

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 1612

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; and

WHEREAS under regulations pursuant to the *Wildlife Act* it is unlawful to discharge a rifle anywhere within the District; and

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

NOW THEREFORE the Council of the District of Central Saanich, in open meeting assembled, enacts as follows:

1. **Title**

This Bylaw may be cited for all purposes as "***Central Saanich Firearms Bylaw No. 1612, 2009***".

2. **Definitions**

In this Bylaw:

"**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.

"**District**" means the District of Central Saanich.

"**Enforcement Officer**" means a person employed by the District of Central Saanich as a Bylaw Enforcement Officer or any member of the District of Central Saanich Police Service;

"**firearm**" means a shotgun, handgun, and any other device that ejects a projectile by means of an explosion, compressed air or gas; and shall include an airgun, air rifle and air pistol; and shall not include a firearm used for the discharge of blank ammunition in connection with an athletic or sporting event, an orchard pistol or a rifle.

"**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 in contact with a wire or other device which is in turn connected to the gun.

3. **General Regulations**

a) No person shall, within the District:

- i) Discharge a rifle;
- ii) Discharge a shotgun using a single projectile;
- iii) Set or discharge a spring gun;
- iv) Discharge a firearm, crossbow or longbow.

b) No parent or guardian shall, within the District, 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;
- iv) Discharge a firearm, crossbow or longbow.

4. **Exemptions**

The provisions of section 3 of this bylaw shall not apply to:

- a) A peace officer, conservation officer under the *Wildlife Act*, enforcement officer of the Department of Fisheries and Oceans, employee of the Canadian Wildlife Service, or person appointed to enforce the District of Central Saanich Animal Control Bylaw, discharging a firearm in the lawful performance of their duty;
- b) Any person holding a valid permit issued by the Central Saanich Police Service to:
 - i) a person, being the owner of land or having the permission of the owner, discharging a crossbow or longbow or live rounds, excluding a single projectile, with a shotgun on a parcel of land outside the area outlined in heavy black line on Schedule "A" and having an area greater than 2 ha (5 acres), in order to humanely kill livestock or protect agricultural crops, livestock or domestic animals from wildlife; or
 - ii) a person, being the owner of land or having the permission of the owner, discharging blank rounds with a firearm on any parcel of land outside the area outlined in heavy black line on Schedule "A", in order to protect agricultural crops, livestock or domestic animals from wildlife.

5. **Permit Application**

It shall be a condition of every permit application that:

- a) The application for a shotgun discharge permit shall be submitted to the Central Saanich Police Service and shall be accompanied by an application fee of \$5.00. The application fee is applicable to two or less persons listed on the application;
- b) The application for a bow permit shall be submitted to the Central Saanich Police Service and shall be accompanied by an application fee of \$5.00. The application fee is applicable to two or less persons listed on the application;
- c) Each additional person listed on the application will be subject to a further application fee of \$25.00;
- d) Each applicant will be subject to a criminal record check; and
- e) Each applicant for a shotgun discharge permit must supply evidence of a valid Firearm Possession and Acquisition Licence.

6. **Permit Conditions**

It shall be a condition of every permit that:

- a) No shotgun, longbow or crossbow may be discharged in any park or in the areas of the map in Schedule "A" which are outlined in heavy black line;
- b) No shotgun may be discharged within 100 metres of a District park, trail or walkway, a highway, a place of business, or any other place at or in which persons are assembled, except as specifically authorized by the permit;
- c) No shotgun may be discharged within 100 meters of a church, school building, school yard or playground, dwelling house, farm building occupied by persons or animals, or regional district park;

- d) No longbow or crossbow may be discharged within 150 metres of a District park, trail or walkway, a highway, a place of business, or any other place at or in which persons are assembled, except as specifically authorized by the permit;
- e) No longbow or crossbow may be discharged within 150 meters of a church, school building, school yard or playground, dwelling house, farm building occupied by persons or animals, or regional district park; and
- f) The permit expires not more than one year from the date of its issuance.

7. **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 discharge of Firearms.

8. **Enforcement**

- a) No person shall obstruct an Enforcement Officer engaged in the administration or enforcement of this Bylaw.
- b) 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.
- c) 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, or imprisonment not exceeding the maximum allowed by the *Offence Act*.

9. **Severability**

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason found invalid by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

10. **Repeal**

“Central Saanich Firearms Bylaw No. 1364, 2000” is hereby repealed.

