

DISTRICT OF UCLUELET

BYLAW NO. 1046, 2007

A bylaw to regulate hunting and trapping and the discharge of weapons within the District of Ucluelet.

WHEREAS the Council of the District of Ucluelet, pursuant to the provisions of the Community Charter, is empowered and authorized to regulate the discharge of firearms and weaponry considered dangerous to residents of the municipality;

AND WHEREAS the Council of the District of Ucluelet is empowered and authorized to regulate hunting and trapping within the District of Ucluelet;

AND WHEREAS the Council of the District of Ucluelet wishes to enact a bylaw for the protection of public safety and the protection of wildlife in the municipality;

NOW THEREFORE the Council of the District of Ucluelet, in open meeting assembled, enacts as follows;

1. DEFINITIONS

"Bow" means a longbow or crossbow.

"Conservation Officer" means a Conservation Officer as defined in section 1(1) of the Environmental Management Act.

"Crossbow" means a bow fixed across a stick with a groove for the arrow or bolt and a mechanism for holding and releasing the string.

"Firearm" includes a rifle, shotgun, handgun and any device that ejects or propels a projectile by means of an explosion, but does not include an airgun or pellet gun, or a firearm used for the discharge of blank ammunition in connection with an athletic or sporting event.

"Longbow" includes a longbow, recurve bow and compound bow.

"Hunt" means to attract, search for, chase, pursue, follow after or on the trail of, stalk or lie in wait for, wildlife with the intention of harming, maiming or killing.

"Spring Gun" means a gun of any kind assembled to discharge upon the trigger mechanism being activated by a person or animal coming in contact with a wire or other device which is in turn connected to the gun.

"Trap" means to set or place a trap in an operative condition.

"Wildlife" all native and non-native species of animals in the province excluding invertebrates and fish.

2. DISCHARGE OF WEAPONS REGULATIONS

- 1) No person shall discharge any firearm or bow within the District of Ucluelet except as herein provided:
 - a) An RCMP Officer, Conservation Officer, Bylaw Enforcement Officer, Animal Control Officer or member of the Armed Forces of Canada, lawfully engaged in the execution of his/her duty.
 - b) Any person who is engaged in the discharge of blank cartridges for the purpose of training dogs.
 - c) Any person carrying on a pest control business or employed by a pest control business, engaged in the removal of an animal from a building.
 - d) Any person who is practicing the use of a bow on their property with arrows having a practice tip must be in a secure area.
 - e) Any person discharging a distress flare in the case of an emergency.
 - f) Any person or organization conducting a public fireworks display provided that the District of Ucluelet has issued a valid fireworks permit.
 - g) Any person holding a valid permit to discharge a weapon issued by the Chief Administration Officer of the District of Ucluelet.
- 2) No person shall discharge an air gun or pellet gun in any municipal park or within 100 metres of a municipal park, trail or walkway, school, highway or road, a place of business, or any other place at or in which persons are assembled.
- 3) No person shall set or discharge a spring gun anywhere in the District of Ucluelet.

3. PERMIT TO DISCHARGE WEAPONS

The District of Ucluelet Chief Administration Officer or the Officer in Charge of the Ucluelet Detachment of the Royal Canadian Mounted Police, or duly appointed designates, may issue a permit for the discharge of firearms or bows for a specific purpose which they deem permissible.

- 1) A request for authorization to discharge a firearm or bow must be made, in writing, to the District CAO or RCMP Officer in Charge, and must include:
 - a) a copy of a valid B.C. Hunting License, Possession and Acquisition License and applicable wildlife permit.
 - b) Indication of the legal description of the portion of land to be used, date(s) of event and name(s) of the group and/or individuals who will be involved.
- 2) An application for a permit to discharge weapons shall be in the form prescribed for that purpose by the District of Ucluelet Chief Administration Officer or RCMP Officer in Charge, and be accompanied by an application fee of \$50.00.
- 3) It is incumbent upon the permit holder to ensure all persons or groups named on the permit to discharge firearms are in compliance with all applicable Federal, Provincial and/or Municipal acts, statutes, regulations, and/or policies.

