

BY-LAW #08/13

OF THE

RURAL MUNICIPALITY OF ROCKWOOD

Being a By-Law of the Rural Municipality of Rockwood to provide for the regulation and control of Firearms within the Townsites and Designated Areas located in the Rural Municipality of Rockwood.

WHEREAS, pursuant to Subsection 232(1) of *The Municipal Act* SM. 1996, c.58 – Cap.M225, a Council may pass By-Laws for Municipal purposes respecting, among other things, the safety, health, protection and well-being of people, and the safety and protection of property, as well as the use of rifles, guns and other firearms, and the use of bows and arrows and other devices, and enforcement of this By-Law in respect thereof;

AND WHEREAS the Council of the Rural Municipality of Rockwood deems it necessary and expedient to regulate and control the discharging of firearms and the use of other weapons and devices within the Townsites and Designated Areas located in the Rural Municipality of Rockwood and the enforcement of this By-Law in respect thereof;

NOW THEREFORE the Council of the Rural Municipality of Rockwood, duly assembled in Council, hereby enacts as follows:

1. This By-Law, #08/13, shall be known as “The Firearms By-Law”.
2. In this By-Law the following terms shall have the following meaning:
 - a) “**Authorized Personnel**” shall mean specific designated By-Law Enforcement Officer for the Municipality, Conservation Officers, Royal Canadian Mounted Police Officers, or other persons who receive authorization from the Municipality.
 - b) “**By-Law Enforcement Officer**” shall mean the person appointed and authorized by Council to enforce the provisions of all By-Laws of the Municipality and includes any person acting as an assistant to or under the direction of the By-Law Enforcement Officer authorized by Council.
 - c) “**Centre Fire Rifle(s)**”, as the case may be, shall mean a high powered rifle or any firearm which propels a single projectile from a centre fire cartridge but excludes a shotguns and muzzle loaders.
 - d) “**Council**” shall mean the Council of the Rural Municipality of Rockwood.
 - e) “**Firearm**” or “**Firearms**”, as the case may be, shall mean:

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, crossbow, bow, and muzzle loader, but does not include a toy.
 - f) “**Municipality**” shall mean the Rural Municipality of Rockwood.
 - g) “**Prohibited Firearm Zones – No Discharge of Any Firearm(s) / No Loaded Firearm(s)**” shall, for the purpose of this By-Law and as outlined in red on the attached Map identified as Appendix “A”, apply to the following Townsites & Areas unless otherwise authorized by this By-Law:

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- i) The Townsite & Area of Stony Mountain shall include:
 - Any portion of SE ¼ 15-13-2E, E ½ 10-13-2E, and NW ¼ 3-13-2E lying to the east of Provincial Highway #7; and
 - All of 11-13-2E, NW ¼ 14-13-2E, S ½ 14-13-2E, SW ¼ 13-13-2E, W ½ 12-13-2E, NW ¼ 1-13-2E, and N ½ 2-13-2E
(Note: The Townsite of Stony Mountain includes Hillcrest and Newcrest Trailer Parks).
- ii) The Townsite & Area of Grosse Isle shall include:
 - S ½ 6-13-1E
- iii) The Townsite & Area of Argyle shall include:
 - N ½ 7-14-1E and S ½ 18-14-1E
- iv) The Townsite & Area of Balmoral shall include:
 - NW 6-15-2E, North 330' of NE 6-15-2E, SW ¼ 7-15-2E, SE ¼ 12-15-1E and NE ¼ 1-15-1E
- v) The Townsite & Area of Gunton shall include:
 - S ½ 33-15-2E and N ½ of N ½ 28-15-2E
- vi) The Townsite & Area of Komarno shall include:
 - NW ¼ 34-17-2E, NE ¼ 33-17-2E, N ½ SE ¼ 33-17-2E and N ½ SW ¼ 34-17-2E
- vii) The Townsite & Area of Stonewall Trailer Park shall include:
 - NW ¼ 29-13-2E
- viii) The Pioneer Trail & Area
- ix) The Rural Residential Area shall include:
 - SE ¼ 20-13-2E, N ½ 20-13-2E, SE ¼ 21-13-2E, W ½ 21-13-2E, SW ¼ 28-13-2E, N ½ NE ¼ 28-13-2E, SE ¼ 29-13-2E, and the portion of SW ¼ 22-13-2E west of PTH 7
- x) The abandoned Canadian Pacific Railway line between Stonewall and Komarno

The Council of the Rural Municipality of Rockwood may, by resolution, delete or designate areas of the Rural Municipality of Rockwood as Townsites & Areas.

