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LOCAL LAW NO. 8 2002

A LOCAL LAW PROHIBITING THE OPEN CARRY OR DISPLAY OF BOX CUTTERS AND UTILITY KNIVES IN COUNTY PUBLIC BUILDINGS

BE IT ENACTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY AS FOLLOWS:

Section 1. Purpose. By Local Law No. 1 of 1983, this Onondaga County Legislature adopted a local law prohibiting the open display or carrying of weapons in certain county buildings. In order to further protect the health and safety of the citizens and employees of Onondaga County, this Legislature finds it to be in the public interest to further prohibit the open display or carrying of box cutters and utility knives in certain public buildings of the County of Onondaga.

Section 2. Definitions.

A. "County Public Building" shall mean any building owned, occupied, under custody or control, or operated by the County of Onondaga, including the following: (1) Onondaga County Civic Center; (2) Onondaga County Office Building; (3) Onondaga County Courthouse(s); (4) Onondaga County Convention Center; (5) Onondaga County War Memorial, including passageways and/or tunnels connecting the aforesaid buildings; (6) Central Branch of the Onondaga County Public Library; (7) The building located at 407 South State Street, Syracuse, New York; (8) the Onondaga County Justice Center and (9) Rosamond Gifford Zoo at Burnet Park.

B. "Openly carry or display a boxcutter or utility knife" shall mean the possession or transportation by any person of a box cutter or utility knife in such a manner that such boxcutter or utility knife is visible to persons in the immediate vicinity except where such possession or transportation is consistent with an authorized activity or function at the specific county building where such possession occurs.

C. "Box cutter" or "utility knife" shall mean a knife consisting of a razor blade or sharp-edged instrument attached to or contained within a plastic, wood or metal housing.

D. "Person" shall mean any person except a (i) Police Officer, (ii) Sheriff or Deputy Sheriff, (iii) Peace Officer as defined in §2.10 of the New York Criminal Procedure Law, or (iv) Security Officer where authorized by the County of Onondaga.

Section 3. Prohibited Conduct.

A. It shall be unlawful for any person to openly carry or display any box cutter or utility knife in any County Public Building.

B. No person who openly carries or displays a box cutter or utility knife in any County Public Building shall refuse to surrender the same at the request of any police officer, sheriff or deputy sheriff, peace officer or duly authorized security officer of the County of Onondaga.

Section 4. General Provisions.

A. Nothing contained in this local law shall be deemed to authorize the open carry or display of any box cutter or utility knife where otherwise prohibited by law, ordinance or resolution.

B. Nothing herein shall be deemed to preclude any person from openly carrying or displaying a box cutter or utility knife in a County Public Building so long as such person is performing work on such premises during the course of employment.

Section 5. Posting. The Onondaga County Commissioner of Facilities Management shall cause notice to be posted at the entrance to each County Public Building advising that it is unlawful for any person to openly carry or display a box cutter or utility knife.

Section 6. Penalties.

Any person who violates the provisions of Section 3, Paragraphs A or B of this local law shall be guilty of a misdemeanor punishable by a fine not to exceed one hundred dollars.

Section 7. Construction.

If any part or provision of this law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this law or the application thereof to other persons or circumstances.

Section 8. Effective Date.

This local law shall take effect immediately upon filing pursuant to the Municipal Home Rule Law.

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