



Bylaw No. 2011-14

Disclaimer:

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BYLAW NO. 2011-14

THE DISCHARGE OF FIREARMS AND PROJECTILES BYLAW, 2011

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

1 The purpose of this Bylaw is to regulate the discharge of firearms within the City of Regina.

Authority

2 The statutory authority for this Bylaw is sections 8 and 100 of *The Cities Act*.

Definitions

3 In this Bylaw:

"**Chief of Police**" means the Chief of Police of the Regina Police Service and anyone authorized to act on behalf of the Chief of Police;

"**firearm**" means any device from which any shot, bullet, missile or other projectile can be discharged and, without limiting the generality of the foregoing, includes a rifle, shotgun, pistol, revolver, spring gun, pellet gun, air gun, longbow, compound bow, crossbow or slingshot;

"**police officer**" means:

- (a) a sworn member of the Regina Police Service;
- (b) any person appointed pursuant to *The Police Act, 1990* as a special constable or peace officer; or
- (c) a member appointed pursuant to the *Royal Canadian Mounted Police Act*.

Administration and Enforcement

4 The Chief of Police is authorized to:

- (a) administer and enforce the provisions of this Bylaw and is a designated officer for the purposes of Part XII, Division 4 of *The Cities Act*; and
- (b) delegate to any police officer any power, duty or function assigned to the Chief of Police by this Bylaw.

Prohibition

5 Subject to section 6 of this Bylaw, no person shall cause, permit or allow the discharge of a firearm in the City of Regina.

Exceptions

6(1) Subject to subsection (2), nothing in this bylaw applies to prohibit the possession or discharge of a firearm by the following persons:

- (a) a person who has been appointed or designated by Regina City Council as a pest control officer for the purposes of enforcing *The Pest Control Act* or its successor legislation within the City of Regina;
- (b) a peace officer, Conservation Officer or member of the Canadian Armed Forces authorized by municipal, provincial or federal law to carry and use firearms while engaged in the performance of his or her duties;
- (c) an employee or agent of Regina Airport Authority Inc. engaged in the control of wildlife on airport lands in accordance with federal law governing the operation of an airport;
- (d) members of a *bona fide* gun club or range, archery club or range or rifle range engaged in target practice on lands owned and occupied by that club or range and which club and range has received all necessary zoning or planning approvals from the City of Regina and which operates in accordance with applicable federal or provincial law;
- (e) a person firing blank ammunition for the purpose of starting or controlling a sporting event of a similar nature to foot racing, water vessel racing or golf; or
- (f) a person firing blank ammunition for or in connection with lawful use in a motion picture, television, stage production or historical display and which production or display has received prior approval for such discharge from the City of Regina Community Services Department; and
- (g) a person who has been granted a special exemption from this bylaw by the Council of the City of Regina, being an exemption other than an exemption

listed in (a) through (f) above, and who is in possession of, and produces upon demand, a written copy of such exemption.

- (2) Persons exempted pursuant to subsection (1) (a), (c), (e), (f) and (g) above shall notify the Regina Police Service before displaying firearms in public or firing audible shots within the City.

Penalties for Offences

- 7(1) Any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction and liable to a fine of up to \$2,000 in the case of an individual, and \$5,000 in the case of a corporation.
- (2) When a police officer issues a summons ticket for a violation of this Bylaw, that police officer may enter on the ticket the amount of \$100 which, if paid within the time prescribed on the ticket, will be accepted as a guilty plea to the offence.
- (3) Any person who is in default of payment of a fine imposed pursuant to this section may be liable to a term of imprisonment not exceeding ninety days.

Severability

- 8 If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

Validity of Existing Permits

- 9 An existing permit issued under Bylaw No. 7692, being A Bylaw of the City of Regina Respecting the Discharge of Firearms, remains valid until the term of such licence expires.

Effective Date

- 10 This Bylaw comes into force on the day of passage.

Repeal

11 Bylaw No. 7692 being A Bylaw of the City of Regina Respecting the Discharge of Firearms, is repealed on the same day as this Bylaw comes into force.

READ A FIRST TIME THIS 28TH DAY OF FEBRUARY 2011.

READ A SECOND TIME THIS 28TH DAY OF FEBRUARY 2011.

READ A THIRD TIME AND PASSED THIS 28TH DAY OF FEBRUARY 2011.

W. MURRAY
Deputy Mayor

J. SWIDNICKI
City Clerk (SEAL)

CERTIFIED A TRUE COPY

City Clerk

ABSTRACT

BYLAW NO. 2011-14

THE DISCHARGE OF FIREARMS AND PROJECTILES BYLAW, 2011

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| PURPOSE: | The purpose of this Bylaw is to regulate the discharge of firearms within City limits. |
| ABSTRACT: | This Bylaw continues the regulation of the discharge of firearms and other projectile-firing devices within City limits, with changes from the former Bylaw to replace the permitting system with categories of persons exempt from application of the bylaw and to adopt <i>The Cities Act</i> provisions regarding penalties for failure to comply with the Bylaw. |
| STATUTORY AUTHORITY: | Sections 8 and 100 of <i>The Cities Act</i> |
| MINISTER'S APPROVAL: | N/A |
| PUBLIC HEARING: | N/A |
| PUBLIC NOTICE: | N/A |
| REFERENCE: | Executive Committee, February 23, 2011, EX11-4 |
| AMENDS/REPEALS: | Repeals Bylaw No. 7692 |
| CLASSIFICATION: | Regulatory |
| ORIGINATING DEPT.: | City Solicitor's Office |