

CITY OF PORT COLBORNE

BY-LAW NO. 3499/115/90

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

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 1 and all the built up areas as set out in the schedule

SCHEDULE "D"

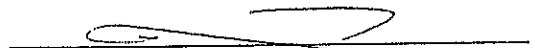
- (a) area known as the Sherkston areas, being 500 feet back on both sides Sherkston Road commencing at Empire Road and running east to the eastern boundary of the municipality
- (b) built up area on west side of Empire Road (Mapleview)
- (c) cottage area known as Pleasant Beach being the south end of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

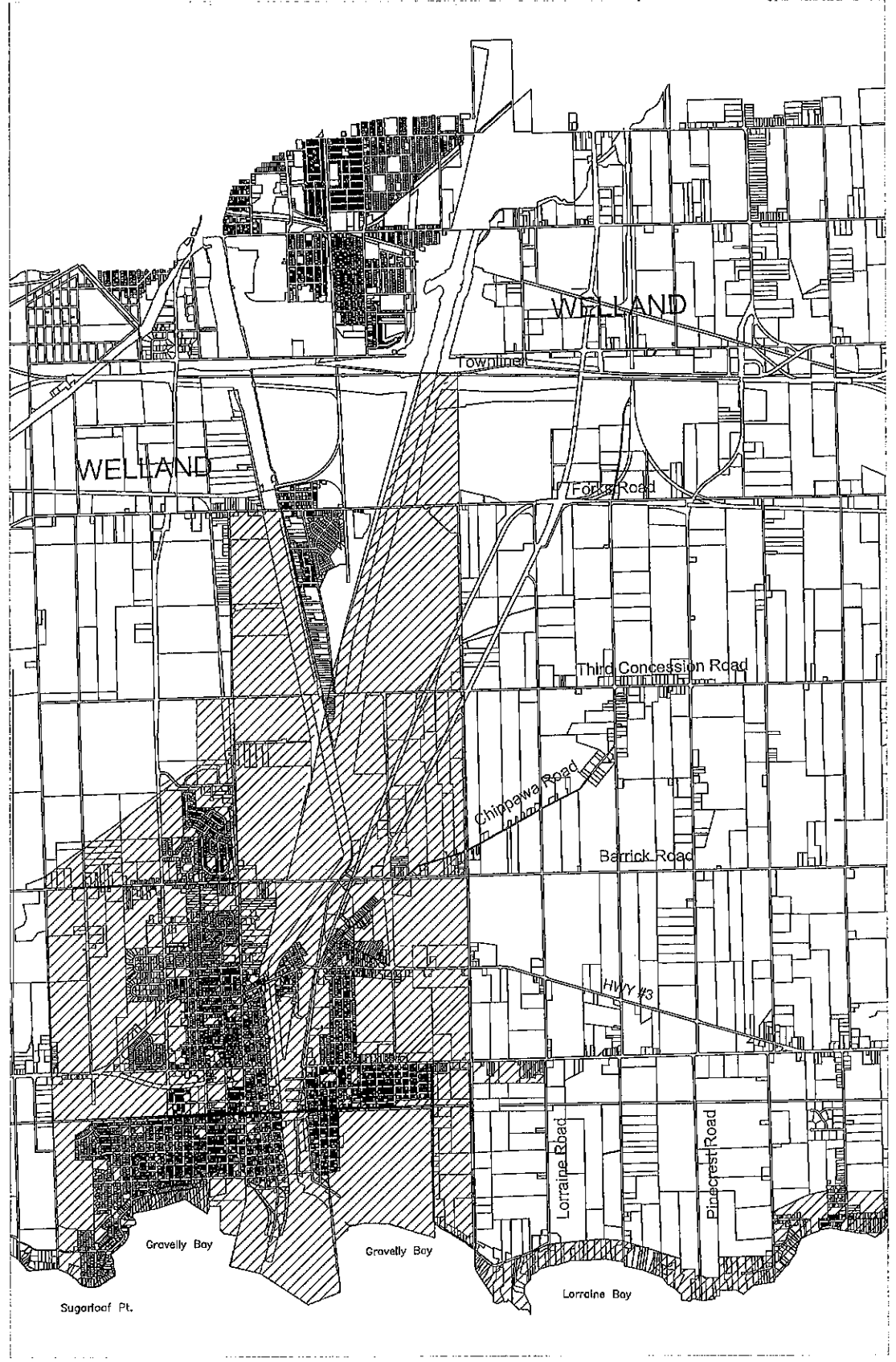
All areas within 500 feet measured from the water's edge fronting onto Lake Erie.

