
*For the First Meeting of the Firearms Regulation Task Force
to be held on **Thursday, May 5, 2005**
in Committee Room C-41 (Fourth Floor), Tom Davies Square **4:00 p.m.***

The Meeting will open with the Deputy Clerk in the Chair

(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)

Place Tom Davies Square is wheelchair accessible. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. Persons requiring assistance are requested to contact the City Clerk's Office at least 24 hours in advance of the meeting if special arrangements are required. Please call (705) 671-2489, extension 2475. Telecommunications Device for the Deaf (TTY) (705) 688-3919. Copies of Agendas can be viewed on the City's web site at www.greatersudbury.ca.

1. **Call Meeting to Order.**
2. **Declarations of Pecuniary Interest.**

At this point in the meeting the Chair will call for "Declarations of Pecuniary Interest" by Members of the Task Force in accordance with the *Municipal Conflict of Interest Act*. This law requires that each Member disclose any "pecuniary interest" that may relate to matters to be discussed or decided during the meeting.

You have a "pecuniary interest" in a matter if you have or should reasonably have a realistic expectation that you, your spouse, your children or your parents stand to gain a benefit or suffer a loss, whether directly or indirectly from the matters to be dealt with by the Task Force.

It is not necessary to be able to identify or quantify the benefit or loss that might either directly or indirectly be attributable to you as a consequence of these family relationships. Money does not have to change hands; other material interest is sufficient. As soon as a pecuniary interest of either you or a family member is recognized you must treat it as if it is your own pecuniary interest.

A photocopy of the *Municipal Conflict of Interest Act* has been included in your Binder (see tab labelled "Laws").

3. **Introduction of Task Force Members, Resource Personnel (Non-voting) and Staff.**
4. **Appointment of Task Force Chair & Vice-Chair:**

Summary of the Selection Procedure:

Step #1

One (1) Chair and One (1) Vice-Chair are to be appointed.

Where all Members of the Task Force are in attendance, **three (3) votes are required to fill each vacancy.**

It is always in order for a Member of the Task Force to nominate themselves and to vote for themselves.

Under Robert's Rules of Order a nomination does not need a second.

Step #2

Once nominations are finished the Acting Chair will call for nominations to be closed.

Step #3

Voting will then take place to select first the Chair and then the Vice-Chair. Voting will be by show of hands.

Step #4

Once the Chair and Vice-Chair are selected, a motion to confirm the two appointments will be introduced and voted on by the Task Force.

Step #5

The new Chair will then assume the Chair for the remainder of the meeting and all subsequent meetings held by the Task Force.

At this point in the Meeting the Deputy Clerk will relinquish the Chair to the newly appointed Task Force Chair

- 5 Report dated April 26, 2005 from the Executive Director of Administrative Support Services, regarding the following matters:
 - (a) Mandate of the Task Force;
 - (b) the Task Force Manual; and,
 - (c) use of the City's Internet Web Site by the Task Force.**(FOR INFORMATION ONLY - TO BE RECEIVED)**

(Please note that the Manuals are to be tabled at the meeting. The City Clerk will briefly review the contents of the Manual with the Task Force.)

6. **Setting of a Schedule for Task Force Meeting Dates:**
 - **Meeting Dates for the Task Force**
 - **Public and Ward Meeting Dates**
 - **Task Force Work Plan**
7. **Next Meeting Date**

ADJOURNMENT
(RESOLUTION PREPARED)

TASK FORCE MEMBERS

Councillor Bradley (*Ward 2*)
Councillor Dupuis (*Ward 3*)
Gary Lampi
Michael Pilon
Jean (Jack) Rivet
Dr. Darren Stinson
Roy Polsky,
(*Representative, Ontario Federation of Anglers & Hunters, Zone D and its affiliate local clubs*)

RESOURCE PERSONS (NON-VOTING)

Bryan Gutjahr, *Manager of By-law Enforcement Services*

Constable Joe Williams, *Greater Sudbury Police Services*

Ernie Heerschap, *District Enforcement Supervisor (Enforcement - Sudbury District), Ministry of Natural Resources.*

