

CITY OF PORT COLBORNE

BY-LAW NO. 2499/115/90

**BEING A BY-LAW TO PROHIBIT
AND REGULATE THE DISCHARGE
OF GUNS AND OTHER WEAPONS
WITHIN THE CITY OF PORT COLBORNE**

WHEREAS as Paragraph 29 of Section 20 of The Municipal Act (Enacted by S.O. 1989, Chapter 11, Section 7(3)) provides that the Council may pass by-laws, for the purpose of public safety, for prohibiting or regulating the discharge of guns or other firearms, air-guns, cross-bows, long-bows, or any class or type thereof in the Municipality or any defined areas thereof;

AND WHEREAS Council deems it advisable to regulate and/or prohibit the discharge of such guns or other types of guns within various areas of the municipality hereinafter described;


NOW THEREFORE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE ENACTS AS FOLLOWS:

- (1) the discharge of any firearm, regardless of calibre which incorporates a rifled barrel in its construction is hereby prohibited in the City of Port Colborne.
- (2) the use of any projectile or slug or shot larger than #2 shot in a shotgun is hereby prohibited in the City of Port Colborne except during the period established by the Ministry of Natural Resources for the hunting of deer, at which time regulations established by the Ministry of Natural Resources shall prevail respecting the size of shot that can be used in a shotgun.
- (3) the discharge of any type of firearm within the distance of one thousand feet (1000) from any building used for the raising of poultry for commercial purposes or within the distance of five hundred feet (500') from any other building or house is prohibited.
- (4) any gun or other type of firearm, air-gun or spring-gun or any type thereof discharged contrary to the provisions of the by-law may be seized and impounded by any police officer, Provincial Offences Officer and Enforcement Officer of the Ministry of Natural Resources.
- (5) the by-law shall not apply to the destruction of a farm or domestic animal for humane reasons, or the destruction by the owner, his agent or servant on the owners property, in the course of protecting his livestock or crops from rodents, rabbits or pestiferous birds or animals provided that the type of gun used is a shot gun using shot no larger than #2 shot and that the shot gun is not discharged in a negligent manner and further the agent or servant of an owner has the owner's consent in writing. For the purpose of this section, owners shall include any person who is the owner of an interest in the land entitling him to possession of it and shall include a tenant farmer.
- (6) nothing in this by-law shall be deemed to prohibit the discharge of a gun or other firearm, air-gun, spring-gun, cross-bow or long-bow of any class or type
 - (a) on the premises of any organization authorized or accredited by the Ontario Federation of Anglers and Hunters including the premises of a duly license gun club, rifle range, archery club, conservation club, trap/sheet shooting club or game farm; nor

- (b) by a public officer licensed to carry a gun or other weapon in the execution of that person's duties.
- (7) the by-law does not prohibit hunting in that area of Mud Lake which is under the jurisdiction of the Ministry of Natural Resources.
- (8) subject to paragraphs 5, 6 and 7 of this by-law, no person shall discharge any gun or any other firearm of any type, air-gun, spring-gun, cross-bow or long-bow of any class or type within those areas of the City of Port Colborne cross hatched on the maps hereto annexed and made part of this by-law as schedules A, B, C, D, E, each such area being designated "NO HUNTING AREA". The prohibition in this section shall apply notwithstanding the holding of a valid license to hunt issued by the City of Port Colborne or the Ministry of Natural Resources.
- (9) every person who contravenes any provision of this by-law is guilty of an offence and liable upon conviction of a fine not exceeding (\$2,000.00) two thousand dollars.
- (10) By-law 74 (1970) and By-law 74A (1973) are repealed.
- (11) this by-law shall come into force and take effect upon passing by Council of the City of Port Colborne.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 22 DAY OF October, 1990.**


MAYOR


CLERK

CITY OF PORT COLBORNE
PROHIBITED AREAS FOR HUNTING

SCHEDULE "A" TO BY-LAW NO. 2499/115/90

(Area covered by By-law 74A (1973) Plus Killaly St. East to Lorraine Road, Both Sides Measured 500 Feet back from the Edge of the Road Allowance Plus That Area South of Lakeshore Road from Lorraine Road to Pinecrest Road as Shown on the Schedule)