- (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 *L. H. Hunt*



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)

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

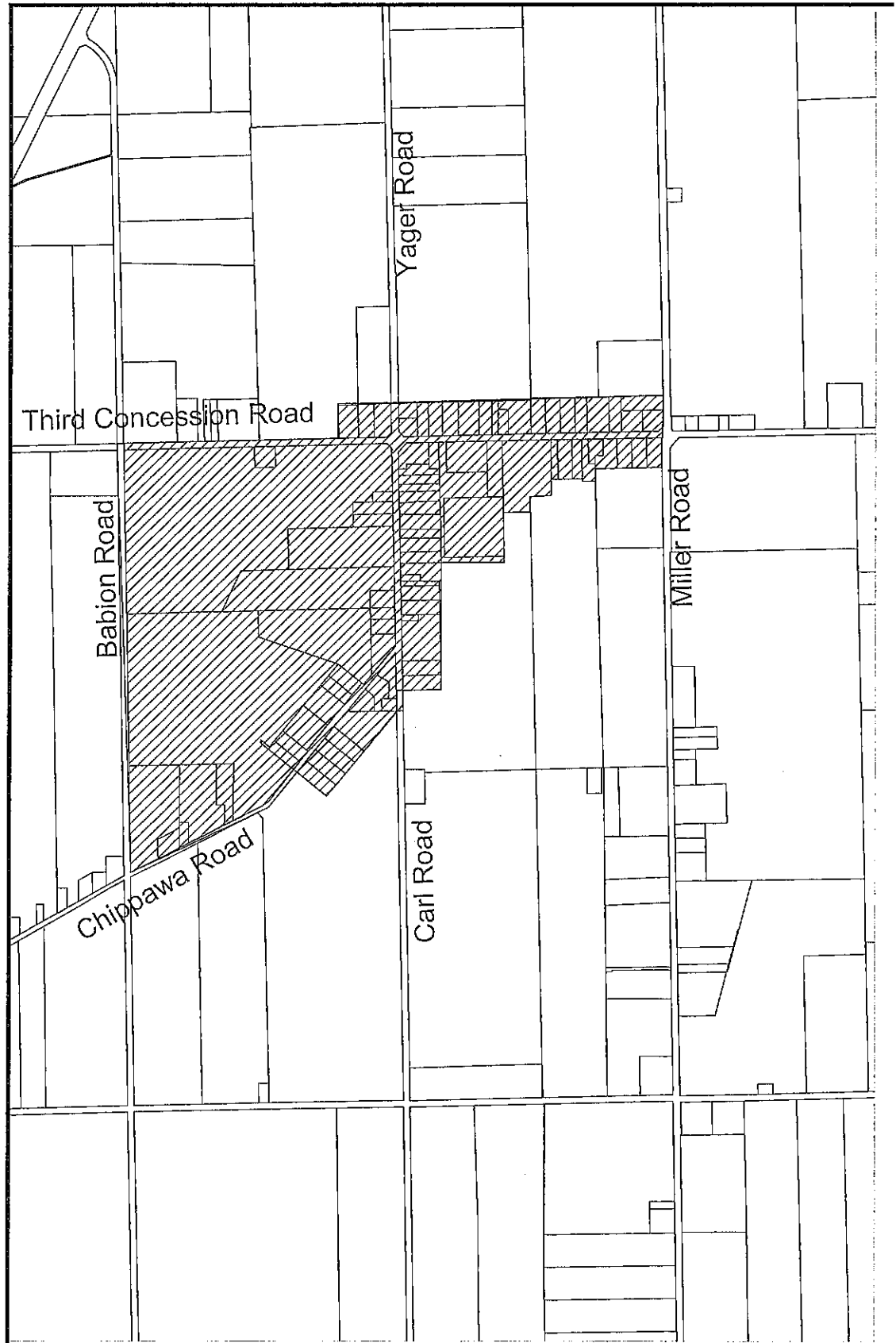


JANUARY 2012

SCALE: NTS

FILE NO.

