



THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH

By-law No. 2848-15

A By-law to permit the hunting by bow and arrow in certain areas of the Municipality of Shuniah.

Recitals

1. The *Municipal Act, 2001*, S.O. 2001 c.25, as amended, provides that a single tier municipality may pass by-laws respecting animals and regulating the discharge of cross-bows, long-bows or any other weapon.
2. The Council of the Corporation considers it in the public interest to regulate the hunting of animal by means of a bow and arrow on privately owned lands within Shuniah.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH ENACTS AS FOLLOWS:

1. **Definitions:**

Whenever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in the lettered clauses in this Section 1. Where any word appears in ordinary case, its regularly applied meaning in the English language is intended.

- (a) **“Arrow”** means a shafted projectile designed to be shot from a bow.
- (b) **“Bow”** means any archery weapon designed to store energy in its limbs and release or to transfer this energy to an arrow, launching and propelling the arrow forward toward a designated target.
- (c) **“By-law”** means this by-law, as amended from time to time.
- (d) **“Corporation”** means The Corporation of the Municipality of Shuniah.
- (e) **“Officer”** means any person duly appointed to enforce the provisions of this By-law. The term includes any member of the Shuniah Police Service and any duly appointed municipal law enforcement officer.
- (f) **“Owner”** includes
 - i) the registered owner of the land,
 - ii) the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used,
 - iii) the lessee or tenant of the land,
 - iv) the occupant of the land, or
 - v) the licensee of the land.
- (g) **“Rural or Community Residential ”** means, when referring to land, land designated as “RU- Rural Zone” or “RC- Community Residential Zone” pursuant to the provisions of the Corporation’s Zoning By-law.
- (h) **“Shuniah”** means the geographic area under the jurisdiction of the Corporation.

2. Interpretation Rules:

- (a) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- (b) References to items in the plural include the singular, as applicable.
- (c) The words "include", "includes", "including", or "included" are not to be read as limiting the phrases or descriptions that precede or follow them.
- (d) The prohibition of any activity includes the actual doing of the activity, and also the causing, permitting or allowing that activity to be done by another person, or through inaction.

3. Hunting:

- (a) Notwithstanding any provisions of By-law No. 2600-12 No Discharge of Fire Arms By-law , a person may hunt by bow and arrow in Shuniah if he:
 - i) hunts only on Rural and Community Residential privately owned lands located within the boundaries as set out on Schedule "B" to By-law 2038-00 the Zoning By-law for the Municipality of Shuniah.
 - ii) hunts only during the hunting season prescribed by the Province of Ontario,
 - iii) hunts only while in possession of a valid hunting license issued by the Province of Ontario,
 - iv) hunts only with a Bow and Arrow, as prescribed by the Province of Ontario,
 - v) hunts from a tree stand or other similar stand no lower than 3 metres in height that is 75 metres of a dwelling or of a highway,
 - vi) hunts from the ground or from any location lower than 3 metres from the ground that is 100 metres of a dwelling or of a highway,
 - vii) uses bait only during the period from November 1 to December 15 in the year,
 - viii) has received the prior consent in writing on the prescribed form attached hereto as Schedule A to this By-law;
 - aa. of the Owner of the privately owned land where he is hunting, and
 - bb. of every Owner of privately owned lands which are located within a radius of seventy-five (75) metres of the tree stand or other similar stand or 100 metres if hunting from the ground or less than 3 metres from the ground.
 - cc. does not field dress the animal or dispose of the remains or carcass of the animal on the lands where he is hunting without the prior consent in writing of the owner of these lands.
- (b) No person shall hunt in Shuniah except in full compliance with the requirements and conditions set out in this By-law.

4. Disposal

No person shall dispose of the remains or the carcass of an animal within a road allowance or on lands owned by the Corporation.

5. Conflict

In the event of a conflict between the provisions of this By-law and the provisions of 2600-12 No Discharge of Fire Arms By-law, the provisions of this By-law shall prevail.

6. Severability:

If any section, clause or provision of this By-law, including anything contained in the schedules hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid, and it is hereby declared to be the intention that all the remaining sections, clauses and provisions of this By-law shall remain in full force and effect, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

7. Short Title:

This By-law may be referred to as the "Bow Hunting By-law".

8. General:

That Schedule "A" attached hereto forms an integral part of this by-law.

9. Offences and Penalties:

- (a) Every person who contravenes any provisions of this By-law is guilty of an offence.
- (b) Every person who interferes with an Officer in the lawful conduct of his duty in enforcing this By-law is guilty of an offence.
- (c) 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, c P.33, as amended.

10. Effect:

This By-law shall come into force and take effect on the date it is passed.

READ A FIRST AND SECOND TIME THIS 13th DAY OF August ,2015

Wendy Landry
Mayor

Nadene Hunley-Johansen
Clerk

READ A THIRD AND FINAL TIME THIS 1st DAY OF September 2015

Wendy Landry
Mayor

Nadene Hunley-Johansen
Clerk