SCHEDULE "B"

(Area known as the Bethel Hamlet)

SCHEDULE "C"

- (a) area known as Gasline bordering #3 Highway, both sides from Lot 16 east to Troup Road - Area is measured 500 feet back from the #3 Highway Road Allowance
- (b) area known as Pinecrest (Cedar Bay) commencing at Pinecrest Road East to Cedar Bay Road and at the Pinecrest built up areas as set out on schedule
- (c) area known as Silverbay commencing at Cedar Bay Road east to Silverbay Road and east of Silverbay Road to the eastern limit of Lot 10, Concession I and all the built up areas as set out in the schedule

SCHEDULE "D"

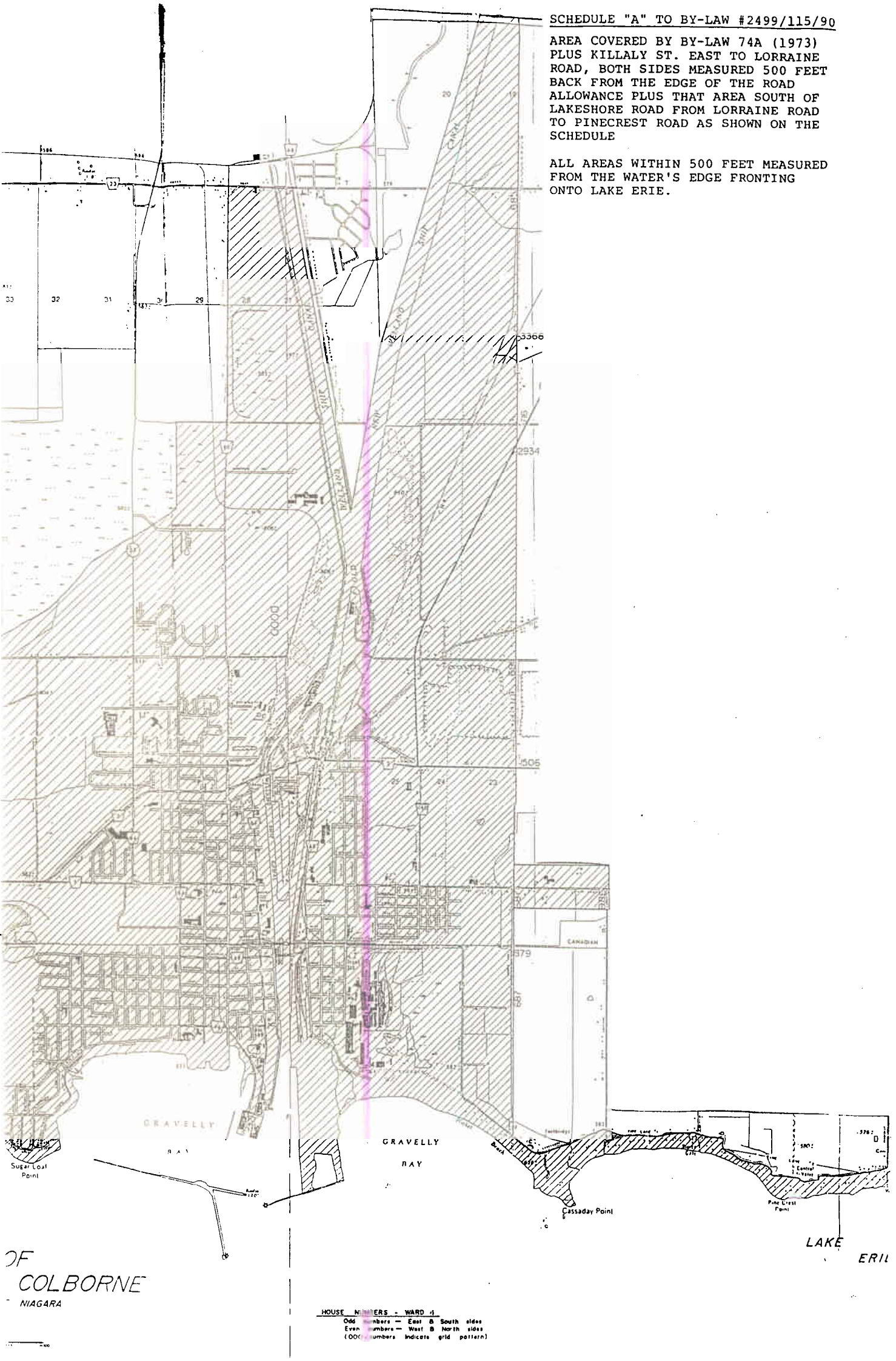
- (a) area known as the Sherkston areas, being 500 feet back on both sides Sherkston Road commencing at Empire Road and running east to the eastern boundary of the municipality
- (b) built up area on west side of Empire Road (Mapleview)
- (c) cottage area known as Pleasant Beach being the south end of Pleasant Beach Road as shown on this schedule.