DRAWN BY H. MAHON, PLANNING AND DEVELOPMENT DEPARTMENT



AREA KNOWN AS THE BETHEL HAMLET
ALL AREAS WITHIN 500 FEET MEASURED FROM
THE WATER'S EDGE FRONTING ONTO LAKE
ERIE

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

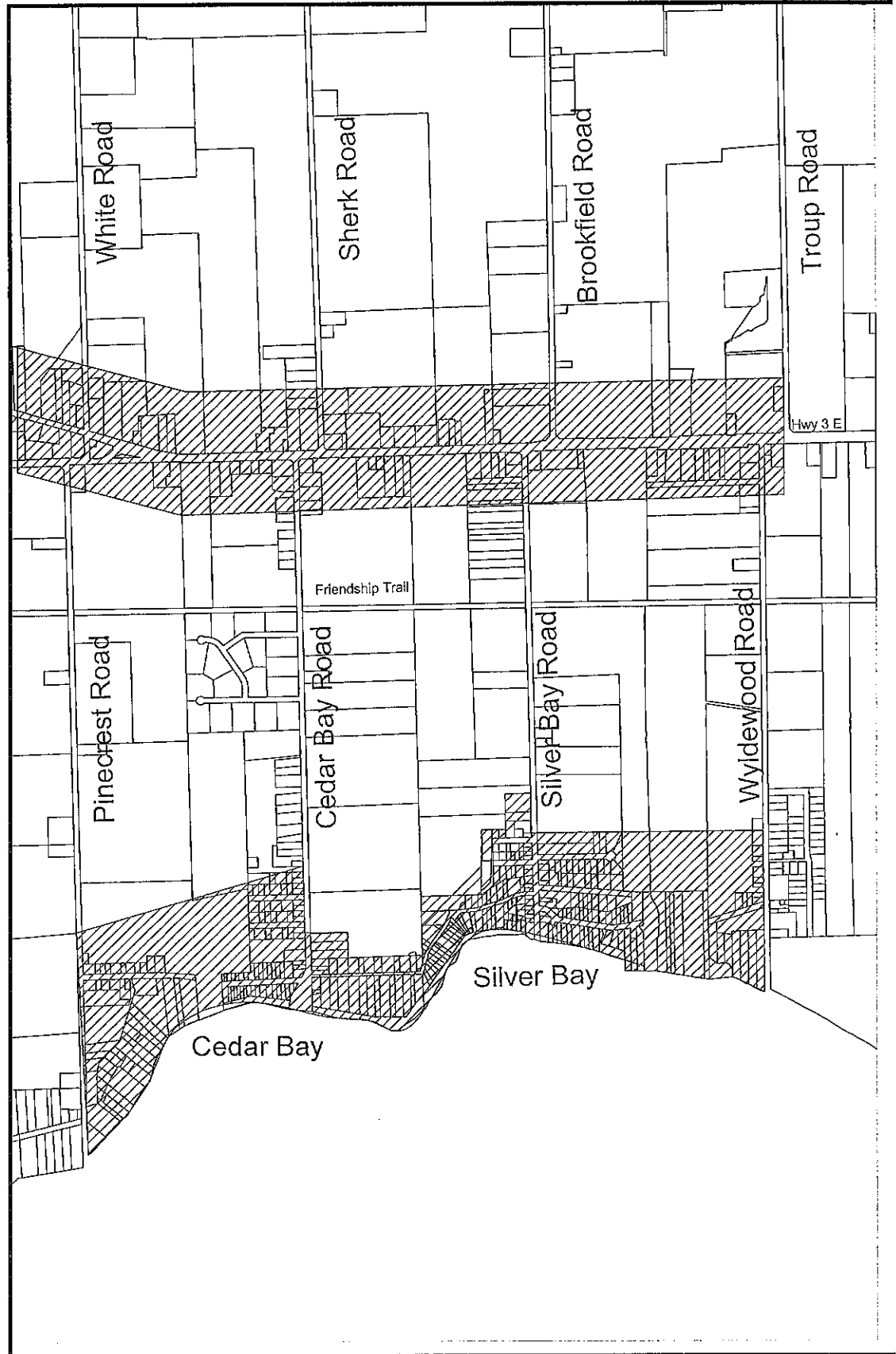


JANUARY 2012

SCALE: NTS

FILE NO.

DRAWN BY J.L. MAHON, PLANNING AND
DEVELOPMENT DEPARTMENT



AREA KNOWN AS CASLINE BORDERING #3 HIGHWAY, BOTH SIDES FROM LOT 16 EAST TO TROUP ROAD - AREA IS MEASURED 500 FT BACK FROM THE #3 HIGHWAY ROAD ALLOWANCE.