AGENDA/MINUTES DISTRIBUTION

Mayor and Members of Council
CAO
General Managers
Executive Director, Administrative Support Services
City Solicitor
City Clerk

Angie Haché
Deputy Clerk

Franca Bortolussi
Planning Committee Secretary

Firearms Regulation Task Force



Type of Decision									
Meeting Date	Thursday, May 5, 2005				Report Date	Tuesday, April 26, 2005			
Decision Requested		Yes		No	Priority	X	High		Low
	Information Only		X		Type of Meeting	X	Open		Closed

Report Title
BACKGROUNDER - FIREARMS REGULATION TASK FORCE

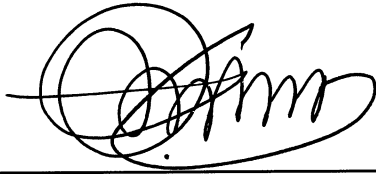
Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p><u>POLICY:</u></p> <p>The Mandate and Composition of the Firearms Regulation Task Force was approved by Council on 2005-02-10.</p> <p><u>BUDGET IMPACT:</u></p> <p>There is no budget impact associated with this Report.</p> <p>Any meeting or other expenses required to meet the Mandate of the Task Force (for example, advertising) will be charged to the City Clerk's Accounts.</p>	
X	Background Attached

Recommendation
<p>The purpose of this Report is to serve as a Backgrounder on the Task Force and to briefly review with the Members of the Task the following matters:</p> <ul style="list-style-type: none"> • the Mandate of the Task Force; • the contents of the Task Force Manual; and, • the Task Force on the City of Greater Sudbury's Internet web site.
<input type="checkbox"/> Recommendation Continued

Recommended by Department Head
 Caroline Hallsworth, Executive Director Administrative Support Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: 2005-04-26

Report Prepared ByThom M. Mowry
City Clerk**Division Review****Background:****Mandate of the Firearms Regulation Task Force:**

At the January 26, 2005 meeting of the Priorities Committee of Council, the Chair, Councillor Caldarelli, advised the Committee that a report, and draft Firearms By-law, dated January 14, 2005 had been withdrawn from the Priorities Agenda. The Committee concurred with a recommendation by the Chair that staff be directed to prepare a report outlining options that would put in place a process for seeking public input on a new Firearms By-law for the City of Greater Sudbury.

The Priorities Committee of Council at its February 9, 2005 meeting recommended the creation of a Firearms Regulation Task Force and established a mandate for the Task Force.

Photocopies of the above reports and the approved mandate of the Task Force are attached to this report for the information of the Task Force Members.

Task Force Membership:

The Firearms Regulation Task Force is composed of two (2) Members of Council, five (5) Citizen Appointees, four (4) of whom shall demonstrate familiarity with firearms use, at least one (1) of the five shall be a farm operator in the City of Greater Sudbury, and at least one (1) of the five shall be a representative of the Ontario Federation of Anglers and Hunters, Zone D and its affiliate local clubs.

The Nomination Committee of Council met on April 13, 2005 and recommended that the following persons be appointed as members of the Task Force:

1. Mr. Gary Lampi (Representative of the farming/agricultural community)
2. Mr. Michael Pilon (Citizen)
3. Mr. Jean ("Jack") Rivet (Citizen)
4. Dr. Darren Stinson (Citizen)
5. Mr. Roy Polsky (Representative of the Ontario Federation of Anglers and Hunters (OFAH). (Please see Schedule "B" to this Report.)

The above recommendation was subsequently confirmed by Council.

In addition, Council by Resolution 2005-13 (2005-02-10) confirmed the appointments of Councillor Bradley and Councillor Dupuis to the Task Force.

These Citizens and Councillors are voting members of the Task Force.

