

CITY OF NIAGARA FALLS

A CONSOLIDATED BY-LAW

Being **By-law No. 95-31** as amended by:
By-law 95-85

A by-law to regulate the discharge of firearms in a defined area of the City of Niagara Falls.

WHEREAS paragraph 36 of section 210 of the Municipal Act, R.S.O. 1990, c.M.45 provides that by-laws may be passed by the councils of local municipalities for prohibiting or regulating the discharge of guns or other firearms, air-guns and spring-guns or any class or type thereof in the municipality or in any defined area or areas thereof;

AND WHEREAS the Council deems it advisable to regulate the discharge of such guns or other firearms within that part of the municipality hereinafter described;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. In this by-law,

“firearm” means any gun or other firearm, air-gun or spring-gun or any class or type thereof.

2. No person shall discharge any firearms within the defined area shown hatched on the plan marked as Schedule “A” to this by-law.
- 2A. No person shall discharge any firearms within 150 metres (492.13 feet) of a dwelling unit in any area of the City of Niagara Falls where firearms can be discharged in accordance with this By-law.
3. Nothing in this by-law shall prevent the discharge of firearms on the premises of a duly licenced Revolver Club or Gun Club, providing that such Revolver Club or Gun Club first procures from the Niagara Regional Police Services a certificate describing the premises on which such firearms are to be discharged, the name of the owner of such premises and the time and conditions under which such firearms may be discharged on the premises.
4. (a) Nothing in this by-law shall prevent any police constable or other public officer from discharging a firearm in the ordinary course of duty, when such duty involves the use of a firearm.
(b) This by-law shall not apply to the discharge of a firearm:
 - (i) by the owner of a farm or domestic animal or by his employee or agent, for the purpose of destroying such farm or domestic animal for humane reasons; or,
 - (ii) by an owner of lands being used for farming or nursery purposes or by an agent or employee of such owner acting upon the specific instructions or such owner,

for the purpose of destroying rodents, rabbits, vermin and other pestiferous animals or birds on the said lands.

5. Any firearm discharged in contravention of the provisions of this by-law may be seized and impounded by any police officer.
6. Every person who contravenes this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$5000.00.
7. Schedule "A" attached to this by-law forms part of this by-law.
8. By-law No. 70-216, as amended, is hereby repealed.

(Original By-law 95-31 was) passed this 13th day of February, 1995.

E. C. Wagg / CITY CLERK

WAYNE THOMSON / MAYOR

First Reading: February 13th, 1995
Second Reading: February 13th, 1995
Third Reading: February 13th, 1995