AREA KNOWN AS PINECREST (CEDAR BAY) COMMENCING AT PINECREST ROAD EAST TO CEDAR BAY RD AND AT THE PINECREST BUILT UP AREAS AS SET OUT ON SCHEDULE

AREA KNOWN AS SILVERBAY COMMENCING AT CEDAR BAY EAST TO SILVERBAY ROAD AND EAST OF SILVERBAY ROAD TO THE EASTERN LIMIT OF LOT 10 CONDESSION 1 AND ALL THE BUILT UP AREAS AS SET OUT IN THE SCHEDULE

ALL AREAS WITHIN 500 FT MEASURED FROM THE WATER'S EDGE FRONTING ONTO LAKE EBE.

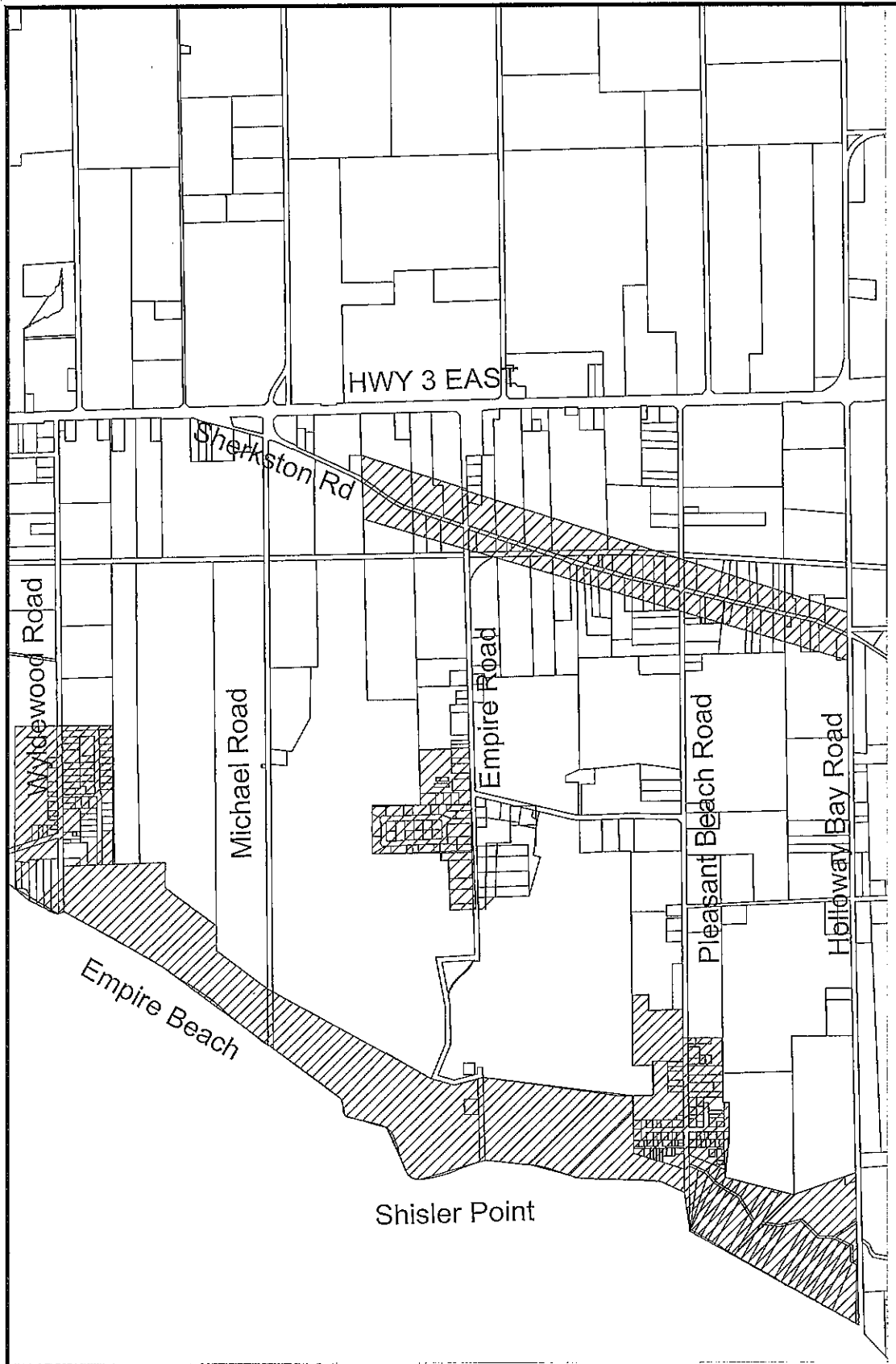
THIS IS SCHEDULE "C" TO BY-LAW NO. 39/115/90



