



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: FIREARM BYLAW

BYLAW #: # CS-18

BE IT ENACTED by the Council of the City of Summerside as follows:

1. Title

1.1. This Bylaw shall be known and cited as the "Firearm Bylaw".

2. Definitions

2.1. In this Bylaw:

- (a) "City" means the City of Summerside;
- (b) "Council" means the Mayor and other members of the Council of the municipality;
- (c) "Firearm" means a rifle, shotgun, air rifle, air pistol, revolver, pistol or other mechanical device capable of firing a loaded shell, cartridge or projectile; and
- (d) "Hunting" means any chasing, pursuing, worrying, following after or on the trail of, or any searching for, shooting at, stalking, lying in wait for, any wildlife, whether or not the wildlife is then or subsequently captured, killed, or injured.

3. Firearm Discharge Prohibited

- 3.1. Except as otherwise provided for in the bylaw, no person shall discharge a firearm within the City.
- 3.2. Notwithstanding the provisions of the *Wildlife Conservation Act*, RSPEI 1988, c W-4.1, no person shall discharge a firearm within three hundred meters of any dwelling, school, church, meeting place, farm building, park, trail or any Zone other than Agricultural Reserve.

4. Hunting Zones

- 4.1. Notwithstanding section 3, property owners of land zoned Agricultural Reserve may apply to the City's Police Services to have that property designated as a "hunting zone" wherein a

firearm may be discharged for the purposes of hunting. Police Services may approve or deny the application after considering this bylaw and amendments hereto, the applicant's past compliance therewith, the safety of the public, and other factor as deemed appropriate.

- (a) Except where specifically provided otherwise in this bylaw, the provisions of the *Wildlife Conservation Act*, RSPEI 1988, c W-4.1, shall apply to any designated hunting zone;
- (b) The amount of the application fee for the designation of a property as a hunting zone may be altered from time to time by simple resolution and shall be set out in Schedule "A" to this bylaw;
- (c) The approval shall be valid for one year from the date of approval;
- (d) The approval is not transferable; and
- (e) An updated list of all designated hunting zones in the City shall be maintained in Schedule "A" to this bylaw.

5. Appeal

- 5.1. Any person who is aggrieved by a decision issued by Police Services pursuant to this bylaw may, within 20 days of the decision, appeal the decision to City Council who shall hear the reasons of all parties involved and who shall issue a decision not contrary to the provisions of this bylaw. Council's decision shall be final and binding.

6. Exemptions

- 6.1. The provisions of this bylaw and regulations made hereunder do not apply to:
- (a) A peace officer discharging a firearm in the course of duty;
 - (b) A game officer discharging a firearm in the course of duty;
 - (c) A person discharging a flare in the case of an emergency; and/or
 - (d) A person destroying a farm animal on a bona fide farm.

7. Resolutions

- 7.1. Council may, by simple resolution, determine such other matters as it considers necessary for the better administration of this bylaw.
- 7.2. Matters determined pursuant to subsection 7.1 shall be set out in Schedule "A" of this bylaw.

8. Offences

- 8.1.** Any person who violates any provision of this bylaw shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding \$500.00 and not less than \$100.00.

9. Repeal of Existing Bylaw

- 9.1.** Bylaw Number SS-17, the Summerside Firearm Bylaw which was adopted on August 16, 1999, is hereby repealed.

10. Effective Date

- 10.1.** The effective date of this Bylaw is November 18th, 2019.

First Reading:

This Bylaw, Bylaw# CS-18, was read a first time at the Council meeting held on the 22nd day of October, 2019.

This Bylaw, Bylaw# CS-18, was approved by a majority of Council members present at the Council meeting held on the 22nd day of October, 2019.

Second Reading:

This Bylaw, Bylaw# CS-18, was read a second time at the Council meeting held on the 18th day of November, 2019.

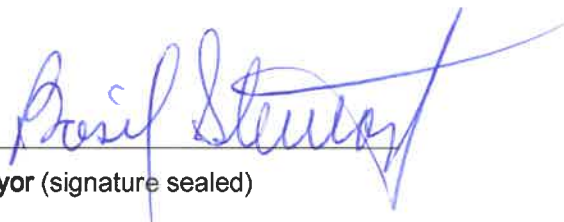
This Bylaw, Bylaw# CS-18, was approved by a majority of Council members present at the Council meeting held on the 18th day of November, 2019.

Approval and Adoption by Council:

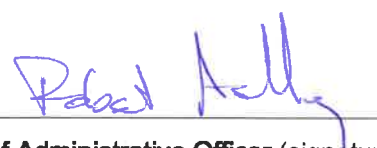
This Bylaw, Bylaw# CS-18, was adopted by a majority of Council members present at the Council meeting held on the 18th day of November, 2019.

This Bylaw is declared to be passed on the 18th day of November, 2019.

Signatures



Mayor (signature sealed)



Chief Administrative Officer (signature sealed)

This Bylaw adopted by the Council of the City of Summerside on the 18th day of November, 2019 is certified to be a true copy.



Chief Administrative Officer Signature



Date



CORPORATION OF THE CITY OF SUMMERSIDE

SCHEDULE: SCHEDULE "A"

BYLAW NAME: FIREARM

BYLAW #: # CS-18

1. Application Fees

- 1.1. The application fee for the designation of a property as a hunting zone shall be \$0.00 per property (P.I.D. #) per year.
- 1.2. Notwithstanding section 1.1, the application fee for the designation of property as a hunting zone shall be \$0.00 per property (P.I.D. #) per year where the property is to be hunted exclusively upon by the property owner.

2. Designated Hunting Zone

- 2.1. The following Agricultural Reserve properties have been designated as a hunting zone:
 - (a) [...]