

BYLAW NO. 2020-07

FIREARMS AND PEST CONTROL BYLAW

A BYLAW OF THE TOWN OF LEMBERG IN THE PROVINCE OF SASKATCHEWAN TO PROHIBIT THE DISCHARGE OF GUNS OR ANY OTHER FIREARM AND TO REGULATE PEST CONTROL WITHIN THE LIMITS OF THE TOWN OF LEMBERG

COUNCIL of the *Town* of **Lemberg**, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as the Firearms and Pest Control Bylaw.

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires, the expression:
 - a) **Town** shall mean the Town of Lemberg in the Province of Saskatchewan.
 - b) **Administrator** shall mean the Town Administrator or any person acting or authorized to act on their behalf.
 - c) **Council** shall mean the Council of the Town of Lemberg.
 - d) **Cross-bow** shall mean a cross-bow as defined in The Criminal Code of Canada.
 - e) **Firearm** means a non-restricted firearm as defined in The Criminal Code of Canada.
 - f) **Officer** mean a member of the Royal Canadian Mounted Police or Bylaw Enforcement Officer appointed pursuant to Section 373 of The Municipalities Act.
 - g) **Owner** means the owner of property or the person in charge or control of property.
 - h) **Person** means any individual, firm, company or partnership.
 - i) **Pest Control Officer** means any person appointed to trap, hunt and dispose of any pest animals.

REGULATIONS

3.
 - a) No person shall discharge any firearm or cross-bow within the Town, except as provided elsewhere in this bylaw.
 - b) No person shall discharge any firearm in such a manner so that the projectile crosses the limits of the Town.

- c) This bylaw does not apply to peace officers as defined by The Criminal Code of Canada.

PEST CONTROL

4.

- a) The Administrator may appoint a Pest Control Officer to trap, hunt and dispose of animals pursuant to subsections 4 (c), 4(d) and 4(e) of this bylaw.
 - i) The appointment shall commence upon receipt of the requirements in subsection 4(b) of this bylaw and approval of Council.
- b) A Pest Control Officer shall provide the Town with:
 - i) a criminal record check from the Royal Canadian Mounted Police;
 - ii) a copy of their current Firearms License (Possession Acquisition); and
 - iii) a Nuisance Wildlife Control Permit from Saskatchewan Environment if applicable.
- c) Pursuant to clause 6(2) of The Wildlife Regulations, 1981, a Pest Control Officer may capture or kill any wildlife that is injured, diseased, or considered a danger to the public or a public nuisance.
- d) Pursuant to clause 13(3) of The Wildlife Regulations, 1981, a Pest Control Officer may hunt those animals listed on clauses 4(1)(a) through (n) of The Wildlife Regulations, 1981 and listed in Appendix A of this Bylaw, within 500 (five hundred) metres of any building, stockade or corral within the Town without the consent of the owner.
- e) Pursuant to clause 13(3.1) of The Wildlife Regulations, 1981, a Pest Control Officer may hunt animals other than those listed on clauses 4(1)(a) through (n) of The Wildlife Regulations, 1981 and listed in Appendix A of this Bylaw, within 500 (five hundred) metres of any building, stockade or corral within the Town without the consent of the owner.

OFFENCES AND PENALTIES

5.

- a) Any person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:
 - i) for the first offence, a fine of not less than \$100 (one hundred dollars) and not more than \$500 (five hundred dollars).

- ii) for the second offence and any subsequent offence, a fine of not less than \$500 (five hundred dollars) and not more than \$1,000 (one thousand dollars).
- iii) where damage is done to property by an unlawful act under this Bylaw, the presiding Judge shall adjudge payment of all damages occasioned by the unlawful act and the same shall be applied for the repair and reconstruction of the property damaged or destroyed.

EFFECTIVE DATE

6. This Bylaw shall come into force and take effect on the date of the final passing.

REPEAL OF FORMER BYLAW

7. Bylaw No. 3/94 and all amendments thereto are hereby repealed.

Mayor

[SEAL]

Administrator

First Reading: May 21, 2020
Second Reading: May 21, 2020
Third and Final Reading: May 21, 2020

Certified a True Copy of Bylaw 2020-07
adopted by Resolution of the Council
of the Town of Lemberg, in the
Province of Saskatchewan on
the 21th day of May, 2020. seal

Administrator

Appendix A

- (a) reptilia (snakes and turtles) other than rattlesnakes, bullsnakes, hognosed snakes, smooth green snakes, eastern yellow-bellied racers, northern red-bellied snakes, short-horned lizards and snapping turtles;
- (b) amphibia (frogs and salamanders), other than great plains toads and northern leopard frogs;
- (c) lagomorpha (rabbits);
- (d) insectivora (shrews);
- (e) rodentia (mice and rats), other than red squirrels, muskrats, black-tailed prairie dogs, Ord's kangaroo rats and, subject to subsection (2) of the Wildlife Regulations 1981, beavers;
- (f) mephitidae (skunks);
- (g) procyonidae (raccoons);
- (h) icteridae (blackbirds), other than rusty blackbirds, bobolinks, Baltimore orioles, Bullock's orioles, orchard orioles and western meadowlarks;
- (i) passeridae (house sparrows);
- (j) sturnidae (starlings);
- (k) columbidae (pigeons and doves), other than band-tailed pigeons, mourning doves and white-winged doves;
- (l) corvidae (crows, magpies and jays), other than blue jays, gray jays, Clark's nutcrackers and ravens;
- (m) domestic game farm animals with respect to which a domestic game farm operator holds a valid licence pursuant to The Domestic Game Farm Animal Regulations; and
- (n) captive wild boar held by a captive wild boar producer.