JANUARY 2012

SCALE: NTS

DRAWN BY H. MATHON, PLANNING AND DEVELOPMENT DEPARTMENT



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

BUILT UP AREA ON WEST SIDE OF EMPIRE ROAD (MAPLEVIEW) 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 ERIC

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



JANUARY 2012

SCALE: NTS

DRAWN BY H. MAHON, PLANNING AND DEVELOPMENT DEPARTMENT

Note: This is not the original news release. It was re-typed from a faxed copy of the original.

Environment Canada

News Release

Federal Government Amends Regulations on Use of Lead Shot

(August 19, 1997, Ottawa)—The Honourable Christine Stewart, Minister of the Environment, announced today that the Migratory Birds Regulations have been modified to ban the use of lead shot for hunting most migratory game birds in wetland areas, effective September 1, 1997. The ban will apply in all areas of the country in 1999.

Under the new regulation, hunters will be required to use only non-toxic shot for hunting waterfowl and most other migratory game birds in areas within 200 meters of any water course or water body. In addition, existing non-toxic shot zones will remain in effect. Three species of upland game birds - woodcock, band-tailed pigeons and mourning doves - will be exempted from the ban, except in National Wildlife Areas, pending the completion of ongoing scientific research.

"During extensive consultations, we have heard from many interested parties. I believe that this is a reasonable modification of the original plan to implement the Canada-wide ban in 1997" explained Minister Stewart.

Noting that thousands of migratory game birds die or suffer from lead poisoning each year in Canada, Minister Stewart added "The federal government is committed to maintaining healthy wildlife populations by banning the use of lead shot for hunting migratory game birds. This phased in approach is a realistic, workable course of action. It offers immediate protection to the most vulnerable migratory game bird species and wetland habitat, while at the same time addressing the concerns of those Canadians who are most directly affected by this legislation."

Education is a key component of this measure's success. Minister Stewart invited all hunters to follow the lead of those manufacturers, distributors, retailers and hunters who have already converted to non-toxic shot. "I applaud the efforts that have been made to date, and urge everyone to do their part to reduce lead in the environment, by switching now to non-toxic shot."

