

LOCAL LAW NO. "A" FOR 2009

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REGULATING
THE PURCHASE OF AMMUNITION IN THE COUNTY OF ALBANY**

Introduced: 3/9/09

By Messrs. Steck, Bullock and Ms. Willingham:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Intent.

The State of New York has a long history of the licensing and regulation of firearms which balances the rights of gun owners with the necessity to provide for the public safety; the County Legislature finds that the storage, possession, and sale of ammunition in the County of Albany requires the regulation thereof in the interest of the public safety and that such regulation is in harmony with the State statutes governing the possession of firearms; the County Legislature wishes to encourage the purchase of ammunition for legitimate purposes only.

Section 2. Definitions.

Unless otherwise expressly stated, whenever used in this article, the following words shall have the meanings given to them by this section. When used herein:

AMMUNITION — Any projectile commonly known as a "bullet" or "shell."

FIREARM — Any weapon from which a shot is discharged by force of an explosive, or a weapon which acts by force of gunpowder, and shall include any weapon capable of being loaded with powder, ball or ammunition, and shall include any weapon which is otherwise capable of being loaded with powder, ball or ammunition, whether completed, assembled or from which any part or piece has been removed therefrom.

PERSON — Any person, firm, partnership, association, corporation, company or organization of any kind.

DEALER — Any person, firm, partnership, corporation or company who engages in the business of purchasing, selling, keeping for sale, loaning, leasing, or in any manner disposing of ammunition.

Section 3. Storage.

Ammunition for sale shall be kept secured at all times when the place in which it is held for sale is not open for business.

Section 4. Sale of ammunition.

A person seeking to purchase ammunition from a dealer shall state the type of firearm for which he or she is purchasing said ammunition and shall identify the firearm as set forth in this local law. Ammunition shall only be sold by dealers to persons possessing a valid firearms license, when a license is required for the type of firearm for which the ammunition is used. When purchasing any other type of ammunition from a dealer, where a firearms license would not be required for the type of ammunition being purchased, a driver's license shall be required, and the person shall identify the firearm as set forth herein. Ammunition shall only be sold by dealers to persons who comply with the requirements of this local law.

Section 5. Record-keeping.

A record shall be kept by the dealer of each sale of ammunition which shall show the type, caliber and quantity of ammunition sold, the name and address of the person receiving the same, the caliber, make, model, manufacturer's name and serial number of the firearm for which the purchaser is purchasing ammunition, the date and time of the transaction, and the identifying number of the firearms or driver's license. Such record shall be maintained for ten years and shall be made available to state and local enforcement agencies upon request.

Section 6. Report of theft or loss to Sheriff's Department.

Any theft or loss of ammunition from storage shall be reported immediately to the Sheriff's Department of the County of Albany.

Section 7. Penalties for offenses.

Any person who shall intentionally, knowingly, or recklessly violate or refuse to comply with, or act in concert with another to evade, this article or any provisions thereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or by both such fine and imprisonment in any combination allowable by law.

Section 8. Effective date.

This local law shall take effect 60 days after its approval by the Albany County Legislature.

Referred to Law Committee. 3/9/09