Date: 2005-04-26

Task Force Resource Members (non-voting):

In addition to “voting” members of the Task Force, the Mandate also included a provision for non-voting or “Resource Members” consisting of Mr. Bryan Gutjahr, Manager of By-law Enforcement Services, a Member of the Greater Sudbury Police Services and a representative of the Ministry of Natural Resources.

The Greater Sudbury Police Services has selected Constable Joe Williams. Mr. Ernest R. Heerschap, District Enforcement Supervisor (Enforcement - Sudbury District) will be representing the Ministry of Natural Resources.

These individuals are expected to fully participate in the deliberations and provide technical and practical assistance to the Task Force however, they will not be included either as part of the Task Force’s quorum or permitted to be included in any formal vote taken by the Task Force.

What is a Council Task Force?

Broadly stated this Task Force is a community based committee authorized by City Council to study the specific subject of firearms regulation and to make recommendation(s) to Council within a specified period of time after which the work of the Task Force will come to an end.

A Citizen Task Force is a vehicle which encourages local residents to take a more active role in those public issues which may directly affect them and their neighbours. A Task Force can be the key to respond more effectively to public issues and provide a means of dealing with them. In addition, a Task Force composed of Citizens can reduce sources of conflict associated with change by providing a forum for greater citizen participation between government and citizen, between different citizen groups, and between citizen and special interest groups. By providing a mechanism to allow the public to be heard and actively participate in the recommending of policy solutions, Citizen Task Forces, such as this Task Force, also serve to strengthen local democracy.

Task Force Manual

In order to assist the Task Force in its work, staff have prepared a Manual. You can use this manual to store your Agendas, Minutes and Notes behind the appropriately labelled tabs.

A calendar has also been included for the Task Force to set its meeting dates, the dates for public meetings and public input session, as well as setting the decision points for completing your examination of the issue of firearms regulation within the City of Greater Sudbury.

Date: 2005-04-26

Task Force Manual continued:

At the tab labelled "By-laws" you will find, firstly a series of eight maps, illustrating which areas of the City of Greater Sudbury the discharge of firearms are currently permitted (subject to the individual by-laws) and those areas where the discharge of firearms is prohibited. Each of these areas is regulated by a by-law of a former Township, Town or City within the former Region of Sudbury. Photocopies of these by-laws are to be found following the maps.

Finally, following the tab labelled "Laws" you will find photocopies of the English language version of the *Municipal Conflict of Interest Act*, *Fish and Wildlife Conservation Act, 1997* (photocopied on white paper) and various Ontario Regulations (in yellow paper) passed under the *Fish and Wildlife Conservation Act, 1997*. French language versions of both pieces of legislation will be made available upon request of any Member of the Task Force.

Task Force Web Page:

The City Clerk's Office has set up a web page (on the City's website: www.greatersudbury.ca) for the use of the Task Force. The purpose of this web page is to notify the public of the date and locations of any public meetings, making agendas, minutes and other Task Force documents available on-line and finally, to allow on-line users to forward comments to the Task Force.

Three "screen shots" of the website can be found following after the Schedules "A", "B" and "C" of this report.

Rules of Procedure:

When the Task Force sits as a "committee" it will be governed by Council's Rules of Procedure as set out in Procedure By-law 2002-202. Council's procedure is based on the latest edition of *Robert's Rules of Order*. Any public input or information meetings held by the Task Force will also be conducted in accordance with Procedure By-law 2002-202, specifically, Article 37, which is included as Schedule "C" to this Report.

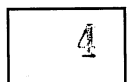
"Mileage" Reimbursement

As stated in the Application for Appointment Form, Members of the Task Force will be reimbursed for their "mileage", at a rate of 40¢ per kilometre (64¢ per miles). This rate is provided for in the Council Remuneration and Expenses By-law 2002-280F (as amended).

"Mileage" reimbursements forms have been included with your binder. These forms should be signed by you and completed monthly. They may be submitted to the Task Force Secretary prior to the start of any meeting, reimbursement will be by cheque mailed to your home address.



