

**RURAL MUNICIPALITY OF HEADINGLEY**

**BY-LAW NO. 26/95**

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF HEADINGLEY to prevent or regulate the use of fire arms within the Municipality.

WHEREAS Section 29 The Municipal Act, being R.S.M. 1988, c. M225 provides as follows:

**By-laws**

**297(1)** The council of any municipality may pass by-laws

- (a) for preventing or regulating the firing of rifles, guns, revolvers, pistols, pellet guns and other firearms;
- (b) for preventing or regulating the use of catapults, slings, bows and arrows, and other weapons;
- (c) for preventing or regulating the firing or setting off of fireballs, squibs, firecrackers or other fireworks;
- (d) for regulating or prohibiting the sale within the municipality of fireballs, squibs, firecrackers and other fireworks to any person.

**Limited to part of the municipality**

**297(2)** A by-law passed under subsection (1) may be made applicable to the whole or any part of the municipality.

**By-laws**

**746** The council of any municipality may pass by-laws,

- (a) for inflicting fines and penalties, not exceeding \$1,000.00, in addition to costs, for breach of any of the by-laws of the municipality; and
- (b) for inflicting punishment by imprisonment for breach of any of its by-laws, in case of non-payment of fine and costs inflicted for any such breach, for a period not exceeding 30 days.

AND WHEREAS the Council of the Rural Municipality of Headingley deems it necessary to prohibit hunting or the use of firearms within that portion of the municipality;

NOW THEREFORE, the Council of the Rural Municipality of Headingley enacts as follows:

1. This by-law may be referred to as the "No Shooting By-Law";
2. For the purposes of this by-law, the following definitions shall apply:
  - "Centrefire Rifle" means a firearm requiring a centrefire cartridge, but does not include a shotgun, as defined by Regulation 351/87 of The Wildlife Act;
  - "Firearm" means any barrelled weapon from which any shot, bullet or other missile can be discharged and that is capable of causing bodily injury or death to any person, animal, or bird and includes any thing that can be adapted for use as a firearm;
  - "Hunt" means to chase, drive, flush, attract, pursue, worry, follow after or on the trail or, search for, shoot at, stalk or lie in wait for any animal or bird, whether or not the animal or bird is then or subsequently captured, killed, taken or wounded, but does not include
    - (a) to trap or attempt to trap an animal or bird;
    - (b) to stalk, attract, search for or lie in wait for an animal or bird by an unarmed person solely for the purpose of watching or taking pictures of an animal or bird;
  - "Restricted Area" means the area of the Municipality between Wilkes Avenue and Saskatchewan Avenue or any area within 500 feet of a residence.
  - "Nuisance Animals" means any species of wildlife which is causing damage to property or risk to humans or domestic animals, including but not limited to rodents, birds, canines, skunks, raccoons and, where authorized by The Wildlife Act, deer.
3. Subject to section 5 hereof, no person shall hunt or shall carry, handle, fire or discharge any gun or firearm of any kind within the Restricted Area.
4. No person shall carry, handle, fire or discharge a Centrefire Rifle within the Municipality.
5.
  - (a) Subject to the provisions of The Wildlife Act and subject to Section 4 hereof, a special permit may be issued for the discharge of a Firearm for the purpose of controlling Nuisance Animals in the Municipality;
  - (b) NOTWITHSTANDING THE FOREGOING, if the special permit is being issued for the control of nuisance animals, the applicant may use a shot gun firing a single projectile.
6. No special permit shall be issued to any person under the age of eighteen (18) years;

7. A Permit Fee for each special permit shall be Five Dollars (\$5.00);
8. Any person, firm or corporation who contraveners any of the provisions of this by-law shall be guilty of an offence and is liable on summary conviction to a fine not exceeding \$1,000.00 or to imprisonment for term not exceeding 30 days, or to both such a fine and such an imprisonment;
9. No person or persons other than property owners on their own property shall set off fireworks, firecrackers or squibs in any street, park or public place within the Municipality without first obtaining a special permit from the Municipality.
10. The provisions of The Wildlife Act of Manitoba and all regulations and requirements of the Department of Natural Resources must be observed in the areas of the Municipality.
11. The City of Winnipeg By-Law No. 2890/81 and any amendments thereto as they apply to the Rural Municipality of Headingley are repealed.

DONE AND PASSED by the Council of The Rural Municipality of Headingley, assembled at Headingley, in the Province of Manitoba this 10<sup>th</sup> day of October, A.D., 1995.

RURAL MUNICIPALITY OF HEADINGLEY

*"J. Johner"*  
Reeve

*"L. Erb"*  
Municipal Administrator

Read the First time this 26<sup>th</sup> day of September, A.D., 1995

Read the Second time this 10<sup>th</sup> day of October, A.D., 1995

Read the Third time this 10<sup>th</sup> day of October, A.D., 1995