

RURAL MUNICIPALITY OF GIMLI

BY-LAW 07-0034

Being a By-Law of the Rural Municipality of Gimli to regulate and control the use of firearms within the municipality.

WHEREAS Section 232 of *The Municipal Act* reads as follows:

“(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) subject to section 233, activities or things in or on private property;
- (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,

(2) Without limiting the generality of subsection (1), a council may in a by-law passed under this Division

- (a) regulate or prohibit;
- (c) deal with any development, activity industry, business, or thing in different ways, or divide any of them into classes and deal with each class in different ways;

AND WHEREAS Section 233 of *The Municipal Act* reads as follows:

A by-law under clause 232 (1)(c) (activities or things in or on private property) may contain provisions only in respect of

- (d) activities or things that in the opinion of the council are or could become a nuisance, which may include noise;

AND WHEREAS Section 236 of *The Municipal Act* reads as follows:

(1) Without limiting the generality of clause 232(1)(o) (enforcement of by-laws), a by-law passed under that clause may include provisions

- (c) remedying contraventions of by-laws, including
 - (i) creating offences,
 - (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law,
 - (iii) providing that an amount owing under subclause (ii) may be collected in any manner in which a tax may be collected or enforced under this Act,



- (vi) imposing a sentence of imprisonment for not more than six months for the commission of offences or non-payment of fines.

AND WHEREAS the Council of the Rural Municipality of Gimli deems it necessary to regulate the use of firearms within the Rural Municipality of Gimli,

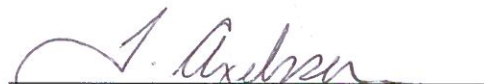
NOW THEREFORE the Council of the Rural Municipality of Gimli, in session duly assembled, enacts as follows:

- 1) **THAT** for the purposes of this By-law, 'Firearms' means any device that fires projectiles by means of explosives, 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 and crossbow but does not include a bow or a toy.
- 2) **THAT** unless otherwise provided by law, no person shall discharge or fire any firearm, pellet gun or other device designed to propel projectiles by compressed air or gas, bows or dangerous weapons within the boundaries of the municipality that does not comply with all Rules & Regulations of *The Wildlife Act* C.C.S.M. c.W130.
- 3) **THAT** no hunting whatsoever be allowed on municipal property.
- 4) **THAT** notwithstanding Section 1, firearms, pellet guns or other devices designed to propel projectiles by compressed air or gas may be discharged by authorized personnel who include RCMP officers, Conservation officers, the animal control officer or any other persons who receive authorization from the municipality, in the execution of his/her duty and any person engaged in agriculture who is required to discharge a firearm for the purpose of disposing of domestic animals or predators.
- 5) **THAT** notwithstanding Section 1, the Council of the Rural Municipality of Gimli, upon written application of any person or group of persons or a Corporation, and upon it being satisfied that all reasonable safety precautions have been taken, may, by resolution, authorize the issue of a permit for discharging of firearms, pellet guns, compressed air propellants, bow and arrows, or dangerous weapons, for specific periods of time and in specific locations.
- 6) **THAT** any peace officer may seize any item set out in Section 1 that he/she, on reasonable grounds, believes has been used in the commission of an offence under this by-law.
- 7) **THAT** the following restrictions be imposed:
 - a) East of PR 222 and north of Camp Morton (or Road 116 N), no firearms be allowed;




- b) East of PR 222 and PTH 9 south of Road 116 N to the south boundary of the RM, no firearms and no bows with a draw strength greater than 35# with the exception of the Willow Island/Willow Creek marsh where waterfowl hunting is permitted with shotguns;
 - c) From PTH 9 and PR 222 west to PTH 8, the length of the RM, and in the area 2 miles west of PTH 8 bounded on the north by PR 231 and on the south by road 109 N, no high powered rifles be allowed. Shotguns, muzzle loaders, .22 rim fires and bows may be used; and
 - d) In the remainder of the municipality west of PTH 8, no firearm restrictions apply.
- 8) **THAT** all persons are required to abide by *The Wildlife Act* C.C.S.M.W130 and all associated Regulations and Amendments, and the *Manitoba Hunting Guide* including all associated Regulations and requirements.
- 9) **THAT** any person found guilty of a breach of the provisions of this by-law, shall on conviction be liable of a fine not exceeding \$500.00 or in default to imprisonment for a term of not more than three months, or both.
- 10) **THAT** By-law 17-84, By-law 19-84 and all associated amendments are hereby repealed.
- 11) **THAT** this By-law shall be in full force and effect from and after its passage, approval and recordings as provided by law.

DONE AND PASSED in open Council assembled at the Council Chambers of the Rural Municipality of Gimli this 10th day of September, 2008.