Attachments



Date: 2005-04-26

SCHEDULE "A"

Mandate and Membership of a FIREARMS REGULATION TASK FORCE

Purpose:

The purpose of the Firearms Regulation Task Force is to provide advice and information to Council concerning the regulation of firearms discharge and hunting within the City of Greater Sudbury.

Mandate:

The Firearms Regulation Task Force will, consistent with the purpose described above, undertake the following:

1. Review and advise on the necessity, feasibility or desirability of regulating the discharge of firearms within the boundaries of the City of Greater Sudbury, and for which Council has direct responsibility.
2. Issues the Task Force may examine and advise upon include, but are not limited to:
 - (i) the need for a by-law or regulations governing the discharge of firearms;
 - (ii) the desirability of regulating the discharge of firearms either in the whole or in various parts of the City of Greater Sudbury;
 - (iii) whether or not exemptions should be included in any such by-law and how such exemptions may to be administered; and,
 - (iv) whether or not a need exists for further Citizen review and oversight for the regulation of firearms in the City of Greater Sudbury.
3. Review and advise Council with regard to the discharge of firearms by persons engaged in farming or their agents, when firearms are discharged for the purpose of protecting livestock or crops.
4. Review and advise on any proposals with regard to areas of the City of Greater Sudbury that may be considered as open or closed to the discharge of firearms for hunting, with primary consideration being the public's safety.
5. Recommend how the City can develop, maintain and promote a Code of Behaviour for hunters and other recreational users in farming and wildlife habitat areas.
6. Provide an interim report to Council within 30 days after its first meeting outlining its strategy for public engagement (including one City wide public input meeting) and proposed time line for completion of its task.

Date: 2005-04-26

SCHEDULE "A" continued

Proposed Mandate and Membership of a
FIREARMS REGULATION TASK FORCE

Membership:

Voting Members:

The Firearms Regulation Task Force will be comprised of two (2) Members of Council , five (5) Citizen Appointees, four (4) of whom shall demonstrate familiarity with firearms use, at least one (1) of the five shall be a farm operator in the City of Greater Sudbury, and at least one (1) of the five shall be a representative of the Ontario Federation of Anglers and Hunters, Zone D and its affiliate local clubs.

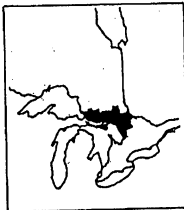
Resource Members (non-voting):

Manager of By-law Enforcement Services, a Member of the Greater Sudbury Police Services, a Representative of the Sudbury Office, Ministry of Natural Resources.



Date: 2005-04-26

SCHEDULE "B"



**O.F.A.H.
ZONE D**

March 17, 2005

Mr. Thom Mowry
City Clerks Office
City of Greater Sudbury
200 Brady St.,
Sudbury Ontario P3A 5P3

RECEIVED

MAR 18 2005

CLERKS - DEPT.

Dear Mr. Mowry:

RE: CITY of GREATER SUDBURY- FIREARMS REGULATION TASK FORCE

The Ontario Federation of Anglers ZONE "D" appreciates the opportunity to be a member of the Task Force that is being created. In consultation with O.F.A.H. Zone "D" Directors and some local clubs, I will be representing the Ontario Federation of Anglers and Hunters.

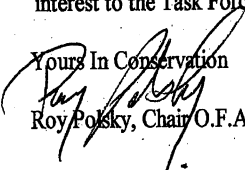
My name, address and contact information is as follows:

ROY POLSKY
3261 ROMEO St.,
VAL CARON, ON. P3N 1G5
Telephone Number: 705-897-6556
Fax Number: 705-897-6117
E-mail: rpolsky@cyberbeach.net

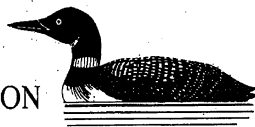
I am presently the chairman for the Ontario Federation of Anglers and Hunters Zone "D" and a Director of the O.F.A.H., I'm also a member of the O.F.A.H. Provincial Committee on the Land Use, Access and Trails, a director for The Lake Temagami Stewardship Council, a member of the Hwy 805 advisory committee with the Ministry of Natural Resources, North Bay office, the alternate on the Local Citizens Committee representing anglers and hunters, a director of the West Arm/ French River Wild Turkey Group and the treasurer of one of the local clubs.

