

VILLAGE OF ONOWAY
BY-LAW NO. 599-03

Being a By-law of the Village of Onoway in the Province of Alberta to prohibit the discharge of Firearms and Weapons within the Village of Onoway

WHEREAS under the provisions of Part 2, Division 1, Section 7 of the Municipal Government Act of Alberta, being Chapter M-26, 2000 and amendments thereto, the Council of the Village of Onoway has the authority to pass such a Bylaw; and

WHEREAS the Council of the Village of Onoway is of the opinion that it would be in the best interests of the residents of the Village of Onoway that a Bylaw be passed to prohibit discharge of bows, guns, slingshots and other firearms within the Village of Onoway;

NOW THEREFORE the Municipal Council of the Village of Onoway, duly assembled, hereby enacts as follows:

1. This Bylaw may be cited as the “Firearm Control Bylaw”.
2. Definitions:
 - a) “Discharge” shall mean the propulsion of a projectile from a bow, gun, slingshot or other firearm within the municipal boundaries of the Village of Onoway.
 - b) “Firearms” means a barreled weapon from which any shot, bullet, or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes and frame or receiver of such a barreled weapon and anything that can be adapted for use of a firearm.
 - c) “Peace Officer” shall mean a Peace Officer has defined under the Provincial Offenses Procedure Act RSA 2000, c P34, as amended or appealed and replaced from time to time.
 - d) “Projectile” shall mean any object projected by external force from a bow, gun, firearm, slingshot or other device.
 - e) “Shooting Range” shall mean any land or premises used primarily for the discharge of bows, guns, slingshots or other firearms and which land or premises created and operated in accordance with the provisions of the Land Use Bylaw of the Village of Onoway, as amended from time to time, and all provincial and federal laws and regulations.
 - f) “Weapons” mean any device other than a firearm that propels a projectile by means of an explosion, string or wire or any combination of those things.
3. Prohibitions:
 - a) There shall be no unlawfully carrying or discharging a Firearm or Weapon within the municipal boundaries of the Village of Onoway unless such carrying or discharge occurs in accordance with one (1) or more of the following requirements:
 - (i) The person is authorize to carry and discharge firearm or weapon in the lawful exercise of that person’s responsibilities and duties under provincial or federal statue or regulations;

- (ii) Discharge and carrying occurs at an authorized shooting range;
- (iii) Otherwise authorized by provincial or federal status or regulation; or
- (iv) Carrying by a cadet unit or other authorized personnel within a parade.

4. Penalty Provisions:

- a) Where a person has contravened any provision of this bylaw, that person is guilty of an offence and shall be liable, upon summary conviction, to pay a penalty set out as Schedule “A” of this bylaw;
 - b) Where a Peace Officer has reasonable grounds to believe there has been a contravention of any provisions of this bylaw, the Police Officer is authorized and empowered to issue a violation ticket pursuant to Part 2 of the Provincial Offences Procedure Act, RSA 2000, c. P-34, as amended or repealed or replaced from time to time, to the person responsible for that contravention;
 - c) Under no circumstances shall any person contravening a provision of this bylaw be subject to the penalty of imprisonment.
5. This bylaw will come into effect on the date of the final reading thereof.
6. Bylaw 336 is hereby rescinded on the date of the final reading of this bylaw.

First Reading Carried 14 April, 2003.

**Signed By Hazel Bourke
Mayor**

**Signed By Joseph Trapani
Municipal Manager**

Read a Second time this 10th day of November, 2003

Read a Third and Final time this 10th day of November, 2003

**Signed By Hazel Bourke
Mayor**

**Signed By Joseph Trapani
Municipal Manager**

SCHEDULE "A"

Penalties		
Section	Offence	Penalty
3a	Unlawfully carrying or discharging a Firearm or Weapon with the municipal boundaries of the Village of Onoway. Other than as authorized by Section 3a (i), (ii), (iii) or (iv).	Not less than \$50.00 and not more than \$2,500.00