

The Corporation of the Town of Greater Napanee

By-law No. 2013-0048

Being a by-law to prohibit the discharge of firearms

WHEREAS subsection 11(2) 6. of the *Municipal Act, 2001, S.O. 2001, c.M.25*, as amended (the "*Municipal Act, 2001*") provides that a municipality may enact by-laws for the health, safety and well-being of persons;

WHEREAS Section 119 of the *Municipal Act, 2001*, authorizes a local municipality to, for the purpose of public safety, prohibit or regulate the discharge of guns or other firearms, air-guns, spring-guns, cross-bows, long-bows or any other weapon;

AND WHEREAS the Council of the Corporation of the Town of Greater Napanee deems it expedient to pass a by-law to prohibit the discharge of firearms;

NOW THEREFORE, the Council of the Corporation of the Town of Greater Napanee:

1. DEFINITIONS

For the purpose of this by-law,

- (a) "**Town**" shall mean The Corporation of the Town of Greater Napanee.
- (b) "**Council**" shall mean the Council of The Corporation of the Town of Greater Napanee.
- (c) "**Firearm**" as defined by the *Criminal Code of Canada* shall mean a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm; and for the purposes of this by-law shall include air guns, spring guns, cross-bows and long-bows.
- (d) "**Municipal By-law Enforcement Officer**" means a person that is appointed by the Council of the Town to perform the duties of enforcing the Town's by-laws;

2. GENERAL PROHIBITION

No person shall discharge a firearm outdoors within the water and sewer service area as defined in Schedule "A" attached hereto and forming part of this by-law.

3. PENALTIES

Any person who contravenes the provisions of this by-law shall be guilty of an offence and upon conviction shall be liable to a fine pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1990, c.P.33.*

4. ENFORCEMENT

Municipal By-Law Enforcement Officers/Provincial Offences Officers of the Town or Police Officers shall have the duty of enforcing the provisions of this by-law.

5. VALIDITY

If any section, clause or provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention of Council that the remaining sections, clauses or provisions of the by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

6. REPEAL

All previous by-laws passed by the Town of Napanee, Town of Greater Napanee, Townships of Richmond, North Fredericksburgh, South Fredericksburgh or Adolphustown, conflicting with this by-law, shall be hereby repealed.

7. EFFECT OF BY-LAW

This by-law shall take effect on the date of final passage by the Council of the Corporation of the Town of Greater Napanee.

Read a first time this 8th day of October, 2013.

Read a second time and finally passed this 8th day of October, 2013.

Gordon Schermerhorn, Mayor

Susan Beckel, Clerk

Schedule "A" to By-law No. 2013-0048



WATER AND SEWER SERVICE BOUNDARY