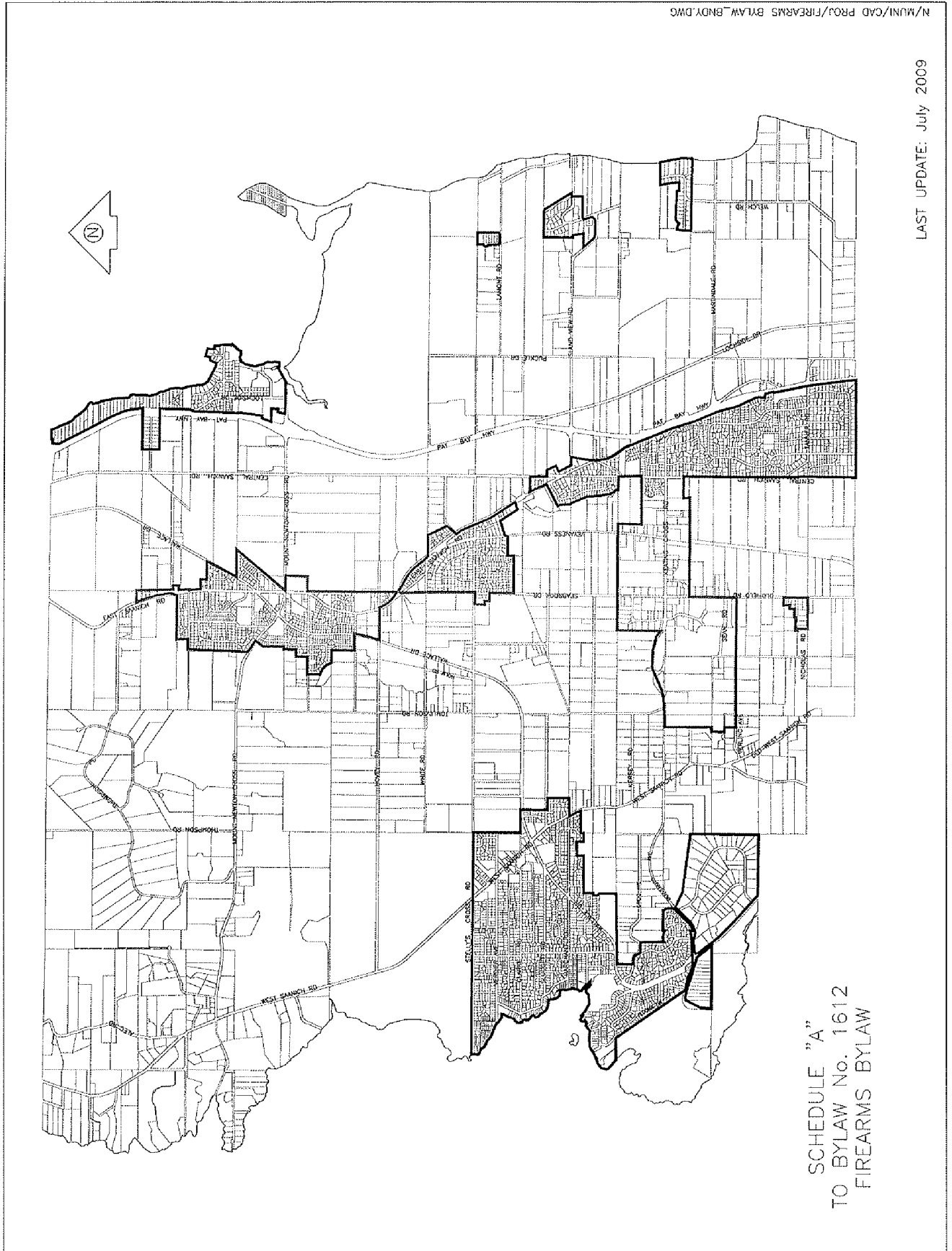
READ A FIRST TIME on this	16th	day of	March,	2009.
AMENDED AT FIRST READING on this	27th	day of	July,	2009.
READ A SECOND TIME on this	27th	day of	July,	2009.
READ A THIRD TIME on this	27th	day of	July,	2009.

RECONSIDERED, FINALLY PASSED AND ADOPTED by the Municipal Council, signed by the Mayor and Municipal Clerk, and sealed with the Seal of the Corporation on this **18th** day of **August, 2009.**

“Jack Mar”
Mayor

“Sara C. Ribeiro”
Municipal Clerk

SCHEDULE "A"
No Discharge Areas



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LAST UPDATE: July 2009