



DISTRICT OF SOOKE FIREARMS AND BOW USE BYLAW No. 659

A bylaw to regulate the discharge of firearms and bows within the municipal boundary.

WHEREAS the Community Charter provides that Council may, by bylaw, regulate and prohibit the discharge for firearms and bows within the municipality;

NOW THEREFORE the Council of the District of Sooke in open meeting assembled enacts as follows:

1. CITATION

This bylaw may be cited as “**Firearms and Bow Use Bylaw**” No. 659, 2016.”

2. DEFINITIONS

In this bylaw, the following words have the following meaning;

BOW means a long bow, cross bow, re-curve bow and compound bow.

CONSERVATION OFFICER means a Conservation Officer as defined in the [Wildlife Act](#) of British Columbia, as amended from time to time.

CROSS BOW means a box fixed across a stalk with a groove for the arrow or bolt and a mechanism for holding and releasing the string.

ENFORCEMENT OFFICER means a person employed by the District of Sooke as a Bylaw Enforcement Officer.

FISHERIES ENFORCEMENT OFFICER means a person employed by the Department of Fisheries and Oceans as an Enforcement Officer.

FARMER means the owner or operator of a farm business, as defined in the [Farm Practices Protection \(Right to Farm\) Act](#) of British Columbia, as amended from time to time.

FARM OPERATION is as defined in the [Farm Practices Protection \(Right to Farm\) Act](#) of British Columbia, as amended from time to time.

FIREARM means, a rifle, pistol, shotgun, handgun or spring gun, and any device that propels a projectile by means of an explosion, compressed gas or spring, but does not include weapons used for the discharge of blank ammunition in connection with an athletic or sporting event.

HIGHWAY means a highway as defined in the [Community Charter](#) of British Columbia, as amended from time to time.

PEACE OFFICER means an Officer under the *Police Act* of British Columbia, as amended from time to time.

3. PROHIBITION

3.1 No person shall discharge any **Firearm, Bow or Crossbow** within the District of Sooke.

4. EXEMPTIONS

4.1 The provisions of Part 3 of this bylaw shall not apply to:

- a) Any **Peace Officer, Conservation Officer, Fisheries Enforcement Officer** or member of the Armed Forces of Canada lawfully engaged in the execution of their duty.
 - b) Any person who is the holder of a valid Crop Protection Permit or holder of a federal Migratory Game Bird Hunting Permit issued by the Canadian Wildlife Service for:
 - i. the discharge of a shotgun only, not using a single projectile, for a land owner or person acting on his/her authority on land over two (2) hectares in size for the protection of such land from animals or birds; or
 - ii. the discharge of a rifle using a single projectile, for a Farmer or person acting on his/her authority, for the protection of crops, livestock or domestic animals (as defined in the *Wildlife Act*), which are grown or kept on land used for a **Farm Operation**, providing the **Farmer** or person acting on his/her authority, can show the necessity for the use of the said rifle.
 - c) Any person using a non-lethal, low velocity (less than 500 feet per second or less than 5.7 joules) BB gun, pellet gun or non-replica soft air gun on their own property.
 - d) Any person who is practicing for recreational purposes, the use of a Bow or Crossbow with arrows having a practice tip, on their own property or with the permission of the property owner.
- 4.2 No person permitted to discharge a Firearm, Bow or Crossbow pursuant to subsection 4.1(b), (c) or (d) of this Bylaw shall do so either:
- a) across, along or on a **Highway**; or
 - b) within 150m of any school building, school yard, public park, playground, church, workshop, place of business, dwelling house, **Farm Operation** building, or other place where persons may be assembled or engaged in work of any kind, except as specifically authorized by the permit.

5. SEVERABILITY

- 5.1 Each section of this bylaw shall be severable. If any provision of this bylaw is held to be illegal or invalid by a Court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of this bylaw.

6. PENALTIES

- 6.1 A person who contravenes, violates or fails to comply with any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this bylaw, or who fails to do anything required by this bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$10,000.00 and not less than \$500.00, the cost of prosecution and any other penalty or order imposed by a Court of competent jurisdiction pursuant to the *Community Charter* of British Columbia, as amended from time to time, or the *Offence Act* of British Columbia, as amended from time to time. Each day that an offence against this bylaw continues or exists shall be deemed to be a separate and distinct offence.

7. GENERAL

- 7.1 Nothing contained in, nor permitted pursuant to, this Bylaw shall abrogate or relieve any obligation of any person pursuant to, nor any provision of, any applicable provincial or federal act or regulation with regard to the discharge of **Firearms**.

8. REPEAL

- 8.1 District of Sooke Firearms Regulation Bylaw, 2001, is hereby repealed.

Read a FIRST time the 12th day of December, 2016.

Read a SECOND time the 12th day of December, 2016.

Read a THIRD time the 12th day of December, 2016.

ADOPTED on the ____ day of January, 2017.

Certified Correct:

Maja Tait
Mayor

Gabryel Joseph
Corporate Officer