

CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 2016-001

Being a By-law to prohibit the carrying of loaded fire arms on any part of a Municipal Road Allowance.

Recitals:

1. Subsection 27(1) of the Municipal Act, 2001, Chapter c.25, S.O. 2001, as amended, provides that municipalities may pass by-laws in respect of highways over which it has jurisdiction.
2. Section 35 of the Municipal Act, 2001, as amended, provides that a municipality has the right to limit the common law right of passage over any highways within its jurisdiction.
3. Council considers it a matter of public safety to restrict access to its highways by persons with loaded firearms.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING HEREBY ENACTS AS FOLLOWS:

1. **Definition of "Road Allowance"**: For the purposes of this By-law, a "Road Allowance" includes all of the land within ten meters of either side of the center line of the travelled portion of the road, regardless of who holds title to the land.
2. **Definition of "Firearm"**: For the purposes of this By-law, a "firearm" means a portable gun, being a barreled weapon, that launches one or more projectiles, often driven by the action of an explosive force. The term also includes an air gun, pellet gun, bow or crossbow
3. **Prohibition**: No person shall possess a loaded Firearm while that person is on a Road Allowance under the jurisdiction of The Corporation of the Municipality of Neebing.
4. **Exemptions**: Section 3 does not apply to bona fide members of an Ontario police force while on active duty. Section 3 does not apply to persons employed by or contracted to The Corporation of the Municipality of Neebing while undertaking the duties associated with their employment or contract.
5. **Offence**: Any person who contravenes the provisions of this By-law has committed an offence and, upon conviction, is liable to the penalties prescribed by the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

6. **Enforcement:** This By-law may be enforced by police officers or municipal law enforcement officers duly appointed.
7. **Effective Date:** This By-law shall take effect on the date that it is passed.

ENACTED AND PASSED IN COUNCIL this 3rd day of February, 2016 as witnessed by the corporate seal of the Corporation of the Municipality of Neebing and the hands of its proper Officers duly authorized in that behalf.



Mayor



Solicitor-Clerk

