

**TOWN OF INUVIK
BY-LAW #2636/PS/19**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE NORTHWEST TERRITORIES TO REGULATE OR PROHIBIT THE DISCHARGE OF FIREARMS WITHIN THE MUNICIPAL BOUNDARIES

PURSUANT TO the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c. as amended;

WHEREAS Council has been granted the power to make by-laws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS it is the Council of the Municipal Corporation of the Town of Inuvik in the Northwest Territories deems it proper to introduce a by-law restricting and regulating activities involving firearms within municipal boundaries;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipal Corporation of the Town of Inuvik, in Council duly assembled hereby enacts as follows:

1.0 SHORT TITLE

1. This by-law may be cited as the "Firearms By-law".

2.0 INTERPRETATION

2.1 In this by-law, unless the context requires otherwise:

- 1) "Airport Personnel" means the Inuvik Airport Manager, Airfield Maintenance Specialist or other personnel responsible for enforcing a kill permit or scare permit at the Inuvik Airport.
- 2) "Bow" means a device composed of curved wood or other material, whose ends are joined by a taught string, and is designed to fire an arrow or other projectile by drawing and releasing the string.
- 3) "Cross-bow" means a device with a bow and bowstring mounted on a stock that is designed to propel an arrow, a bolt, a quarrel or any similar projectile on a trajectory guided by a barrel or groove.
- 4) "Council" means the Council of the Municipal Corporation of the Town of Inuvik.
- 5) "Firearm" has the same meaning as in section 2 of the *Criminal Code of Canada*, RSC 1985, c C-46, as amended from time to time, but does not include:
 - i) a Firearm which is not designated or capable of propelling a projectile, such as a movie prop or toy Firearm; or
 - ii) a Firearm which uses air to propel a projectile which does not exceed 500 feet per second.
- 6) "Peace Officer" means:
 - i) a member of the Royal Canadian Mounted Police;
 - ii) a By-law Enforcement Officer; or
 - iii) a Peace Officer appointed under the *Wildlife Act*.
- 7) "Person" has the meaning given to it in the *Interpretation Act*.
- 8) "Property" means a parcel of land and any building, structure, or improvement located on such land, as the context of this by-law so requires.
- 9) "*Summary Conviction Procedures Act*" means the *Summary Conviction Procedures Act*, R.S.N.T. 1988, c.S-15, as amended.
- 10) "Ticket" has the meaning given to it in the *Summary Conviction Procedures Act*.

- 11) **“Weapon”** means a Firearm, Bow, Cross-Bow, or any other device that propels a projectile by means of an explosion, spring, air, gas, string, wire, or elastic material or any combination of those things.
- 12) **“Zoning By-law”** means the Town of Inuvik Zoning By-law as amended.
- 2.2 Save as herein otherwise provided, the terms and expressions in this by-law have the same meaning as in the Interpretation Act, the Motor Vehicles Act, the *All-Terrain Vehicles Act* and the *Cities, Towns and Villages Act* respectively.

3.0 GENERAL PROHIBITIONS

- 3.1 No person shall discharge or use a weapon on property located within the Town of Inuvik Municipal Boundary, as illustrated in Schedule B of this by-law.

4.0 EXEMPTIONS

- 4.1 Section 3 shall not apply to:

- i) any Peace Officer while they are engaged in the lawful execution of their duties; or
- ii) any person who uses or discharges a weapon at a shooting range, gun club or similar facility designed and operated for such use in accordance with the Town of Inuvik Zoning By-law as amended; and
- iii) any airport personnel authorized to enforce a scare permit or kill permit issued by the Federal and/or Territorial Government.

5.0 OFFENCES

- 5.1 A Person who violates any provision of this by-law is guilty of an offence and is liable, upon conviction, to a specified penalty as set out in Schedule A of this by-law. If there is no specified penalty listed in Schedule A for a particular offence, the penalty shall be \$1,000.00.
- 5.2 Where there is a minimum penalty listed for an offence in Schedule A of this by-law, that amount shall be the minimum penalty for that offence.
- 5.3 Notwithstanding section 5.1, a person who commits the same offence under this by-law a second time within a twelve (12) month period of committing the first offence shall, on conviction, be liable to a penalty double the specified penalty for that offence.
- 5.4 Notwithstanding section 5.1, a person who commits the same offence under this by-law a third or subsequent time within a twelve (12) month period of committing the first offence shall, on conviction, be liable to a penalty triple the specified penalty for that offence to a maximum of two thousand dollars (\$2,000.00).

6.0 ENFORCEMENT

- 6.1 Where a Peace Officer has reasonable grounds to believe that a person has violated any provision of this by-law, the Peace Officer may commence court proceedings against such person by:
- i) issuing the person a Violation Ticket pursuant to the provisions of the *Summary Conviction Procedures Act*; or
 - ii) swearing an information and complaint against the person.
- 6.2 Where a Peace Officer issues a person a ticket in accordance with section 9 of this by-law, the Peace Officer may either:
- i) allow the person to pay the specified penalty established in Schedule A for the offence by including the penalty in the Ticket; or

- ii) require a court appearance of the person where the Peace Officer believes that it is in the public interest, pursuant to the *Summary Conviction Procedures Act*.

7.0 OBSTRUCTION

- 7.1 No Person shall obstruct, hinder, or impede a Peace Officer in the exercise of any of their powers or duties under this by-law or make frivolous, malicious, or vexatious complaints pursuant to the by-law.

8.0 SEVERABILITY

- 8.1 If any provision or part of this by-law law is declared by court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the by-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

9.0 CONFLICT WITH ANY OTHER BY-LAW

- 9.1 In the event of any conflict between any provisions of this by-law and any other by-law heretofore passed, the provisions of this by-law shall prevail.

10.0 REPEALS

- 10.1 By-laws 70-58, 625, 643, 655 and any previous firearms by-laws in effect are hereby repealed.

11.0 EFFECT

- 11.1 This by-law shall come into effect upon the day of its final passage.

READ A FIRST TIME THIS 10TH DAY OF APRIL, 2019 A.D.

READ A SECOND TIME THIS 10TH DAY OF APRIL, 2019 A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF APRIL, 2019 A.D.


MAYOR


SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Town of Inuvik.


SENIOR ADMINISTRATIVE OFFICER

SCHEDULE A

SPECIFIED PENALTIES
(Court Designation Schedule)

SECTION	OFFENCE	SPECIFIED PENALTY	MINIMUM PENALTY
3.1 (i)	Use Weapon Where Prohibited	\$1,000.00	\$250.00
5.3	Second offence within 12 months of committing first offence	Double Specified Penalty	Double Minimum Penalty
5.4	Third offence within 12 months of committing second offence	Triple Specified Penalty	Triple Minimum Penalty
7.1	Obstruction	\$500.00	\$250.00

SCHEDULE B

TOWN OF INUVIK MUNICIPAL BOUNDARY MAP

