

TOWN OF AMSTERDAM, NEW YORK

LOCAL LAW \_\_\_ OF THE YEAR 2024

A LOCAL LAW CONTROLLING DISCHARGE OF FIREARMS

**§ 101-Section 1. Findings and purpose.**

The Town Board of the Town of Amsterdam, finding that the discharge of firearms within the Town, even as controlled by § 11-0931 of the Environmental Conservation Law, may be hazardous to residents and the general public, enacts this chapter for the purpose of protecting the health, safety and welfare of persons and property by controlling such activity within the Town.

**Section § 101-2. Definitions.**

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

**FIREARM** — A firearm as defined by the New York State Department of Environmental Conservation in Section 180.3 of Title 6 of the New York Codes, Rules and Regulations (6 NYCRR 180.3), including any rifle, shotgun, pistol, revolver, air rifle, air gun, BB gun or spring gun.

**PUBLIC HIGHWAY** — Any public street, public alley, or public road, including a privately financed, constructed, or maintained road that is regularly and openly traveled by the general public.

**TARGET SHOOTING** - ~~Any location, indoors or outdoors, on land or water, designed, intended or used for the discharge of firearms at targets.~~

**TARGET-SHOOTING RANGE** — ~~An outdoor range equipped with targets for use with firearms and shall include, but not be limited to, all rifle, pistol and shotgun ranges, that is regularly operated by a Police Department or other law enforcement agency, or by any duly organized not-for-profit corporation, and subject to inspection by any authorized peace officer, and subject to inspection by any authorized peace officer and operated according all applicable local, state, and federal laws~~ ~~equipped with targets for use with firearms and shall include, but not be limited to, all rifle, pistol and shotgun ranges.~~

**Section § 101-3. Discharge prohibited; exceptions.**

- A. Except as hereinafter provided, the discharge of any firearm within the boundaries of the Town of Amsterdam is prohibited.
- B. The prohibition contained in Subsection A above shall not apply to:
  - (1) Any peace officer in the performance of an official duty.
  - (2) The lawful use of a firearm in the defense of person or property, or for the destruction of diseased animals.
  - (3) The authorized use of a ~~target-shooting range, as defined herein regularly operated by a Police Department or other law enforcement agency, or by any duly organized not for profit corporation and subject to inspection by any authorized peace officer and operated according all applicable local, state, and federal laws.~~
  - (4) The use of a firearm to exterminate or destroy rodents, woodchucks, or animals of similar nature, or diseased or strange-acting animals which may present a threat to livestock, crops or person, but in no event within 500 feet of any structure occupied or used by other people.
  - (5) The discharge of a firearm by a person lawfully hunting or trapping game, except that no person may discharge a firearm:
    - (a) On any posted land without the consent of the owner;

- (b) Within 500 feet of any property owned by the Town of Amsterdam;
- (c) Within 500 feet of any dwelling house or any structure occupied or used by people, within or abutting such area; or
- (d) In such a way as will result in the load thereof passing over a public highway or any part thereof.

(6) The discharge of a firearm on private property other than a shooting range for purposes of target shooting, as defined herein, and subject to the provisions of Section 4.

(6)(7) The use of a BB gun, air or compressed gas gun or rifle or spring gun for target shooting indoors in any residence or other structure, with the express consent of the owner or lessee of such residence or structure, provided that the projectile does not go beyond the confines thereof.

#### **Section 4. Target Shooting.**

A. Target shooting, other than that which may take place at shooting ranges, shall adhere to the requirements set forth in this Subsection 4.

B. It is unlawful to discharge any firearm at any target which shall have insufficient backstop to prevent the projectile from leaving the property upon which it is being expelled. The person shooting the firearm at any target shall be responsible for assuring that the backstop is sufficient to prevent any projectile from leaving the property upon which it is being shot.

C. All targets shall be located a minimum of 1,500 feet from any occupied dwelling house, residence or other building for human occupancy or any barn, stable or other building used in connection therewith, unless permission has been obtained, and continues to be in effect, from the owner(s) of the structure(s) referred to in this Section 4.

D. No target shooting may occur between the hours of 7:00 P.M. and 8:00 A.M.

#### **Section § 101-45. Penalties for offenses.**

The discharge of any firearm by any person in violation of any of the provisions of this chapter shall be an offense punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days, or both. Each separate discharge shall constitute a separate additional offense.

#### **Section § 101-56. Construal of provisions.**

Nothing contained in this chapter shall be deemed to be less restrictive than § 11-0931 of the Environmental Conservation Law or any other applicable law, rule or regulation.

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