

DISTRICT OF NORTH SAANICH



BY-LAW NO. 846

CONSOLIDATED FOR CONVENIENCE ONLY

A BY-LAW TO ESTABLISH THE NORTH SAANICH FIREARMS BYLAW (1996)

The amending by-laws which have been consolidated into "District of North Saanich Firearms Bylaw (1996)" are as follows:

922

as of September 20, 1999

DISTRICT OF NORTH SAANICH FIREARMS BYLAW NO. 846 **CONSOLIDATION**

This consolidation of the District of North Saanich Firearms By-law (1996) and amendments has been prepared exclusively for the use of the District of North Saanich for convenience only.

The District of North Saanich does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original By-laws.

DISTRICT OF NORTH SAANICH**BY – LAW NO. 846****A BY-LAW TO REGULATE THE DISCHARGE OF FIREARMS**

The Council of the District of North Saanich in open meeting assembled, enacts as follows:

DEFINITION

1. “Firearm” includes any gun, using as a propellant, compressed air, explosives or gas.

PROHIBITION

2. (a) No person shall discharge any firearm within the District of North Saanich except as hereinafter provided;
- BL 922* (b) No person shall be permitted to discharge any crossbow or longbow within the district of North Saanich, unless such discharge is in accordance with Section 3(d),

EXCEPTIONS

3. This By-law shall not apply to:
 - (a) Members of the Armed Services of Canada lawfully engaged in practice shooting upon a properly constructed rifle range, or lawfully engaged in drill exercises or manoeuvres;
 - (b) Police and Correctional Service personnel lawfully engaged in the performance of their duties;
 - (c) Farmers, holding a permit issued pursuant to paragraph 4 of this By-law;
 - (d) Target shooting in a properly constructed firearm range which is situated in a location approved by the District of North Saanich.
 - (e) An employee of the Victoria International Airport authorized by the Airport Manager to discharge a shotgun inside the Airport fence for the sole purpose of scaring birds deemed to be a hazard to aircraft operations.
 - (f) The Animal Control Officer, duly appointed for the District of North Saanich from time to time, provided:
 - (i) the firearm is used for destroying an injured animal where in the opinion of the Animal Control Officer and one other person, this action is necessary to prevent further suffering; or
 - (ii) the firearm is used for killing a dog or dogs
 1. running at large; and
 2. attacking or viciously pursuing a person or domestic animal, and

- (iii) the use of the firearm is consistent with the Firearm Act, the Wildlife Act and the Criminal Code of Canada, regarding the possession and use of firearms;
4. Permits may be issued to farmers within the District by the officer in charge of the Sidney/North Saanich R.C.M.P. Detachment, under the following conditions:
 - (a) The applicant is a farmer actively engaged in agriculture on land of which he is the owner or tenant;
 - (b) The land owned or leased by the applicant for the purpose of farming, is a minimum of 5 acres;
 - (c) The purpose of the application and the subsequent use of firearms allowed by the permit is limited to the hunting of predatory animals or birds which may reasonably be expected to kill farm animals or destroy crops necessary to the livelihood of the farmer;
 - (d) The use of the firearm is consistent with the conditions and any mandatory permits issued pursuant to the Firearm Act, the Wildlife Act and the Criminal Code of Canada regarding the possession and use of firearms;
 - (e) The permit specifies the length of time for which it is issued, which period shall not in any event exceed one year (12 months);
5. A permit issued under Section 4 may be revoked by any R.C.M.P. official engaged in the performance of lawful duty without cause and without notice.
6. Any person aggrieved by the refusal, cancellation or revocation of any permit hereunder, may appeal to the Council from the decision of the officer in charge of the Sidney/North Saanich R.C.M.P. Detachment, and the decision on such appeal by the Council shall be final and conclusive.

SEVERABILITY

7. If any section, subsection, sentence, clause or phrase of this by-law is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the by-law.

VIOLATIONS

8. Any person who offends against or violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this By-law, or who neglects or omits to do anything required to be done by any of the provisions of this By-law is guilty of an infraction of this By-law and liable to the penalties hereinafter provided.

PENALTY

9. Any person who violates a requirement of this by-law shall be liable on summary conviction to the penalties prescribed in the Offence Act.

REPEALS

10. The following By-laws are hereby repealed:

- (a) “District of North Saanich Firearms By-law (1975)” numbered 200;
- (b) “District of North Saanich Firearms By-law, Amendment By-law (1984)”, numbered 470;
- (c) “District of North Saanich Firearms By-law, Amendment By-law 91986”, numbered 484;
- (d) “District of North Saanich Firearms By-law (1975), Amendment By-law (1986), No. 2”, numbered 504.

TITLE

11. This By-law may be cited for all purposes as “District of North Saanich Firearms By-law (1996).”

READ A FIRST TIME the 3rd day of September, 1996.

READ A SECOND TIME the 3rd day of September, 1996.

READ A THIRD TIME the 3rd day of September, 1996.

FINALLY ADOPTED the 16th day of September, 1996.

Signed “Ross J. Imrie”

Mayor

Signed “Pamela Hilchie”

Clerk