

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 80-95

A By-law to regulate the discharge of firearms
within the corporate limits of the Town of Milton

WHEREAS Subsection 210(36) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, authorizes municipal councils to pass by-laws for the purpose of public safety, for prohibiting or regulating the discharge of guns or other firearms, air-guns, spring-guns, cross-bows, long-bows, or any class or type thereof, in a municipality or in any defined areas thereof;

AND WHEREAS Council now deems it expedient and necessary to enact a by-law to regulate the discharge of firearms within the Town of Milton.

NOW THEREFORE, THE COUNCIL FOR THE CORPORATION OF THE TOWN OF MILTON ENACTS AS FOLLOWS:

1. Definitions:

- (a) "Firearm" shall mean any type of gun or other firearms, air-guns, pellet guns, spring-guns, cross-bows, long-bows, compound bows or any class or type thereof or anything that can be adapted for use as a firearm.
- (b) "Livestock" shall be defined as in the Livestock, Poultry and Honey Bee Protection Act, R.S.O. 1990, c.L.24, as amended, or any successor legislation thereto;
- (c) "Occupier" shall mean:
 - (i) a person who is in physical possession of premises or land; or
 - (ii) a person who has responsibility over the condition of premises or land, or the activities there carried on, or control over persons allowed to enter the premises or land.
- (d) "Poultry" shall be defined as in the Livestock, Poultry and Honey Bee Protection Act, R.S.O. 1990, c.L.24, as amended, or in any successor legislation thereto;
- (e) "Prohibited Area" shall mean the areas in the Town of Milton as described in Schedule "A" attached hereto which Schedule forms a part of this By-law.
- (f) "Regulated Area" shall mean the areas in the Town of Milton as described in Schedule "A" attached hereto which Schedule forms a part of this By-law.
- (g) "Urban Area" shall mean the areas in the Town of Milton as described in Schedule "A" attached hereto which Schedule forms a part of this By-law.

URBAN AREA

- 2. No person shall discharge, cause to be discharged or allow to be discharged a Firearm in an Urban Area or at a target in an Urban Area within the Town of Milton.

PROHIBITED AREA

- 3. (a) No person shall discharge, cause to be discharged or allow to be discharged a Firearm in a Prohibited Area or at a target in a Prohibited Area, within the Town of Milton, except as permitted under subsection 3(b) of this By-law.

(b) An Occupier of a property in a Prohibited Area, or his or her nominee, may discharge, cause to be discharged or allow to be discharged a Firearm on that property at a target on that property, except that the said person shall not discharge, cause to be discharged or allow to be discharged a Firearm in such manner:

- (i) within 150 metres or at any target within 150 metres, of a building or structure whether occupied or not, which building or structure is located on another property; or
- (ii) within 30 metres or at any target within 30 metres, of a highway;

and provided that the said use of a Firearm under this subsection is permitted only to scare or kill animals or birds that are injuring or threatening to injure property, crops, poultry, livestock or person(s) on that property.

REGULATED AREA

4. (a) No person shall discharge, cause to be discharged or allow to be discharged a Firearm in a Regulated Area of the Town of Milton:

- (i) on privately owned land or at any target on privately owned land, without first obtaining the express written permission of an Occupier; or
- (ii) on any lands that are not privately owned or at any target on any lands that are not privately owned, unless otherwise posted by the public authority that owns the lands.

(b) Notwithstanding the provisions of subsection 4(a) of this By-law, which permit the use of Firearms in a Regulated Area in certain specified circumstances, no person shall discharge, cause to be discharged or allow to be discharged a Firearm in a Regulated Area of the Town of Milton:

- (i) within 150 metres or at any target within 150 metres, of a building or structure whether occupied or not;
- (ii) within 30 metres or at any target within 30 metres, of a highway;

save and except as permitted in subsection 4(c) of this By-law.

