

A bylaw to provide for the control and management of the discharge of firearms

WHEREAS section 8(5) of the *Community Charter* authorizes local governments to, by bylaw, regulate and prohibit the discharge of firearms;

AND WHEREAS the Mayor and Council of the Village of Harrison Hot Springs has deemed it advisable to regulate the discharge of firearms,

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

1. CITATION

This bylaw may be cited as the Village of Harrison Hot Springs “Discharge of Firearms Bylaw No.1207, 2024”.

2. DEFINITIONS

For the purposes of this bylaw:

“Bylaw Enforcement Officer” means a person appointed from time to time by the Council of the Village for the purpose of enforcing and carrying out provisions of this Bylaw, and shall include any designate so appointed

“Conservation Officer” means an individual appointed under the *Environmental Act* (SBC 2003, Chapter 53) acting in the course of their duties

“Firearm” means a rifle, shotgun, handgun, air gun, spring gun or any device that propels a projectile by means of explosion, compressed gas/air or spring

“Peace Officer” means an officer appointed under the *Police Act* (RSBC 1996, Chapter 367) or the *Royal Canadian Mounted Police Act* (RSC, 1985, c. R-10) acting in the course of their duties

“Village” means the Village of Harrison Hot Springs

3. PROHIBITION

- (a) No person shall discharge a Firearm in any area located within the boundaries of the Village of Harrison Hot Springs as outlined by the bold, black line on Schedule A of this Bylaw.

- (b) No person shall discharge a Firearm in such a way that the projectile goes into, over or through any area within the boundaries of the Village.

4. EXCEPTIONS

The provisions of this Bylaw do not apply to a Peace Officer or Conservation Officer who discharges a Firearm in the lawful performance of their duties.

5. ENFORCEMENT

- (a) This Bylaw may be enforced by a Bylaw Enforcement Officer or a Peace Officer.
- (b) No person shall interfere with, obstruct, or impede a Bylaw Enforcement Officer carrying out his or her duties in accordance with this Bylaw.

6. OFFENCE AND PENALTY

- (a) Every person who contravenes or violates any of the provisions of this Bylaw, who suffers or permits any act to be done in violation of this Bylaw, or who fails or neglects to do anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is liable to the penalties hereby imposed.
- (b) Each day that the offence continues shall constitute a separate offence.
- (c) Every person who commits an offence against this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding the maximum set out in the *Offence Act* (RSBC 1996, Chapter 338) as amended from time to time.

7. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this bylaw is, for any reason, held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this bylaw.

8. REPEAL

The Village of Harrison Hot Springs Bylaw No. 120, 1958 is hereby repealed in its entirety.

READINGS AND ADOPTION

READ A FIRST TIME THIS 6th DAY OF MAY, 2024

READ A FIRST TIME THIS 6th DAY OF MAY, 2024

READ A FIRST TIME THIS 6th DAY OF MAY, 2024

ADOPTED THIS 27th DAY OF MAY, 2024



Mayor



Corporate Officer

SCHEDULE A

