

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW NO. C-5759-2003**

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A Bylaw of the Municipal District of Rocky View No. 44 to prohibit and regulate the discharge of firearms within certain areas within the municipal district of rocky view no. 44.

WHEREAS Section 7 of the Municipal Government Act, RSA 2000, Chapter M-26 permits the Council to pass bylaws respecting the safety, health and welfare of people; and the protection of people and property; and

WHEREAS the Council deems it necessary to provide for an efficient means of regulating firearm usage within the Municipal District of Rocky View No. 44; and

WHEREAS the Council deems it necessary to repeal and replace bylaw C-4074-93 the existing "Firearm's Bylaw"; and

WHEREAS the Council recognizes that the Municipal District is large and diverse, and includes areas where residential, commercial, agricultural and industrial uses of land and buildings are permitted;

NOW THEREFORE, the Council of the Municipal District of Rocky View No. 44, duly assembled, hereby enacts as follows:

TITLE

1. This bylaw may be cited as the "Firearm Bylaw".

DEFINITIONS

2. In this bylaw, unless the context otherwise requires:
 - a) "Council" means the council of the Municipal District of Rocky View No. 44;
 - b) "Enforcement Officer" means a Bylaw Enforcement Officer or Special Constable employed by the Municipal District, and includes a member of the RCMP who is authorized to enforce bylaws of the Municipal District;
 - c) "Firearm" means any device that propels a projectile by means of an explosion, spring, air, gas, string, wire or elastic material or any combination of those things.
 - d) "Municipal District" means:
 - (i) The Municipal District of Rocky View No. 44, a municipal district duly established pursuant to the laws of the Province of Alberta; or
 - (ii) The area within the legal boundaries of the Municipal District of Rocky View No. 44, as the context of this bylaw so requires;
 - e) "Municipal Government Act" means the Municipal Government Act, RSA 2000, Chapter M-26 as amended or replaced from time to time;

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- e) "Municipal Government Act" means the Municipal Government Act, RSA 2000, Chapter M-26 as amended or replaced from time to time;
- f) "Person" means an individual or any business entity including a firm, partnership, association, corporation, company or society;
- g) "Provincial Offences Procedure Act" means the Provincial Offences Procedure Act, RSA 2000, Chapter P-34 and the regulations thereof, as amended or replaced from time to time.
- h) "Special Constable" means a person employed by the Municipal District of Rocky View No. 44 and appointed under the authority of section 42 of Police Act, RSA 2000, Chapter P-17.

GENERAL PROHIBITION

3. No person shall discharge a firearm on the following lands;
Sections 7,18, 19, 29, 30, 31, 32 of Township 25 Range 2 West 5th Meridian
Sections 13, 24, 25, N ½ of 26, 35, 36, of Township 25 Range 3 West 5th Meridian
Sections 5, 6, 7, of Township 26 Range 2 West 5th Meridian
Sections 1, 2, S.E. ¼ of 3, 10, 11, 12, 13, 14, 15, S ½ 16 of Township 26 Range 3 West 5th Meridian
E ½ of 22 south of the Bow River, N.E. ¼ of 15, N.W. ¼ of 14, South of the Bow River in Township 25 Range 3 West 5th Meridian including all adjoining road allowances, and around the perimeter of section 4, 9 & 10 Township 23 Range 5 West 5th Meridian within the Elk Valley Park Estates subdivision, Inverlake Road lying west of section 25 and being the south boundary of section 26 Township 24 Range 28 West 4th Meridian, or any other place which may be specified from time to time by order of council.
(See Map - Schedule "A").

EXEMPTIONS

- 4.
- (a) A firearm which does not propel a projectile such as a movie prop firearm, shall not be deemed as a "firearm" as defined in the bylaw.
 - (b) A firearm which uses air to propel a projectile which does not exceed 500 feet per second, shall not be deemed as a "firearm" as defined in this bylaw.
 - (c) Lands designated as Ranch and Farm (RF) District and Ranch and Farm Two (RF-2) District.

