

RESORT VILLAGE OF MELVILLE BEACH

BYLAW NO. 02-2020

A BYLAW OF THE RESORT VILLAGE OF MELVILLE BEACH IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE CONTROL AND REGULATION OF FIREARMS.

The Council of the Resort Village of Melville Beach in the Province of Saskatchewan enacts as follows:

1. Title

This Bylaw may be cited as the Firearms Bylaw.

2. Purpose

To establish a provision for Nuisance Wildlife Officers to control pests and other animals with the use of a firearm in order to protect, preserve and perpetuate the health, beauty and safety of the Resort Village of Melville Beach for the enjoyment of its citizens.

3. Definitions

In this Bylaw:

3.1 “Resort Village” means the Resort Village of Melville Beach

3.2 “Council” means the Council of the Resort Village of Melville Beach

3.3 “Administrator” means the Administrator for the Resort Village of Melville Beach or any person authorized to act on their behalf.

3.4 “Firearm” means a firearm as defined by *The Criminal Code of Canada*.

3.5 “Officer” means a member of the Royal Canadian Mounted Police or Bylaw Enforcement Officer appointed pursuant to Section 373 of *The Municipalities Act*.

3.6 “Owner” means the owner of property of the person in charge or legal control of the property.

3.7 “Person” means any individual, firm, company or partnership.

3.8 “Nuisance Wildlife Control Officer” means any person appointed by the Council to trap, hunt and dispose of any pest animals.

4. Regulations

4.1 No person shall discharge any firearm within the Resort Village, except as provided elsewhere in this Bylaw.

- 4.2 No person shall discharge any firearm in such a manner so that the projectile crosses the boundaries of the Resort Village.
- 4.3 This Bylaw does not apply to peace officers as defined by The Criminal Code of Canada.

5.0 Nuisance Wildlife Control

- 5.1 The Council may appoint a Nuisance Wildlife Control Officer to trap, hunt and dispose of animals; and remove or destroy the den, house, nest, dam or usual place of habitation of any wildlife pursuant to subsections 5.3, 5.4, 5.5, and 5.6 of this Bylaw.
- 5.2 The appointment shall commence upon:
- 5.2.1 Receipt of the requirements in subsection 5.3 of this Bylaw; and
 - 5.2.2 The Resort Village receiving a Nuisance Wildlife Control Permit from Saskatchewan Ministry of Environment for wildlife not listed under Section 4(1) (e) to (l) of *The Wildlife Regulations, 1981*.
- 5.3 A Nuisance Wildlife Control Officer shall provide the Resort Village with:
- 5.3.1 a criminal record check from the Royal Canadian Mounted Police; and
 - 5.3.2 a copy of their current Firearms License (Possession Acquisition);
- 5.4 Pursuant to clause 6(2)(a) of *The Wildlife Regulations, 1981*, a Nuisance Wildlife Control Officer may capture or kill any wildlife that is wounded, diseased, a danger to the public or a public nuisance.
- 5.5 Pursuant to clause 6(2)(b) of *The Wildlife Regulations, 1981*, a Nuisance Wildlife Control Officer may remove or destroy the den, house, nest, dam or usual place of habitation of any wildlife that is causing or likely to cause damage to property.
- 5.6 Pursuant to clause 13(3) of *The Wildlife Regulations, 1981*, a Nuisance Wildlife Control Officer may hunt those animals listed in clauses 4(1)(e) to (l) of *The Wildlife Regulations, 1981* within 500 (five hundred) metres of any building, stockade or corral within the Resort Village without the consent of the owner.
- 5.7 Pursuant to clause 13(3.1) of *The Wildlife Regulations, 1981*, a Nuisance Wildlife Control Officer may hunt animals other than those listed in clauses 4(1)(e) to (l) of *The Wildlife Regulations, 1981* within 500(five hundred) metres of any building, stockade or corral within the Resort Village without any consent of the owner.

6.0 Voluntary Penalty

- 6.1 Where an officer believes that a person has contravened any provision of this Bylaw, the officer may issue a Bylaw Violation Notice for not less than \$100.00 nor more than \$500.00
- 6.2 Service of a Bylaw Violation Notice shall be by regular mail or by leaving at the person's last know address and such service shall be adequate for the purpose of this Bylaw.
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6.3 A Bylaw Violation Notice shall be in such form as determined by the Resort Village and shall state the section and the amount which will be accepted by the Resort Village in lieu of prosecution.

6.4 Upon payment of a Bylaw Violation Notice within fifteen (15) days from issuance, the person to whom the Notice was issued shall not be liable for prosecution for the contravention in respect to which the Notice was issued.

6.5 Notwithstanding the provisions of this section, a person whom a Bylaw Violation Notice has been issued pursuant to this section may exercise their right to defend any charge of committing a contravention of any provisions of this Bylaw.

7.0 Offences and Penalties

7.1 A person who violates any provision of this Bylaw or fails to comply therewith is guilty of an offence and shall be liable on summary conviction to a penalty not less than \$500.00 and not more than \$1,000.00.

7.2 Where damage is done to property by an unlawful act under this Bylaw, the presiding Judge shall adjudge payment of all damages occasioned by the unlawful act and the same shall be applied for the repair and reconstruction of the property damaged or destroyed.

8.0 Effective Date

8.1 This Bylaw shall come into force and take effect when adopted by Council.

INTRODUCED AND READ a first time this Day of , 2020.

READ A SECOND TIME this Day of , 2020.

READ A THIRD TIME AND PASSED this Day of , 2020.

[SEAL]

Mayor

Administrator

Read a third time and adopted
this ____ day of _____

Administrator