



Subject: Proposed Draft Discharge of Firearms By-law

To: Council

From: Community Safety & Enforcement Department

Report Number: 2021-104

Meeting Date: April 12, 2021

Recommendation:

That Community Safety & Enforcement Department Report 2021-104 be received; and
That the proposed Discharge of Firearms and Bows By-law be approved, as presented.

Purpose:

At the July 22, 2019 Council meeting, Councillor Harry Wells presented a motion that requested staff to prepare and present an updated Discharge of Firearms By-law to include the use of Tannerite. The Councillor further requested that the Discharge of Firearms By-law address the noise that results from exploding Tannerite and the storage thereof.

Background:

It is the protocol of the By-law Enforcement Division to create by-laws that the Division deems necessary and those requested by Council via a resolution. The City's solicitor reviews the draft by-laws prior to presenting them to Council for consideration.

The history of the Discharge of Firearms By-law is as follows:

The current Discharge of Firearms By-law was enacted on October 22, 1990. As By-law staff rarely receive complaints or enforce this by-law, an update was not warranted or requested until this time.

Staff presented Council with a proposed draft By-law and on July 27, 2020 Council referred the By-law back to staff.

“That By-law 6803/53/20, Being a By-law to Regulate the Discharge of Firearms and Bows in the City of Port Colborne be referred to the Manager of By-law Services in order to review the definition of the term “firearm” and that staff engage with key stakeholders during the review.”

Discussion:

Staff reviewed the requests of Council and made the necessary changes. Councillors Danch and Bruno reviewed the new version of the draft by-law with key community stakeholders and advised that the changes addressed their concerns and a meeting to review or discuss these changes was not necessary.

Internal Consultations:

Staff obtained comments from other agencies and departments, which were presented in Report 2020-88 and brought forward to Council in July of 2020.

“Port Colborne Fire Department

Port Colborne Fire & Emergency Services did seek an opinion from Rachel Robbins, Senior Inspector, Pyrotechnics/Fireworks, Explosives Safety and Security Branch Natural Resources Canada in regard to Tannerite. Ms. Robbins stated that “they do not regulate the use of exploding targets”.

Port Colborne Fire & Emergency Services acquires the City of Port Colborne’s authority of inspection, regulation, and enforcement for fireworks through the Explosive Act and its Regulations. The Fire Chief has advised that the Fire Department has no authority to inspect/regulate/enforce the use of Tannerite.

Port Colborne Fire & Emergency Services supports the option of a ban on the use of Tannerite over a permit system. Therefore, any enforcement of the by-law would be managed by the Niagara Regional Police.

Niagara Regional Police Department

The Niagara Regional Police have no concerns regarding the proposed By-law.

Ministry of Natural Resources and Forestry

The City of Port Colborne received no comments regarding the proposed By-law.”

Public Engagement:

Staff reviewed with two Councillors and with Erie Tracker Outfitters via email and phone and received positive feedback regarding the changes.

Conclusion:

The proposed by-law covers the items and concerns of Council and implemented safety measures for the residents of Port Colborne.

Appendices:

- a. Proposed Draft By-law with highlighted changes as requested.

Respectfully submitted,

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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.