GENERAL PENALTY PROVISION

5. Any person that violates the provision of this bylaw is guilty of an offence and is liable upon conviction to maximum fine of \$1,000.00 or in default of payment of the fine to imprisonment for a period not exceeding one year, or to both a fine and imprisonment in such amounts.

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MINIMUM AND SPECIFIED PENALTIES

6. The minimum and specified penalty for a violation of this bylaw is a fine in the amount of \$500.00.
7. Notwithstanding section 6 of this bylaw, if a person violates the same provision of this bylaw twice within a two-year period, the minimum and specified penalty for the second such violation shall be a fine in the amount of \$1,000.00.

ENFORCEMENT

8. Where an enforcement officer has reasonable and probable grounds to believe that a person has violated any provision of this bylaw, the enforcement officer may commence court proceedings against such person by:
 - (a) Issuing the person a violation ticket pursuant to the provisions of part 2 of the Provincial Offences Procedure Act; or
 - (b) Swearing out an information and complaint against the person.
9. Where an enforcement officer issues a person a violation ticket in accordance with section 8 of this bylaw, the Officer may either:
 - (a) Allow the person to pay the specified penalty as provided for the Offence in section 3 of this bylaw by including such specified penalty in the violation ticket; or
 - (b) Require a court appearance of the person where the enforcement officer believes that such appearance is in the public interest, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act.

No provision of this bylaw nor any action taken pursuant to any provision of this bylaw shall restrict, limit, prevent or preclude the Municipal District from pursuing any other remedy in relation to a premises provided by the Municipal Government Act, or any other law of the Province of Alberta.

SEVERABILITY

Each provision of this bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

STRICT LIABILITY OFFENCE

It is the intention of council that all Offences created by this bylaw be interpreted to be strict liability Offences.

REPEAL

Bylaws No. C-1891-86, C-2026-87, C-3908-92, C-4074-93 and C-4360-94 are hereby repealed.

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EFFECTIVE DATE

The Bylaw comes into force and effect upon the date of its third reading.

READINGS BY COUNCIL

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 29th day of July, 2003, on a motion by Councillor Goode.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 29th day of July, 2003, on a motion by Councillor Konschuk.

Permission for third reading was passed unanimously in open Council, assembled in the City of Calgary in the Province of Alberta this 29th day of July, 2003, on a motion by Councillor Kent.

Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 29th day of July, 2003, on a motion by Councillor Habberfield.