All areas within 500 feet measured from the water's edge fronting onto Lake Erie.

SCHEDULE "A" TO BY-LAW #2499/115/90

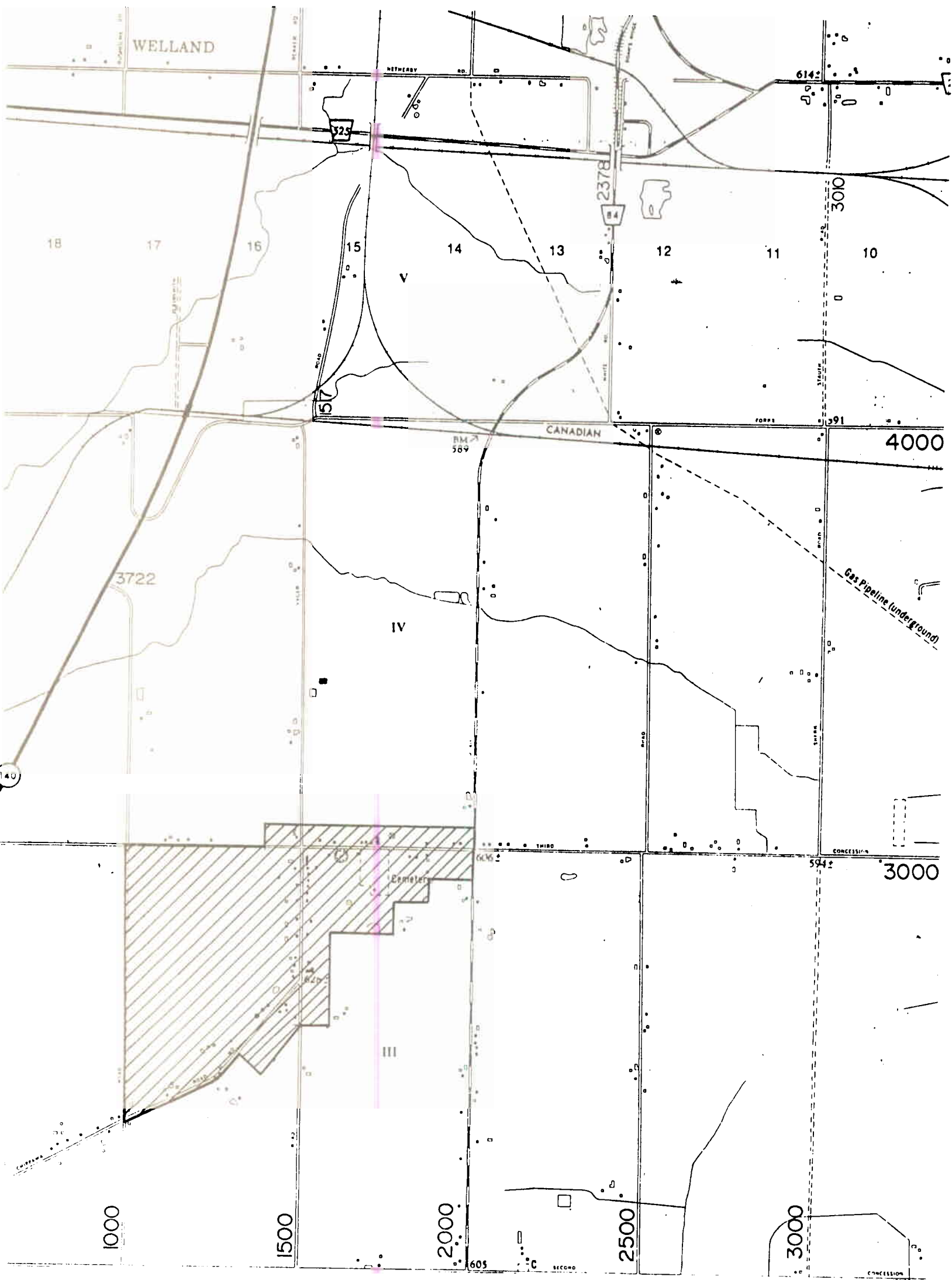
AREA COVERED BY BY-LAW 74A (1973)
 PLUS KILLALY ST. EAST TO LORRAINE
 ROAD, BOTH SIDES MEASURED 500 FEET
 BACK FROM THE EDGE OF THE ROAD
 ALLOWANCE PLUS THAT AREA SOUTH OF
 LAKESHORE ROAD FROM LORRAINE ROAD
 TO PINECREST ROAD AS SHOWN ON THE
 SCHEDULE

