**TOWN OF STONEWALL**
**BY-LAW NO. 07-23**

Being a By-Law of the Town of Stonewall to provide for the regulation and control of Firearms within the Town of Stonewall.

**WHEREAS** subsection 232(1) of *The Municipal Act* provides as follows:

> 232(1) A council may pass by-laws for municipal purposes respecting the following matters:
>
> (j) the sale and use of firecrackers and other fireworks, the use of rifles, guns, and other firearms, and the use of bows and arrows and other devices;

**AND WHEREAS** subsection 232(2) of *The Municipal Act* provides as follows:

> 232(2) Without limiting the generality of subsection (1), a council may in a by-laws passed under this Division:
>
> (a) regulate or prohibit;

**AND WHEREAS** the Town of Stonewall deems it necessary to regulate and control the discharge of firearms and the use of other weapons and devices within the Town and the enforcement of this By-Law in respect thereof;

**NOW THEREFORE BE IT HEREBY ENACTED** as a By-Law of the Town of Stonewall, in Council duly assembled, as follows:

1. **THAT** in this By-Law the following terms shall have the following meaning:

   a. **"Authorized Personnel"** shall mean By-Law Enforcement Officer for the Town, Conservation Officers, Royal Canadian Mounted Police Officers or other persons who receive authorization from the Municipality.

   b. **"By-Law Enforcement Officer"** shall mean the person appointed and authorized by the Town to enforce the provisions of all By-Laws of the Town and includes any person acting as an assistant to or under the direction of the By-Law Enforcement Officer authorized by Council.

   c. **"Centre Fire Rifle(s)"**, as the case may be, shall mean a high powered rifle or any firearm which propels a single projectile from a centre fire cartridge but excludes a shotgun and/or muzzle loader.

   d. **"Council"** shall mean the Council of the Town of Stonewall.

   e. **"Firearm(s)",** as the case may be, shall mean any device that fires projectiles by means of explosive, compressed air or springs and, without limiting the generality of the foregoing, includes a rifle, shotgun, pistol, revolver, air gun with a muzzle velocity exceeding 152.4 meters per second, crossbow, bow, and muzzle loaders, but does not include a toy.

2. **THAT** unless otherwise provided by law, no person shall discharge or fire any centre fire rifle, firearm, or other device designed to propel projectiles by compress air or gas within the boundaries of the Town of Stonewall.

3. **THAT** no hunting whatsoever be allowed on Town property.

4. **THAT** any person who has a loaded centre fire rifle and/or firearm, who fires or otherwise discharges or uses any centre fire rifle or firearm contrary to the provisions of this By-Law is guilty of an offence under this By-Law.

5. **THAT** the provisions of this By-Law relating to firearm(s) does not apply to authorized personnel in the performance of their duties.

6. **THAT** the Town of Stonewall may authorize the discharge of firearms for the emergency control of problem/nuisance wildlife.

7. **THAT** all persons are required to abide by the Wildlife Act, C.C.S.M. W130 and all associated Regulations and Amendments.

8. **THAT** any authorized personnel may seize any applicable centre fire rifle(s) and/or firearm(s) that is loaded within the Town of Stonewall contrary to this By-Law.

9. **THAT** any authorized personnel may seize any applicable centre fire rifle(s) and/or firearm(s) that he/she, on reasonable grounds, believes has been used in the commission of an offence under this By-Law.

10. **THAT** any person who contravenes, or refuses, omits or fails to obey or observe any provision of this By-Law shall be issued a Penalty Notice and such person may voluntarily dispose of the matter by attending the Town Office during regular office hours within thirty (30) days of the date of the Penalty Notice and pay the fine as set out in the Penalty Notice which fine shall be a fine of FIVE HUNDRED DOLLARS ($500.00).

11. **THAT** anyone convicted of an offence pursuant to the provisions of this By-Law with respect to Centre Fire Rifle(s) and/or Firearm(s) shall, in addition to a fine as set out above, be liable to have the Centre Fire Rifle(s) and/or Firearm(s) involved in the offence confiscated and disposed of by authorized personnel.

**DONE AND PASSED** as a By-Law of the Town by the Council of the Town of Stonewall, in Council duly assembled in the Town Hall this 20th day of September, A.D., 2023.

**MAYOR**

**CHIEF ADMINISTRATIVE OFFICER**

Read a first time this 6th day of September, A.D., 2023.

Read a second time this 20th day of September, A.D., 2023.

Read a third time this 20th day of September, A.D., 2023.