

TOWN OF RAINBOW LAKE
BYLAW NO. 2008-05

**A BYLAW OF THE TOWN OF RAINBOW LAKE IN THE PROVINCE OF ALBERTA,
TO PROVIDE FOR THE REGULATION AND CONTROL OF THE CARRYING,
DISCHARGE AND USE OF FIREARMS, FIREWORKS AND WEAPONS WITHIN THE
TOWN OF RAINBOW LAKE.**

Pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, and amendments thereto, the Council of the Town of Rainbow Lake duly assembled, hereby enacts as follows:

SECTION 1: - This by-law may be cited as the "Carrying, Discharge and use of Firearms and Fireworks By-Law" of the Town of Rainbow Lake.

SECTION 2: - PART 1 — DEFINITIONS

Wherever in this by-law unless context otherwise indicates the following terms are used, they shall have the meanings respectively ascribed to them in this section.

- (a) "CHIEF ADMINISTRATIVE OFFICER" means the Administrator of the Town and whatsoever subsequent title may be conferred on the position by Council or Statute.
- (b) "COUNCIL" means the Council for the Town of Rainbow Lake;
- (c) "FIREARM" means a weapon for firing a missile, a pistol or rifle using an explosive charge as defined in the Criminal Code of Canada.
- (d) "LICENSE" is permission to operate a specified thing, with proof in the form of a document card or tag issued by the Town of Rainbow Lake.
- (e) "MUNICIPALITY" means the Municipal Corporation of the Town of Rainbow Lake, in the Province of Alberta.
- (f) "PEACE OFFICER" means:
 - (i) a member of the Royal Canadian Mounted Police,
 - (ii) a Peace Officer, or
 - (iii) a bylaw Enforcement Officer appointed by the Council of the Town of Rainbow Lake;
- (g) "PERMIT" means to give consent or to allow a person the opportunity with a written document signed by a person with delegated authority for the Town of Rainbow Lake as defined by the Chief Administrative Officer.
- (h) "PERSON" includes a corporation, their heirs, executors and administrators or other legal representatives of a person;
- (i) "PUBLIC PLACE" includes any place to which the public have right of access or invitation, expressed or implied, and without restricting the foregoing to constitute a public place it is not necessary that all segments of the public have a right of access thereto;
- (j) "SUMMARY CONVICTION" means summary conviction under and by virtue of the Criminal Code of Canada;
- (k) "TOWN" means wherever the word town is used in this by-law, it shall be taken to mean the Town of Rainbow Lake,
- (1) "WEAPON" is an instrument, device or other such device used for offense and defense as defined in the Criminal Code of Canada and specifically relates to archery, fireworks or firecrackers, use of a sling shot, and the launching of a projectile of any sort in a manner dangerous to the public peace.

SECTION 3 — USE OF FIREARMS, WEAPONS AND FIREWORKS.

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3.01 Council may designate Public Place(s) within the Town of Rainbow Lake where activities may be carried out regarding the use of firearms, weapons and fireworks. For purposes of regulating the activities a License/Permit from the Town of Rainbow Lake must be obtained. The conditions of approval attached to and forming part of the License/Permit shall be strictly adhered to. Any deviation from the conditions of the license/permit may result in the immediate suspension or cancellation of the License/Permit.

SECTION 4 - CONVEYING OF A FIREARM

4.01 Unless otherwise lawfully authorized no person shall convey a Firearm, Pellet Gun, B.B. Gun, Air Gun, or Gas Operated Gun in which a round of ammunition for such a gun or firearm is in the chamber in any Public Place within the Town of Rainbow Lake.

SECTION 5 - DISCHARGING OF A FIREARM

5.01 Unless otherwise lawfully authorized, no person shall discharge a Firearm, Pellet Gun, B.B. Gun, Air Gun or a Gas Operated Gun within the Town of Rainbow Lake.

SECTION 6 - DISCHARGING OF A WEAPON

6.01 Unless otherwise lawfully authorized, no person shall discharge any weapon defined as a weapon in the Criminal Code of Canada, any Archery Equipment, Sling Shots, or anything capable of launching a projectile that may inflict injury or result in death and specifically includes the discharge of any fireworks or firecrackers.

SECTION 7 — PART II — PENALTIES

7.01 Any person who violates any of the provisions of this bylaw or any other person responsible for such violations is guilty of an offence and liable to a penalty not exceeding Two Thousand Five Hundred Dollars (\$2500.00).

7.02 Where a Peace Officer believes that a person has contravened a provision of the bylaw, the Peace Officer may commence proceedings by issuing a Bylaw Violation ticket or a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000, Ch. P-34.

7.03 A Bylaw violation ticket shall be deemed sufficiently served:

- a) If served personally on the accused
- b) If mailed to the address of the registered owner of the property concerned or to the person concerned.

7.04 Upon issuance of a violation ticket for a breach of this Bylaw the specified penalty of not less than One Hundred Dollars (\$100.00) shall apply.

7.05 SPECIFIED PENALTIES

SPECIFIED PENALTIES	PENALTY
SECTION 4 - BY-LAW NO.2008-05	\$500.00
SECTION 5 - BY-LAW NO.2008-05	\$750.00
SECTION 6 - BY-LAW NO. 2008-05	\$100.00

Section 8. Commencement

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This bylaw shall come into force and effect upon passing third and final reading and signed by the Mayor and Chief Administrative Officer.

READ A FIRST TIME THIS _____ DAY OF _____, 2008

READ A SECONDTIME THIS _____ DAY OF _____, 2008

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2008

Mayor

Chief Administrative Officer