The Corporation of the City of Peterborough

By-Law Number 15-145

Being a by-law to repeal Chapter 671 of the City of Peterborough Municipal Code – Firearms – Discharge, By-law 93-188, By-law 1985-165 and enact City of Peterborough Firearms Discharge By-law Number 15-145

Whereas subsection 10(2) of the Municipal Act, 2001, S.O. 2001, c.25 as amended (the “Act”), provides that a municipality may enact By-laws for the health, safety and well-being of persons and for the protection of persons and property;

And Whereas section 119 of the Act provides that a municipality may, for the purpose of public safety, prohibit or regulate the discharge of Firearms or other weapons in the municipality;

And Whereas the Council of the Corporation of the City of Peterborough considers it desirable to repeal Chapter 671 of the Peterborough Municipal Code Firearms – Discharge, By-law 93-188 and By-law 1985-165 and replace them with this Firearms Discharge By-law;

Now Therefore, The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

Article 1 - Definitions

1.1 Act - means any Act, regulation, order, Order in Council, approval or any other instrument adopted or obtained under the authority of an Act;

1.2 Bow - means a compound bow, cross bow, long bow, re-curve bow or any other class or type thereof from which any arrow or other projectile can be discharged and that is capable of causing bodily injury or death;

1.3 City, City of Peterborough or Peterborough – means, as the context requires, The Corporation of the City of Peterborough or the municipal boundary of the City of Peterborough;

1.4 Firearm - means any barrelled weapon from which any shot, bullet, missile or other projectile can be discharged and that is capable of causing bodily harm, injury or death, and includes anything that can be adapted for the use as a Firearm, and for the purpose of this By-law includes an air gun, air soft gun, Bow, paint ball gun, slingshot and spring gun or any class or type thereof;

1.5 Municipal Law Enforcement Officer – means a person that is employed and appointed by the City to perform the duties of enforcing City By-laws;

Article 2 - Prohibition

2.1 No person shall discharge, cause to be discharged, or permit to be discharged a Firearm within the City of Peterborough.
Article 3 - Exemptions

3.1 The prohibition in Article 2 does not apply to:

a. a peace officer who is authorized to carry a Firearm by any Act of the Province of Ontario or the Government of Canada and who discharges a Firearm in the lawful performance of their duty;

b. a person, other than a peace officer, who is authorized to carry a Firearm by any Act of the Province of Ontario or the Government of Canada in the course of his or her employment duties and who discharges a Firearm in the lawful performance of those duties;

c. a person who lawfully discharges a Firearm or Bow in a building or on a property where a Firearm or Bow may be discharged under Article 3.2 of this by-law;

d. the Manager of Animal Control Services for the City, or a designated Animal Control Officer, who discharges a Firearm in the lawful performance of his or her employment duties in order to kill an animal that is rabid and poses a threat to public safety or to alleviate the suffering of an animal, or to subdue sick, injured or animals in distress;

e. any person appointed from time-to-time by the Peterborough Utilities Commission as a Curator, Zookeeper, or Groundskeeper for the Riverview Park and Zoo may discharge any Firearm in the performance of their duties, for animal control purposes, on those lands described as the Riverview Park and Zoo in the City of Peterborough;

f. a person who is firing blank ammunition in the discharge of a Firearm for the purposes of:
   i. a ceremonial event, historical display or educational programme;
   ii. a theatrical, film or television production, or
   iii. a sporting event; or

g. a person who is firing an arrow or other projectile in the discharge of a Bow where one of the Bow, the arrow, or other projectile is modified so that the discharged arrow or projectile is incapable of causing bodily injury or death to a person;

h. a person who discharges a bow, when the discharge occurs at a competition or educational event which has been sanctioned by the Federation of Canadian Archers, the Ontario Association of Archers, Ontario Association of Anglers and Hunters, Saugeen Shafts, or the Peterborough Fish and Game Association.

3.2 The prohibition in Article 2 does not apply to an owner or occupier of a property:

a. that is owned by the Peterborough Police Service, Ontario Provincial Police, Royal Canadian Mounted Police, or the Department of National Defence for the training of their personnel;

b. during the time in which the property is being used or operated by the Peterborough Police Service, Ontario Provincial Police, Royal Canadian Mounted Police or the Department of National Defence for the training of their personnel and for no other time;
c. that is permitted to operate as a gun club, trap and skeet club, rifle range, archery range, paint ball facility or other facility for the use of Firearms that is in compliance with all applicable municipal, provincial and federal requirements; or

d. during the time in which the property is being used for a sanctioned competition or educational event.

3.3 None of the exemptions in Article 3 may be interpreted or construed to permit the discharge of a Firearm or Bow by any person for the purpose of hunting within the City of Peterborough.

Article 4 - Enforcement

4.1 Police officers employed by the Peterborough Police Service and Municipal Law Enforcement Officers are responsible for enforcing the provisions of this By-law.

Article 5 - Penalty

5.1 Every person who contravenes any provision of this By-law, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, and the Municipal Act, 2001, as each may be amended from time to time.

Article 6 – Short Title

6.1 This By-Law may be referred to as the Firearms Discharge By-law.

Article 7 – Effective Date and Repeal

7.1 This By-law comes into effect on the day it receives third reading.

7.2 Chapter 671 of the Peterborough Municipal Code, By-law 93-188 and By-law 1985-165 are repealed on the date this By-law is read for a third time.

By-law read a first, second and third time this 28th day of September, 2015.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) John Kennedy, City Clerk
THE CORPORATION OF THE CITY OF PETERBOROUGH

PART I Provincial Offences Act

By-law Number 15-145, – being a by-law for the regulation of firearms

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1 Short Form Wording</th>
<th>Column 2 Provision Creating or Defining Offence</th>
<th>Column 3 Set Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Discharge a firearm</td>
<td>Section 2.1</td>
<td>$125.00</td>
</tr>
<tr>
<td>2</td>
<td>Cause a firearm to be discharged</td>
<td>Section 2.1</td>
<td>$125.00</td>
</tr>
<tr>
<td>3</td>
<td>Permit a firearm to be discharged</td>
<td>Section 2.1</td>
<td>$125.00</td>
</tr>
</tbody>
</table>

NOTE:
The penalty provisions for the offences indicated above is Section 5.1 of By-law 15-145, a certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.