

CORPORATION OF THE TOWNSHIP OF SMITH-ENNISMORE-LAKEFIELD

BYLAW NUMBER 2001-85

**BEING A BYLAW TO REGULATE AND PROHIBIT
THE DISCHARGE OF GUNS OR OTHER FIREARMS,
AIR GUNS AND SPRING GUNS CROSS BOWS, LONG BOWS, OR ANY CLASS OR
TYPE THEREOF WITHIN THE TOWNSHIP OF SMITH-ENNISMORE-LAKEFIELD**

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45 Section 210 (36), provides that Councils of Local Municipalities may pass Bylaws for prohibiting or regulating the discharge of guns or other firearms, air guns, spring guns, cross-bows, long-bows, or any class or type thereof in the Municipality or in any defined area or areas thereof.

AND WHEREAS it is deemed necessary and expedient that the discharging of such guns or other firearms, air guns, spring guns, cross-bows, long-bows, or any class or type thereof shall be regulated as provided herein.

NOW THEREFORE the Council of the Corporation of the Township of Smith-Ennismore-Lakefield enacts as follows:

1. For the purpose of this Bylaw a travelled road allowance will cover private rights-of-way and all road allowances whether assumed or unassumed.
2. No person shall discharge any gun, firearm, air gun, spring gun, cross-bow, long-bow, or any class or type thereof within any area of the municipality that is zoned any type of residential, commercial, industrial, recreational or community facility in the Zoning Bylaw applicable to that area of the Municipality.
3. No person shall discharge any gun, firearm, air gun, spring gun, cross-bow, long-bow, or any class or type thereof upon a maintained or travelled road allowance or upon an unopened road allowance.
4. No person shall discharge any gun, firearm, air gun, spring gun, cross-bow, long-bow, or any class or type thereof across (from land on one side into land on the other side), a maintained or travelled road allowance or across (from land on one into land on the other side) an unopened road allowance.
5. No person shall be found in possession of a loaded gun, firearm, air gun, spring gun, cross-bow, long-bow, or any class or type thereof upon a maintained or travelled road allowance or upon an unopened road allowance.
6. Notwithstanding the provisions of Section 1, 2, 3 and 4 herein, the following exemptions apply to the prohibitions contained in Sections 1 and 2:
 - (a) the Dog Control Officer or the Small Animal Control Officer appointed by the Council for the Corporation of the Township of Smith-Ennismore-Lakefield may discharge any gun or other firearm as described in the said Section 2 in the performance of his or her duties.
 - (b) members of the Ontario Provincial Police, Royal Canadian Mounted Police, any Municipal Police Force, and Conservation Officers employed by the Ministry of Natural Resources may discharge any gun or other firearm in the performance of their duties.

7. A person having in his possession all licenses required by law authorizing him to hunt upon a person's lands may do so provided that he is in possession of the written consent of the owner or occupant of the said lands and provided that such lands are not zoned any type of residential, commercial, industrial, recreational or community facility in the Zoning Bylaw applicable to that area of the Municipality. Such persons shall produce the written consent referred to herein at the request of any law enforcement officer. The failure to honour such demand shall be deemed to be prima facie proof that such written consent does not exist.
8. In the event that any Court of competent jurisdiction should adjudge that any Section or Sections of this Bylaw are not valid for any cause, such Section or sections shall be deemed to be independent and severable from the remainder of the Bylaw and the remainder of the Bylaw shall stand and shall be enforced to the same extent as if the offending Section or Sections had not been included herein.
9. Any person who contravenes the provisions of this Bylaw shall be guilty of an offence and, upon conviction, shall be liable to a penalty as provided for in the Provincial Offences Act.
10. That Bylaw 2000- 58 of the former Township of Smith-Ennismore and Bylaw 86-29 of the former Village of -Lakefield be and are hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY THIS 26th DAY OF JULY, 2001.

Reeve, Burritt Mann

Clerk, Janice Lavalley

Corporate Seal