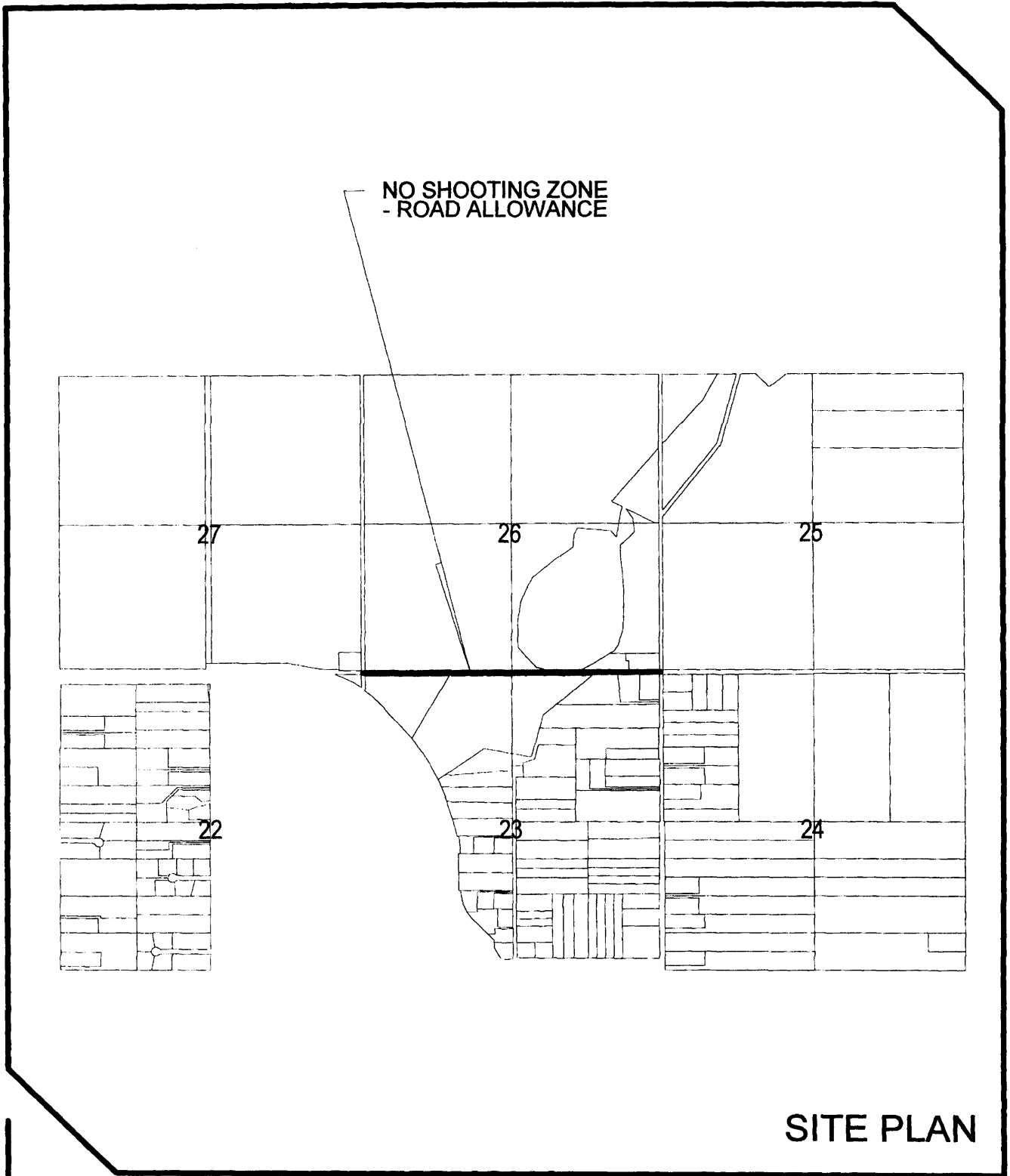
REEVE OR DEPUTY REEVE



MUNICIPAL SECRETARY

Val

SCHEDULE "A"