As per your request I've included some correspondence and pamphlets that should be of interest to the Task Force. If you have any questions please do not hesitate to contact me.

Yours In Conservation


Roy Polsky, Chair O.F.A.H. Zone "D"

ONTARIO FEDERATION



OF ANGLERS & HUNTERS

Date: 2005-04-26

SCHEDULE "C"

ARTICLE 37 **PUBLIC INPUT - INFORMATION MEETINGS**

37.1 Resolution - to receive - public comments

Where Council by resolution directs a special meeting for the purpose of receiving public comments on any matter, then the following provisions shall apply:

- (a) the meeting may be conducted with four or more Members present, provided that if less than a quorum of Council is present, then no resolutions may be enacted at the meeting; and
- (b) where less than a quorum is present but more than three Members are present, only a motion appointing a Chair and a motion to adjourn shall be permitted.

37.2 Rules of Procedure - Public Input Meeting

Where Council has directed that a Public Input Meeting be held by a Committee, the following rules shall apply to the hearing of public comment:

- (1) all public input meetings shall be scheduled to start at 7:00 o'clock in the evening and adjourn automatically at 10:00 p.m; a motion to adjourn shall not be required.
- (2) The Chair shall, prior to receiving public comment, briefly state the purpose of the public input meeting.

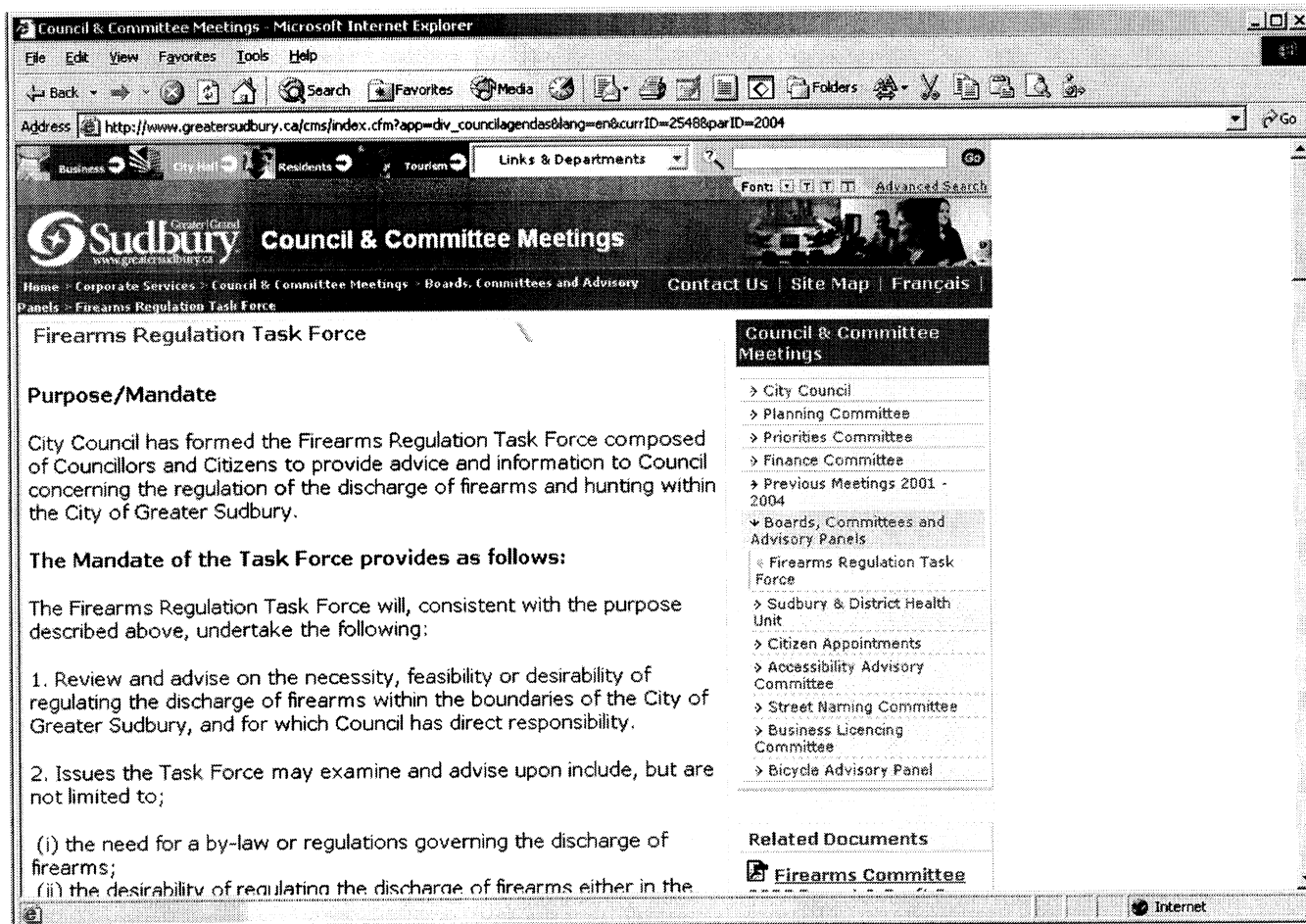
Date: 2005-04-26

SCHEDULE "C"
ARTICLE 37
PUBLIC INPUT - INFORMATION MEETINGS

37.2 Rules of Procedure - Public Input Meeting

- (3) Subject to the number of persons requesting to speak, the Chair may allow a maximum of five (5) minutes to each speaker, in order to allow as many persons as possible an opportunity to speak.
- (4) Each speaker when called to the podium shall state their full name and address, identify their interest in the matter and, if the matter is subject to the enactment of a by-law by Council, state if they are in favour or not in favour.
- (5) Each speaker shall address all their remarks to the Chair of the public input meeting.
