

THE CITY OF VAUGHAN

BY-LAW

DISCHARGE OF FIREARMS

(Consolidated Version – Enacted as By-law [123-2016](#))

Last consolidated on November 19, 2019. City of Vaughan by-laws are provided on line for convenient public reference. By-laws are consolidated on an ongoing basis, but recent amendments may not be reflected in the latest consolidated version. Check the [Amendment History](#) to get a complete listing of all pertinent regulations. For further information contact the Office of the Director and Chief Licensing Officer.

By-law of the Corporation of the City of Vaughan to regulate the discharge of firearms within city limits and to repeal By-law Number 21-86, as amended.

WHEREAS section 119 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (“Municipal Act”) provides that a municipality may, for the purpose of public safety, prohibit or regulate the discharge of guns or other firearms, air-guns, spring-guns, cross-bows, long-bows or any other weapon;

AND WHEREAS section 8(1) of the *Municipal Act* provides that sections 8 and 11 shall be interpreted broadly as to confer broad authority on municipalities to (a) enable them to govern their affairs as they consider appropriate, and (b) enhance their ability to respond to municipal issues;

AND WHEREAS section 425 of the *Municipal Act* provides for a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

AND WHEREAS section 426 of the *Municipal Act* provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS section 429 of the *Municipal Act* provides for a municipality to establish a system of fines for offences under a by-law of the municipality passed under this Act;

AND WHEREAS section 436 of the *Municipal Act* provides for a municipality to pass by-laws that authorize it to enter on land at any reasonable time for the purpose of carrying out an inspection; require information and inspect documents; and take samples;

AND WHEREAS the Council of The Corporation of the City of Vaughan wishes to pass a by-law that for the purpose of public safety and nuisance control;

NOW THEREFORE the Council of The Corporation of the City of Vaughan enacts this By-law to regulate the discharge of guns or other firearms, air-guns, spring-guns, compound bows, cross-bows, long-bows or any other designated weapon.

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1.0 Authority and Short Title

- (1) This By-law was approved by [Item No. 7 of Report No. 27 of the Committee of the Whole](#) and passed by City Council on June 28, 2016. [Added by subsection 1(a) of [By-law 161-2019](#) on November 19, 2019.]
- (2) The By-law shall be known and referenced as the “Discharge of Firearms By-law.”

2.0 Applicability and Scope

- (1) This By-law applies to all properties and *Public Lands* within the boundaries of the City of Vaughan. [Added by subsection 1(b) of [By-law 161-2019](#) on November 19, 2019.]
- (2) Despite any prohibitions or restrictions in this By-law, its provisions do not apply to any Persons with authority under either provincial or federal statute to carry and discharge a *Designated Weapon*. [Added by subsection 1(b) of [By-law 161-2019](#) on November 19, 2019.]

3.0 Definitions and Interpretation

- (1) In this By-law:
 - (a) “Chief Firearms Officer” means the person designated as the chief firearms officer for the province of Ontario by the provincial minister of that province;
 - (b) “Chief of Police” means the Chief of the York Regional Police;
 - (c) “City” means the Corporation of the City of Vaughan, in the Regional Municipality of York;
 - (d) “Designated Weapon” means a Firearm, Prohibited Air Gun, spring-gun, cross-bow, long-bow, compound-bow or any other similar weapon that can discharge a projectile that is capable of causing serious bodily injury or death;
 - (e) “Director” means the City’s Director of By-law & Compliance, Licensing & Permit Services and shall include his or her designate;
 - (f) “Firearm” has the same meaning as in the *Criminal Code* of Canada, R.S.C., 1985, c.C.-46 and for purposes of convenience is reproduced here as: a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious 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;
 - (g) “Municipal Enforcement Officer” means a person appointed or employed by the City as a municipal law enforcement officer under Section 15 of the *Police Services Act*, R.S.O. 1990, c.P. 15, as amended;
 - (h) “Prohibited Air Gun” means an air gun capable of a muzzle velocity that exceeds 64.5 metres-per-second.
 - (i) “Public Lands” means lands owned by the *City*, and shall include but not be limited to the boulevard, any highway, lane, alley, square, place, viaduct or trestle, water way or bridge, park, woodland, greenbelt, storm water management facility, open space, municipal golf course or cemetery, and all parts thereof, including any surface, grassed area, boulevard, ditch, curb, gutter and sidewalk, but does not include property owned by the Regional, Provincial, Federal Government, a Crown

Corporation, Hydro, Utility or Railway Company. [Added by section 1(c) of [By-law 161-2019](#) on November 19, 2019.]