SITE PLAN

NO SHOOTING ZONE
INVERLAKE ROAD



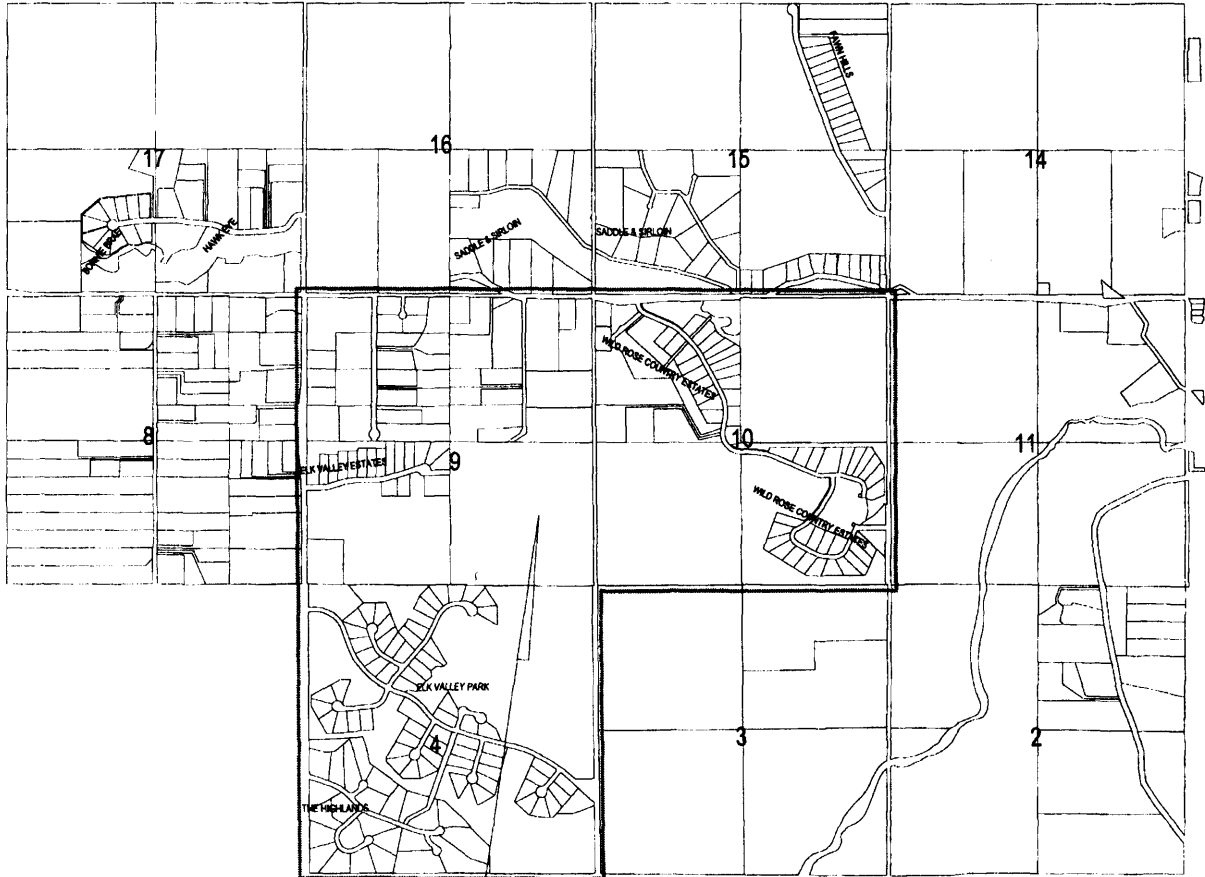
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SCALE : NTS.

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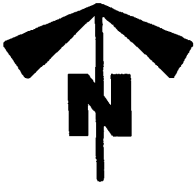


SCHEDULE "A"



— NO SHOOTING ZONE

SITE PLAN



NO SHOOTING ZONE
TWP. 23, RGE. 5, W.5 M.

