

TOWN OF DIGBY

THE FIREARMS BY-LAW

NUMBER 2006 – 04

WHEREAS Part VII Section 172(1) (a) “safety and protection of person”, (b) “safety and protection of property “and Section 174(c) “the firing of firearms” of the Municipal Government Act 1998, as amended, provides that a municipality may, for the purpose of public safety, prohibit or regulate the discharge of guns or other firearms, air-guns, pellet guns, spring guns or CO2 powered paint marking devices or any other weapons;

NOW THEREFORE the Council of the Town of Digby enacts as follows:

1. That for the purpose of this bylaw the following definitions apply:
 - a. “Firearms” means any barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing bodily injury or death to a person or animal, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm. It shall include spring guns or other firearms, air-guns, pellet guns, and CO2 powered paint marking devices or,
 - b. “Weapons” means anything used, designed to be used or intended for use in causing death or injury to any person, or for the purpose of threatening or intimidating any person and, without restricting the generality of the foregoing, includes a firearm, and a sling shot, crossbow, long bow or any other mechanical device capable of propelling a projectile.
2. That except as otherwise provided for in this Bylaw no person shall use any firearm or weapon listed in Section 1 within the Town of Digby.
3. That the provisions of this Bylaw do not apply to:
 - a. A Police officer, Conservation Officer, Animal Control Officer, or any other person who is similarly authorized by the laws of Canada and the Province of Nova Scotia to possess and discharge a firearm in the performance of their duties.
4. Any person who violates the provisions in Section 2 shall be liable upon summary conviction to a penalty of one thousand dollars (\$1,000) and in default of payment to imprisonment for a period not exceeding thirty (30) days.
5. Notwithstanding anything contained in this By-law, Council may, by resolution, upon written request, waive the provisions of this By-law for an Organization for a festival, special event, or historical re-enactment.
6. Firearms Bylaw #2000-09 and the Fire Arms Bylaw Amendment #2004-01 of the Town of Digby now in force are hereby repealed.

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Clerk's Annotation for Official; Bylaw Book

Date of First Reading: 06 March 2006

Date of Advertisement of Notice of Intent to Consider: 15 March 2006

Date of Second Reading: 03 April 2006

*Date of Advertisement of Passage of Bylaw: 12 April 2006

Date of mailing to Minister a Certified copy of Bylaw: 12 April 2006

I certify that The Firearms Bylaw was adopted by Council and published as indicated above.

Clerk: *E. Thomas Ossinger*
E. Thomas Ossinger

Date: 12 April 2006

* Effective date of the bylaw unless otherwise specified in the text of the Bylaw.