4.0 General Prohibition

- (1) No person shall discharge a *Designated Weapon* within the borders of the City of Vaughan.

5.0 General Exceptions

- (1) Notwithstanding section 4.0(1), a *Police Officer, Conservation Officer, or Animal Control Officer* may discharge a *Firearm* in the exercise of his or her duties.
- (2) Notwithstanding section 4.0(1), a land owner, or his or her agent, may discharge a *Designated Weapon* solely for the purpose of destroying an animal, subject to the *Migratory Birds Convention Act, 1994*, Chap.22 and the *Fish and Wildlife Conservation Act, 1997*, S.O. 1997, Chap. 41, as amended, to protect and preserve his or her crops, livestock and other property as long as such discharge occurs within the land owner's property and the projectile discharged does not cross the property line, and that such property is zoned as agricultural (i.e., Zone A in Zoning By-law 1-88, as amended, or its equivalent in any successor by-law).
- (3) Paintball guns not deemed *Prohibited Air Guns* may be used for purposes of conducting paintball in a lawful facility approved for that purpose.

6.0 Specific Exceptions

- (1) The following organizations are granted specific exemptions from the provisions of this By-law as outlined below:
 - (a) No Glare Architectural Glass Inc. for the purposes of performing ballistic testing to develop and improve glass products.
 - (b) Paramount Canada's Wonderland for the purposes of performing its entertainment shows, from time to time. This exemption is limited to the use of prop guns with blank ammunition only.
 - (c) Maple Lions Club for the purpose of conducting its annual Christmas Turkey Shoot, subject to the following conditions:
 - (i) At least 30 days prior to the event, the *Director* and the *Office of the Chief of Police* are notified of the date, time and location of the event;
 - (ii) The discharge of firearms is not open to participation by the general public; and
 - (iii) No live animals are used in any way as part of the event.
- (2) The exemptions noted in this Part apply only if the named organizations maintain a valid Business Firearms Licence as issued by the *Chief Firearms Officer* under the *Firearms Act*, S.C. 1995, c.39, and there is no objection by York Regional Police.

7.0 Enforcement

- (1) No person shall hinder or obstruct a *Municipal Enforcement Officer*, other agent of the *City* or York Regional Police Officer from entering and inspecting all lands at any reasonable time for purposes of determining whether there is compliance with this Bylaw.

8.0 Penalties

- (1) Every person who is convicted of an offence under this By-law is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, Chap. P.33. [Added by subsection 1(d) of [By-law 161-2019](#) on November 19, 2019.]
- (2) Every person who contravenes this By-law is guilty of an offence and shall, upon conviction thereof, pursuant to Section 429 of the Municipal Act, 2001, be subject to the following penalties:
 - (a) Upon a first conviction, to a fine of not less than \$300.00 and not more than \$50,000.00;
 - (b) Upon a second or subsequent conviction for the same offence, to a fine of not less than \$400.00 and not more than \$100,000.00.

9.0 Conflicts

- (1) Nothing in this By-law shall be interpreted as reducing or eliminating the need for full compliance with the provisions of all applicable Acts of the Province of Ontario and the Government of Canada that relate to the use of *Firearms* or other *Designated Weapons*.

10.0 Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of *Council* in enacting this By-law that the remainder of this By-law shall continue to be in force and applied and enforced in accordance with its terms to the fullest extent possible according to law. [Added by subsection 1(e) of [By-law 161-2019](#) on November 19, 2019.]

11.0 Force and Effect

- (1) [By-law 21-86](#), as amended, is hereby repealed.
- (2) This By-law shall come into force and effect on the date enacted by Council.

Enacted by City of Vaughan Council this 20th day of September, 2016.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by [Item No. 7 of Report No. 27
of the Committee of the Whole](#)
Adopted by Vaughan City Council on
June 28, 2016.

AMENDMENT HISTORY

DISCHARGE OF FIREARMS BY-LAW

DATE (YYYY/MM/DD)	BY-LAW	AUTHORITY	CONSOLIDATED
2016 / 09 / 20	<u>123-2016</u>	<u>Item 7, Report 27, Committee of the Whole</u>	✓
2019 / 11 / 19	<u>161-2019</u>	<u>Item 11, Report 24, Committee of the Whole</u>	✓

