S T A T E O F N E W Y O R K

9215

2009-2010 Regular Sessions

I N A S S E M B L Y

October 28, 2009

Introduced by M. of A. FIELDS -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the applicability of noise ordinances to sport shooting ranges

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public health law is amended by adding a new section 1300-d to read as follows:

S 1300-D. APPLICABILITY OF NOISE ORDINANCES TO SPORT SHOOTING RANGES. 1. NO ORDINANCE REGULATING NOISE SHALL SUBJECT A SPORT SHOOTING RANGE TO NOISE CONTROL STANDARDS MORE STRINGENT THAN THOSE IN EFFECT AT THE TIME THE CONSTRUCTION OR OPERATION OF THE RANGE INITIALLY WAS APPROVED. THE OPERATION OR USE OF A SPORT SHOOTING RANGE SHALL NOT BE ENJOINED ON THE BASIS OF NOISE, NOR SHALL ANY PERSON BE SUBJECT TO ACTION FOR NUISANCE OR CRIMINAL PROSECUTION IN ANY MATTER RELATING TO NOISE RESULTING FROM THE OPERATION OF THE RANGE, IF THE RANGE IS IN COMPLIANCE WITH ALL ORDINANCES RELATING TO NOISE IN EFFECT AT THE TIME CONSTRUCTION OR OPERATION OF THE RANGE WAS APPROVED.

2. FOR PURPOSES OF THIS SECTION, "SPORT SHOOTING RANGE" MEANS AN AREA OR STRUCTURE DESIGNED FOR THE USE OF RIFLES, SHOTGUNS, PISTOLS, SILHOUETTES, SKEET, TRAP, BLACK POWDER, OR ANY OTHER SIMILAR SPORT SHOOTING.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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