

BYLAW NO. 1024

A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE CONTROL AND REGULATION OF FIREARMS.

WHEREAS the use of firearms, air guns and spring guns in and around the City of North Battleford in the Province of Saskatchewan is a danger to the lives and property of the citizens of North Battleford,

NOW THEREFORE the Council of the City of North Battleford in the Province of Saskatchewan enacts as follows:

1. This bylaw may be called "The Firearms Bylaw".
2.
 - a) Firearms include any class or type of firearm, air gun or spring gun.
 - b) Peace Officer includes a police officer, police constable, bailiff, constable, or other persons employed for the preservation and maintenance of the public peace.
3. No person shall discharge any firearm within the corporate limits of the City of North Battleford.
4. No person shall discharge any firearm in such a manner so that the projectile thereby released crosses the corporate limits of the City of North Battleford.
5. This bylaw does not apply to any person having authority under a statute of Canada or Saskatchewan to have in his possession a firearm when such firearm is discharged under the authority of his duty and within the scope of his duty.
6.
 - a) The officer in charge of the North Battleford Detachment of the Royal Canadian Mounted Police may issue a written permit authorizing the discharge of firearms within the City of North Battleford.
 - b) Permits may be issued in the name of a club or organization and if so issued such permits shall apply to each member of such club or organization.
 - c) The permit may be issued in the name of an individual and if so issued such permit shall only apply to such individual.

- d) The permit shall be in a form prescribed by the issuing officer and shall set forth the conditions under which the person or persons to whom it applies may discharge the firearm.
 - e) No permit is valid for more than twelve months from the date of issue.
 - f) The issuance of a permit shall exempt the individual or individuals to whom it applies from prosecution under this bylaw insofar as the firearm is discharged in absolute compliance with the conditions set forth in the permit.
7. If any person discharges a firearm within the corporate limits of the City of North Battleford or in such a way so that the projectile thereby released crosses the corporate limits of the City of North Battleford, except as authorized by permit, that person shall be guilty of an offence and shall be liable on summary conviction to a fine of not less than \$10.00 and not more than \$100.00, exclusive of costs. The convicting magistrate may, in addition to any fine which may be imposed for a breach of this bylaw, order that the firearm in respect of which the breach is committed be forfeited to the City of North Battleford.
8. a) Where a peace officer on reasonable and probable grounds believes that a person is committing or has committed an offence under Section 7 of this bylaw, he may seize the firearm involved in such offence.
- b) If a peace officer seizes a firearm pursuant to sub-section a) he shall, within 30 clear days institute proceedings against the person or persons whom he believes to have committed the offence or deliver possession of the seized firearm to the owner of the firearm.
- c) Notwithstanding anything contained in sub-paragraph b) if the owner of the seized firearm is 15 years of age or younger, possession of the seized firearm shall not be given to the owner but possession shall be given to the owner's parent or guardian.
- d) If a firearm seized pursuant to sub-paragraph a) and proceedings are instituted within the time specified, possession of the firearm shall not be delivered to the owner or the owner's guardian or parent unless and until the court has adjudged the Defendant in the proceedings not guilty of the offence with which he is charged.
9. The owner of a firearm is liable for violation of any provision of this bylaw in connection with the discharge of a firearm, unless he proves to the satisfaction of the provincial Magistrate or Justice of the Peace trying the case that at the time of the offence the firearm was not being discharged by him nor by any other person with his consent, express or implied.

10. Where at the time of a violation of any provision of this bylaw in connection with the discharge of a firearm the firearm was not being discharged by the owner of the firearm, nor by any other person with his consent express or implied, the person in charge of the firearm is liable for the violation unless he proves to the satisfaction of the Provincial Magistrate or Justice of the Peace trying the case that the firearm was not discharged by him, nor by any other person with his consent express or implied.

This bylaw shall come into force and take effect on the date of the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 2nd DAY OF SEPTEMBER, A.D. 1971.

READ A SECOND TIME THIS 2nd DAY OF SEPTEMBER, A.D. 1971.

READ A THIRD TIME AND ADOPTED THIS 7th DAY OF SEPTEMBER, A.D. 1971.

H. James Maher
Mayor

Ab Bridges
City Clerk