

THE CORPORATION OF THE CITY OF DRYDEN

BY-LAW NUMBER 4773-2020

BEING A BY-LAW TO RESCIND BY-LAWS 2732-2000 and 4041-2013, TO AMEND THE MUNICIPAL CODE OF THE CORPORATION OF THE CITY OF DRYDEN BY DELETING CHAPTER 81– FIREARMS AND TO ADOPT A NEW FIREARMS BY-LAW.

WHEREAS subsection 9. of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, and powers of a natural person for the purpose of exercising its authority under this or any other Act; and,

WHEREAS subsection 5 (1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that the powers of a municipality shall be exercised by Council; and,

WHEREAS subsection 5 (3) of the Municipal Act, S.O. 2001, c. 25, as amended, requires that all municipal powers, including natural person powers shall be exercised by by-law; and,

NOW THEREFORE the Council of The Corporation of The City of Dryden enacts as follows:

1. That the Municipal Code of The Corporation of The City of Dryden is hereby amended by deleting Chapter 81 – Firearms – and is replaced by this bylaw as follows:

Title

This By-law may be cited as the Firearms By-law.

Definitions

As used in this by-law, the following terms shall have the meanings indicated:

.22-CALIBRE RIM FIRE RIFLE AND SHOTGUN – Low-powered rifles used for taking small game animals.

AIR RIFLE, ARCHERY TACKLE AND PAINT BALL GUNS – Low-powered devices with a very short range and low noise associated with them.

APPROVED FACILITY – A facility which has been designed for the shooting or discharging of firearms and which has been inspected and approved by the Chief Provincial Firearms Officer for designation as an approved facility.

CENTRE FIRE RIFLE – A high-powered rifle capable of taking large game animals.

FIREARM – Includes any bow and arrow, crossbow, slingshot, blowgun, paintball gun, rim fire rifle, shotgun, centre fire rifle or any other device used to propel a projectile capable of causing harm or damage to persons, livestock or property.

GALLERY – In reference to any activities at special events such as carnivals that result in the discharge or use of any "firearm" as defined in this by-law.

PAINT BALL PARK – A designated area within the City of Dryden approved by Council as having met the conditions necessary for the provision of such an activity or business.

PARCEL OF PROPERTY – A single, continuous piece of land that is not divided by a travelled through road.

2. Geographic Areas Defined

The City of Dryden has determined two firearm zones within the City of Dryden for the purposes of this by-law. The City of Dryden has adopted these zones and uses them for the basis of establishing areas where firearms can be lawfully used within the City of Dryden as described on the Firearms Discharge Zone Map indicated on Schedule A attached hereto and forming part of this by-law.

A. Zone 1: The area depicted as Zone 1 on the Firearms Discharge Zone Map (Schedule A) including the eastern boundary of Zone 1 south to Wabigoon Lake. (For all intents and purposes, this is the historical Town of Dryden.)

B. Zone 2: As depicted on the Firearms Discharge Zone Map.

3. Discharge of Firearms Within City

Except as provided herein, no person shall discharge any gun or other firearm within the City of Dryden.

4. Discharge of Firearms Over, Across or Onto Property in the City

No person shall use, shoot, fire or discharge any firearms over, across or onto any property of the Corporation of the City of Dryden.

5. Discharge Near 161 Airport Road

No discharging of any firearms within 500 metres of the property at 161 Airport Road.

Legal description of school property: Con 6 N PT Lot 19 KR487 PT 1 PCL 24331 RP 23R3511 Pt 1 PCL 30009.

6. Discharge Near Johnson Beach

No discharging of any firearms within 500 metres of Johnson Beach.

7. Protection From Nuisance Animals; Report

A. This by-law shall not be construed as prohibiting any person whose land is located in Firearms Discharge Zone 2 from discharging firearms on his land for the purpose of protecting persons or property from nuisance animals if such discharge is reasonably necessary and otherwise lawful.

B. Upon discharging a firearm to destroy a nuisance animal, said person shall forthwith report the discharge to the Dryden Police Service.

8. Exceptions

This by-law shall not be construed as prohibiting the discharge of guns or other firearms:

A. By any peace officer or an officer under the Immigration and Refugee Protection Act, the Customs Act or the Excise Act or by any member of the Canadian Armed Forces or the armed forces of a state other than Canada, that are lawfully present in Canada, when duly authorized and in the actual and bona fide performance of his duties.

B. Within the buildings of any high school, public or separate school and on any parcel of property within the City of Dryden so long as any such activity is carried out within an approved facility under the appropriate authority and supervision of such governing body, and that such discharge is otherwise lawful.

C. Within an approved gallery, provided such special events as a carnival are under the immediate supervision of the governing body.

D. Within a licensed paint ballpark; paint ball guns only can be lawfully discharged.

9. Lawful Discharge in Zone 2

A. Air rifles, archery tackle and paintball guns may be lawfully used in Firearms Discharge Zone 2, providing the parcel of property on which the firearm is discharged is one acre in size or greater and a secure backstop capable of defeating the projectile is always used.

B. .22 caliber rim fire rifles and shotguns may be lawfully used in Firearms Discharge Zone 2, providing the parcel of property on which the firearm is discharged is 30 acres in size or greater.

C. Centre fire rifles may lawfully be used in Firearms Discharge Zone 2, providing the parcel of property on which the firearm is discharged is 60 acres in size or greater.

10. Confiscation of Firearms

Any firearm used in the commission of an offence, contrary to the provisions of this by-law, shall be seized, and upon conviction shall be forfeited to the Crown.