- h) **“Restricted Firearm Zones – No Discharge of Centre Fire Rifle(s) / No Loaded Centre Fire Rifle(s)”** shall, for the purpose of this By-Law and as outlined in green on the attached Map identified as Appendix “A”, apply to the following Buffer Zones around Townsites & Area unless otherwise authorized by this By-Law:

- i) The Buffer Zone around Townsite & Area of Stony Mountain shall include:
 - N ½ 15-13-2E, SW ¼ 15-13-2E, SE ¼ 15-13-2E west of PTH No. 7, NE ¼ 14-13-2E, N ½ 13-13-2E, SE ¼ 13-13-2E, E ½ 12-13-2E, E ½ 1-13-2E, SW ¼ 1-13-2E, S ½ 2-13-2E, All of 3-13-2E west of PTH No. 7 and All of 10-13-2E west of PTH No. 7
- ii) The Buffer Zone around Townsite & Area of Grosse Isle shall include:
 - N ½ 6-13-1E and W ½ 5-13-1E
- iii) The Buffer Zone around Townsite & Area of Argyle shall include:
 - N ½ 18-14-1E, W ½ 17-14-1E, W ½ 8-14-1E and S ½ 7-14-1E

- iv) The Buffer Zone around Townsite & Area of Balmoral shall include:
 - NW ¼ 11-15-1E, N ½ 12-15-1E, SW ¼ 12-15-1E, N ½ 7-15-2E, SW ¼ 8-15-2E, NW ¼ 5-15-2E, S ½ 6-15-2E, S 2310' of NE 6-15-2E, S ½ 1-15-1E and NW ¼ 1-15-1E
- v) The Buffer Zone around Townsite & Area of Gunton shall include:
 - W ½ 34-15-2E, NW ¼ 27-15-2E, S ½ of N ½ 28-15-2E, NE ¼ 29-15-2E and E ½ 32-15-2E
- vi) The Buffer Zone around Townsite & Area of Komarno shall include:
 - N ½ of N ½ 27-17-2E, N ½ of N ½ 28-17-2E, W ½ of 33-17-2E, S ½ of SE ¼ 33-17-2E, E ½ 34-17-2E and S ½ SW ¼ 34-17-2E
- vii) The Buffer Zone around the Town of Stonewall shall include:
 - Any portion of the following Sections of land that are located in the Rural Municipality of Rockwood:

NE ¼ 23-13-1E, N ½ 24-13-1E, N ½ 19-13-2E, SE ¼ 19-13-2E, E 1/2 30-13-2E, NW ¼ 31-13-2E, E ½ 31-13-2E, N ½ 36-13-1E, E ½ 35-13-1E and E ½ 26-13-1E
- viii) The Buffer Zone around the Town of Teulon shall include:
 - Any portion of the following Sections of land that are located in the Rural Municipality of Rockwood :

E ½ 20-16-2E, E ½ 29-16-2E, N ½ 28-16-2E, W ½ 27-16-2E, SE ¼ 22-16-2E, N ½ NE 17-16-2E, N ½ of N ½ 16-16-2E and N ½ NW15-16-2E
- ix) The Buffer Zone around the Rural Residential area shall include:
 - S ½ 22-13-1E east of PTH 7, NW ¼ 22-13-1E, S ½ 23-13-1E; W ½ 27-13-2E, NE ¼ 21-13-2E, SW ¼ 20-13-2E, SW ¼ 29-13-2E, NE ¼ 29-13-2E, NW ¼ 28-13-2E, SE ¼ 28-13-2E, S ½ NE ¼ 28-13-2E, N ½ 16&17-13-2E, S ½ 32 & 33-13-2E and SW ¼ 34-13-2E

The Council of the Rural Municipality of Rockwood may, by resolution, delete or designate areas of the Rural Municipality of Rockwood as Townsites & Areas.

