Village of Spring Lake
Bylaw No. 415

BEING A BYLAW TO RESTRICT THE DISCHARGE OF SPECIFIC GUNS OR FIREARMS WITHIN THE VILLAGE OF SPRING LAKE.

WHEREAS, under the provision of Section 7 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26; and amendments thereto, the Council of a Municipality may pass bylaws respecting the safety, health and welfare of people and the protection of people and property, AND

AND WHEREAS, under the provisions of Section 42 of the Provincial Offences Procedure Act, Revised Statutes of Alberta 2000 Chapter P-34 and amendments thereto, and under the provisions of Section 7 of the Municipal Government Act and amendments thereto the Council of a Municipality may by bylaw provide for the payment of violation tickets or summons out of court, AND

AND WHEREAS, under the provisions of Section 74 of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26 and amendments thereto, this Bylaw does not come into force until the Bylaw has been approved by the Lieutenant Governor in Council, AND

AND WHEREAS, the Council of the Village of Spring Lake deems it desirable in the best interest of the public to prohibit the discharge of guns or other firearms within the Village;

NOW THEREFORE the Council of the Village of Spring Lake, in the Province of Alberta, duly assembled, and under the authority of the Municipal Government Act, as amended, enacts as follows:

1. TITLE

   1.1. This Bylaw may be cited as "Discharge of Firearms Bylaw"

2. DEFINITIONS

   2.1 "Council" means the Council of the Village of Spring Lake;
   2.2 "Domestic Animal" means an animal of a species of vertebrates that has been domesticated by humans so as to live and breed in a tame condition and depend on humankind for survival;
   2.3 "Firearm" as defined in the Criminal Code of Canada, Section 2 (or amendments hereto), "means a barrelled weapon from which any shot, bullet or other projectile can be discharged with a velocity exceeding 500 ft/sec and that is capable of causing bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm;"
   2.4 "Livestock" means as defined in Stray Animals Act Section l(d), or amendments thereto, means:
      a) any horse, head of cattle, sheep, swine, goat, mule or ass, or
      b) any other animal specified in the regulations as livestock to which this Act and the regulations apply;
   2.5 "Municipal Government Act" means the Municipal Government Act, RSA, c. M-26 as amended or replaced from time to time;
   2.6 "Peace Office" as defined in the Provincial Offenses Procedure Act, RSA 2000, Section 1(K), as amended from time to time;
   2.7 "Person" includes a corporation, an individual, and the heirs, executors, administrators or other legal representatives of an individual;
   2.8 "Problem Wildlife" means:
      a) "animal" as defined in the Wildlife Act, Section 1
      b) "big game" as defined in the Wildlife Act, Section 1

c) "bird of prey" as defined in the Wildlife Act, Section 1
d) "controlled animal" as defined in the Wildlife Act, Section 1
e) "endangered animal" as defined in the Wildlife Act, Section 1, or
f) "endangered species" as defined in the Wildlife Act, Section 1;

2.9 "Provincial Offenses Procedures Act" means the Provincial Offenses Procedures Act, RSA 2000, c. P-34 and the regulation thereof, as amended or replaced from time to time;

2.10 "Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offenses Procedures Act, RSA 2000, c. P-34, as amended and Regulations thereunder;

2.11 "Weapon" as defined in the Wildlife Act, Section 1 (w) "weapon means a firearm or any other device that propels a projectile by means of an explosion, spring, air, gas, string, wire or elastic material or any combination of those things.";

2.12 "Village" means the Village of Spring Lake.

3. RESTRICTED AREAS

3.1 No person shall use or discharge a firearm or weapon within the boundaries of the Village of Spring Lake.

4. EXCEPTIONS

This Bylaw shall not apply to:

4.1 A Peace Officer or Member of the Royal Canadian Mounted Police, who may be required to use or discharge a Firearm or Weapon in the operation of their duties as such.

4.2 A person when it becomes necessary to shoot problem wildlife for the purposes of protecting persons and property on lands registered or occupied by said person, or a person authorized to perform the activity by the Owner or Occupant, only upon the request to and with the written permission from the Village upon consultation with the RCMP, Parkland Enforcement Services and other organizations as deemed necessary. The Village may refuse to issue permission if, in the opinion of the Village, acting reasonably, insufficient provision for public safety has been made or no adequate provision for public safety can be made.

5. PENALTIES

5.1 A Peace Officer may enforce the provisions of this Bylaw and may issue a Violation Ticket to any person who violates any provision of this Bylaw.

5.2 The Violation Ticket shall be in a form normally used by a Peace Officer in the issuance of notices of offence, which form will conform with the Provincial Offences Procedures Act, S.A. 1988, c.P-21.5, as amended, or repealed and replaced from time to time.

5.3 Any person who violates any provision of this Bylaw is guilty of an offence and is liable on summary conviction to:

a) For a first offence, to a fine or not more than Five Hundred ($500.00) dollars or in default of payment of the fine and costs, to imprisonment for three (3) months;
b) For a second or subsequent offence within twelve (12) months, to a fine of not less than Five Hundred ($500.00) and not more than Fifteen Hundred ($1,500.00) or in default of payment

of the fine and costs, to imprisonment for six (6) months.

6. SEVERABILITY

6.1 Should any provision of this Bylaw become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the Bylaw and the remainder shall remain in force and be binding as though such provision had not been included.

7. REPEAL and EFFECTIVE DATE

7.1 This Bylaw hereby repeals Bylaw No. 178.
7.2 This Bylaw shall come into force and effect on the date of the third and final reading.

Read a first time this 13th day of May 2025.

Jason S

Mayor

Emily Howse

Chief Administrative Officer

Read a second time this _____ day of _____ 2025.

Mayor

Chief Administrative Officer

Pursuant to Section 74 of the Municipal Government Act, this Bylaw is hereby approved:

DATED at the _____, in the Province of Alberta, this _____, 2025.

Lieutenant Governor in Council

Read a third time this _____ day of _____ 2025.

Mayor

Chief Administrative Officer