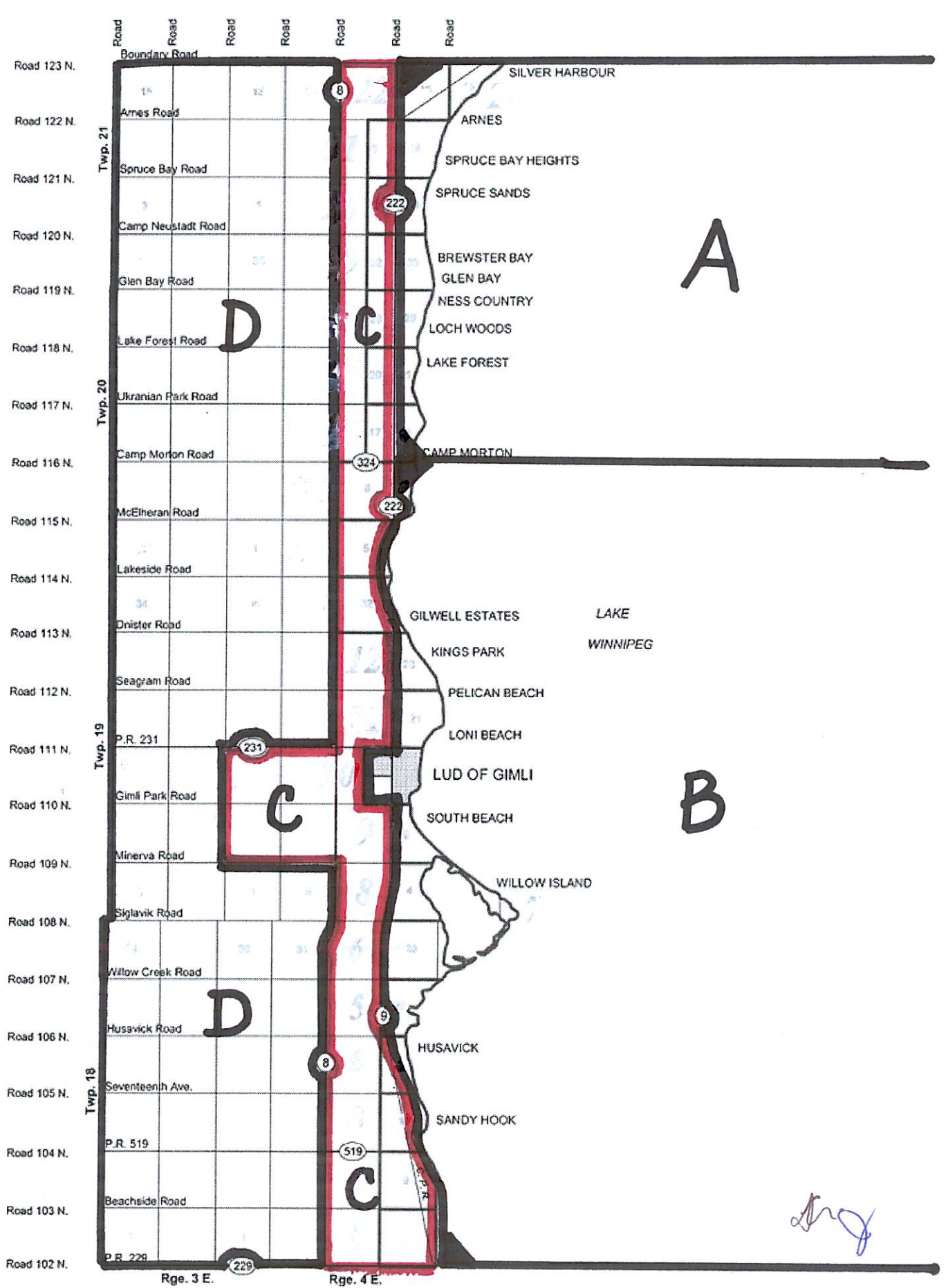


Mayor



Chief Administrative Officer

Read a first time on the 22nd day of August, 2007.
Read a second time on the 10th day of September, 2008.
Read a third time on the 10th day of September, 2008.



RM of GIMLI - FIREARM USE MAP

AREA

A

East of PR 222 and north of Camp Morton (or Road 116 N), no firearms be allowed;

B

East of PR 222 and PTH 9 south of Road 116 N to the south boundary of the RM, no firearms and no bows with a draw strength greater than 35# with the exception of the Willow Island/Willow Creek marsh where waterfowl hunting is permitted with shotguns;

C

From PTH 9 and PR 222 west to PTH 8, the length of the RM, and in the area 2 miles west of PTH 8 bounded on the north by PR 231 and on the south by road 109 N, no high powered rifles be allowed. Shotguns, muzzle loaders, .22 rim fires and bows may be used; and

D

In the remainder of the municipality west of PTH 8, no firearm restrictions apply.

