

DATE: April 17, 2023

REPORT NO: C-03-2023

SUBJECT: **Sunday Gun Hunting**

CONTACT: Justin Paylove, Administrative Assistant
Joanne Scime, Director of Legislative Services/Clerk

OVERVIEW:

- Section 66 of the Fish and Wildlife Conservation Act prohibits the act of Gun Hunting on a Sunday
- To date, 187 municipalities have allowed for Sunday Gun Hunting to be conducted within their borders
- If Council decides to allow Sunday Gun Hunting in West Lincoln, Council must pass a resolution in favour of the motion
- If passed, at the direction of Council staff will reach out to the Ministry of Natural Resources and Forestry to advise that West Lincoln now allows Sunday Gun Hunting in order that they can update their list and map of Southern Ontario Municipalities that permit Sunday Gun Hunting
- All of the same regulations and rules to hunting will still apply, the only difference will be hunters that use firearms, not a long-bow or cross-bow, will also be allowed to hunt on a Sunday

RECOMMENDATION:

- (1) That, Recommendation Report C-03-2023, dated April 17, 2023 regarding “Sunday Gun Hunting” be received; and
- (2) That, Sunday Gun Hunting in the Township of West Lincoln be permitted within the guidelines of the Township of West Lincoln’s Regulation of the Discharge of Guns or other Firearms By-Law; and
- (3) That, the Township of West Lincoln advise the Ministry of Natural Resources and Forestry (MNRF) to add the Township to its list and map of Southern Ontario municipalities that permit Sunday Gun Hunting, which is updated by the Province every April 1 and September 1.

ALIGNMENT TO STRATEGIC PLAN:

Theme #5

- **Community Health and Safety**

BACKGROUND:

In 2005, the Ministry of Natural Resources and Forestry began reaching out to various municipalities within Ontario, advising them that they could allow Sunday Gun Hunting if they so choose. To date, 187 municipalities in Ontario have decided to allow Sunday Gun Hunting within their borders. In 2009, the issue of Sunday Gun Hunting came to the Council of West Lincoln, and after weighing the pros and cons of the motion, the motion lost. Since 2009, many more municipalities across Ontario have allowed for Sunday Gun Hunting, including multiple municipalities within the Niagara Region.

CURRENT SITUATION:

The Ministry of Natural Resources and Forestry (MNRF) is responsible for the approval/regulation of Sunday Gun Hunting in Municipalities within Ontario. In the Niagara Region, the Township of West Lincoln along with Pelham, St. Catharines, and Niagara-on-the-Lake currently do not permit Sunday Gun Hunting.

Should the Township of West Lincoln wish to support Sunday Gun Hunting they must provide MNRF with a written resolution to that effect. MNRF would then process a regulatory amendment under the Fish and Wildlife Conservation Act (FWCA) to allow for Sunday Gun Hunting occurring in the specified Municipality (O. Reg. 663/98 - Part 7). The regulatory changes occur twice annually, therefore, the MNRF would need to receive Council's resolution by February 1st for an April 1st effective date, or July 1st for a September 1st effective date.

The Township's By-Law 2011-41, to regulate the Discharge of Firearms, does not explicitly ban Sunday Gun Hunting because it is banned at the Provincial level. Section 66 of the Fish and Wildlife Conservation Act states that:

“A person shall not carry or discharge a firearm, other than a long-bow or cross-bow, for the purpose of hunting on a Sunday, in any area lying south of the French Mattawa rivers except those municipalities listed in Part 7 of Ontario Regulation 663/98 made under the act”.

The municipalities listed in Part 7 of the Ontario Regulation 663/98 are those who have had their Council pass a motion, and have contacted the Ministry of Natural Resources and Forestry to advise them that the municipality allows Sunday Gun Hunting.

If the Township of West Lincoln were to allow Sunday Gun Hunting, all of the same regulations and rules regarding hunting within Ontario would still apply. Hunters must still have a tag when necessary, registration of their firearms, a hunting licence, and the explicit permission of private landowners to hunt on their property, amongst other regulations. Sunday Gun Hunting simply allows for the regulated hunting season to also be conducted on Sunday, the same as any other day during the hunting season. It is important to note that the restriction only applies to firearms (guns) and not to bow hunters (long-bow or cross-bow), so this change will allow for hunters who use guns to also hunt on Sunday.

FINANCIAL IMPLICATIONS:

There will be no financial implications.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the CAO.

CONCLUSION:

Staff are recommending that Council accept Report C-03-2023 and advise the Ministry of Natural Resources and Forestry that the Township of West Lincoln will henceforth allow Sunday Gun Hunting, and therefore, add the Township to its list and map of Southern Ontario municipalities that permit Sunday Gun Hunting, which is updated by the Province every April 1 and September 1.

Prepared & Submitted by:



Justin Paylove, Administrative Assistant

Approved by:



Bev Hendry, CAO



Joanne Scime, Director of Legislative Services/Clerk

