

# BYLAW 2020-009

## TOWN OF CHURCHBRIDGE

### Firearms Bylaw

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**A Bylaw of the Town of Churchbridge in the Province of Saskatchewan to provide for the Control and Regulation of Firearms in the Town of Churchbridge.**

**WHEREAS, section 8(1) of The Municipalities Act authorizes a Council to pass any bylaw that is considered expedient for the safety, health and welfare of people and the protection of people and property; and**

**WHEREAS, the Council of the Town of Churchbridge seems it necessary to provide for the control and regulation of firearms with the Town of Churchbridge;**

**Therefore, the Council of the Town of Churchbridge, in the Province of Saskatchewan, enacts the following:**

**1. Title**

- a) This Bylaw may be cited as the “Firearms Bylaw”.

**2. Definitions**

In this Bylaw:

- a) **“Town”** shall mean the Town of Churchbridge in the Province of Saskatchewan;
- b) **“Administrator”** shall mean the Administrator or any person acting or authorized to act on their behalf;
- c) **“Council”** shall mean the Council of the Town of Churchbridge;
- d) **“Cross-bow”** shall mean:
  - i) is designed or altered to be aimed and fired by the action of one hand, whether or not it has been redesigned or subsequently altered to be aimed and fired by the action of both hands;

- ii) has a length not exceeding 500 mm
- e) **“Firearm”** means a non-restricted firearm as defined in *The Criminal Code of Canada*;
- f) **“Officer”** means a Bylaw Enforcement Officer appointed pursuant to Subsection 373(1) of *The Municipalities Act*;
- g) **“Owner”** means the owner of property or the person in charge or legal control of the property;
- h) **“Person”** means any individual, firm, company or partnership;
- i) **“Pest Control Officer”** means any person appointed to trap, hunt and dispose of any pest animals;
- j) **“Sling Shot”** means a forked stick, to which an elastic strap or a pair of elastic bands connected by a small string, is fastened to the two prongs.

### 3. Regulations

- a) No person shall discharge any firearm, sling shot or cross-bow within the Town, except as provided elsewhere in this bylaw.
- b) No person shall discharge any firearm in such a manner so that the projectile crosses the limits of the Town.
- c) This bylaw does not apply to peace officers as defined by *The Criminal Code of Canada*.

### 4. Pest Control

- a) The Council may appoint a Pest Control Officer to trap, hunt and dispose of animals; and to remove or destroy the den, house, nest, dam, or usual place of habitation of any wildlife pursuant to subsections 4 (c), 4(d) , 4(e), and 4(f) of this bylaw.
- b) The appointment shall commence upon:
  - i) Receipt of the requirements in subsection 4.c. of this Bylaw; and
  - ii) The Town receiving a Nuisance Wildlife Control Permit from the Saskatchewan Ministry of Environment.

- c) A Pest Control Officer shall provide the Town with:
  - i) a criminal record check from the Royal Canadian Mounted Police;
  - ii) a copy of their current Firearms License (Possession Acquisition); and
  - iii) in the case of a non-employee of the Town of Churchbridge, verification of minimum one (1) million dollar liability insurance (reimbursable by Town Council)
- d) Pursuant to section 6(2)(a) of *The Wildlife Regulations, 1981*, a Pest Control Officer may capture or kill any wildlife that is wounded, diseased, a danger to the public or a public nuisance.
- e) Pursuant to section 6(2)(b) of *The Wildlife Regulations, 1981*, a Pest Control Officer may remove or destroy the den, house, nest, or dam or usual place of habitation of any wildlife that is causing or likely to cause damage to property.
- f) Pursuant to section 13(3) of *The Wildlife Regulations, 1981*, a Pest Control Officer may hunt those animals listed on clauses 4(1)(e) to (l) within 500 (five hundred) metres of any building, stockade or corral within the Town **with the consent of the owner.**
- g) Pursuant to clause 13(3.1) of *The Wildlife Regulations, 1981*, a Pest Control Officer may hunt animals other than those listed in clauses 4(1)(e) to (l) of *The Wildlife Regulations, 1981* within 500 (five hundred) metres of any building, stockade or corral within the Town **with the consent of the owner.**
- h) Pursuant to section 13(3) of *The Wildlife Regulations, 1981*, a Pest Control Officer may hunt those animals listed on clauses 4(1)(e) to (l) within 500 (five hundred) metres of any building, stockade or corral within the Town **with the consent of the owner.**
- i) The Administrator shall notify the Royal Canadian Mounted Police prior to the discharge of a firearm when practical.
- j) The Administrator shall notify the Royal Canadian Mounted Police within 48 hours when a Pest Control officer is to be removed or an addition is to be made to the list of approved Pest Control Officers within Town Limits.

## **5. Voluntary Penalty**

- a) Where an Officer believes that a person has contravened any provision of this Bylaw, the Officer may issue a Bylaw Violation Notice for not less than \$100.00 nor more than

\$500.00.

- b) Service of a Bylaw Violation Notice shall be by regular mail or by leaving at the person's last known address and such service shall be adequate for the purpose of this Bylaw.
- c) A Bylaw Violation Notice shall be in such form as determined by the Town and shall state the section and the amount which will be accepted by the Town in lieu of prosecution.
- d) Upon payment of a Bylaw Violation within fifteen (15) days from the issue, the person to whom the notice was issued shall not be liable for prosecution for the contravention to which the notice was issued.
- e) Notwithstanding the provisions of this section, a person to whom a Bylaw Violation has been issued pursuant to this section may exercise their right to defend any charge of committing a contravention of any provisions of this Bylaw.

## **6. Severability**

If any sections, clause, or provision of the Bylaw is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw in whole or in part, other than the section, clause, or provision so declared to be invalid.

## **7. Repeal**

Bylaw NO. 2010-003 and **Bylaw 2-95 is hereby repealed.**

## **8. Effective Date**

This Bylaw shall come into force and take effect on the date of the final passing.

INTRODUCED AND READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

READ a third time and finally passed upon the unanimous consent of Council Members present this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor

(SEAL)

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Administrator

Certified a true copy of Bylaw 2020-009 passed  
By Council on the \_\_\_\_ day of \_\_\_\_\_, 2020.

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Administrator