

THE CORPORATION OF THE TOWN OF PETROLIA

BY-LAW No. 63 of 2009

**A BY-LAW TO PROHIBIT OR REGULATE
THE DISCHARGE OF FIREARMS
IN THE TOWN OF PETROLIA**

WHEREAS Section 119 of *the Municipal Act, 2001, as amended*, permits a municipal council to prohibit or regulate, for the purpose of public safety, the discharge of guns or other firearms, air guns, spring guns, cross-bows, long-bows or any other weapon in the municipality or any defined area thereof;

AND WHEREAS, it is deemed expedient and appropriate in the interest of public safety to regulate the use of such firearms and archery equipment to certain defined areas of the municipality;

NOW THEREFORE, pursuant to *The Municipal Act, 2001* the Council of the Corporation of the Town of Petrolia enacts as follows:

1. In this By-law:
 - a) **Council** – shall mean the Council of the Town of Petrolia
 - b) **Archery Equipment** – shall include cross bows, long bows or any class or type thereof.
 - c) **Firearm** – shall include air guns, spring guns, hand guns, rifles, shot guns and other barreled weapons from which a shot, bullet or other projectile can be discharged and that is capable of causing bodily injury or death to a person or animal, and includes anything that can be adapted for use as a firearm, and any prohibited or restricted weapon as so defined from time to time in the Criminal Code, R.S.C. 1985, Chap. C-46; and
 - d) **Weapon** – shall mean any firearm or archery equipment as herein defined.
2.
 - a) No person shall use or discharge a weapon within that portion of the Town of Petrolia shown hereto as Schedule “A”,
 - b) No person shall discharge a weapon on any land owned by the Town of Petrolia and/or park within the Town of Petrolia included in Schedule “A”
3. Paragraph 2 herein does not apply to the following:
 - a) The discharge of a weapon within an approved, supervised target range;
 - b) The discharge of a weapon for the purpose of signaling or notifying of distress or an emergency.
 - c) The discharge of a weapon in the presence of or under the direction of a qualified Veterinarian for the purpose of:
 - i) the humane destruction of a seriously injured animal; or
 - ii) for tranquilizing an animalif undertaken by an Animal Control Officer, Medical Officer of Health, Veterinarian, or an authorized representative thereof.
 - d) The discharge of a weapon by a person who is the holder of a valid Trapper’s License issued by the Ministry of Natural Resources, for the purpose of the humane destruction of an injured animal or for wildlife control purposes as directed by Council.
 - e) The discharge of a paintball from an airgun within an indoor and/or outdoor facility supervised, designed and used for the game of paintball.

- f) A discharge of weapons intended to be in conjunction with, or as part of, a special event if approved by Council resolution. In authorizing such a discharge, Council may impose any terms and conditions it deems necessary and appropriate in the interest of public safety.
4. This By-law does not apply to any member of the Ontario Provincial Police, Royal Canadian Mounted Police, Ministry of Natural Resources Conservation Officers, Members of the Canadian Armed Forces or Municipal Enforcement Officers in the proper execution of their duties pursuant either to the applicable statute or to common law, and does not apply to any Ontario Provincial Police Firing Range.
5. The following persons and/or organizations are approved to enforce this By-law and can enter onto private property to investigate violation of this By-law:
- Members of the Ontario Provincial Police
Member of the Royal Canadian Mounted Police
Ministry of Natural Resources Officers
Municipal Enforcement Officers appointed by the Council of the Town of Petrolia
6. Any person found to be in contravention of any of the provisions of this By-law is guilty of an offence and subject to the provisions of the Provincial Offences Act. A schedule with set fines and offences is attached as Schedule "B".
7. The short title of this By-law is "WEAPONS BY-LAW".
8. That any by-laws or provisions of by-laws found to be inconsistent with the provisions found in this by-law shall be and are hereby repealed.
9. This By-law shall come into force and effect upon the final passing thereof.

READ A FIRST AND SECOND TIME the 22nd day of June, 2009.

READ A THIRD TIME AND FINALLY PASSED this 13th day of July, 2009.



Mayor



Clerk/Administrator

The Corporation the Town of Petrolia
SCHEDULE "B" to

BY-LAW No. 63 of 2009
TITLE: WEAPONS BY-LAW
PART 1 – Provincial Offences Act

SET FINE SCHEDULE

ITEM:	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision or Defining Offence	COLUMN 3 Set Fine
1.	Use or Discharge of a weapon within Restricted Areas	Section 2 (a)	\$500.00
2.	Use or Discharge of a weapon on any Municipal Property	Section 2 (b)	\$500.00

NOTE: The penalty section for offences cited above is Section 6 of By-law No. 63 of 2009, a certified copy of which has been filed.