# **[\*Community Name\*]**

**BY-LAW NO. [\*1234\*]**

**[\*Bylaw Name\*]**

A by-law of the [insert Community Name] in the Northwest Territories regulating the transportation and discharge of firearms within the [insert Community Name]

**WHEREAS:**

1. The [insert Community Name] can regulate the transportation and discharge of firearms within the boundaries of the [insert Community Name] pursuant to sections [insert relevant authority[[1]](#footnote-2)]; and
2. The Council of [insert Community Name] deems it desirable to regulate the transportation and discharge of firearms within the municipal boundaries of [insert Community Name].

**NOW, THEREFORE, THE COUNCIL OF THE [insert Community Name]**, duly assembled, enacts as follows:

1. **NAME OF BYLAW**
	1. This Bylaw may be cited as the “**Firearms Bylaw**”.
2. **INTERPRETATION**
	1. In this by-law:
3. “Discharge” means the propulsion of a projectile from a firearm or other weapon.
4. “Firearm” means a Firearm as defined in the *Criminal Code of Canada*, R.S.C. 1985, c. C-46, as amended or repealed and replaced from time to time [optional insert: “and includes all types of archery bows”].

OR

“Firearm” means any weapon from which any shot, bullet or other projectile capable of causing bodily injury or death can be discharged and includes, but is not limited to, air guns, air rifles, air pistols, BB guns, sling shots, all types of archery equipment, and gas-powered guns.

1. “Municipality” means [insert Community Name].
2. "Peace Officer" means a member of the Royal Canadian Mounted Police or a bylaw officer duly appointed by the Municipality to enforce bylaws of the Municipality.
3. RULES OF INTERPRETATION
	1. Nothing in this Bylaw relieves a Person from complying with any provision of any Territorial or Federal legislation or regulation, other municipal bylaw or any requirement of any lawful permit, order or licence regarding a Firearm.
	2. If any provision of this Bylaw is determined to be invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity or enforceability of the remaining provisions of this Bylaw. The remaining provisions shall continue to be in full force and effect.
4. USE OF FIREARM

* 1. Subject to Section 4.2 no person shall discharge a Firearm within the Municipality.
	2. Section 4.1 does not apply to a person who:
1. is authorized to carry and discharge a Firearm in the lawful exercise of that person's responsibilities and duties under Municipal, Territorial or Federal statutes or regulations, including but not limited to a Peace Officer;
2. discharges the Firearm at an authorized shooting range [insert “or archery range” if archery bows included in definition of a Firearm];
3. discharges the Firearm at an area identified in Schedule “A” to this Bylaw [optional, delete if unneeded]; or
4. is otherwise authorized under Municipal, Territorial or Federal statutes or regulations to discharge a Firearm within a municipality.
	1. Subject to Section 4.4, no person shall transport a loaded Firearm within the Municipality.
	2. Section 4.3 does not apply to a person who:
5. is authorized to carry and discharge a Firearm in the lawful exercise of that person's responsibilities and duties under Municipal, Territorial or Federal statutes or regulations, including but not limited to a Peace Officer; or
6. is otherwise authorized under Municipal, Territorial or Federal statutes or regulations to transport a loaded Firearm within a municipality.
7. ENFORCEMENT
	1. A person shall not obstruct a Peace Officer in the performance of their duties.
	2. A person shall not knowingly make a false statement in any document required by this Bylaw or utter a false statement to a Peace Officer while acting in the lawful execution of his or her duties.
8. PENALTIES
	1. A person who contravenes any provision of this Bylaw is guilty of an offence.
	2. A person who is guilty of an offence is liable, on summary conviction, to a fine in an amount not less than that established in this section, and not exceeding $2,000, or to imprisonment for a term of not more than six (6) months in default of payment of the fine.
	3. Without restricting the generality of section 6.2 the fine amounts set out in Schedule “B” are established for use on tickets if a voluntary payment option is offered.
	4. A Peace Officer may issue a ticket, in the form prescribed by the *Summary Conviction Procedures Act*. R.S.N.W.T. 1988, c S-15 and the regulations thereunder, to any Person who violates any provision of this Bylaw and may indicate, on the ticket, the specified penalty, established in Schedule “B” [change to ‘Schedule “A”’ if municipality deletes optional clauses 4.2(c) and 4.4(c) above] to this Bylaw, that may be paid to the Municipality prior to the date specified on the ticket in place of appearing in answer to the summons.

**READ** a first time this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_.

**READ** a second time this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor Senior Administrative Officer

**READ** a third time and passed this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor Senior Administrative Officer

**I hereby certified that this Bylaw No. xxxxxxx has been made in accordance with the requirements of the [insert the applicable Act: *Charter Communities Act*/*Cities, Towns and Villages Act*, *Hamlets Act* as applicable] and the bylaws of the Municipality.**

**Certified this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Senior Administrative Officer**

**[\*COMMUNITY NAME\*]**

**BY-LAW NO. [\*1234”]**

**SCHEDULE “A"**

## **AREAS WITHIN THE MUNICIPALITY IN WHICH**

## **THIS BYLAW DOES NOT APPLY**

[Insert map **OR** if municipality deletes optional clauses 4.2(c) and 4.4(c) in the bylaw template, delete this Schedule entirely]

**[\*COMMUNITY NAME\*]**

**BY-LAW NO. [\*1234\*]**

**SCHEDULE “B”** [update to **‘SCHEDULE “A”’** if municipality deletes optional clause 4.2(c) in the bylaw template]

**OFFENSES AND FEES**

|  |  |  |
| --- | --- | --- |
| **OFFENCE** | **SECTION** | **Ticket** |
| Discharging a firearm | 4.1  | **[\*$insert\*]** |
| Transporting a loaded firearm | 4.3 | **[\*$insert\*]** |
| Obstructing a Peace Officer | 5.1 | **[\*$insert\*]** |
| Knowingly making false statements in any application or other documents, or uttering false statements to a Peace Officer | 5.2 | **[\*$insert\*]** |

1. \*\*The applicable authorities to be inserted are:

	* For municipalities governed by the *Charter Communities Act*, insert “74 and 76 of the *Charter Communities Act*, SNWT 2003, c 22”
	* For municipalities governed by the *Cities, Towns and Villages Act*, insert: “70 and 72 of the *Cities, Towns and Villages Act,* SNWT 2003, c 22”
	* For municipalities governed by the *Hamlets Act*, insert: “72 and 74 of the *Hamlets Act,* SNWT 2003, c 22” [↑](#footnote-ref-2)