

# LOCAL LAW 1 OF 2016

Passed February 10, 2016

Local Law 1 of 2016 reformed the Town's regulations (from Local Law 1 of 1989) on weapons possession on Town property by clarifying those regulations and removing nonstandard and confusing definitions (for example, in the original law "Public Building" included any land owned by the Town in addition to Town buildings) and replacing them with definitions from the New York Penal Law. Additionally, exceptions for possession in vehicles and by certain authorized persons were added. Local Law 1 of 2016 did not add new restrictions.

ORIGINAL LAW	AMENDED LAW (changes and new section are underlined)
<p><b>§ 105-4 Definitions.</b> When used in this article, the following words and phrases shall have the meanings herein ascribed to them:</p> <p><b>CARRY</b> The open or concealed possession or transport by any person of a weapon as hereinafter defined, except where such possession or transportation is consistent with an authorized activity or function at the specific town building where such possession occurs.</p> <p><b>PERSON</b> Any person except a police officer, Sheriff or Deputy Sheriff, peace officer, or security officer where authorized by the Town of Cicero.</p> <p><b>PUBLIC BUILDING</b> Any building or property owned, occupied or operated by the Town of Cicero.</p> <p><b>WEAPON</b> Any firearm, electronic dart gun, gravity knife, switchblade knife, cane sword, billy, blackjack, bludgeon, metal knuckles, sand bag, skirken, sandclub, slingshot, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol or any other dangerous or deadly instrument.</p>	<p><b>§ 105-4 Definitions.</b> When used in this article, the following words and phrases shall have the meanings herein ascribed to them:</p> <p><b>PUBLIC BUILDING</b> <u>Any structure located on public grounds.</u></p> <p><b>PUBLIC GROUNDS</b> <u>Any real property owned, occupied, or operated by the Town of Cicero, but not including the interior of a privately owned vehicle temporarily and lawfully located in a roadway or parking area of such real property owned, occupied, or operated by the Town of Cicero.</u></p> <p><b>WEAPON</b> <u>A deadly weapon or dangerous instrument, as such terms are defined in subdivisions twelve and thirteen, respectively, of Section 10.00 of the New York Penal Law.</u></p> <p><b>§ 105-5 Public buildings.</b> <u>It shall be unlawful to possess a weapon in a public building or upon public grounds.</u></p>

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## **§ 105-5 Public buildings.**

No person shall carry any weapon in any public building.

## **§ 105-6 Surrender of weapon.**

No person who carries a weapon in any public building shall refuse to surrender such weapon at the request of any police officer, Sheriff or Deputy Sheriff or duly authorized officer or employee of the Town of Cicero. Any legal weapon so surrendered shall be returned to such person upon his or her departure from the public building.

## **§ 105-6 Surrender of weapon.**

A person who possesses a weapon in a public building or upon public grounds shall surrender the same upon the request of any police officer or peace officer, as such terms are defined in the New York Criminal Procedure Law, or any other individual authorized by the Town of Cicero to make such request. Surrendered weapons shall be returned to the individual who surrendered them upon their departure from the public building or public grounds provided that they may be lawfully possessed by such individual.

## **§ 105-10 Applicability.**

The provisions of this chapter shall not apply to:

- A. Persons in the military service of the State of New York when duly authorized by regulations issued by the Adjutant General;
- B. Police officers, as defined in Subdivision 34 of § 1.20 of the New York Criminal Procedure Law;
- C. Peace officers as defined by Section 2.10 of the New York Criminal Procedure Law;
- D. Persons in the military or other service of the United States, in pursuit of official duty or when duly authorized by federal law, regulation, or order;
- E. Individuals authorized by the Chief of Police, Supervisor, or a Justice of the Town of Cicero.