

**THE CORPORATION OF THE CITY OF DAWSON CREEK**

**BYLAW NO. 4402**

A bylaw of the Corporation of the City of Dawson Creek (hereinafter called "the City") to regulate, prohibit and impose requirements with regards to the discharge and use of dangerous weapons in the municipal boundaries.

**WHEREAS**, Section 8(3)(e) of the *Community Charter*, as amended, provides that the Council of the Corporation of the City of Dawson Creek may, by bylaw, regulate, prohibit and impose requirements in relation to bows and arrows, knives and other weapons;

**WHEREAS**, Section 8(5) of the *Community Charter*, as amended, provides that the Council of the Corporation of the City of Dawson Creek may, by bylaw, regulate and prohibit in relation to the discharge of firearms;

**WHEREAS**, the Council of the Corporation of the City of Dawson Creek is provided authority under Section 154 of the *Community Charter*, as amended, to delegate its authority in relation to the issuance of permits under this bylaw;

**NOW THEREFORE**, the Council of the City of Dawson Creek enacts as follows:

**SECTION 1 - TITLE**

1.1 This Bylaw may be cited for all purposes as "**FIREARMS AND WEAPONS BYLAW NO. 4402, 2019**".

**SECTION 2 - DEFINITIONS**

2.1 In this Bylaw the following words and terms have the following meanings assigned to them.

**"Archery"** means the sport of shooting with an arrow, by means of a Bow, at a target.

**"Arrow"** means a missile having a straight, thin shaft with a pointed head at one end and often flight-stabilizing vanes at the other, meant to be shot from a Bow.

**"Bow"** means a bow fixed across a stock with a groove intended for an arrow or bolt and a mechanism for holding and releasing the string and includes a crossbow, longbow, recurve bow and compound bow.

**"Bylaw Enforcement Officer"** means a person appointed from time to time by resolution of City Council pursuant to Section 36 of the *Police Act*, who is employed for the purpose of enforcing bylaws of the City.

**"Chief Administrative Officer"** means the person appointed by Council as such and his or her authorized representative(s).

**"City"** means the Corporation of the City of Dawson Creek.

**"Council"** means the Council of the City.

**“Exploding Animal Deterrent”** means devices designed to scare away pest animals also known as scare cannons, bear or bird bangers, and includes devices firing pyrotechnic charges, flares, screamers or flaming whistles.

**“Firearm”** means any barreled weapon using, as a propellant, explosives, compressed air, or gas from which any shot, bullet, or other projectile can be discharged, and includes air guns, air rifles, air pistols and spring guns, but does not include a starting pistol in connection with an athletic or sporting event where blank ammunition is used.

**“Military Exercises”** means training programs or other exercises by military groups, including pageants, salutes, and funerals.

**“Owner”** means a person registered in the records of the Land Title Office as the fee simple Owner of a Property, including the strata corporation in the case of a Property under strata ownership.

**“Peace Officer”** means a constable or person having the powers of a constable.

**“Permit”** means a permit issued by the Chief Bylaw Enforcement Officer.

**“Property”** means a real property registered as a parcel in the records of the Land Title Office.

**“Special Event”** means a sporting, cultural, business or other type of unique activity that is authorized by the City and occurs for a limited or fixed duration, such as a commemorative event in recognition of Remembrance Day.

**“Weapon”** means a firearm, compressed gas or spring-powered pistol or rifle, Bow, arrow, crossbow, blowgun, speargun, hand-thrown spear, slingshot, irritant gas device, explosive device, flares, or any other implement designed to discharge missiles, and includes a weapon the possession of which is prohibited under the Criminal Code of Canada.

### **SECTION 3 – APPLICATION**

- 3.1 This bylaw applies to all land located within the legal boundaries of the City of Dawson Creek unless otherwise specifically noted in this bylaw.
- 3.2 Nothing in this Bylaw shall preclude anyone from complying with the provisions of any other local, provincial, or federal regulations or enactments.

### **SECTION 4 – GENERAL REGULATIONS**

- 4.1 No person shall discharge, or cause to be discharged, any Firearm within the legal boundaries of the City of Dawson Creek unless:
  - a. in a firing range designated for that purpose that is in lawful operation and built to acceptable industry standards for that purpose;
  - b. discharging a flare in the case of an emergency; or
  - c. under the authority of a permit issued in accordance with this Bylaw.
- 4.2 No person shall discharge, or cause to be discharged, any Bow within the legal boundaries of the City of Dawson Creek unless in a facility specifically designed for archery, designed to archery industry safety standards.