For more information:

Catherine Schellenberg
Environment Canada
(819) 994-6433

Steve Curtis
Canadian Wildlife Service
(819) 997-1245

REGULATIONS AMENDING THE MIGRATORY BIRDS REGULATIONS
AMENDMENTS

1. (1) The definition "non-toxic shot" in subsection 2(1) of the *Migratory Birds Regulations*¹ is replaced by the following:

"non-toxic shot" means bismuth shot, steel shot, tungsten-iron shot or tungsten-polymer shot; (*grenaille non toxique*)

(2) Subsection 2(1) of the Regulations is amended by adding the following in alphabetical order:

"bismuth shot" means shotgun pellets consisting of, by weight,

(a) at least 96 per cent bismuth,

(b) not more than 4 per cent tin, and

(c) not more than 1 per cent of any other element; (*grenaille de bismuth*)

"steel shot" means shotgun pellets consisting of, by weight,

(a) at least 98 per cent iron, and

(b) not more than 1 per cent of any other element; (*grenaille d'acier*)

"tungsten-iron shot" means shotgun pellets consisting of, by weight,

(a) at least 45 per cent iron,

(b) not more than 55 per cent tungsten, and

(c) not more than 1 per cent of any other element; (*grenaille de tungstène-fer*)

"tungsten-polymer shot" means shotgun pellets consisting of, by weight,

(a) at least 50 per cent tungsten,

(b) not more than 47 per cent iron.

¹ SOR/93-432
¹ C.R.C., c. 1035

CO'S/CUSTOMER SERVICE

JUS-97-180-02
(SOR/DORS)

B

His Excellency the Governor General in Council, on the recommendation of the Minister of the Environment, pursuant to section 12 of the Migratory Birds Convention Act, 1994*, hereby makes the annexed Regulations Amending the Migratory Birds Regulations.

MINISTRY OF THE ENVIRONMENT
RECEIVED

AUG 21 1997

IMPORTANT . FONTAINE
CHANGES
RE: NON-TOXIC REGULATIONS

NOTE: ZOOM RULE
S 15.1(1)

* S.C. 1994, c. 22

- (c) not more than 47 per cent bismuth,
- (d) not more than 4 per cent tin,
- (e) not more than 2 per cent copper,
- (f) not more than 2 per cent nickel,
- (g) not more than 5 per cent, in aggregate, of polymerized trans alkenes and ionically-binding (cis) polyvinyl resins, and
- (h) not more than 1 per cent of any other element or compound; (grenaille de tungstène-polymère)

2. (1) Section 15.1¹ of the Regulations is replaced by the following:

15.1 (1) Subject to subsection (2), no person shall, in a non-toxic shot hunting zone set out in Schedule I, or in an area located within 200 m of any watercourse or body of water,

(a) possess, for the purpose of hunting a migratory game bird, except a woodcock, band-tailed pigeon or mourning dove, shot other than non-toxic shot; or

(b) hunt a migratory game bird, except a woodcock, band-tailed pigeon or mourning dove, by the use of shot other than non-toxic shot.

(2) The exceptions of woodcock, band-tailed pigeon and mourning dove set out in subsection (1) do not apply in National Wildlife Areas established pursuant to the Canada Wildlife Act.

(2) The portion of subsection 15.1(1) of the Regulations before paragraph (a), as enacted by subsection (1), is replaced by the following:

15.1 (1) Subject to subsection (2), no person shall

3. Schedule I to the Regulations is amended by replacing the reference to "(Sections 5, 7, 8, 10, 13 and 15.1)"¹ after the heading "SCHEDULE I" with the following:

(Sections 5, 7, 8, 10 and 13)

COMING INTO FORCE

SOR/90-623

LSB / Regulations
★ AUG 13 1997 ★
OSL / Réglementation

4. (1) These Regulations, except subsection 2(2) and section 3, come into force on September 1, 1997.

(2) Subsection 2(2) and section 3 come into force on September 1, 1999.