ALL AREAS WITHIN 500 FEET MEASURED
 FROM THE WATER'S EDGE FRONTING
 ONTO LAKE ERIE.



OF
 COLBORNE
 NIAGARA

HOUSE NUMBERS - WARD 1
 Odd numbers - East & South sides
 Even numbers - West & North sides
 (ODC numbers indicate grid pattern)



SCHEDULE "B" TO BY-LAW NO. 2499/115/90

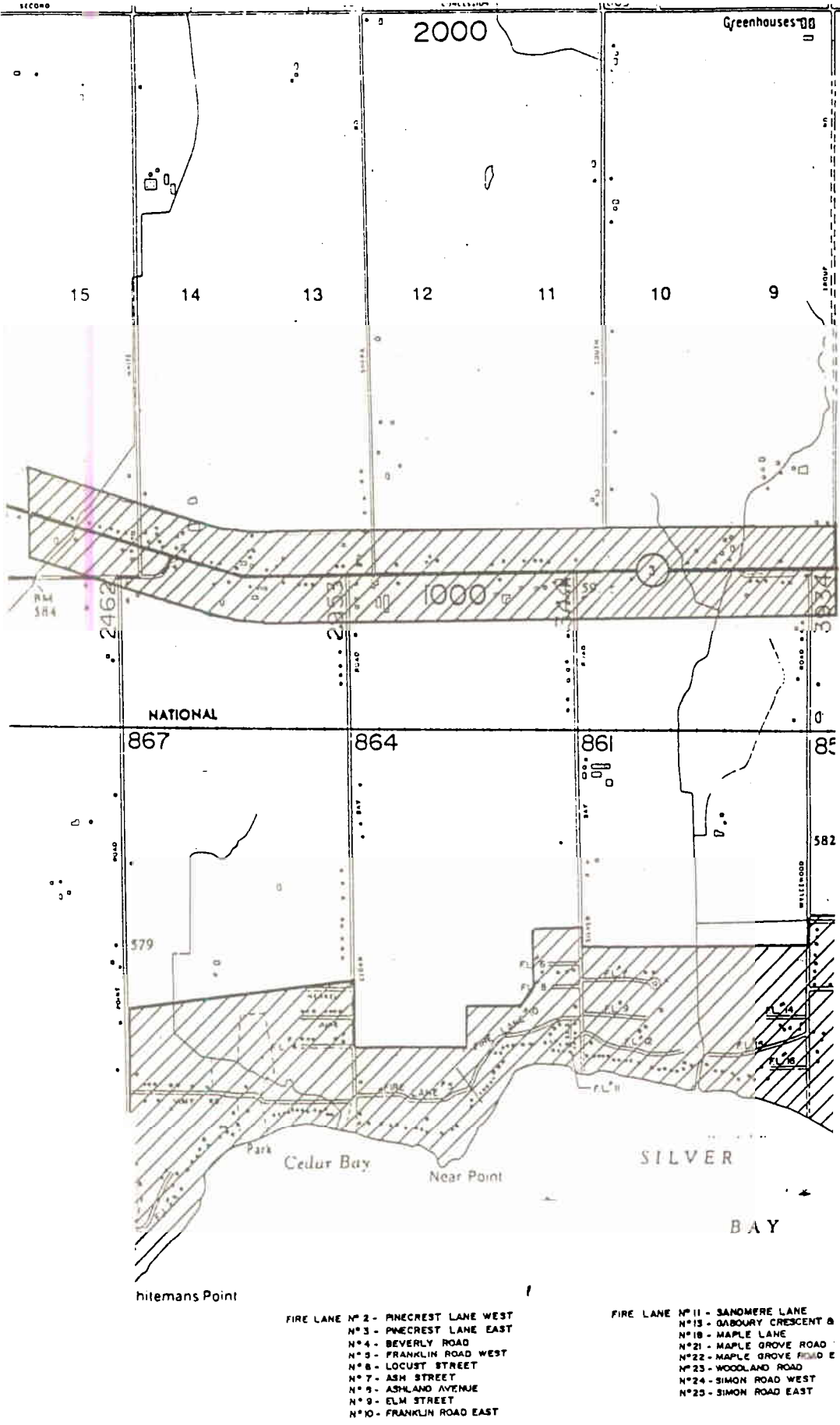
AREA KNOWN AS THE BETHEL HAMLET

ALL AREAS WITHIN 500 FEET MEASURED FROM THE WATER'S EDGE FRONTING ONTO LAKE ERIE.

SCHEDULE "C" TO BY-LAW NO. 2499/115/90

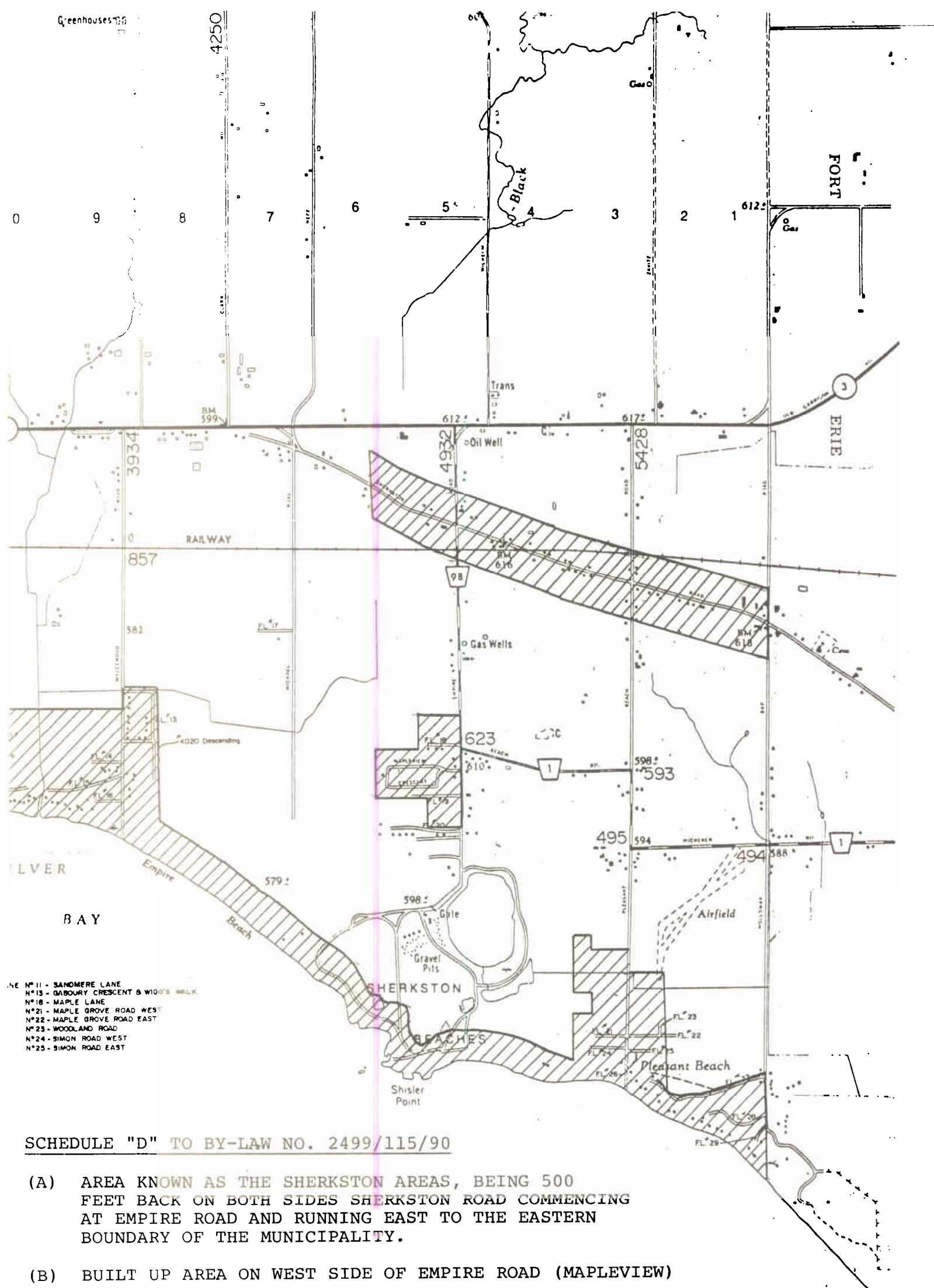
- (A) AREA KNOWN AS GASLINE BORDERING #3 HIGHWAY, BOTH SIDES FROM LOT 16 EAST TO TROUP ROAD - AREA IS MEASURED 500 FEET BACK FROM THE #3 HIGHWAY ROAD ALLOWANCE.
- (B) AREA KNOWN AS PINECREST (CEDAR BAY) COMMENCING AT PINECREST ROAD EAST TO CEDAR BAY ROAD AND AT THE PINECREST BUILT UP AREAS AS SET OUT ON SCHEDULE
- (C) AREA KNOWN AS SILVERBAY COMMENCING AT CEDAR BAY EAST TO SILVERBAY ROAD AND EAST OF SILVERBAY ROAD TO THE EASTERN LIMIT OF LOT 10 CONCESSION 1 AND ALL THE BUILT UP AREAS AS SET OUT IN THE SCHEDULE.

