCHARGE**

### **§ 91-1. Discharge restricted.**

A. No person shall discharge any gun, pistol, revolver or other firearm upon any premises owned or used for any public purpose by the Town of Cortlandville, except with the permission of the Town Board of the Town of Cortlandville.

B. No person shall discharge any gun, pistol, revolver or other firearm upon any premises owned or used by any water district located within the Town of Cortlandville, except with the permission of the Town Board of the Town of Cortlandville.

### **§ 91-2. Penalties for offenses.**

Any person violating the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not exceeding one hundred dollars (\$100) or imprisonment for not exceeding ten (10) days, or both such fine and imprisonment.

## **ARTICLE II: POSSESSION OR DISPLAY IN PUBLIC BUILDINGS**

### **§ 91-3. Purpose.**

The Town Board of the Town of Cortlandville, in order to assure the proper protection, health, safety and welfare of persons lawfully in the public buildings of the Town of Cortlandville, and in order to ensure the performance of essential governmental functions by town employees without threat or intimidation to such employees or others, finds it to be in the public interest to prohibit the open display or transport of any weapon in certain public buildings of the Town of Cortlandville.

### **§ 91-4. Definitions.**

When used in this Article, the following words and phrases shall have the meanings herein ascribed to them:

**OPENLY CARRY OR DISPLAY** — The possession or transport by any person of a weapon as hereinafter defined, in such a manner that such weapon is visible to persons in the immediate vicinity except where such possession or transportation is consistent with an authorized activity or function at the specific town building where such possession occurs.

**CONCEALED CARRY** --- The practice of carrying a weapon (such as a handgun) in public in a concealed manner, either on one's person or in close proximity.

**PERSON** — Any person except a police officer, sheriff or deputy sheriff, New York State police officer or peace officer or any other such other person that is authorized by the Supervisor of the Town of Cortlandville.

**PUBLIC BUILDING** — Any and all buildings or properties owned, occupied or operated by the Town of Cortlandville.

**WEAPON** — Any firearm, electronic dart gun, gravity knife, switchblade knife, cane sword, billy, blackjack, bludgeon, metal knuckles, chuka stick, sandbag, shirken, sandclub, slungshot, dagger, dangerous knife, dirk, bow and arrow and other archery equipment, razor stiletto, imitation pistol or any other dangerous or deadly instrument or weapon.

**§ 91-5. Open display of weapon.**

No person shall openly carry or display any weapon in any public building owned, occupied or operated by the Town of Cortlandville.

**§ 91-6. Concealed Carry of weapon.**

No person shall concealed carry any weapon in any public building owned, occupied or operated by the Town of Cortlandville.

**§ 91-7. Surrender of weapon; return.**

A. No person who openly carries or displays a weapon in any public building shall refuse to surrender such weapon at the request of any police officer, sheriff or deputy sheriff, or peace officer.

B. Any legal weapon so surrendered shall be returned to such person upon his or her departure from the public building.

**§ 91-8. Exceptions.**

A. Nothing contained in this Article shall be deemed to authorize the possession of any weapon, the possession of which is made unlawful by any other law, statute, ordinance or resolution.

B. Nothing contained in this Article shall be deemed to prohibit the possession of any weapon, otherwise lawful, except under the circumstances herein specified.

**§ 91-9. Penalties for offenses.**

Any person who violates the provisions of § 91-5 or 91-6 of this Article shall be guilty of an offense and may be punished by a fine not to exceed two hundred dollars (\$200) or imprisonment for not more than ten (10) days, or both such fine and imprisonment.