(c) An Occupier of a property in a Regulated Area, or his or her nominee, may discharge, cause to be discharged or allow to be discharged a Firearm within 150 metres or at any target within 150 metres, of a building or structure on that property, except that the said person shall not discharge, cause to be discharged or allow to be discharged a Firearm in such manner:

- (i) within 150 metres or at any target within 150 metres, of building or structure whether occupied or not, which building or structure is located on another property; or
- (ii) within 30 metres or at any target within 30 metres, of a highway;

and provided that the said use of a Firearm under this subsection is permitted only to scare or kill animals or birds that are injuring or threatening to injure property, crops, poultry, livestock or person(s) on that property.

5. This by-law shall not apply to:

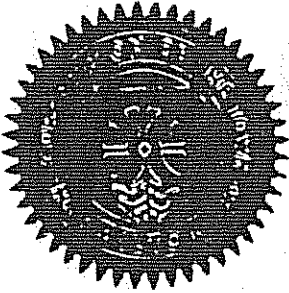
- (a) members of the Armed Forces of Canada or peace officers in the lawful execution of their duties;

(b) any person while lawfully discharging a Firearm at a rod and gun club, skeet club or a target shooting range which is operating in compliance with all federal and provincial legislation and all municipal by-laws and wherein all necessary and proper safety precautions have been implemented to the satisfaction of the Halton Regional Police and public liability insurance has been obtained by the said club or target shooting range to the satisfaction of the Council of the Town of Milton. The hours of operation for all rod and gun clubs and skeet clubs shall be as shown on Schedule "B" attached hereto and forming part of this By-law.

(c) the Regional Municipality of Halton or its nominees within the boundaries of the property known municipally as 5400 No.25 Highway, Milton, Ontario, owned and operated by the Regional Municipality of Halton, as a waste management site.

6. In addition to the provisions of this By-law which only permit the discharge of a Firearm in certain Areas of the Town of Milton under certain specified conditions, no person shall discharge, cause to be discharged or allow to be discharged a Firearm in the Town of Milton, except in accordance with all federal and provincial legislation and other municipal by-laws.
7. Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a penalty in accordance with the Provincial Offences Act. R.S.O. 1990, c.P.33, as amended.
8. By-law No.90-79, as amended, be and is hereby repealed in its entirety.
9. This By-law shall come into force and take full effect on the date of passing thereof.

BY-LAW read a first, second and third time and finally passed and enacted this 18th day of September , 1995.



