

TOWN OF BEAUMONT
BYLAW NUMBER 680-06

A BYLAW OF THE TOWN OF BEAUMONT IN THE PROVINCE OF ALBERTA TO REGULATE THE CARRYING AND DISCHARGING OF FIREARMS.

WHEREAS, Section 7 of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta, provides that a Municipal Council may enact a bylaw to regulate the carrying and discharging of firearms within the municipality;

AND WHEREAS, the regulation of carrying and discharging of firearms is particularly important to the protection of life and property;

NOW THEREFORE, the Council of the Town of Beaumont, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. This bylaw may be cited as the "Firearms Bylaw".
2. For the purpose of this bylaw:
 - a) **"ANIMAL"** means any vertebrate, other than a human being or fish.
 - b) **"ARROW"** means a straight thin pointed shaft to be shot from a bow.
 - c) **"BOW"** means any instrument or tool constructed of wood, plastic, or other hard material, curved by a tight string joining its ends, used for shooting arrows.
 - d) **"COUNCIL"** means the Council of the Town of Beaumont.
 - e) **"FIREARM"** means any barrelled weapon from which any shot, bullet, projectile or other missile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such barrelled weapon and anything that can be adapted for use as a firearm, excluding lawfully used tools used by tradespersons in the regular course of their duties;
 - f) **"HUNT"** with reference to animals, means to:
 - i) shoot at, harass or worry,
 - ii) chase, pursue, follow after on the trail of, search for, flush, stalk or lie in wait for,
 - iii) capture or willfully injure or kill, or attempt to do so, or

- iv) assist another person to hunt in a manner specified in subclause i), ii) or iii) while that other person is so hunting;
 - g) **"POLICE"** means a member of the Royal Canadian Mounted Police detachment responsible for policing the Town of Beaumont or anyone authorized by him to act on his behalf;
 - h) **"PEACE OFFICER"** means
 - i) a member of the Royal Canadian Mounted Police
 - ii) a member of a municipal police service,
 - iii) a special constable appointed under the Police Act
 - i) **"TOWN"** means the Town of Beaumont, Alberta.
3. No person, other than those persons authorized by other Federal or Provincial legislation, shall carry a loaded firearm of any description upon any highway or public place within the limits of the Town of Beaumont or upon any land or water under the control, management or ownership of the Town situated within the Town.
4. a) No person or persons, shall discharge any firearm, arrow from a bow, paint gun, bb gun, pellet gun, air gun or other device of any description used as a weapon that is capable of discharging a projectile which may cause serious bodily injury or death to a person or animal, within the limits of the Town without first obtaining from the Police a written permit authorizing such person or persons to do so;
- b) Every application for a permit under this bylaw shall be in writing, signed by the applicant, and shall contain the following particulars:
- i) Full name, sex, address and date of birth of the applicant,
 - ii) Type of firearm(s) to be used,
 - iii) Location within the Town where shooting is to be carried out,
 - iv) Reason applicant desires permit,
 - v) Duration of time which permit is required, and
 - vi) Such other information as the Police may require.
- c) Notwithstanding subsections 4(a) and 4(b) of this Bylaw, no person(s) shall be granted a permit for the purposes of hunting within the limits of the Town.
- d) Where any registered or authorized Gun Club or other similar association desires a permit in connection with its purpose upon premises lawfully and properly protected and reserved for such purposes, a permit may be issued to such Club and such permit shall cover the members thereof.

- e) Any written consent or permit under this bylaw, may at any time, be revoked in writing at the reasonable discretion of the Police.
- f) Notwithstanding subsections 4 a) and 4 b) of this bylaw, the discharge of a tranquilizer gun by an authorized employee of the Town in the performance of his duties is exempted from the provisions of this bylaw.
- g) No permit so issued shall in any event extend beyond the 31st day of December of the year of issue, nor shall any such permit authorize any person to shoot on or over any public place and every such permit shall, except where issued to an authorized Gun Club or similar association, be personal to the individual named therein, and any person obtaining such permit shall at all times use due and proper precautions to prevent and avoid injury to person and property.

PENALTIES

- 5. Any person who contravenes any provision of this bylaw is guilty of an offence, and may be subject to a fine as specified in Schedule "A" of this bylaw.
- 6. Notwithstanding Section 5 of this bylaw, any person who commits a second or subsequent offence under this bylaw within one (1) year of committing the first offence, whether or not the second or subsequent offence is the same offence, may be subject to an increased fine as set out in Schedule "A" of the bylaw.
- 7. In the case of an offence that is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, or part of a day, on which that offence continues.
- 8. Under no circumstances shall any person contravening any provision of this bylaw be subject to the penalty of imprisonment.

MUNICIPAL TAGS

- 9. A Peace Officer is hereby authorized and empowered to issue a municipal tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 10. A municipal tag may be issued to such person :
 - a) personally:
 - b) by mailing a copy to such person at his last known post office address, or

- c) if upon a Corporation, by mailing a copy by registered mail, or serving a person who is the agent, representative, or a person in charge of the Corporation.
11. The municipal tag shall be in a form approved by the General Manager and shall state:
- a) the name of the person;
 - b) the offence;
 - c) the municipal or legal description of the land on or near where the offence took place;
 - d) the appropriate penalty for the offence as specified in Schedule "A" of this bylaw;
 - e) that the penalty shall be paid within 30 days of the issuance of the municipal tag and;
 - f) any other information as may be required by the General Manager.
12. Where a municipal tag is issued pursuant to Section 5 of this bylaw, the person to whom the municipal tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified within the time period indicated on the municipal tag.
13. Nothing in this bylaw shall prevent a Peace Officer from immediately issuing a violation ticket.

VIOLATION TICKET

14. In those cases where a municipal tag has been issued and if the penalty specified on a municipal tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act, R.S.A. 2000, c.P-34 as amended*.
15. Notwithstanding Section 5 of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, as amended*, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.

16. If any section or sections of this bylaw or parts thereof are found in any court of law to be illegal or beyond the power of Council to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this bylaw shall be deemed to be separate and independent therefrom and to be enacted as such.


EFFECTIVE DATE AND REPEAL

17. This bylaw shall come into effect on the day it is finally passed.
18. Upon third and final reading of this bylaw, Bylaw #546-01 is hereby repealed.

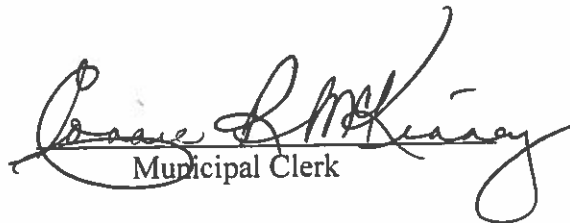
Read a first time in Council this 28th day of November, 2006.

Read a second time in Council this 28th day of November, 2006.

Read a third and final time in Council this 28th day of November, 2006.



Mayor



Municipal Clerk

/cmck
(680-06 Firearms Bylaw)

**TOWN OF BEAUMONT
BYLAW NUMBER 680-06**

SCHEDULE "A"

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|----|---|----------|
| 1. | The fine/specified penalty for any offence under this bylaw, subject to 2. below is: | \$200.00 |
| 2. | The fine/specified penalty for a second or subsequent offence under this bylaw within 365 days of a prior offence is: | \$500.00 |

/cmck
(680-06 Firearms Bylaw)