



PORT COLBORNE

Subject: Draft Discharge of Firearms By-law 2022 Update

To: Council

From: Community Safety & Enforcement Department

Report Number: 2022-145

Meeting Date: September 13, 2022

Recommendation:

That Community Safety and Enforcement Department - By-Law Services Report 2022-145 be received;

That the Discharge of Firearms By-law attached to the Community Safety and Enforcement Department Report – By-Law Services 2022-145 be approved;

That By-law 4588/119/04, Being a By-law to Regulate Noise be amended, as shown in Appendix C to Community Safety and Enforcement Department– By-Law Services Report 2022-145;

That the proposed Discharge of Firearm Variance Fee be approved; and

That the updated Schedule F of the User Fees and Charges By-law be included in a future amendment to By-law 6949/95/21.

Purpose:

The purpose of this report is to provide an update regarding Report 2021-104, which was referred to staff, and to seek approval of the proposed Discharge of Firearms By-law.

Background:

Report 2020-88 was provided to Council to approve the draft Discharge of Firearms By-law. Council referred this report to staff requesting additional information and public input. Report 2021-104 and the proposed Discharge of Firearms and Bows By-law was discussed at the April 12, 2021, Council meeting, as a result of that meeting the following motion was passed:

“Amendment”

That Community Safety & Enforcement Department Report 2021-104 be received; and

That section 10 of the proposed Discharge of Firearms and Bows By-law be amended by deleting the following:

- a) where the Firearm is a shotgun, it is of no greater calibre than No. 2 Shot

That section 10 of the proposed Discharge of Firearms and Bows By-law be amended by adding the following:

- a) where the Firearm is a shotgun, that it have a shell size no greater than a No. 2 Shot; and

That the proposed Discharge of Firearms and Bows By-law be approved, as amended, with the exception of section 14.

Carried

Moved by Councillor H. Wells

Seconded by Councillor A. Desmarais

That section 14 of the Discharge of Firearms and Bows By-law be referred back to staff to investigate options for a public process when considering an application for exemption.

Carried

Discussion:

The Community Safety and Enforcement Department reviewed Council’s request and have updated section 10 of the By-law to reflect the wording proposed by Council.

Further, the exemption section in the proposed by-law, was intended for Canal Days, Lions Carnival, and special events for amusement type games to shoot a target to win a prize. However, staff noted that there could be requests for other types of exemptions.

Therefore, staff reviewed exemptions, for by-laws that may have requests to vary from the by-law, such as fences, signs, noise, discharge of firearms, encroachments, as well as property standard appeals, and have worked with staff to create a page on the City’s website dedicated to by-law variances for the public to use, pay associated fees, and review and/or comment on applications. Currently, by-law complaints have only been received by phone and/or email. This new webpage has also incorporated an online by-law complaint form, allowing residents to register by-law complaints through the website. Furthermore, this new webpage will allow for historical data to be stored online,

allowing new residents, prospective buyers, or the public complete transparency regarding any waiving or varying from the general by-law regulations.

This collaborative project to develop a user-friendly webpage will be launched after council's approval of this report, in conjunction with a media campaign advising current and future residents where to access by-laws new process and how it will work. Staff will assist residents with this new system, as necessary.

A variance fee has been added to the by-law to offset staff time. The fee is set out in in the City's Fees and Services By-law at \$100.

Staff have highlighted the changes in the report from its last submission, for ease of use for Council.

Staff have formulated, and are preparing to launch, a media campaign informing the public of the new process. All applicants will be directed to the webpage should they wish to vary from any of the bylaws listed or appeal a property standards order. Staff are presently working on receiving electronic payments to process these applications.

Anyone wishing to have knowledge of applications can subscribe to the new by-law webpage. When an application is filed, the subscriber would be notified and have the option of filling out a comment regarding the application. Comments would be open for 10 days and then staff would review, and a determination would be made to either approve or deny the application. This could be at staff level, property standards committee, or council, depending on the by-law regulations.

Appendix D attached to this report provides a visual of the webpage.

Therefore, no amendments or changes are required to the proposed by-law, as any applicant would fill out the form, it would be reviewed by staff and a report would be presented to council with all applicable information.

Internal Consultations:

Customer Service

By the end of 2022 - Payments for this By-law can be made electronically with a Visa/Mastercard when completing the application form.

The current payment options at City Hall in-person or by mail will be available for individuals who wish to print the application or who submit online and follow-up with payment for the application before the application is reviewed by staff.

Communications

Marketing and Communications staff worked in collaboration with By-law and Customer Service staff to develop a designated webpage that would streamline the By-law department's application, appeal, and variances processes.

This included replacing antiquated PDF forms with the creation of online, fillable application forms for ease of use by residents and in compliance with Accessibly for Ontarians with Disabilities Act (AODA).

The launch of the new webpage and by-law process will be communicated to the public utilizing city owned channels including:

- Article on news site emailed to subscribers
- Banner, alert box, and quick link on main webpage once launched for ease of access
- Information posts including how-to-videos on social media channels

Marketing channels will also be utilized, including:

- Media Release distributed to Niagara media outlets
- Inclusion in upcoming edition of City Hall News, printed in the Port Colborne Leader and emailed to all subscribers
- Direct mail-out to every Port Colborne household with extra copies printed for by-law and customer service staff to hand out.

Financial Implications:

There are no additional financial implications, as all costs associated with developing this webpage are in-house and utilizing operating budget for any associated communication/advertising expenses.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
 - Governance: Communications, Engagement, and Decision-Making
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Conclusion:

Staff believe the Discharge of Firearms By-law and its amendments, as well as the new process established with this by-law (and others) utilizing a designated webpage, will provide transparency and enhanced customer service for residents and other stakeholders.

Appendices:

- a. Proposed Draft Discharge of Firearms and Bows By-law
- b. Schedules A to E to Discharge of Firearms and Bows By-law
- c. Proposed Amendment to the Noise By-law
- d. Overview of Application and Variance By-law webpage

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 review and approval by the Chief Administrative Officer.