

CORPORATION OF THE VILLAGE OF ZEBALLOS

BY-LAW #295, 1992

A by-law to regulate the sale and exploding of fireworks, to prohibit the discharging of firearms and to prohibit hunting within the municipal boundaries of the Village of Zeballos.

WHEREAS Section 933 (1)(a) RSBC 1979, Chapter 290 provides for the authority to regulate the sale and exploding of fireworks and the discharge of firearms,

AND WHEREAS the Council of the Village of Zeballos wishes to prohibit hunting within the municipal boundaries of the Village of Zeballos,

THEREFORE the Council of the Village of Zeballos, in open meeting assembled, enacts as follows:

1. This by-law may be cited as the "Fireworks, Firearms and Hunting Regulations by-law 295, 1992.
2. In this by-law, unless the context otherwise requires, the following words shall have the meaning:
 - a) "Fireworks" - included cannon crackers, fireballs, fire crackers, mines, Roman candles, sky rockets, squibs, torpedoes and any other explosive designated as fireworks, by regulation.
 - b) "Firearms" - means any barrelled weapon from which any shot, bullet or other missile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm, including bow and arrow, and crossbow.

"PEACE OFFICER" means a constable or person having the powers of a constable, as defined by the Criminal Code of Canada.

"HUNT AND HUNTING" includes any searching for, chasing, pursuing, worrying, following after or on the trail of stalking or lying in wait for any wildlife while in possession of a firearm, loaded or unloaded.

"FIREARMS" means any gun or weapon using as a propellant, explosives, compressed air, gas includes also a long bow, cross-bow or any weapon which propels a projectile.

"LOADED FIREARM" means any firearm containing live ammunition in either the breech or magazine. A clip containing live ammunition, when attached to the firearm in the operating position, is considered as the magazine.

"ENFORCEMENT OFFICER" means a person on whom powers of enforcement are conferred under by-law 295, 1992.

3. The "Fireworks Act" RSBC 1979, Chapter 135 applies within the Municipality of Zeballos as shown on the plan attached hereto, marked appendix "A".
4. A person shall not, except between October 24 and November 1 in any year, sell, give, fire or set off fireworks.
5. The Fire Commissioner may designate fireworks that may not be sold to a minor without the written permission of his parent or guardian.
6. Fireworks may be sold to and discharged by a person or organization at a public display if the public display is held with the written permission of the Fire Commissioner or any of his local assistants having jurisdiction in the Village of Zeballos.
7. A person shall not discharge any firearm within the Municipal boundaries of the Village of Zeballos.
8. No person shall hunt any wildlife within the Municipal boundaries of the Village of Zeballos.
9. a) The provisions of this by-law do not apply to a police officer or peace officer as defined by the Criminal Code of Canada, or to an officer of the British Columbia Ministry of Environment, acting under the "Wildlife Act".
b) The provisions of this by-law do not apply to a person authorized in writing by the Council of the Village of Zeballos, in consultation with an officer of the British Columbia Ministry of Environment who is in pursuit of wildlife deemed to be a menace to the community.
10. Enforcement of this by-law shall be carried out by the local enforcement officer and/or the Royal Canadian Mounted Police.

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11. a) Any person who violates any provisions of this by-law or who allows, causes or permits an infraction of this by-law, shall be guilty of an infraction of this by-law and shall be liable upon conviction of a maximum fine provided for in the Offence Act, R.S.B.C. 1979 and amendments thereto.
b) In addition to the remedies set forth in the Offence Act, any fine imposed pursuant to paragraph ~~11~~ (a) hereof shall further be recoverable pursuant to the Municipal Act, R.S.B.C. 1979 and amendments thereto.
12. This by-law may be considered severable, in that the provisions contained herein may be applied separate from each other, or collectively, as deemed necessary to ensure the intent of this by-law.

READ a first time this 24th day of March, 1992

READ a second time this 24th day of March, 1992


READ a third time this 21st day of July, 1992

RECONSIDERED AND ADOPTED this 1st day of September, 1992.

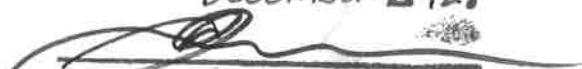

MAYOR


CLERK

CERTIFIED to be a true copy
of the Corporation of the
Village of Zeballos
By-law #295, 1992.


CLERK

A true copy of By-Law No. 295
registered in the office of the Inspector
of Municipalities this 16th day of
December 1992.


Deputy Inspector of Municipalities