

CITY OF PRINCE GEORGE

BYLAW NO. 3456

A By-Law of the City of Prince George to regulate the discharging of Firearms within the limits of the City of Prince George.

WHEREAS the Municipal Council of the City of Prince George, in open meeting assembled, enacts as follows:

1. Definitions:

(a) "Peace Officer" includes:

- (i) a member of the Royal Canadian Mounted Police;
- (ii) a Conservation Officer under the Wildlife Act, or the Fisheries Act;
- (iii) a By-Law Enforcement Officer of the City of Prince George;
- (iv) an employee of the Corrections Branch of the Department of the Attorney-General, while carrying out his duties under the corrections Act or regulations thereto;
- (v) an Animal Control Officer;
- (vi) a Sheriff and Deputy Sheriff;
- (vii) any Provincial Constable or Special Provincial Constable as defined in the Police Act, S.B.C. 1974, Chapter 64 and amendments thereto.

(b) "Authorized Person" includes:

- (i) a member of the Canadian Armed Forces, acting in a military capacity;
- (ii) the holder of a permit for discharge of a firearm, issued by the Council of the City of Prince George in accordance, with the provisions hereinafter set forth;
- (iii) a person operating a trapline, and licensed in accordance with the provisions of the Wildlife Act, while acting solely in furtherance of the operations of such trapline;
- (iv) an employee of the Ministry of Transport while engaged in pest control on property of the Ministry of Transport;
- (v) a member in good standing of a rod and gun club, incorporated under the Societies Act, discharging a firearm in practice or in competition, on a rifle,

shotgun, or pistol range operated by the said rod *and* gun club, provided that such discharge of a firearm is in compliance with, the rules, regulations and By-Laws of the said, rod and gun club;

- (vi) a person employed as a security officer or guard with an armoured car delivery service while on duty, acting in an official capacity;
- (vii) a person acting under the authority of and in full compliance with a federal or provincial statute in circumstances requiring prompt and urgent action.

(c) "Firearm" includes:

any barreled weapon from which any shot, bullet, or other missile can be discharged, and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm, and shall include any gun using as a propellant, explosives, compressed air or gas.

(d) "Park" shall be defined as in the City of Prince George Parks By-Law and amendments thereto.

(e) "Highways" shall be defined as in the City of Prince George Highways By-Law and amendments thereto.

(f) "Shotgun" shall be defined so as to include any barreled weapon from which any shot or other missile can be discharged and which is capable of causing bodily injury or death to a person.

(g) "Educational Body" shall be defined so as to include all publicly and privately administered and all publicly and privately financed educational bodies providing education to the residents of the City of Prince George, and without limiting the generality of the foregoing, includes:

- (i) School District No. 57;
- (ii) College of New Caledonia;
- (iii) Prince George College.

2. (a) No person, except a peace officer or authorized person, shall permit or cause the discharge of a firearm in the City of Prince George.

(b) Nothing in this By-Law shall be so construed as to prohibit the use of a starting pistol by a person officiating as a starter at:

- (i) a sporting or athletic event sponsored by and under the supervision of an educational body, or,
- (ii) a commercial sporting or athletic event otherwise in full compliance with all the By-Laws of the City of Prince George;

- (c) Nothing in this By-Law shall be so construed as to prohibit the use of or to require a permit for the discharge of a "BB" or pellet gun of caliber .177 or .22 in a Rural Zone where the size of the lot exceeds 2 hectares, provided that the use of said firearm is for recreational purposes and is in compliance with other federal and provincial regulations and not in violation of other By-Laws of the City of Prince George.
 - (d) Nothing in this By-Law shall be so construed as to prohibit the use of or require a permit for industrial equipment using an explosive charge provided such industrial equipment is operated in accordance with provincial and federal statutes related to the operation of said devices and provided there is adherence to other By-Laws of the City.
 - (e) Nothing in this By-Law shall prohibit any person over sixteen (16) years of age from discharging a shotgun, subject to the following:
 - 1. Said shot gun shall not be discharged within 200 meters of any highway open to the Public, or park lands;
 - 2. Said discharge of a shotgun shall be limited to shot not larger than CSA #4;
 - 3. Said discharge shall be in accordance with the appropriate Federal and Provincial Statutes.
3. The Council of the City of Prince George may, upon application, issue a permit to any person or persons for the purpose of discharging a firearm or firearms, and such permit, if issued:
- (a) shall
 - (i) specify the exact location, date and time where the firearm may be discharged;
 - (ii) specify the type of firearm to be discharged;
 - (iii) specify who may discharge the firearm;
 - (iv) be signed on behalf of the City of Prince George by the City Manager, or the City Clerk, or the Chief By-Law Enforcement Officer, and
 - (b) may require that a peace officer or a designated employee of the City of Prince George must be present when the firearm is to be discharged.
4. Enforcement:
- (a) A peace officer who believes upon reasonable and probable grounds that a person has discharged a firearm in violation of this By-Law, may seize the said firearm and may retain the said firearm or cause the said firearm to be retained in a safe and otherwise suitable location for the purpose of preserving the said firearm as evidence to be used in a prosecution under this By-Law;
 - (b) If a firearm is seized in accordance with the provisions of this By-Law and no

prosecution with respect to the incident giving rise to the seizure has been commenced within the period limited therefore by the Summary Convictions Act, the owner thereof shall upon application to the Manager of the City of Prince George be entitled to the return of the said firearm forthwith;

- (c) Where any person is convicted of discharging a firearm in violation of this By-Law, and the said firearm is produced in evidence or otherwise taken before the Court, the Court may declare the said firearm confiscated and may order the sale, destruction or other disposition thereof;
- (d) Where a firearm has been seized in accordance with the provisions of this By-Law, and the person charged with a violation of this By-Law is acquitted or discharged, or no steps are taken in the prosecution of the said violation for a period exceeding six (6) months, the owner thereof shall upon application to the Manager of the City of Prince George be entitled to the return of the said firearm forthwith.

- 5. Any person who violates any provision of this By-Law shall be guilty of an offence punishable upon conviction to the fine or penalty not exceeding \$500.00 for each offence; in default of payment thereof forthwith or within, such time as the Court shall direct, the final penalty imposed shall be recoverable in accordance with the provisions of the Municipal Act, R.S.B.C. 1960, Chapter 255 and amendments thereto.
- 6. This By-Law may be cited as the "Prince George Firearms By-Law No. 3456, 1979".
- 7. Firearms, Firecrackers and Fireworks Control By-Law No. 2258, 1970 is hereby repealed.

READ A FIRST TIME THIS THE 18TH DAY OF JUNE , 1979.
 READ A SECOND TIME THIS THE 18TH DAY OF JUNE , 1979.
 READ A THIRD TIME THIS THE 18TH DAY OF JUNE , 1979.

ALL THREE READINGS PASSED BY A MAJORITY DECISION OF MEMBERS OF THE CITY COUNCIL.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS THE 25TH DAY OF JUNE, 1979, BY A MAJORITY DECISION OF MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

E. Mercier
MAYOR

G.W. Buchanan
CLERK