

# Warren County Board of Supervisors

RESOLUTION NO. 452 OF 2008

Resolution introduced by Supervisors Belden, Bentley, Tessier, Stec, Merlino, Haskell, Champagne, Taylor and Goodspeed

**AMENDING RESOLUTION NO. 160 OF 2006, WHICH AMENDED RESOLUTION NO. 583 OF 2005, AUTHORIZING THE IMPLEMENTATION OF A POLICY RESTRICTING FIREARMS AND OTHER WEAPONS IN OR ON COUNTY BUILDINGS, WORKSITES OR VEHICLES (FIREARMS POLICY), TO INCLUDE ADDITIONAL EXEMPTIONS FOR AIRPORT EMPLOYEES - AIRPORT**

WHEREAS, Resolution No. 583 of 2005 approved and authorized the implementation of a policy titled "Policy Restricting Firearms and Other Weapons in or on County Buildings, Worksites or Vehicles" (hereinafter the "Policy"), and

WHEREAS, Resolution No. 160 of 2006 amended the Policy, at the request of the Airport Manager, to include an exception for Airport employees involved in wildlife mitigation using only a shotgun, as authorized by the Airport Manager, and

WHEREAS, the Airport Manager has advised the Public Works Committee that in order to properly and humanely dispatch animals such as deer and/or coyotes, a rifle should be used, as well as pyrotechnic devices for the other animals, to keep them away, and

WHEREAS, the Airport Manager has requested that Section II(B) of the Policy be amended further to allow properly trained Airport employees to use not only shotguns, but also rifles and pyrotechnic devices (cracker shells, hand held screamer/banger devices) to disburse, harass and remove wildlife causing a hazard to aircraft, now, therefore, be it

RESOLVED, that Section II(B) of the "Policy Restricting Firearms and Other Weapons in or on County Buildings, Worksites or Vehicles" be, and hereby is, amended to read as follows:

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“B. This policy shall not apply to specific Airport employees authorized by the Airport Manager to use shotguns, rifles, and pyrotechnic devices (cracker shells, hand held screamer/banger devices) to engage in wildlife mitigation measures in or about the Airport premises.”

(A copy of the Policy, as now revised, being attached hereto).

**POLICY ON RESTRICTING FIREARMS AND OTHER  
WEAPONS IN OR ON COUNTY BUILDINGS,  
WORKSITES OR VEHICLES  
(REVISED 6/20/08)**

**I. POLICY STATEMENT**

No person shall possess any "Deadly Weapon" as defined in New York State Penal Law Section 10.00, Subsection 12, as referred to in Subdivision I (A) of this policy, or any of the enumerated items described in Subdivision I (B) of this policy, in any building owned, leased, or operated by the County or at a worksite of the County, or in a vehicle owned or leased by the County; provided however that the term 'worksite' or "building" shall not be construed to include any parking lot or exterior building grounds of any building owned, leased, or operated by the County, provided, however, that this policy shall not be interpreted in a manner which would limit the right of a member of the public to carry or possess any lawful weapon in or upon any public highway, right of way, or parking lot.

- A. New York Penal Law Section 10.00 (12) (as of April 11, 2005) defines the term 'deadly weapon' as including: any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, gravity knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, or metal knuckles, or
- B. In addition to the items defined in the above Section I (A), the following items are likewise prohibited: any dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, any other dangerous deadly instrument or any weapon, whether loaded or unloaded.

**II. EXCEPTIONS**

- A. This policy does not apply to the Sheriff or any deputies or to any other person or persons specifically authorized by law to possess any of the above weapons as part of his or her public job duties.
- B. This policy shall not apply to specific Airport employees authorized by the Airport Manager to use [a] shotguns, rifles, and pyrotechnic devices (cracker shells, hand held screamer/banger devices) to engage in wildlife mitigation measures in or about the Airport premises.

**III: WAIVERS**

- A. Employees, appointees and the Public: Any employee or appointed officer of the County or a member of the general public may apply for a waiver to possess a weapon for a legitimate reason in a specified County

building or worksite by applying for the same in writing to the relevant department head. The department head shall submit said request, along with their recommendation, if any, to the County Sheriff for review and recommendation. The Sheriff's determination shall be final. A copy of the Sheriff's decision shall be sent to the Clerk of the Board of Supervisors.

- B. Elected Officials: Any elected official seeking a waiver for a legitimate purpose shall be required to make his or her request, in writing, directly to the County Sheriff for review and recommendation. The decision of the Sheriff shall be final and binding. A copy of the Sheriff's decision shall be sent to the Clerk of the Board of Supervisors.

#### **IV: VIOLATION OF POLICY**

- A. Appointed Officers and Employees: Violation of this policy by County appointed officers and employees shall subject such officer or employee to discipline up to and including immediate suspension or discharge in accordance with State Law, County, union, and Civil Service discipline and discharge procedures.
- B. Elected Officials: Violation of this policy by elected officials shall be governed by the applicable provisions of the County Law or other laws of the State of New York which apply to the conduct of elected officials.
- C. General Public: Members of the general public shall be denied admission to any building owned, leased, or operated by the County or at a worksite of the County, or in a vehicle owned or leased by the County.
- D. Notice to the County Sheriff: The Sheriff shall be notified in writing of any report of any County officer, elected official or employee or member of the general public who is in violation of this policy.

#### **V: REVIEW**

- A. The Warren County Safety Committee, Warren County Insurance Committee & the Warren County Board of Supervisors shall review this policy at least annually.

*\*underlining designates new material; brackets ([ ]) designates material to be deleted*