

CORPORATION OF THE MUNICIPALITY OF STRATHROY-CARADOC

BYLAW NO. 13-10

A Bylaw to Amend Bylaw No. 48-01, Being a Bylaw To Prohibit and Regulate The Discharge of Firearms and Bows in the Municipality of Strathroy-Caradoc

WHEREAS Council did at its meeting held March 5th, 2001 adopt a Bylaw to Prohibit and Regulate the Discharge of Firearms and Bows in the Municipality of Strathroy-Caradoc, being Bylaw No. 48-01.

AND WHEREAS Council deems it expedient to amend certain portions of the said Bylaw.

NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF STRATHROY-CARADOC AS FOLLOWS:

1. **THAT:** Bylaw No. 48-01 be amended by adding to Section 1.1 under Definitions the following:
 - Institutional Zone:
“Institutional Zone”, shall mean any parcel of land zoned for institutional purposes in any Zoning Bylaw in effect within the Municipality, and
 - Settlement Area:
“Settlement Area” shall mean the settlement areas of Strathroy, Mount Brydges and Melbourne as designated in the Municipality’s Official Plan; and
 - Rural Residential Area:
“Rural Residential Area” shall mean any area designated ‘Rural Residential’ in the Municipality’s Official Plan; and
2. **THAT:** Section 2.2 be changed to read as follows:
 - Within 300 Metres Of Any Institutional Zone, Designated Settlement Area Or Designated Rural Residential Area

No person shall discharge a firearm or bow in any area in which the discharge is not already prohibited, within 300 metres of the periphery of any property zoned for institutional purposes, any designated settlement area or designated rural residential area, excepting those properties in use for instruction in the proper use and maintenance of firearms or bows; and

3. **THAT:** this bylaw come into force and take effect on the date of its final passage in Open Council.

Read a FIRST, SECOND AND THIRD TIME and Finally Passed in Open Council this 22nd February, 2010.

Signed by Mel Veale

Mayor

Signed by Angela Toth

Clerk

CORPORATION OF THE TOWNSHIP OF

STRATHROY - CARADOC

BY-LAW NO. 48-01

**A By-Law To Prohibit And Regulate The Discharge Of
Firearms And Bows In The Township Of Strathroy-Caradoc**

WHEREAS section 210 paragraph 36 of the *Municipal Act, R.S.O. 1990, c. M.45*, as amended, provides that by-laws may be passed by councils of local municipalities for prohibiting and regulating the discharge of guns or other firearms, air-guns, spring-guns, cross-bows and long-bows or any class or type thereof in the township or in any defined area thereof;

AND WHEREAS it is deemed expedient and is in the public interest to prohibit the discharge of firearms, air-guns, spring-guns, cross-bows and long-bows or any class or type thereof within the boundaries of the Township;

THEREFORE the Municipal Council of the Corporation of the Township of Strathroy-Caradoc enacts as follows.

DISCHARGE OF FIREARMS AND BOWS BY-LAW

PART1

DEFINITIONS

1.1 Definitions

In this by-law:

Bow-defined

"Bow" means a weapon consisting of a curved, sometimes re-curved, stave of a resilient material, strung taut from end to end and used to launch an arrow, a bolt, a quarrel or any similar projectile and that is capable of causing bodily injury or death to a person and includes cross-bows, long-bows, re-curve bows and compound bows.

Built-up Area Defined

"Built-up area", as defined in the Highway Traffic Act, means the territory contiguous to a highway not within a city, town, village or police village where,

- a) not less than 50 per cent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches,
- b) not less 50 per cent of the frontage upon sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
- c) not more than 200 metres of the highway separates any territory described in clause (a) or (b) from any other territory described in clause (a) or (b)

Coarse Fish-defined

"Coarse fish", as defined by the *Fisheries Act*, means bowfin, burbot, catfish, eel, freshwater drum and gar

Township-defined

"Township" means the area within the boundaries of the Township of Strathroy-Caradoc.

Educational Property-defined

"Educational property includes school facilities operated by a Board of Education, a private school, a university, a provincial college, a private college or an outdoor area when in use for instructional purposes by a board of Education, University or College, whether or not adjacent to a building.

Firearm-defined

"Firearm" means a barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing bodily injury or death to a person, and includes anything that can be adapted for use as a firearm, including air guns, spring-guns, or any class or type thereof.

Nuisance Animal defined

"Nuisance animal" means any animal or bird found damaging or destroying property on a person's own land or on reasonable and probable grounds that a person believes is about to damage or destroy property on their own land.

