

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 1849

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:

Title

1. This Bylaw may be cited as “**Central Saanich Firearms Bylaw No. 1849, 2014**”.

Definitions

2. 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 includes an airgun, air rifle, or air pistol, but excludes 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.

General Regulations

3. No person shall, within the District:
 - (a) discharge a rifle;
 - (b) discharge a firearm using a single projectile; or
 - (c) set or discharge a spring gun.
4. No person shall, within the District, discharge a firearm, crossbow or longbow, except under the authority of a permit issued by the Central Saanich Police Service in accordance with section 6 of this Bylaw.

Exemptions

5. Section 4 of this Bylaw does not apply to a peace officer, a conservation officer under the *Wildlife Act*, an enforcement officer of the Department of Fisheries and

Oceans, an employee of the Canadian Wildlife Service, or a person appointed to enforce the District of Central Saanich Animal Control Bylaw, when engaged in the lawful performance of their duties.

Issuance of Permits

6. The Central Saanich Police Service may issue a permit on terms related to the safety and convenience of the public that the Chief Constable or his designate considers reasonable, to:
 - (a) a person who is the owner, or has the permission of the owner, of one parcel of land located outside the area outlined in heavy black on Schedule "A" and having an area greater than 2 hectares (5 acres), upon which the person is discharging a crossbow or longbow or live rounds, excluding a single projectile, with a firearm in order to humanely kill livestock or protect agricultural crops, livestock, or domestic animals from wildlife;
 - (b) one or more persons who are the owners, or have the permission of the owners, of two or more contiguous parcels of land located outside the area outlined in heavy black on Schedule "A" and having a combined area greater than 2 hectares (5 acres), upon which those persons are discharging a crossbow or longbow or live rounds, excluding a single projectile, with a firearm in order to humanely kill livestock or protect agricultural crops, livestock, or domestic animals from wildlife; and
 - (c) a person who is the owner, or has the permission of the owner, of land located outside the area outlined in heavy black line on Schedule "A", upon which that person is discharging blank rounds with a firearm in order to protect agricultural crops, livestock, or domestic animals from wildlife.

Permit Applications

7. An application for a permit shall be in the form prescribed for that purpose by the Chief Constable and shall be accompanied by:
 - (a) an application fee of:
 - (i) \$5.00 for the first person listed on the application; and
 - (ii) \$25.00 for every additional person listed on the application;
 - (b) a criminal record check for each person listed on the application;
 - (c) where the application is for the discharge of a firearm, evidence of a valid Firearm Possession and Acquisition Licence.

Permit Conditions

8. It shall be a condition of every permit that:
 - (a) no firearm, longbow, or crossbow may be discharged in any park or in the areas outlined in heavy black on Schedule "A";
 - (b) no firearm 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 a permit;
 - (c) 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 a permit;
 - (d) no firearm may be discharged within 100 metres of a church, school building, school yard or playground, dwelling house, farm building occupied by persons or animals, or regional district park;

- (e) no longbow or crossbow may be discharged within 150 metres 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.

General

- 9. 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.

Enforcement

- 10. No person shall obstruct an Enforcement Officer in the administration or enforcement of this Bylaw.
- 11. Every person who contravenes a provision of this Bylaw commits an offence, and each violation constitutes a separate offence.
- 12. 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*.

Severability

- 13. 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.

Repeal

- 14. Central Saanich Firearms Bylaw No. 1612, 2009 is hereby repealed.

READ A FIRST TIME this **28th** day of **July** , **2014.**

READ A SECOND TIME this **28th** day of **July** , **2014.**

READ A THIRD TIME this **28th** day of **July** , **2014.**

ADOPTED this **18th** day of **August** , **2014.**

Alastair Bryson
Mayor

Liz Cornwell
Corporate Officer

SCHEDULE "A"

NO DISCHARGE AREAS