



Town of Amherst

**DISCHARGE OF  
FIREARMS BYLAW**

Bylaw No: C-2

Effective: 26 June 2015



I, Gregory D. Herrett, Town Clerk and Chief Administrative Officer of the Town of Amherst do hereby certify that the following is a true copy of the **Discharge of Firearms Bylaw** adopted by council at a meeting held

Given under the hand and seal of the Town of Amherst this 26<sup>th</sup> day of June 2015.

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Gregory D. Herrett, CA  
Town Clerk and Chief Administrative Officer

**TOWN OF AMHERST**  
**DISCHARGE OF FIREARMS, C-02**

1. This by-law is entitled the “Discharge of Firearms By-law”.

2. Definitions

In this by-law:

- (1) “firearm” means a gun, rifle, or any barrel or device from which any shot, bullet or other projectile maybe discharged and includes anything that has been adapted for use as a firearm but does not include water guns or foam based weaponry (Nerf) designed to be played with by children;
- (2) “owner” has the same meaning as in the Municipal Government Act;
- (3) “public place” means any place to which the public have access as of right or by invitation, express or implied;
- (4) “Town” means the Town of Amherst;

3. No Discharge of Firearms

Except as authorized in this bylaw, no person shall fire or discharge any firearm in the Town of Amherst.

4. Exceptions

Section 3 does not apply to:

- (1) Any peace officer or licensed armed guard who discharges a firearm in the performance of duty;
- (2) The use of CO2 powered paint marking devices, provided that:
  - a. Such devices shall not be discharged at or near persons who have not consented to participate in a game or recreational activity involving firing of CO2 powered paint marking devices; and

b. The owner of land upon which such devices have been discharged has consented to the discharge of such devices on his or her property.

(3) The use of an air or compressed gas gun or pistol provided that the owner of land upon which such devices are used has consented to the discharge of such devices on his or her property and providing the person discharging the air or compressed gas gun or pistol has taken proper precautions for the safety of others in the operation of the said air or compressed gas gun or pistol, including the proper installation of a suitable backdrop for target shooting.

(4) A person discharging a flare in the case of an actual or apprehended emergency;

(5) A person participating in a historical re-enactment under, and in accordance with, the directions of the organizers of the re-enactment.

#### 5. Penalties

Any person who contravenes section 3 of this bylaw is guilty of an offence punishable on summary conviction by a fine not less than that stipulated by a Category C offence under the Summary Proceedings Act and not more than \$10,000 and to imprisonment of not more than one year in default of payment thereof.

#### 6. Repeal

The Town of Amherst Firearms and Air Rifles Bylaw, C-2, approved by Council on the 16<sup>th</sup> day of September, 1985 is hereby repealed.

## Discharge of Firearms Bylaw

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<b>Annotation for Official Bylaw Book</b>	
Date of First Reading	25 May 2015
Date of advertisement of Notice of Intent to Consider	5 June 2015
Date of Second Reading	22 June 2015
Date of advertisement of passage of Bylaw	26 June 2015
Date of mailing to Minister a certified copy of Bylaw	26 June 2015
Effective Date of Bylaw	26 June 2015
I certify that this Discharge of Firearms Bylaw was adopted by Council and published as indicated above	
<hr/> Gregory D. Herrett, CA Town Clerk and CAO	<hr/> 26 June 2015 Date

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First Reading of Council - 25 May 2015  
Notice of Intention to Adopt - 5 June 2015  
Second Reading of Council - 22 June 2015  
Notice of Publication – 26 June 2015  
Effective Date - 26 June 2015

## Discharge of Firearms Bylaw

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### NOTICE OF PUBLICATION

At its regular meeting held June 22, 2015 Amherst Town Council approved second reading of a new Discharge of Firearms Bylaw, C-2, which repeals and replaces the bylaw of the same name adopted by Council on September 16, 1985.

The new bylaw prohibits the firing or discharge of firearms in Section 3. Section 4 of the bylaw provides that the prohibition against discharging firearms does not apply to peace officers or licensed armed guards discharging a firearm in the performance of duty, to the use of CO2 powered paint making devices under certain conditions, the use of an air or compressed gas gun or pistol under certain conditions, or persons participating in a historical re-enactment.

Copies of the bylaw may be inspected and/or a copy obtained at the office of the Town Clerk, Dominion Public Building, 98 Victoria Street, Amherst during regular business hours or on the Town's website, [www.amherst.ca](http://www.amherst.ca)

I, Gregory D. Herrett, Town Clerk and Chief Administrative Officer of the Town of Amherst do hereby certify that the above is a true copy of an advertisement duly advertised in the Amherst News on the 26<sup>th</sup> day of June, 2015.

Given under the hand of the Town Clerk and under the corporate seal of the Town of Amherst this 26<sup>th</sup> day of June , 2015.

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Gregory D. Herrett, CA  
Town Clerk and Chief Administrative Officer

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First Reading of Council - 25 May 2015  
Notice of Intention to Adopt - 5 June 2015  
Second Reading of Council - 22 June 2015  
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