

SUMMER VILLAGE OF GOLDEN DAYS

BYLAW NO. 237

A BYLAW TO PROHIBIT THE DISCHARGE AND USE OF GUNS OR OTHER FIREARMS WITHIN THE SUMMER VILLAGE OF GOLDEN DAYS, IN THE PROVINCE OF ALBERTA.

WHEREAS: Part 2, Section 7 & 8 of the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, 2000, and amendments thereto, authorizes the Council of a municipality to pass bylaws pertaining to the protection of people and property, and

WHEREAS: it is deemed desirable and expedient to prohibit the use of firearms and weapons within the boundaries of the Summer Village of Golden Days for the purposes of public safety and protection of property, and

WHEREAS: the Council of the Summer Village of Golden Days considers it desirable and expedient to do so.

NOW THEREFORE, the Council of the Summer Village of Golden Days in the Province of Alberta, duly assembled, enacts as follows:

Section 1. Short Title

This Bylaw shall be known as "The Firearms Control Bylaw."

Section 2. Definitions

- 2.1 "Council" means the Council of the Summer Village of Golden Days
- 2.2 "Bylaw Enforcement Officer" means whoever has been contracted, hired or authorized to enforce the Summer Village of Golden Days Bylaws, and includes a member of the Royal Canadian Mounted Police.
- 2.3 "Firearm" as defined in the Criminal Code of Canada, Section 2 (or amendments thereto), "means a weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing bodily injury or death to a person, and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm".
- 2.4 "Weapon" is defined in the Wildlife Act, Section 1 "Weapon means a firearm or other device that propels a projectile by means of an explosion, spring, air, gas, string, wire or elastic material or any combination of those things." This definition would include, but is not limited to, air rifles, B-B guns, slingshots, bow-and-arrows, and starting pistols.

Section 3. Specified Areas

No person shall use or discharge:

- 3.1 A Firearm or weapon on any land owned or leased by the Summer Village of Golden Days described as follows:
 - a) Municipal Reserves;
 - b) Summer Village of Golden Days owned land; or
 - c) Public trails within the Summer Village of Golden Days.
- 3.2 A Firearm or weapon that would cause a projectile from the above noted to pass over any of the lands indicated in 3.1 above.
- 3.3 A Firearm or weapon that would cause a projectile from the above noted to pass within 200 yards (183 meters) of any occupied building,

Section 4. Exemptions

This Bylaw shall not apply to:

- 4.1 A Bylaw Enforcement Officer or Member of the Royal Canadian Mounted Police, who may be required to use or discharge a Firearm or Weapon in the operation of their duties as such:
- 4.2 The discharge of weapons at a site or place where problem wildlife or domestic animals are present and being hunted by a Peace Officer or to an individual who has been given authority pursuant to a Damage Control License under the Wildlife Act and amendments thereto have been granted and regulations thereunder, issued for such purpose by the department of the Alberta Provincial Government responsible for the management of wildlife within the Province.
- 4.3 Any person who is acting in the official capacity of starter at a legitimate sports function or competition.
- 4.4 Any person who is a participant in a legitimate sports competition or function.

Section 5. Penalties

- 5.1 The Bylaw Officer may enforce the provisions of this Bylaw and may issue a Violation Ticket to any person who violates any provision of this Bylaw
- 5.2 The Violation Ticket shall be in a form normally used by a Bylaw Officer in the issuance of notices of offence, which form will conform with the Provincial Offences Procedure Act, S.A. 1988, cP-21.5, as amended, or repealed and replaced from time to time.

5.3 Any person who violates any provision of this Bylaw is guilty of an offence and is liable on summary conviction to:

(a) For a first offence, to a fine of not more than five hundred (\$500.00) dollars or in default of payment of the fine **and costs**, to imprisonment for time as set by the courts;

(b) For a second or subsequent offence within twelve (12) months, to a fine of not less than five hundred (\$500.00) dollars and not more than fifteen hundred (\$1,500.00) dollars or in default of payment of the fine **and costs**, to imprisonment for time as set by the courts.

5.4 Confiscation of the firearm, or weapon shall also apply if deemed necessary.

Section 6. Severability

Should any section or part of this Bylaw be found to have been improperly enacted, and become invalid, void, illegal or otherwise not enforceable, then such section or part shall be regarded as being severable from the rest of this Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been included as part of this Bylaw.

Section 7. Repeal of Existing Bylaw

Bylaw # 70, the former Firearms bylaw, and amendments thereto, are repealed.


Section 8. Effective Date


That this bylaw shall take effect on the date of the third and final reading.

Read a first time this 30th day of July, 2012.

Read a second time this 12th day of September, 2012.

Read a third time and passed this 12th day of September, 2012.


Randal Kay, Mayor
Summer Village of Golden Days




Sylvia Roy, CAO
Summer Village of Golden Days