BY-LAW NO. 178

A BY-LAW TO PROVIDE FOR THE REGULATION AND CONTROL OF FIREARMS AND OTHER PROJECTILES WITHIN THE SUMMER VILLAGE OF EDMONTON BEACH, IN THE PROVINCE OF ALBERTA.

WHEREAS, under the authority of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980, including amendments thereto, the summer Village may regulate any matter or thing for the protection of life or property and with the consent of the Minister of Municipal Affairs and the Associate Minister of Public Lands and Wildlife may prohibit the discharge of guns or other firearms in any specified part of parts of the municipality,

AND WHEREAS, the Council of the Summer Village of Edmonton Beach desires to provide for the regulation and control of firearms and other projectiles within the Summer Village of Edmonton Beach,

NOW THEREFORE, Council of the Summer Village of Edmonton Beach, duly assembled, enact as follows:

1) This By-law may be cited as THE SUMMER VILLAGE OF EDMONTON BEACH FIREARM AND PROJECTILE BY-LAW.

2) In this By-law, unless the context shall otherwise provide:

a) "Firearm" shall mean firearm as defined in S.82(1) of the Criminal Code, being Chapter C-34 of the Revised Statutes of Canada, 1970 as amended.

b) "Highway" means Highway as defined in S.1(g) of the Highway Traffic Act, being Chapter H-7 of the Revised Statutes of Alberta, 1980 as amended.

c) "Summer Village" means the Summer Village of Edmonton Beach.

d) "Owner" means and includes any person, partnership, association, society or corporation, owning or having a right to possession or use of or having control over any land within the Summer Village of Edmonton Beach.

e) "Summary Conviction Procedures" shall mean procedure as set out in the Summary Convictions Act, being Chapter S-26 of the Revised Statutes of Alberta, 1980 as amended.

f) "Projectile" means any object, matter or thing intended to be dangerous to the public or any member thereof, that is capable of being cast, projected, thrown or freed, whether the method of propulsion is electrical, gas powered, mechanical or by human power. Notwithstanding the generality of the foregoing, "projectile" includes but is not limited to bow and arrow or slingshot.

g) "Peace Officer" means a peace officer as defined in the Police Act, being chapter P-12 of the Revised Statutes of Alberta, 1980 as amended.

h) "By-law Enforcement Officer" means an appointed By-law Enforcement Officer as defined by section 39 of the Police Act, being chapter P-12 of the Revised Statutes of Alberta, 1980 as amended.

3. No person shall cause or allow to be projected any projectile in, upon or near any highway, park, playground, or other public place of the Summer Village, nor upon or over any other property within the Summer Village that is not in his lawful possession.

4. No person shall fire or discharge any firearm or airgun in, upon or near any highway, park, playground, or other public place of the Summer Village, nor upon or over

any other property within the Summer Village that is not in his lawful possession.

5. No person shall carry a loaded firearm or airgun in, upon or near any highway, park, playground, or other public place of the Summer Village, nor upon or over any other property within the Summer Village that is not in his lawful possession.

6. Notwithstanding the foregoing, The Council of the Summer Village may, upon a written request in the prescribed form from any interested party addressed to the Municipal Administrator of the Summer Village, issue a permit allowing the discharge, carrying or use of any projectile, firearm, airgun in, upon or near any highway, park, playground, or other public place of the Summer Village, where such discharge, carrying or use is not prohibited by law.

7. The provisions of this By-law shall not apply to a peace officer, duly appointed, acting in that capacity.

8. Payment of the sum set out in the notice of prosecution or form in accordance with the terms of the said notice of prosecution or form may be accepted by the Summer Village in lieu of prosecution.

9. A notice shall be deemed to be sufficiently served in any prosecution:
   a) if served personally on the accused.
   b) if mailed by double registered post to the last known address of the accused person or
   c) if left at the accused's usual place of abode or with an inmate thereof who appears to be at least sixteen (16) years of age.
   d) where the accused is an association, partnership, or corporation, if mailed by double registered post to the last known office address or registered office or if left with a person who appears to be at least sixteen (16) years of age and is employed by or is an officer of the association, partnership or corporation.

10> Any person or owner who commits a breach of any of the provisions of this By-law shall be liable upon summary conviction by any Court of Competent jurisdictions to a fine not exceeding One Hundred Dollars ($100.00) and costs or in default of payment to imprisonment for a period not exceeding thirty (30) days unless specifically provided for herein.

11. It is the intention of the Summer Village Council that each separate provision of this By-law shall be deemed independent of all other provisions herein and it is further the intention of the Summer Village Council that if any provisions of this By-law be declared invalid, all other provisions thereof shall remain valid and enforceable.

12 A fine of $25.00 will be levied by any duly appointed By-law Enforcement Officer and issued on Village prescribed By-law Enforcement tags for any first offense.

13. A fine of $50.00 will be levied by any duly appointed By-law Enforcement Officer and issued on Village prescribed By-law Enforcement tags for any second offense.

14. A fine of $100.00 will be levied by any duly appointed

BY-LAW NO. 178

By-law Enforcement Officer and issued on Village prescribed By-law Enforcement tags for any third offense.

READ A FIRST TIME THE 17 DAY OF December A.D., 1986

READ A SECOND TIME THE 17 DAY OF December A.D., 1986

READ A THIRD AND FINAL TIME THE 21 DAY OF January A.D., 1987

Cam MacDonald

Mayor - Cam MacDonald

L. Donner

Administrator - L. Donner