

BY-LAW NO. 763

TOWN OF SUNDRE

PROVINCE OF ALBERTA

A BY-LAW OF THE TOWN OF SUNDRE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION AND CONTROL OF THE CARRYING, DISCHARGE AND USE OF FIREARMS AND WEAPONS WITHIN THE TOWN OF SUNDRE.

Pursuant to the authority vested in it by the provisions of Section 7 of the Municipal Government Act, being M-26.6, of the Statutes of Alberta 1994, with amendment, the Council of the Town of Sundre duly assembled, hereby enacts as follows:

SECTION 1: - This by-law may be cited as the “Carrying, Discharge and use of Firearms and Weapons By-Law” of the Town of Sundre.

SECTION 2: - PART 1 – DEFINITIONS

Wherever in this by-law unless context otherwise indicates the following terms are used, they shall have the meanings respectively ascribed to them in this section.

- (a) “CHIEF ADMINISTRATIVE OFFICER” means the Administrator of the Town and whatsoever subsequent title may be conferred on him by Council or Statute.
- (b) “COUNCIL” means the Council of the Town of Sundre;
- (c) “FIREARM” a weapon for firing a missile, a pistol or rifle using an explosive charge as defined in the Criminal Code of Canada.
- (d) “LICENSE” is permission to operate a specified thing, proof in the form of a document card or tag from the Town of Sundre, Municipality.
- (e) “MUNICIPALITY” means the Municipal Corporation of the Town of Sundre, in the Province of Alberta.
- (f) “PEACE OFFICER” means:
 - (i) a member of the Royal Canadian Mounted Police,
 - (ii) a Special Constable, or
 - (iii) a bylaw Enforcement Officer appointed by the Council of the Town of Sundre;
- (g) “PERMIT” to give consent or to allow a person the opportunity with a written document as sign by a person on authority for the Town of Sundre as defined by the Chief Administrative officer.
- (h) “PERSON” includes a corporation and their heirs, executors, administrators or other legal representatives of a person;
- (i) “PUBLIC PLACE” includes any place to which the public have access of right or invitation, expressed or implied, and without restricting the foregoing to constitute a public place it is not necessary that all segments of the public have a right of access thereto;
- (j) “SUMMARY CONVICTION” means summary conviction under and by virtue of part XXIV fo the Criminal Code;
- (k) “TOWN” means wherever the word town is used in this by-law, it shall be taken to mean the Town of Sundre;

- (l) “WEAPON” is an instrument, device or other such device used for offense and defense as defined in the Criminal Code of Canada and specifically relates to archery, fireworks or firecrackers, use of a sling shot, and the launching of a projectile of any sort in a manner dangerous to the public peace.

SECTION 3 – USE OF FIREARMS, WEAPONS AND FIREWORKS.

- 3.01 Council may designate Public Place(s) within the Town of Sundre where activities maybe carried out regarding the use of firearms, weapons and fireworks. For purposes of regulating the activities a License/Permit from the Town of Sundre must be obtained. These conditions laid out in the License/Permit must be strictly adhered to. Any deviation may result in the immediate suspension or cancellation of said mentioned License/Permit.

SECTION 4 - CONVEYING OF A FIREARM

- 4.01 Unless otherwise lawfully authorized no person shall convey a Firearm, Pellet Gun, B.B. Gun, Air Gun, or Gas Operated Gun in which a round of ammunition for such a gun or firearm is in the chamber in any Public Place within the Town of Sundre.

SECTION 5 - DISCHARGING OF A FIREARM

- 5.01 Unless otherwise lawfully authorized, no person shall discharge a Firearm, Pellet Gun, B.B. Gun, Air Gun or a Gas Operated Gun within the Town of Sundre.

SECTION 6 - DISCHARGING OF A WEAPON

- 6.01 Unless otherwise lawfully authorized, no person shall discharge any weapon defined a weapon in the Criminal code of Canada, any Archery Equipment, Sling Shots, or anything capable of launching a projectile that may inflict injury or result in death and specifically includes the discharge of any fireworks or firecrackers.

SECTION 7 – PART II – PENALTIES

- 7.01 Any person who violates any of the provisions of this bylaw or any other person responsible for such violations is guilty of an offence and liable to a penalty not exceeding Two Thousand Five Hundred Dollars (\$2500.00) exclusive of costs, or, in the case of non-payment of fine and costs imposed, to imprisonment for a period not exceeding Thirty (30) days unless such fine and costs are paid sooner.
- 7.02 Where a Peace Officer believes that a person has contravened a provision of this bylaw, he may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offenses Procedure Act, S.A. 1988 P-21.5.
- 7.03 A violation shall be deemed sufficiently served:
- a. If served personally on the accused
 - b. If mailed to the address of the registered owner of the property concerned or to the person concerned.
- 7.04 Upon issuance of a violation ticket for a breach of this Bylaw the specified penalty of not less than One Hundred Dollars (\$100.00) shall apply.

READ a first time in Council on December 3rd, 2001.

Mayor

Chief Administrative Officer

READ a second time in Council on December 17th, 2001.

Mayor

Chief Administrative Officer

READ a third and final time and passed in Council on December 17th, 2001.

Mayor

Chief Administrative Officer

SPECIFIED PENALTIES	PENALTY
SECTION 4 – BY-LAW NO.	\$500.00
SECTION 5 – BY-LAW NO.	\$750.00
SECTION 6 – BY-LAW NO.	\$100.00