

Firearms Questions:

Recently we have received several phone calls from concerned residents and visitors to the Town of Ogden/Village of Spencerport regarding the usage and possession of firearms, pellet guns, etc. Here are some Frequently Asked Questions:

Where can I discharge a firearm in Town of Ogden?

The Town of Ogden (outside the Village of Spencerport) does not have a firearms/weapons ordinance. Generally speaking, you must be at least 500 feet from a dwelling, occupied church, occupied factory, or any school building/school playground.

Does this prohibition include a bow?

Yes it does. See NY Environmental Conservation Law §11-0931 for the full text.

Does this prohibition include an airsoft gun/pellet gun/bb gun?

If the weapon/device fires a projectile of at least .17 caliber (.17" diameter) at a velocity of or greater than 600 feet per second, **it does.**

What about the Village of Spencerport?

Section 326-1 of the Village Code prohibits the discharge of any weapon firing a projectile by means of compressed air or gunpowder. It does not prohibit the discharge of a bow. State law, however, still applies.

Are there other prohibitions I need to know about?

Yes. It is also against the law to fire a firearm in the direction of another person or occupied vehicle. In addition, it is against the law to fire a projectile of any kind across a public highway.

I just moved to the area. How do I obtain a pistol permit/license?

The Monroe County Clerk is the licensing officer for all pistol license issued in Monroe County at this time. For more information, see below.

County Clerk's Office
101 County Office Building
39 W. Main St.
Rochester, NY 14614
Phone: 585 753-1600
Fax: 585 753-1624

I already have a NYS Pistol Permit. Do I have to carry the pistol/revolver in a concealed fashion?

Generally speaking, yes. The majority of pistol licensees in Monroe County possess licenses issued pursuant to PL §400.00(2)(f). This statute states the purpose to be: *“(f) have and carry concealed, without regard to employment or place of possession, by any person when proper cause exists for the issuance thereof...”*

By virtue of the above, New York State is not an open carry state even with a pistol license. Historically, this prohibition has not applied to persons working armed security, hunting, trapping, or at firing ranges.

I am looking to sell some ammunition in New York State. What most I do?

If you are private individual not engaged in a regular business of selling ammunition, they are no requirements. See below.

*NY PL §265.00 (24): "Seller of ammunition" means any person, firm, partnership, corporation or company who engages in **the business** of purchasing, selling, or keeping ammunition.*

What about selling firearms to private individuals?

The NYS SAFE ACT now requires that a background check be done before transferring your shotgun/rifle to another individual. You must see a firearms dealer to have them do this for you. They may charge no more than 10 dollars for this service. This does not include transfers amongst immediate family members. Handgun transfers require you contact the Monroe County Clerk's office.

What about the other requirements of this SAFE Act?

Please see <http://www.governor.ny.gov/2013/gun-reforms-faq> for other questions regarding assault weapons and magazines.

I feel like my neighbor is shooting unsafely. What should I do?

If you have a concern, call 9-1-1 and request the Ogden Police. An officer / officers will check out the situation.

<http://www.governor.ny.gov/nysafeact/gun-reform>