- (6) Speakers shall be heard in the following order:
 - (i) those persons who have contacted the Clerk's Office prior to the close of the Agenda to have their names placed on the Speaker's List;
 - (ii) those persons who have added their names to the Speaker's List following the close of the Agenda and prior to the start of the public input meeting; and,
 - (iii) if time permits, any person in the public gallery may indicate their desire to address the public input meeting.
- (7) upon the completion of a speaker's comments, a Member of Council may ask the speaker a question for the purpose of clarification or for obtaining additional relevant information only. No Member shall enter into debate with the speaker respecting his/her comments. [amended by By-law 2002-348P]

Date: 2005-04-26

SCREEN SHOTS OF WEBSITE

This is a screen shot of the top of the Task Force's web page. A link to this page will be included at the front end of the City's website. A French language version of the website is also available.

The Agendas, Minutes, Notices, and Final Report of the Task Force will all be posted to this web page.

Date: 2005-04-26

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Comments

Your comments and suggestions are needed to help the Task Force in shaping its' final recommendations to Council. All comments and suggestions received will be appear on the Firearms Regulation Task Force Agenda.

COMMENTS & SUGGESTIONS

*Name:

*Comments:

*Required Fields

If you require a response please check the box below.

Yes I require a response: ☐

How is the best way to reply to your request for a response? Please select one or more of the following:

Telephone Number:

Email:

Address:

Submit Clear

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Submit Clear

Written comments be be addressed to;
City Clerk's Office
P.O. BOX 5000, Station A
Sudbury ON P3A 5P3

Comments can be delivered to;
City Clerk's Office, 2nd Floor
Tom Davies Square
200 Brady Street, Sudbury
Monday to Friday from 8:30 a.m. to 4:30 p.m.