11. Offences

Any person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a penalty as provided in the Provincial Offences Act.

12. THAT By-laws 2732-2000 and 4041-2013 are hereby rescinded and the Municipal Code of The Corporation of The City of Dryden is hereby amended by deleting Chapter 81 – Firearms.

13. THAT this By-law shall come into force and take effect on the final passage hereof.

ENACTED AND PASSED THIS 28th DAY OF SEPTEMBER 2020 as witnessed by the Corporate Seal of The Corporation of The City of Dryden and the hands of its proper Officers duly authorized in that behalf.

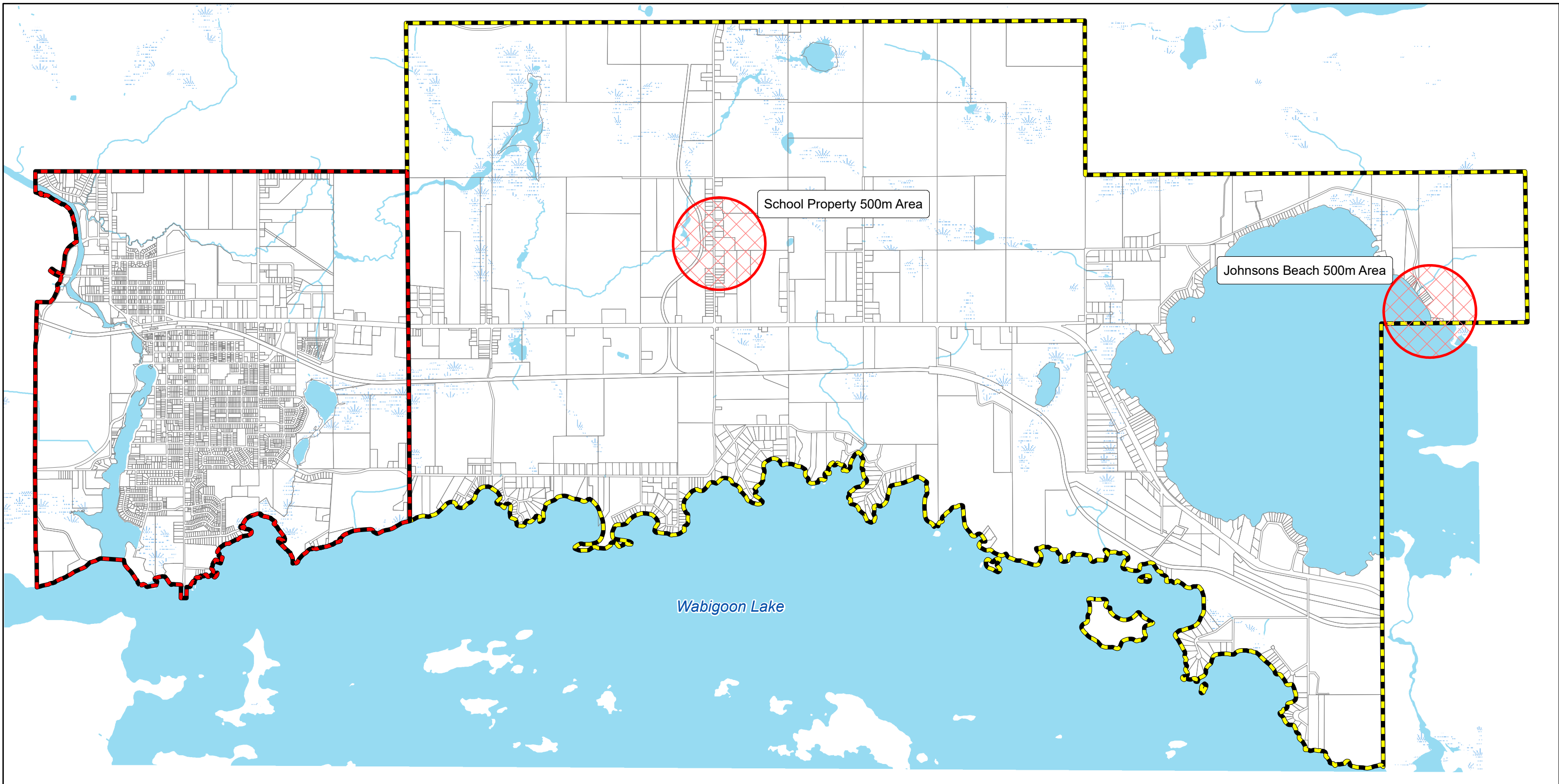
THE CORPORATION OF THE CITY OF DRYDEN

Mayor

Clerk

READ A FIRST AND SECOND TIME THIS 28th DAY OF SEPTEMBER 2020.

READ A THIRD TIME AND PASSED AS READ THIS 28th DAY OF SEPTEMBER 2020.




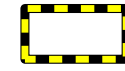

DRYDEN

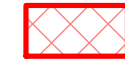

The City of Dryden Firearms Discharge Zones Schedule A

Map Created by: City of Dryden
Date Created: Jul 29, 2020
PCS: UTM NAD83 Zone 15

All data, information, and maps are provided "as is" without warranties of any kind and should be used for reference purposes only. The author makes no warranties, express or implied, as to the use of information obtained from this product.

Legend

-  Zone 1
-  Zone 2
-  Properties

- Zone 2 Restriction Areas**
-  Johnsons Beach 500m Area
-  School Property 500m Area