- 4.3 Any arrows discharged by a person in the legal boundaries of the City of Dawson Creek must be marked in a permanent manner to allow the identification of the owner.

## **SECTION 5 – EXEMPTIONS**

- 5.1 The following persons are exempt from the requirements of Section 4.1 of this Bylaw:
- a. RCMP Officers, Conservation Officers, City staff or contractors, and armed services personnel lawfully engaged in the performance of their duties.
  - b. Bona fide farmers, or their designate, while engaged in the destruction of predators or the protection of crops acting in accordance with the *Farm Practices Protection (Right to Farm) Act*, on a parcel owned or occupied by the farmer.
- 5.2 The following persons are exempt from the requirements of Section 4.2 of this Bylaw:
- a. Bona fide farmers, or their designate, while engaged in the destruction of predators or the protection of crops acting in accordance with the *Farm Practices Protection (Right to Farm) Act*, on a parcel owned or occupied by the farmer.
  - b. Students of School District 59 during school hours, while being trained in the use of a bow and arrow, and while under the supervision of a teacher or person of responsibility.
  - c. Persons involved in an archery competition/practice hosted by a recognized and organized group or archery club meeting the standards set by the Federation of Canadian Archers for safety.

## **SECTION 6 - PERMIT APPLICATIONS**

- 6.1 The Chief Bylaw Enforcement Officer may, on approval of a permit application, permit the discharge of a Firearm in the following circumstances:
- a. the discharge of blank cartridges for and during Military Exercises;
  - b. the discharge of blank cartridges by civilian or military groups for and during a Special Event; or
  - c. the discharge of an Exploding Animal Deterrent where bears or other dangerous wildlife are frequenting areas in the community and coming into contact with community members.
- 6.2 The Chief Bylaw Enforcement Officer may impose conditions on the issuance of a permit under this Bylaw in order to promote public safety or mitigate nuisance and any such conditions shall be described in writing on the permit.
- 6.3 Applications shall be submitted to the Chief Bylaw Enforcement Officer, or their designate, on the applicable form provided by the City.
- 6.4 The City reserves the right to defer an application to obtain additional information.

**SECTION 7 - ENFORCEMENT**

- 7.1 Any person designated as a Bylaw Enforcement Officer pursuant to the City’s Bylaw Enforcement Notice Bylaw or the City’s Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the *Bylaw Notice Enforcement Bylaw No. 4277, 2016*, as amended from time to time, or by the *Municipal Ticket Information System Bylaw No. 4278, 2016*, as amended from time to time.
- 7.2 A Bylaw Enforcement Officer is authorized to enter on any Property in relation to this Bylaw in accordance with the *Community Charter*.
- 7.3 For the purposes of carrying out an action referred to in this Bylaw, Council delegates, to the Chief Bylaw Enforcement Officer, the power to authorize a contractor or contractor(s) to enter on Property in accordance with the *Community Charter*.
- 7.4 No person shall do any act or permit any act to be done in contravention of this Bylaw.
- 7.5 No person shall interfere with or obstruct an officer, employee or agent of the City who is authorized to enforce this bylaw.
- 7.6 Each day that an offence against this Bylaw continues shall be deemed a separate and distinct offence.
- 7.7 A person who contravenes any provision of this Bylaw commits an offence and is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.
- 7.8 Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

**SECTION 8 – ADMINISTRATIVE**

- 8.1 If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.
- 8.2 “Firearms Discharge Prohibition Bylaw No. 1949, 1979” and all amendments made to it are repealed.

**READ** a first time this 28<sup>th</sup> day of January, 2019.

**READ** a second time this 28<sup>th</sup> day of January, 2019.

**READ** a third time this 28<sup>th</sup> day of January, 2019.

**ADOPTED** this 11<sup>th</sup> day of February, 2019.

**CERTIFIED A TRUE AND CORRECT COPY** of Bylaw No. 4402 cited as "FIREARMS AND WEAPONS BYLAW NO. 4402, 2019".

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Brenda Ginter  
Corporate Officer

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

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Dale Bumstead - Mayor

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Brenda Ginter – Corporate Officer