3. Unless otherwise provided by law, and except for such purpose and at such places and times within the Municipality as may be designated or authorized by Council or its duly authorized Officer in that behalf, no person shall have a loaded Firearm(s) nor fire or otherwise discharge or use any Firearm(s) within the “Prohibited Firearm Zones - No Discharge of Any Firearm(s) / No Loaded Firearms” as defined in Paragraph 2.g) and outlined in red on the attached Map marked as Appendix “A”.

This section does not apply to the discharge of a bow subject to the following conditions:

- a) A bow must not be discharged on a piece of property of less than four (4) acres in size;
- b) Except for target shooting, bow equipment shall only be discharged from elevated platforms at a minimum of two (2) metres above the surrounding ground;
- c) Any target shooting with bows must be undertaken with appropriate safety measures in place; and
- d) Any target shooting shall be done in accordance with all applicable provincial laws and regulations.

- 4. Unless otherwise provided by law, and except for such purpose and at such places and times within the Municipality as may be designated or authorized by Council or its duly authorized Officer in that behalf, no person shall have a loaded centre fire rifle(s) nor discharge a centre fire rifle(s) within the “Restricted Firearm Zones - No Discharge of Centre Fire Rifle(s) / No Loaded Centre Fire Rifle(s)” as defined in Paragraph 2.h) and outlined in green on the attached Map marked as Appendix “A”.
- 5. Any person who has a loaded firearm(s), who fires or otherwise discharges or uses any Firearm(s) contrary to the provisions of this By-Law is guilty of an offence under this By-Law.
- 6. The provisions of this By-Law relating to Firearm(s) do not apply to authorized personnel in the performance of their duties.
- 7. The Municipality may authorize the discharge of firearms for the emergency control of problem / nuisance wildlife.

Where necessary, firearms may be used in the normal course of livestock production.

- 8. a) Any firearm may not be discharged from, across or along the Pioneer Trail or abandoned Canadian Pacific Railway line between Stonewall and Komarno.
- b) Any firearm may not be discharged from, across or along any “Prohibited Firearms Zone – No Discharge of Any Firearm(s) / No Loaded Firearm(s)”.
- 9. All persons are required to abide by the Wildlife Act, C.C.S.M. W 130 and all associated Regulations and Amendments.
- 10. Any authorized personnel may seize any applicable(s) Firearm(s) that is loaded and within the Restricted Firearm(s) Zone(s) contrary to this By-Law.
- 11. Any authorized personnel may seize any Firearm(s) that he/she, on reasonable grounds, believes has been used in the commission of an offence under this By-Law.
- 12. Any person who contravenes, or refuses, omits or fails to obey or observe any provision of this By-Law is guilty of an offence and is liable, on summary conviction, to a fine of FIVE HUNDRED DOLLARS (\$500.00).
- 13. Anyone convicted of an offence pursuant to the provisions of this By-Law with respect to Firearm(s) shall, in addition to a fine and/or imprisonment as set out above, be liable to have the Firearm(s) involved in the offence confiscated and disposed of by authorized personnel.
- 14. **THAT** By-Law #12/03 is hereby repealed.

DONE AND PASSED in Council assembled at the Council Chamber of the Rural Municipality of Rockwood, at Stonewall, in the Province of Manitoba, this 11th day of September, A.D., 2013.

THE RURAL MUNICIPALITY OF ROCKWOOD

JIM CAMPBELL, REEVE

L. GRANT THORSTEINSON, CAO

GIVEN First Reading this 14th day of August A.D., 2013.
GIVEN Second Reading this 28th day of August A.D., 2013.
GIVEN Third Reading this 11th day of September A.D., 2013.