Facsimile comments may be faxed to 671-8118
Att: Firearms Task Force

Personal Information

Personal information received by the City of Greater Sudbury is collected under the authority of the *City of Greater Sudbury Act, 1999* and the *Municipal Act, 2001*. Comments received by Thursday will appear on the agenda for the next meeting of the Firearms Committee. Comments received later will be tabled at the meeting. As such your name and comments may become part of a public record, and may be posted to this website. Questions about the collection of this information may be directed to Ms. Janet Veale, Freedom of Information and Corporate Records Coordinator at 705-671-2489, extension 2476.

Last updated April 25, 2005

PO Box 5000, STN 'A', 200 Brady St. | Sudbury, ON Canada P3A 5P3 | (705) 671-CITY (2489)
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Done Internet

These two screen shots show the public comment section of the Task Force's web page. As indicated, any comments received will be copied to the Task Force as part of its Agendas and recorded in the Minutes.

Request for Recommendation Priorities Committee




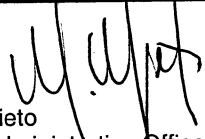
Type of Decision									
Meeting Date	January 12, 2005				Report Date	January 5, 2005			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
Firearms Discharge By-Law

Policy Implications + Budget Impact
<p>This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified</p>
<p>Background attached</p>

Recommendation
<p>That the new Firearms Discharge By-Law 2005-11 be passed by the City of Greater Sudbury to replace the existing Firearms Discharge By-Laws.</p>
<p>Recommendation attached</p>

Recommended by the Department Head
<p> Caroline Hallsworth Executive Director Administrative Support Services</p>

Recommended by the C.A.O.
<p> Mark Mieto Chief Administrative Officer</p>

Date: January 5, 2005

Report Authored By



Ronald M. Swiddle
Director of Solicitor and Clerks / City Solicitor

Division Review



Ronald M. Swiddle
Director of Solicitor and Clerks / City Solicitor

The City of Greater Sudbury is governed by no fewer than twenty different inconsistent by-laws relating to Firearms Discharge. These relate to different areas within the City, and some date back as far as the 1950s. These by-laws are archaic and should be made consistent over the entire area of the City of Greater Sudbury. Staff has been working with the Police Service since the City of Greater Sudbury came into existence in order to draft a new Firearms Discharge By-Law. The Greater Sudbury Police Services Board has reviewed the draft by-law and has passed a resolution recommending to Council that the by-law be passed in the form provided.

The By-law provides that no discharge of firearms shall occur within 1.6 kilometres (1 mile) of a dwelling house or premise used for commercial or industrial purposes. The definition of dwelling house excludes hunt camps. This distance is a balance between some of the more restrictive by-laws and some of the less restrictive by-laws currently in effect and was chosen for safety reasons.

It is the opinion of City staff and of the Police that the draft by-law leads to improved community safety and will allow enforcement of its current provisions, as compared to the previous inconsistent by-laws.

It is recommended that the Priorities Committee recommend to Council the passage of the attached Firearms Discharge By-Law.

BY-LAW 2005-11

**A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REGULATE THE DISCHARGE OF FIREARMS AND OTHER
WEAPONS IN THE CITY OF GREATER SUDBURY**

WHEREAS Section 119 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, allows municipalities to pass By-laws for 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 City of Greater Sudbury deems it advisable to enact such a by-law;

**NOW THEREFORE THE CITY OF GREATER SUDBURY HEREBY ENACTS
AS FOLLOWS:**

1. In this By-law:

“bow” means a weapon consisting of a curved, sometimes re-curved, stave of a resilient material, strung taut from end to end and used to launch an arrow, a bolt, a quarrel or any similar projectile and that is capable of causing bodily injury or death to a person and includes cross-bows, long-bows, re-curved bows and compound bows or any class or type thereof;

“City” means the City of Greater Sudbury;

“dwelling house” means the whole or any part of a building or structure that is kept or occupied as a permanent or temporary residence and includes a building that is connected to it by a doorway or by a covered and enclosed passageway but does not include a building intended for use as a hunt camp; and

“firearm” means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing 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 includes air guns, spring-guns or any class or type thereof.

