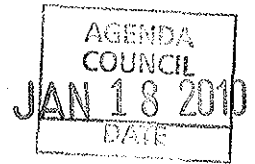


CITY OF PARKSVILLE



BYLAW NO. 1458

A BYLAW TO REGULATE AND PROHIBIT THE DISCHARGE OF FIREARMS AND THE USE OF BOWS

WHEREAS under the *Community Charter* the Council may by bylaw regulate and prohibit the discharge of firearms and the use of bows, and may make different regulations for different areas;

WHEREAS under the Closed Area Regulation it is unlawful to discharge a firearm or hunt unless that person uses shot only; and

WHEREAS Council wishes to further regulate and prohibit the discharge of firearms and bows in the City;

NOW THEREFORE the Council of the City of Parksville in open meeting assembled enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "Firearms Regulation Bylaw, 2010, No. 1458".

2. **DEFINITIONS**

In this bylaw unless the context otherwise requires:

"bow" means a crossbow and longbow.

"City" means the City of Parksville.

"crossbow" means a bow fixed across a stick with a groove for the arrow or bolt and a mechanism for holding and releasing the string.

"enforcement officer" means a person employed by the City as a Bylaw Enforcement Officer.

"firearm" Includes a rifle, hand gun, shot gun, air gun, air rifle, or air pistol.

"longbow" includes a longbow, recurve bow and compound bow.

"spring gun" means a gun of any kind contrived to discharge upon the trigger mechanism being activated by a person or animal coming into contact with a wire or other device which is in turn connected to the gun.

3. GENERAL REGULATIONS

- (a) No person shall, within the City:
 - (i) discharge a rifle;
 - (ii) discharge a shotgun using a single projectile;
 - (iii) set or discharge a spring gun; or
 - (iv) discharge a firearm or bow.

- (b) No parent or guardian shall, within the City, permit or allow a person under the age of 16 to:
 - (i) discharge a rifle;
 - (ii) discharge a shotgun using a single projectile;
 - (iii) set or discharge a spring gun; or
 - (iv) discharge a firearm or bow.

4. EXCEPTIONS

The provisions of section 3 do not apply to:

- (a) a peace officer, conservation officer under the Closed Area Regulation, enforcement officer of the Department of Fisheries and Oceans, employee of the Canadian Wildlife Service, or a person appointed to enforce an animal control bylaw within the City, discharging a firearm in the lawful performance of their duty

- (b) a person being the owner of land or having the permission of the owner, discharging a firearm on a parcel of land having an area greater than 2 ha (5 acres) within an area that is classed as farm property for assessment purposes, in order to humanely kill livestock or protect agricultural crops, livestock or domestic animals from wildlife; or;

- (c) a member of a shooting or archery club and discharging a firearm or using a bow on an authorized range provided by such club within the municipal boundary.

5. GENERAL

Nothing contained in or permitted in this Bylaw shall abrogate or relieve any obligation of any person pursuant to any applicable provincial or federal act or regulation with regard to the possession or discharge of firearms or bows.

6. ENFORCEMENT

- (a) No person shall obstruct an enforcement officer engaging in the administration or enforcement of this Bylaw;

- (b) An enforcement officer is authorized to enter onto property in connection with the administration and enforcement of this Bylaw in accordance with section 16 of the *Community Charter*,
- (c) Every person who contravenes a provision of this Bylaw commits an offence, and each day that the violation is caused or allowed to continue constitutes a separate offence;
- (d) Any person guilty of an infraction of this Bylaw is liable on summary conviction to a fine of not less than \$100.00 and not more than \$10,000.00.

7. SEVERABILITY

If any part of this Bylaw is for any reason held to be invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder of this Bylaw.

8. REPEAL OF PREVIOUS BYLAWS

- (1) "Firearm Bylaw, 1955, No. 62" and all amendments are hereby repealed;
- (2) "Slingshots and Dangerous Devices Bylaw, 1976, No. 452" and all amendments are hereby repealed.

READ A FIRST TIME this ____ day of

READ A SECOND TIME this ____ day of

READ A THIRD TIME this ____ day of

ADOPTED this ____ day of

Mayor

Corporate Officer