ALL AREAS WITHIN 500 FEET MEASURED FROM THE WATER'S EDGE FRONTING ONTO LAKE ERIE.



- FIRE LANE # 2 - PINECREST LANE WEST
- # 3 - PINECREST LANE EAST
- # 4 - BEVERLY ROAD
- # 5 - FRANKLIN ROAD WEST
- # 6 - LOCUST STREET
- # 7 - ASH STREET
- # 8 - ASHLAND AVENUE
- # 9 - ELM STREET
- # 10 - FRANKLIN ROAD EAST

- FIRE LANE # 11 - SANDMERE LANE
- # 13 - GABOURY CRESCENT &
- # 18 - MAPLE LANE
- # 21 - MAPLE GROVE ROAD E
- # 22 - MAPLE GROVE ROAD W
- # 23 - WOODLAND ROAD
- # 24 - SIMON ROAD WEST
- # 25 - SIMON ROAD EAST



- Lot #11 - SANDMERE LANE
- Lot #13 - GABOURY CRESCENT & WIGG'S WALK
- Lot #18 - MAPLE LANE
- Lot #21 - MAPLE GROVE ROAD WEST
- Lot #22 - MAPLE GROVE ROAD EAST
- Lot #23 - WOODLAND ROAD
- Lot #24 - SIMON ROAD WEST
- Lot #25 - SIMON ROAD EAST

SCHEDULE "D" TO BY-LAW NO. 2499/115/90

- (A) AREA KNOWN AS THE SHERKSTON AREAS, BEING 500 FEET BACK ON BOTH SIDES SHERKSTON ROAD COMMENCING AT EMPIRE ROAD AND RUNNING EAST TO THE EASTERN BOUNDARY OF THE MUNICIPALITY.
- (B) BUILT UP AREA ON WEST SIDE OF EMPIRE ROAD (MAPLEVIEW)
- (C) COTTAGE AREA KNOWN AS PLEASANT BEACH BEING THE SOUTH END OF PLEASANT BEACH ROAD AS SHOWN ON THIS SCHEDULE.

ALL AREAS WITHIN 500 FEET MEASURED FROM THE WATER'S EDGE FRONTING ONTO LAKE ERIE.