

VILLAGE OF HILL SPRING

BYLAW # 2009-288

A BY-LAW of the Village of Hill Spring, in the Province of Alberta, for the purpose of regulating sale and use of firecrackers or fireworks; the regulating of the storage and transportation of explosive or other highly inflammable or dangerous matter; boundaries of the Village of Hill Spring, or within the boundaries of property owned or controlled by the Village of Hill Spring, pursuant to the Municipal Government Act Chapter M-26 R.S.A. 2000.

WHEREAS the Council of a municipality may make by-laws not inconsistent with the Municipal Government Act concerning the control and regulation of the use of explosives and the discharging of firearms in the Village of Hill Spring, AND

WHEREAS the Council of the Village of Hill Spring wish to pass such a by-law.

NOW THEREFORE the Council of the Village of Hill Spring, in the Province of Alberta, duly assembled, enacts as follows:

1. TITLE: This Bylaw may be called the "Fireworks Bylaw".

2. DEFINITIONS:

Terms used in this by-law shall have the same meaning as the ascribed to them in the Municipal Government Act.

3. AUTHORITY:

Members of the Royal Canadian Mounted Police, and or a Peace Officer are authorized to enforce this by-law.

4. DISCHARGE OF FIREWORKS:

(a) No person shall use or discharge any firecrackers or fireworks within the boundaries of the Village of Hill Spring, or within the boundaries of property owned or controlled by the Village of Hill Spring, with the exception of the dates and times listed in schedule "B" or during a fire ban.

(b) Any damage caused by the fireworks is the responsibility of the person discharging the fireworks.

5. SALE OF FIREWORKS:

No business, and or person, within the boundaries of the Village of Hill Spring shall sell, offer for sale or provide firecrackers or fireworks to any person.

6. USE OF FIREARMS:

(a) No person shall discharge a gun, rifle, air rifle, air pistol, revolver or any other firearm with the boundaries of property owned or controlled by the Village of Hill Spring.

(b) Section 6 (a) shall not apply to a Peace Officer in the performance of his duties.

7. STORAGAGE AND TRANSPORTAION OF EXPLOSIVES:

Dangerous Goods Transportation and Handling Regulation, Alta. Reg. 157/1997
Shall apply.

8. SEIZURE

(a) Where a Peace Officer has reason to believe an offence has occurred contrary to the provisions of this Bylaw, the Officer shall seize the firecrackers or fireworks referred to under Section 4 (a) and 5 (a) or the firearm(s) in Section 6 (a) and issue a receipt to the accused.

(b) Upon conviction, the Justice may direct the items under seizure become the property of the Crown in the right of the Province, to be disposed of as the Attorney General may direct.

9. PENALTIES:

See Schedule "A"

10. EFFECTIVE:

This by-law shall come into effect on the date of final reading thereof.

Read a first time in Council this 24th day of November A.D., 2009.

Read a second time in Council this 24th day of November A.D., 2009.

Upon unanimous consent, read a third time and finally passed this 24th day of November A.D., 2009.

Mayor

CAO

Schedule “A”

PENALTIES:

- (a) Any person who contravenes any provision of this by-law is guilty of an offence, and is liable on summary conviction to a fine not exceeding five hundred (\$500.00) dollars, and in the event of failure to pay any fine levied, to imprisonment for a period not exceeding sixty (60) days.
- (b) Where any of the provisions of this by-law have been deemed to have been contravened and an offense ticket has been issued for that contravention, the accused may avoid appearing in court to answer to the said charge by submitting to the Crown, a voluntary payment as follows:

First Offence - One hundred (\$100.00) dollars.

Second offence and Consecutive offences — Two hundred (\$200.00) dollars.

Schedule “B”

AUTHORIZED DATES AND TIMES:

Canada Day – until Midnight

Victoria Day – until 11:00pm

January 1st – 12:30 am

Special Dates – upon written approval of Council.