

# **The Corporation of the Municipality of Brockton**

## **By-Law 2015-076 - Firearms Regulation**

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**Being a by-law to prohibit or regulate the discharge of guns or other firearms within the Walkerton Ward, Urban Residential Areas and Rural Residential Clusters within the Corporation of the Municipality of Brockton**

**Whereas** without limiting sections 9, 10, 11, the Municipal Act, 2001 S.O. 2001 Chapter 25, Section 119 authorizes the Councils of local municipalities to pass by-laws for the purpose of public safety, prohibiting or regulating 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 Municipality of Brockton deems it necessary to establish a by-law for prohibition and regulation of firearms in the Walkerton Ward as well as urban residential zones which means the residential zones included in the Brockton Comprehensive Zoning By-Law including, Chepstow, Cargill, Elmwood, Glammis and Riversdale.

**And Whereas** the Council of the Corporation of the Municipality of Brockton deems it necessary to establish a by-law for the prohibition and regulation of firearms in Rural Residential Clusters, which means four or more adjacent rural lots, generally one hectare or less in size, sharing a common continuous boundary, as defined in the Brockton Comprehensive Zoning By Law. For greater clarity, lots located directly across a road from one another shall be considered as having a common boundary.

**Now Therefore** the Council of the Corporation of the Municipality of Brockton **Enacts as Follows:**

1. For the purpose of this by-law the words “gun, rifle and/or firearm” shall include B-B air gun or any similar type of gun which has the effect of discharging bullets, pellets or any other kind of projectile therefrom either by the use of compressed air, swing pressed air, exploding, spring action or otherwise and shall also include any type of crossbow and/or longbow or any other weapon.
2. No person without lawful excuse shall use or discharge or cause to be discharged any gun, rifle and/or other firearm, as defined above or any other class or type thereof within the boundaries of the former Walkerton ward,
3. No person without lawful excuse shall use or discharge or cause to be discharged any gun, rifle and/or other firearm, as defined above or any other class or type thereof within the boundaries of the Urban Residential Zones and Rural Residential Clusters of the Corporation of the Municipality of Brockton as defined in the Brockton Comprehensive Zoning By Law.
4. Notwithstanding the provision of paragraph 2 above, a duly appointed police officer, provincial offences officer or by-law enforcement officer may, in the discharge of his or her lawful duty, discharge a firearm.
5. Notwithstanding the provision of paragraph 2 above, this by-law shall not prevent the discharge of firearms within the confines of the firing range owned and operated by the South Bruce Game and Fish Protective Association, and their successors and assigns so long as this property continues to operate as a firing range, on their property east of the Saugeen River and at the southern end of Willow Street and being described as Part of Park Lot “O”, Plan 162 within the former ward of Walkerton.
6. By-Law 2005-24 is hereby rescinded.
7. Any person who contravenes Article 2 or Article 3 of this by-law is guilty of an offence and upon conviction, is subject to the penalties as prescribed in the Provincial Offences Act, R.S.O. 1990 or any successors thereof.
8. This by-law shall supersede all others.
9. This by-law shall come into full force and effect upon its final passage.
10. This by-law may be cited as the “Firearms Regulation By-Law”.

**Read, Enacted, Signed and Sealed this 14<sup>th</sup> Day of December, 2015.**

**ONTARIO COURT OF JUSTICE**

**PROVINCIAL OFFENCES ACT**

**PART I**

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2015-076, of the Municipality of Brockton, attached hereto are the set fines for those offences. This Order is to take effect February 22, 2016.

Dated at London this 22<sup>nd</sup> day of February 2016.



Stephen J. Fuerth  
Regional Senior Justice  
West Region

The Corporation of the Municipality of Brockton  
By-Law Number 2015-076 Regulate Firearms  
Part 1 Provincial Offences Act  
Set Fine Schedule

ITEM	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fine
1.	Discharge firearm where prohibited	Section 2	\$100.00
2.	Discharge firearm where prohibited – Urban Residential Zones/Clusters	Section 3	\$100.00

Note: the general penalty provision for the offences listed above is section 7 of bylaw 2016-76, a certified copy of which has been filed.