



To: Council
From: Loriann Harbers, Director of Corporate Services/Clerk
Date of Meeting: November 24, 2021
Subject: Draft Discharge of Firearms and Bows By-law

Background:

As a result of Council’s direction to review the Township’s Nuisance By-law, it was identified that the regulations surrounding the discharge of firearms is lacking and should be removed from the Nuisance By-law completely and an independent Discharge of Firearms and Bows by-law be developed.

This report provides a summary of the proposed by-law and next steps.

Discussion:

The Township’s Nuisance by-law includes the regulation of firearms. However, complaints concerning the lack of restriction in some areas and too much regulation in others has prompted the establishment of an independent by-law.

Primary concerns include:

- The definition of a firearm does not include air guns, spring guns or types of bows, which has been identified as a problem.

As a proposed solutions to the above, the draft by-law defines a firearm as “Firearm” means shotguns, rifles, air guns, spring guns or any class thereof and includes anything that can be adapted for use as a Firearm. In addition, a definition for a bow has been included, “Bow” means a curved or re-curved stave of a resilient material, strung taut from end to end and used to launch an arrow, bolt, quarrel or any similar projectile and includes cross-bows, long bows, re-curve bows and compound bows.

Concerns have been expressed by residents and staff that under the current by-law, cross-bows or high power air rifles are not restricted within the settlement areas. This poses a danger to anyone within a settlement area. By creating a more concise definition of firearm and including the definition of a bow, the firearms and bows that were previously omitted are now prohibited.

- The area whereby the discharge of firearms is restricted is, in some cases, rather restrictive.

The proposed by-law recommends the discharge of firearms and bows be restricted completely, with certain exceptions, within the Urban Settlement area defined in the SDG Official Plan. The areas are outlined on the maps found at the following link: <https://www.sdgcounties.ca/official-plan>
This is also the area used to restrict Open Air Burning.

There are areas within the Urban Settlement area that are rural in nature and some are large in size. As such, requests have been made to allow for archery practice and hunting in some of these areas.

The proposed by-law suggests allowing the discharge of firearms and bows within the Defined Area, providing the property is larger than 5 acres in size and no bullet or arrow shall pass over the boundary of the property.

The proposed by-law provides exceptions, these include:

- Peace officer
- Agents under the Ontario Fish and Wildlife Conservation Act
- Uses for agriculture purposes for the owner or tenant with a valid Business Registration Number

Provisions for power of entry, severability, offence and enforcement are also included.

It should be noted that the municipality is not able to enforce discharge of firearms or bows on property governed by the Province.

Next steps:

Based on discussion at the November 24, 2021 meeting, staff will compile comments and prepare background material to be posted on the Township's public engagement platform, Speak up South Stormont. We will seek input from the public – perhaps there are suggestions we have not considered.

The draft by-law will also be forwarded for legal review and when all comments are received and compiled and revised draft will be returned to Council for discussion and adoption.