4. HUNTING AND TRAPPING REGULATIONS

- 1.) No person shall hunt or trap within the District of Ucluelet municipal boundaries, except as herein provided:
 - c) Any Bylaw Enforcement Officer or Conservation Officer engaged in the execution of their duty.
 - d) Any person holding a valid hunting or trapping permit issued by the Chief Administration Officer of the District of Ucluelet.

5. PERMIT TO HUNT OR TRAP

The District of Ucluelet Chief Administration Officer or duly appointed designate, may issue a permit to hunt or trap for a specific purpose which he/she deems permissible.

- 1) A request for authorization to hunt or trap must be made, in writing, to the District of Ucluelet Chief Administration Officer, and must include the following:
 - a) a copy of a valid B.C. Hunting License, Possession and Acquisition License and applicable wildlife permit.
 - b) a copy of a valid B.C. Trapping License (if applying for a permit to trap).
 - c) Indication of the legal description of that portion of land to be used, date(s) of event and name(s) of the group and/or individuals who will be involved.
- 2) An application for a permit to hunt or trap shall be in the form prescribed for that purpose by the District of Ucluelet Chief Administration Officer and be accompanied by an application fee of \$50.00.
- 3) It is incumbent upon the permit holder to ensure all persons or groups named on the permit to hunt or trap issued by the District are in compliance with all applicable Federal, Provincial and/or Municipal acts, statutes, regulations, and/or policies.

6. BYLAW ENFORCEMENT OFFICER

1. For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following;
 - b. Bylaw Enforcement Officer for the District of Ucluelet
 - c. Chief Administration Officer for the District of Ucluelet
 - d. Conservation Officer
 - e. Royal Canadian Mounted Police or auxiliary RCMP members.

7. VIOLATIONS AND PENALTIES

1. No person shall prevent or obstruct, or attempt to prevent or obstruct, the Bylaw Enforcement Officer in the enforcement of the provisions of this bylaw.
2. No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
3. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw is liable on summary

conviction to a fine of not more than two thousand dollars (\$2,000.00) and costs (including the cost of the committal and conveyance to the place of imprisonment) for each offense, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.

8. TICKETING

Tickets issued for offences against this bylaw shall be in accordance with Schedule "A", attached hereto and forming part of this Bylaw.

9. SEVERANCE

If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

10. ADMINISTRATIVE PROVISIONS

This bylaw may be cited as "Discharge of Weapons and Hunting & Trapping Regulation Bylaw No. 1046, 2007".

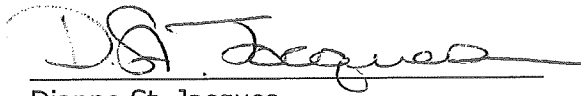
READ A FIRST TIME this 13th day of **February, 2007.**

READ A SECOND TIME this 13th day of **February, 2007.**

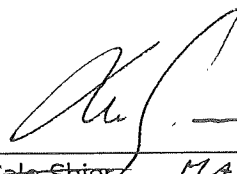
READ A THIRD TIME this 27th day of **March, 2007.**

ADOPTED this 10th day of **April, 2007.**

CERTIFIED A TRUE AND CORRECT COPY of the "Discharge of Weapons and Hunting and Trapping Regulation Bylaw No. 1046, 2007".



Dianne St. Jacques
Mayor



Gale Shier *MARTIN GEE*
DEPUTY Corporate Officer

THE CORPORATE SEAL of the District of Ucluelet was hereto Affixed in the presence of:



Gale Shier *MARTIN GEE*
DEPUTY Corporate Officer

**Discharge of Weapons and Hunting and Trapping Regulation
Bylaw No. 1046, 2007**

**Schedule "A"
Violations & Penalties**

Offence	Section	Fine – First Offence	Fine – 2 nd & Subsequent Offence
Discharge a firearm or bow within municipal boundaries	2.1	\$300.00	\$600.00
Discharge an airgun or pellet gun in contravention to bylaw	2.2	\$300.00	\$600.00
Set or discharge spring gun within municipal boundaries	2.3	\$300.00	\$600.00
Hunt or trap within municipal boundaries without municipal permit	4.1	\$300.00	\$600.00
Obstruct or attempt to obstruct a Bylaw Enforcement Officer	7.1	\$300.00	\$600.00