



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 239 - 2017**

**Introduced by Supervisors Johnson, Congdon, Peck, Pemrick, Raymond, Richardson and Schopf**

**ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 5, PRINT NO. 1 OF 2017, ENTITLED "A LOCAL LAW PROHIBITING TARGET SHOOTING ON THE NORTHERN SECTION OF THE COUNTY'S REFORESTED LANDS ON LOUDEN ROAD IN THE TOWN OF WILTON"**

WHEREAS, Resolution 228-2017 introduced and presented a proposed Local Law identified as Introductory No. 5, Print No. 1 of 2017, to this Board of Supervisors and scheduled a public hearing thereon for November 15, 2017 at 4:40 p.m. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 21<sup>st</sup> day of November, 2017 hereby adopts a Local Law identified as Introductory No. 5, Print No. 1 of 2017, as set forth in the annexed Schedule A, which once filed with the New York Secretary of State shall be known as Local Law No. 5 of 2017.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

INTRODUCTORY NO. 5

PRINT NO.1 OF 2017

INTRODUCED BY: Supervisors Johnson, Congdon, Peck, Pemrick, Raymond, Richardson, and Schopf

COUNTY OF SARATOGA  
LOCAL LAW NO. 5 of 2017

**A LOCAL LAW PROHIBITING TARGET SHOOTING  
ON THE NORTHERN SECTION OF THE COUNTY'S REFORESTED  
LANDS ON LOUDEN ROAD IN THE TOWN OF WILTON**

BE IT ENACTED by the Board of Supervisors of the County of Saratoga as follows:

SECTION 1. TITLE

This Local Law shall be known as "A LOCAL LAW PROHIBITNG TARGET SHOOTING ON THE NORTHERN SECTION OF THE COUNTY'S REFORESTED LANDS ON LOUDEN ROAD IN THE TOWN OF WILTON".

SECTION 2. LEGISLATIVE FINDINGS AND INTENT

- A. The County of Saratoga is the owner of an 86 acre parcel of reforested lands on Louden Road in the Town of Wilton identified on the Saratoga County tax maps as Tax Parcel #154.-1-48. The parcel is intersected by Louden Road, with a 64 acre section lying to the north of Louden Road, hereinafter referred to as the "Northern Section", and a 22 acre section lying to the south of Louden Road. The parcel was conveyed to the County of Saratoga by deed dated October 7, 1945 and recorded in the Office of the Saratoga County Clerk on October 8, 1945 in Book 431 of Deeds at Page 317.
- B. The Northern Section of the Louden Road reforested lands parcel is situated to the east of the Wilton Mall commercial property, and contains a 1.1 mile recreational trail utilized by the public.
- C. Certain members of the public have engaged in target shooting on the Northern Section of the Louden Road reforested lands parcel. County officials have received complaints from homeowners residing on Carlyle Terrace that homes on their street have been struck by bullets discharged from the Northern Section of the Louden Road reforested lands parcel. County officials have discovered spent shells, broken targets, empty beer containers and assorted debris left behind on the Northern Section by some of the individuals engaged in target shooting on the parcel.
- D. Target shooting on the Northern Section of Louden Road reforested lands parcel poses a risk to the health and safety of users of the recreational trail through the

parcel, of customers of the Wilton Mall, and of area residents residing on Carlyle Terrace, Ingersoll Road, and Bog Meadow Run.

- E. The Saratoga County Board of Supervisors desires to encourage and facilitate the safe use and enjoyment of the Northern Section of the Louden Road reforested lands parcel, and to protect and preserve the health and safety of the users of the recreational trail traversing the parcel, of the customers of Wilton Mall, and of the area residents residing on Carlyle Terrace, Ingersoll Road and Bog Meadow Run.
- F. County Law §215(11) authorizes a county board of supervisors, by resolution or local law, to adopt and enforce rules, regulations or ordinances covering the use of any county-owned property, and to provide that the violation of any one or more of such rules, regulations, or ordinances shall constitute an offense.
- G. Municipal Home Rule Law §10(1)(ii)(a)(12) authorizes a county board of supervisors to adopt local laws related to the government, protection, order, conduct, safety, health and well-being of persons and property within the county.

SECTION 3. DEFINITIONS As used in this Local Law:

- A. “Northern Section” shall mean the 64 acre section of the reforested lands parcel conveyed to the County of Saratoga by deed dated October 7, 1945 and recorded in the Office of the Saratoga County Clerk on October 8, 1945 in Book 431 of Deeds at Page 317, lying north of Louden Road in the Town of Wilton, and identified on the Saratoga County tax maps as a portion of Tax Parcel #154.-1-48.
- B. “Firearm” shall mean any weapon from which a shot is discharged by force of an explosive, or a weapon which acts by force of gunpowder or air, and shall include any weapon capable of being loaded with a powder, ball or ammunition. The term “firearm” shall include, but not be limited to, a rifle, pistol, handgun, revolver, shotgun or muzzle loading weapon.

SECTION 4. PROHIBITED CONDUCT

- A. Target shooting with a firearm of any kind shall be prohibited on the Northern Section of the County of Saratoga’s Louden Road reforested lands parcel.
- B. The prohibition contained in Subsection A above shall not apply to any person lawfully hunting wildlife during the applicable small or big game hunting seasons annually established by the New York State Department of Environmental Conservation.

## SECTION 5. POSTING OF SIGNS

- A. The County of Saratoga shall post signs at all corners of the Northern Section of the Loudon Road reforested lands parcel, as well as approximately every 75-100 feet between such corners, imprinted with the statement “TARGET SHOOTING ON THESE LANDS IS PROHIBITED BY LOCAL LAW. VIOLATORS WILL BE PROSECUTED”.

## SECTION 6. ENFORCEMENT

The Saratoga County Sheriff’s Department shall be charged with ensuring compliance with this Local Law.

## SECTION 7. VIOLATIONS AND PENALTIES

Any violation of Section 4 of this Local Law shall constitute an offense, and any person committing such offense shall be subject to the imposition of a fine in an amount not to exceed \$100.00, or by imprisonment not exceeding thirty (30) days, or by both fine and imprisonment.

## SECTION 8. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its specific application.

## SECTION 9. EFFECTIVE DATE

This local law shall become effective January 1, 2018.