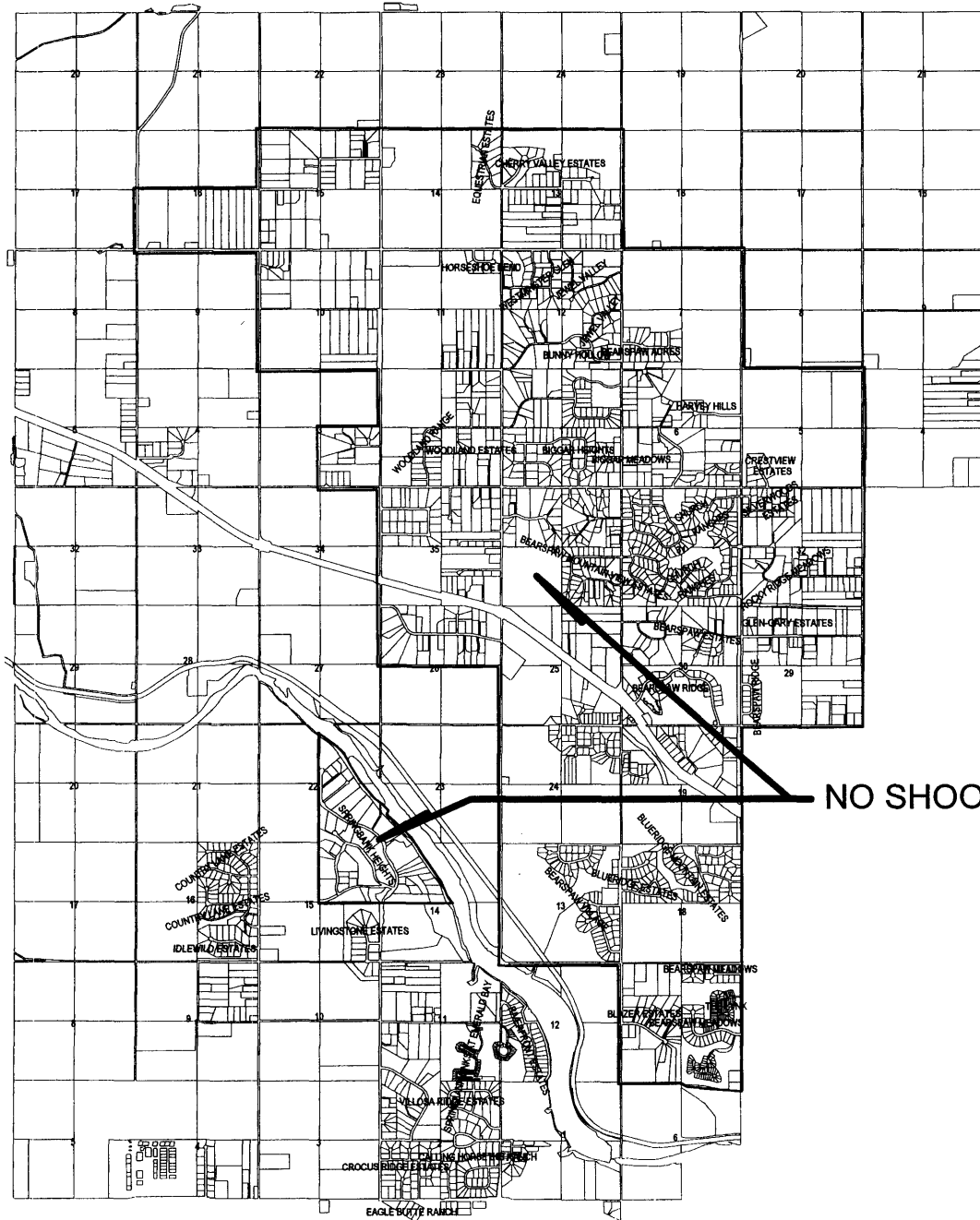


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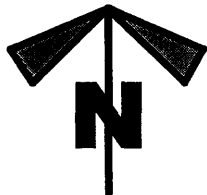


NO SHOOTING ZONE

SITE PLAN

NO SHOOTING ZONE

BEARSPAW & SPRINGBANK HEIGHTS



DATE : JULY 2003

SCALE : NTS

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COUNCIL MEETING MINUTES
JULY 29, 2003**

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ADMINISTRATION Bylaw

1-03G29-^

(E-1)

File: 200

Bylaw C-5759-2003

Council's consideration for three readings to the Firearms Bylaw C-5759-2003 to amend and amalgamate Bylaws C-3908-92, C-4074-93, C-1891-86, C2026-87 and C-4360-94.

Presented by: Al Musser, Chief Constable

MOVED by Mrs. Goode that Bylaw C-5759-2003 be given first reading.

Carried

MOVED by Mr. Korschuk that Bylaw C-5759-2003 be given second reading.

Carried

MOVED by Mr. Kent that Bylaw C-5759-2003 be given unanimous permission for a third and final reading.

Carried

MOVED by Mrs. Habberfield that Bylaw C-5759-2003 be given third and final reading.

Carried