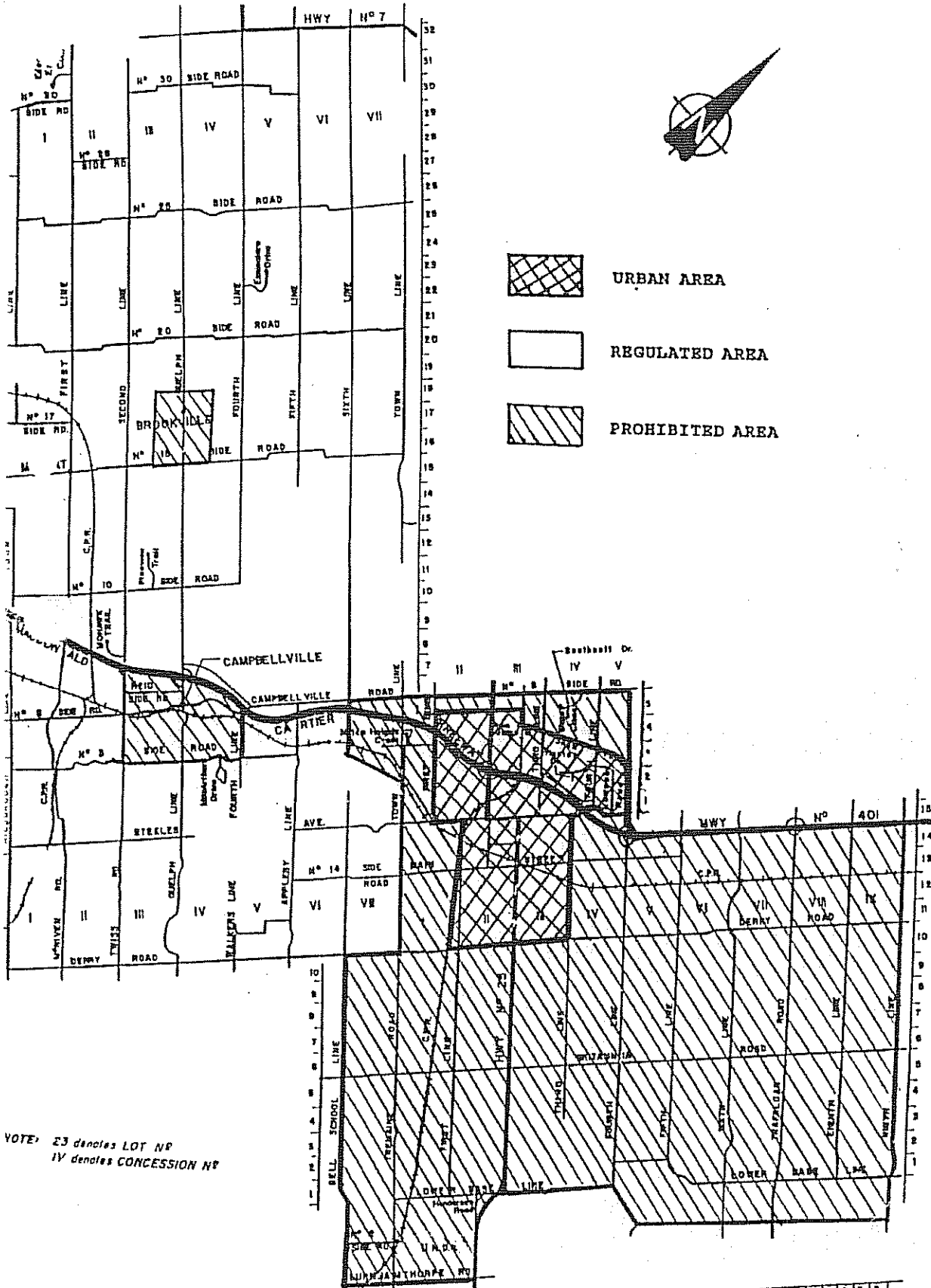


Gordon A. Krantz Mayor



William Roberts Clerk

TOWN OF MILTON



NOTE: 23 denotes LOT NR
IV denotes CONCESSION NR

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

SCHEDULE B TO BY-LAW NO. 80-95

Dates and Times when Rod or Gun Clubs and Skeet Clubs are Authorized to Operate

MONTH(S)	DAY	TIMES
January	Third Sunday	9:00 a.m. to 3:00 p.m.
January – December (inclusive)	Second & Third Saturday	12:00 p.m. to 3:00 p.m.
June – September (Inclusive)	Wednesdays	6:00 p.m. to 8:00 p.m.
October	First Sunday	10:00 a.m. to 4:00 p.m.
December	Second Sunday	9:00 a.m. to 3:00 p.m.
	Good Friday (whichever month it falls in)	9:00 a.m. to 4:00 p.m.
May- October (inclusive)	Third Sunday	9:00 a.m. to 3:00 p.m.

Amended By By-law No. 104-2010

SCHEDULE C TO BY-LAW NO. 80-95

Shooting Hours for the Halton Sportsman Association's Shooting Range – 5125 Steeles Avenue

DAYS

TIMES

Monday to Friday (excluding statutory holidays) 9:00 a.m. to dusk

Saturdays, Sundays and Statutory Holidays 9:00 a.m. to 4:00 p.m.

Amended By By-law No. 104-2010