2. No person shall discharge a firearm or bow of any class or type thereof in the City within 1.6 kilometre of any dwelling house or any premises used for any commercial or industrial purpose as defined in the zoning by-law affecting the area in which the discharge occurs.

3. Section 2 shall not operate to prohibit the discharge:

- (a) of a bow if it is for the purposes of a course of instruction in archery or other related purpose;
- (b) of a bow or firearm for the destruction of diseased, nuisance or sick animals, or for the slaughter of animals by the owner, occupier or authorized agent of the owner or occupier of any land designated for agricultural uses in the Official Plan for the City;
- (c) of a firearm by persons licensed or authorized by the appropriate Authority, for the purpose of target practice at a shooting range which has been duly approved pursuant to the *Firearms Act*, S.C. 1995, c. 39 and regulations thereunder;
- (d) of a bow or firearm by a person who holds an authorization other than a hunting licence, issued pursuant to the *Fish and Wildlife Conservation Act*, 1997, S.O. 1997, c. 41 and Regulations thereunder and who discharges the bow or firearm in accordance with the terms and conditions of such authorization;

- (e) of a firearm as lawfully permitted pursuant to the *Criminal Code*, R.S.C. 1985, c. C-46; or
 - (f) of a firearm by a peace officer as defined in the *Criminal Code* or by security personnel duly authorized to carry a firearm, in the course of his or her duty.
4. Nothing herein shall authorize any person to discharge a bow or firearm or any class or type thereof where prohibited by any federal or provincial statute or regulation thereunder or limit any obligations with respect to a bow or firearm imposed by any federal or provincial statute or regulation.
5. Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33 as amended.
6. This By-law shall be known as the Firearms Discharge By-law.
7. The following by-laws are hereby repealed:
- (a) By-law 75-76 and chapter 756 of the Municipal Code of the former City of Sudbury;
 - (b) By-law 73-71 of the former Town of Capreol;
 - (c) By-law 84-17 of the former Town of Nickel Centre;
 - (d) By-law 90-26 and 92-21 of the former Town of Onaping Falls;
 - (e) By-law 74-6 of the former Town of Rayside-Balfour;
 - (f) By-law 86-19 of the former Town of Valley East;
 - (g) By-law 71-20 of the former United Townships of Drury, Denison and Graham;
 - (h) By-laws 905 and 59-100 of the former Town of McKim;
 - (i) By-law 217 of the former Town of Coniston;

- (j) By-laws 58-39 and 58-42 of the former Township of Falconbridge;
- (k) By-law 99 of the former Town of Levack;
- (l) By-law 56-45 of the former Improvement District of Onaping;
- (m) By-law 58-35 and 69-35 of the former Township of Rayside;
- (n) By-law 321 of the former Town of Capreol;
- (o) By-law 65-39 of the former Township of Blezard; and
- (p) By-law 50 of the former Town of Lively.

8. Where a by-law of a former local municipality is repealed by this By-law the repeal does not:

- (a) affect the previous operation of any by-law so repealed;
 - (b) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the By-law so repealed;
 - (c) affect any offence committed against any by-law so repealed or any penalty or forfeiture or punishment incurred in respect thereof; or
 - (d) affect any investigation, legal proceeding or remedy in respect of such privilege, obligation, liability, penalty, forfeiture or punishment.
- obligation, liability, penalty, forfeiture or punishment.

9. The repeal of a By-law under Section 7 hereof shall be deemed not to be or involve a declaration that the by-law was considered by the Council of the City of Greater Sudbury to have been previously in force.

10. The repeal of a By-law under Section 7 hereof shall be deemed not to be or to involve any declaration as to the previous state of the law.

11. This By-law shall come into effect and take force immediately upon final passage.

READ A FIRST AND SECOND TIME IN OPEN COUNCIL this 13th day of January, 2005.

_____ Mayor

_____ Clerk

READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL this 13th day of January, 2005.

_____ Mayor

_____ Clerk