

BY-LAW #291-02

BEING A BY-LAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA, TO PROHIBIT THE DISCHARGE OF FIREARMS, GUNS, BOWS, SLINGSHOTS AND OTHER WEAPONS WITHIN THE TOWN OF COALHURST;

PURSUANT to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments thereto;

The Council of the Town of Coalhurst, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. This By-Law shall be known and may be cited as the "Weapon Control By-Law" of the Town of Coalhurst.
2. **Definitions**
 - a. **"Council"** means the Municipal Council, duly elected, pursuant to provisions of the Local Authorities Act, for the Town of Coalhurst;
 - b. **"Peace Officer"** means a member of the Royal Canadian Mounted Police a municipal Police Officer, Police Constable, Bailiff, Constable or other person employed for the prevention of disorder and maintenance of the public peace;
 - c. **"Violation Ticket"** means where a Peace Officer or other authorized official of the Town of Coalhurst believes that any person has committed a breach of any of the sections of this By-Law, they may cause a violation ticket to be served upon such person pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta.
 - d. **"Weapon"** means a firearm, B-B gun, air rifle, air pistol, pellet gun, crossbow, bow, slingshot and any other weapon or device that is designed or adopted to discharge a shot, pellet or other missile dangerous to the public health or damage to property.
3. **Prohibitions**
 - a. No weapon may be discharged within the municipal boundaries of the Town of Coalhurst except in accordance with the provisions of this By-Law.
 - b. No weapons may be discharged within the municipal boundaries of the Town of Coalhurst unless such discharge occurs in accordance with one (1) or more of the following requirements:
 - i A discharge made by a Peace Officer or a Fish and Wildlife Officer during the course of his duty.
 - ii A discharge made by a Town employee during the course of his duty.

4. **Seizure**

Any Peace Officer may seize any weapon believed to have been used in contravention of the provisions of this By-Law and will either return the same at a time deemed advisable to the Peace Officer or refer it to Court of Competent jurisdiction to resolve its disposition.

5. **Penalty**

- a. Any person who commits a breach of any of the provisions of this By-Law will be liable to a penalty of:
- i For the first offence to a voluntary penalty of One Hundred (\$100.00) Dollars or upon Summary Conviction to a fine of not less than Two Hundred (\$200.00) Dollars and not exceeding Twenty-five Hundred (\$2500.00) Dollars, and in default of payment to a term of imprisonment of not more than six (6) months, or to both.
 - ii For a second offence within a six (6) month period to a voluntary penalty of Two Hundred (\$200.00) Dollars or upon Summary Conviction to a fine of not less than Three Hundred (\$300.00) Dollars and not exceeding Twenty-five Hundred (\$2500.00) Dollars and in default of payment to a term of imprisonment of not more than six (6) months, or to both.
 - iii For a third and subsequent offence within a six (6) month period a summons shall be issued and upon Summary Conviction to a fine of not less than Five Hundred (\$500.00) Dollars and not exceeding Twenty-five Hundred (\$2500.00) Dollars and in default of payment to a term of imprisonment of not more than six (6) months, or to both.

6. This By-Law hereby rescinds By-Law #243-97 and Section 4 of By-Law #287-02 and comes into affect on its final passing.

READ A FIRST TIME THIS 8TH DAY OF OCTOBER, A.D. 2002
READ A SECOND TIME THIS 8TH DAY OF OCTOBER, A.D. 2002
READ A THIRD TIME AND FINALLY PASSED THIS 8TH DAY OF OCTOBER, A.D. 2002

MAYOR

ADMINISTRATOR