Part 2

DISCHARGE-PROHIBITED

2.1 Discharge Of Firearms and Bows-prohibited

No person shall discharge a firearm or bow within the area of the Township as identified on the map which forms Schedule "A" of this by-law, except as authorized by this bylaw.

2.2 Within 200 Metres Of Any Educational Property

No person shall discharge a firearm or bow in any area in which the discharge is not already prohibited, within 200 metres of the periphery of any property used for educational purposes excepting those properties in use for instruction in the proper use and maintenance of firearms or bows.

Part3

EXCEPTIONS

3.1 Police-Authorized Officials-Use-Not Restricted

This by-law is not intended to interfere in the exercise of the rights and privileges granted, or the performance of duties imposed upon a peace officer, by any Act of the Province of Ontario or the Government of Canada and it shall not at any time be do construed.

3.2 Written Permission-Within Township

The Chief of Police may issue written permission to discharge a firearm or bow within any area of the Township.

3.3 Indoor Shooting Ranges

Part 2 of this by-law does not apply so as to prohibit the discharge of firearms in the Township when the discharge occurs in shooting or rifle ranges which are within buildings constructed so that there is no danger of any bullet or projectile discharged or fired therein, passing out of the building.

3.4 Indoor Archery ranges

Part 2 of this by-law does not apply so as to prohibit the discharge of bows in the Township, when the discharge occurs in archery ranges which are within buildings constructed so that there is no danger of any projectile discharged therein, passing out of the building.

3.5 Archery-Educational Instruction/Competition

Part 2 of this by-law does not apply so as to prohibit the discharge of a bow on property used for educational purposes if it is for the purposes of archery instruction or an archery competition that is authorized by a board of education, an educational institution or the principal of a school that occupies the property.

3.6 Sanctioned Archery Events

Part 2 of this by-law does not apply so as to prohibit the discharge of a bow, when the discharge occurs at a competition event which has been sanctioned by the Federation of Canadian Archers, the Ontario Association of Archers, the Forest City Archers or the Crumlin Sportsmen's Association.

3.7 Carp and Coarse Flab-Bow and Arrow

Part 2 of this by-law does not apply so as to prohibit the provisions of the *Fisheries Act* and its regulations with respect to the hunting of carp and coarse fish by bow and arrow.

3.8 Agricultural Land-exception

Section 2.1 of this by-law does not apply so as to prohibit the discharge of a firearm or bow for the destruction of diseased, nuisance or sick animals, or for the slaughter of animals for food by the owner, occupier or authorized agent of the owner or occupier, of any land designated by the Township of Strathroy-Caradoc for agricultural uses.

3.9 Trap-Skeet Shooting

Section 2.1 of this by-law does not apply so as to prohibit any person engaged in trap or skeet shooting from discharging a firearm at a licensed trap or skeet shooting club in that part of the Township comprised of lands in the former Township of Caradoc and shown on the map that is included as Schedule "A" of this by-law.

3.10 Military Re-enactment's

Despite any other section of this by-law, any person engaged in a military re-enactment exercise may discharge a firearm or bow provided that the safety measures for such an exercise have been reviewed by the Chief of Police or his/her designate.

3.11 Exception - Parcels of 20.24 Hectares or More - Firearm

Section 2.1 of this by-law, as it applies to the discharge of a firearm, does not apply so as to prohibit the owner or occupier of a parcel of land of 20.2 hectares (50 acres) or more located within the area set out in schedules "A" and "B" of this by-law or a person or persons carrying such owner or occupier's written permission on their person from discharging a firearm for the purposes of hunting, target shooting or the training of dogs.

3.12 Exception - Parcels of 4.05 Hectares or More - Bow

Section 2.1 of this by-law as it applies to the discharge of a bow, does not apply so as to prohibit the owner or occupier of a parcel of land of 4.05 hectares (10 acres) or more located within the area set out in schedules "A" and "B" of this by-law, or a person or persons carrying such owner or occupier's written permission on their person from discharging a bow for the purposes of hunting or target shooting.

PART 4 ENFORCEMENT

4.1 Fine For Contravention

Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*.

4.2 Continuation Repetition Prohibited By Order

The court in which the conviction has been entered and any court of competent jurisdiction there after, may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.

**PARTS
REPEAL ENACTMENT**

5.1 Previous By-Law

By-law 62-95 of the Township of Strathroy-Caradoc and all amendments thereto are hereby repealed.

5.2 Effective Date

Read a **First** time this 5 day of March 2001

Read a **Second** time this 5 day of March 2001

**Read a Third time and Finally Passed in Open Council
this 5 day of March 2001**

Original bylaw signed by Mel Veale, Mayor and Marion Loker, Clerk

Appendix "A"

restricted area
shaded

