

LOCAL LAW NO. 6-99  
CHAUTAUQUA COUNTY

A LOCAL LAW PROHIBITING SALE OF LASER POINTING DEVICES TO MINORS AND  
POSSESSION OF LASER POINTING DEVICES BY MINORS

BE IT ENACTED by the County of Chautauqua Legislature,

Section 1.     Purpose.

Laser pointing devices emit light amplified by the stimulated emission of radiation and do have important and valuable uses particularly in the medical field. However, laser pointing devices can be misused and, if misused, can cause serious injury or damage. Further, minors have used such laser pointing devices to annoy, harass or menace others, in particular law enforcement officers. The purpose of this Local Law is to promote public safety by assuring that such devices may be purchased and possessed only by adults.

Section 2.     Definition.

Laser pointing device means any hand-held device which emits light amplified by the stimulated emission of radiation which is visible to the human eye.

Section 3.     Prohibited Sale.

No person, firm or corporation within Chautauqua County shall sell to a consumer under the age of eighteen (18) years any laser pointing device.

Section 4.     Prohibited Display for Sale.

No person, firm or corporation within Chautauqua County engaged in the sale of laser pointing devices shall store or display laser pointing devices unless such items are contained within a sealed and locked case, or are located behind the service counter, or in any other manner which restricts easy access to laser pointing devices by their customers and/or the general public.

Section 5.     Unlawful Possession of a Laser Pointing Device.

No person under the age of eighteen (18) years shall possess or have in such person's possession a laser pointing device.

Section 6.     Disposal of Illegally Possessed Laser Pointing Device.

Any laser pointing device seized pursuant to this Local shall be declared a nuisance and shall be disposed of in accordance with the New York State Penal Law. Any person claiming ownership of such laser pointing device seized pursuant to this Local Law may apply to the court for an order preventing the disposal of the laser pointing device seized and ordering the return of such laser pointing device. The court may order the laser pointing device returned after the close

of the applicable case if it is determined that return of the laser pointing device would be in the interest of justice.

Section 7.     Penalties.

A Violation of the provisions of this Local Law shall be punishable as a misdemeanor.

Section 8.     Severability.

In the event any provisions or part of this Local Law shall for any reason be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Local Law.

Section 9.     Effective Date.

This Local Law shall take effect upon filing with the New York Secretary of State.

Introduced:    2/24/99

Adopted:       3/10/99           (Roll Call Vote: 23 Yes, 1 No, 1 Absent. No: Crowe)

Public Hearing: 3/24/99

Adopted as Local Law 6-99