



TOWN OF CANMORE

BYLAW 19-2011

PROVINCE OF ALBERTA

This Bylaw repeals:

Bylaw 33-91

BEING A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF PROHIBITING HUNTING AND TRAPPING WITHIN THE TOWN OF CANMORE.

WHEREAS the *Municipal Government Act*, RSA 2000, Chapter M-26, authorizes council to pass bylaws for the municipal purposes respecting the safety, health, and welfare of people and the protection of people and property; and

WHEREAS the *Municipal Government Act*, RSA 2000, Chapter M-26, authorizes council to pass bylaws for the municipal purposes respecting People, activities and things in, or near a public place that is open to the public; and

WHEREAS the *Municipal Government Act*, RSA 2000, Chapter M-26, authorizes council to pass bylaws for the municipal purposes respecting wild and domestic animal and activities in relation to them;

NOW THEREFORE

The Municipal Council for the Town of Canmore in the Province of Alberta, duly assembled; hereby enacts as follows:

TITLE

1. This Bylaw shall be known as the “HUNTING AND TRAPPING BYLAW”.

DEFINITIONS

2. The following definitions will apply to the corresponding words if the first letter of that word is capitalized in this bylaw:
 - (a) “Chief Administrative Officer” or “CAO” means the Chief Administrative Officer for the Town or their designate;
 - (b) “Firearm” means any device that propels a projectile by means of explosion, spring, air, gas, string, wire or elastic material or any combination of those things, including a pistol, rifle, gun, sling-shot, bow and arrow, or BB gun”;
 - (c) “Hunt” means with reference to any animal, to:

- (i) shoot at, harass or worry;
 - (ii) chase, pursue, follow after or on the trail or, search for, flush, stalk, or lie in wait for;
 - (iii) capture or willfully injure or kill;
 - (iv) attempt to capture, injure or kill; or
 - (v) assist another person to hunt in a manner specified in subclause (i), (ii), (iii) or (iv) while that other person is so hunting;
- (d) “Peace Officer” means any member of the Royal Canadian Mounted Police, Bylaw Enforcement Officer, Community Peace Officer of the Town and any Peace Officer appointed pursuant to the *Peace Officer Act*;
- (e) “Town” means the Town of Canmore, in the Province of Alberta;
- (f) “Trap” means to:
- (i) Used as a noun, means a device, other than a weapon, designed and commonly used to capture, injure or kill animals of any kind, and
 - (ii) used as a verb, means capture, injure or kill animals of any kind, or attempt to do so, by means of the use of a trap;
- (g) “Violation Tag” means a tag in a form approved by the Town, authorized under the *Municipal Government Act*, as amended, or similar document issued for any offence in which a penalty may be paid out of court in lieu of appearing to answer a summons;
- (h) “Violation Ticket” means a ticket issued pursuant to the *Provincial Offences Procedures Act*, as amended, and the Regulations thereunder;

PROHIBITIONS

3. No person shall Trap within the Town.
4. No person shall Hunt within the Town.
5. No person shall discharge a Firearm within the Town.
6. Subsection 5 does not apply to the discharge of firearms at a shooting range licensed by the Chief Provincial Firearms Officer, under the direction of the Solicitor General for the Province of Alberta.

EXCEPTIONS

7. This Bylaw shall not apply to:
 - (a) a Peace Officer or other class of persons who are required to Trap, Hunt or discharge a Firearm to carry out the responsibilities of their lawful occupations;

- (b) a person that has been issued a humane live-capture trap by a Peace Officer to use a live capture trap, but only to the extent that such authorization was granted; or
- (c) a person issued a permit by the CAO to Trap or Hunt within the Town.

PENALTIES

- 8. Any person contravening this Bylaw is guilty of an offence and shall be liable for the minimum penalties set out in this section, and not exceeding \$10,000.
- 9. Any person who commits an offence under this Bylaw is liable to a minimum specified penalty of \$500.00.

VIOLATION TAGS

- 10. A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person, who a Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 11. The person to whom a Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.
- 12. Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.

VIOLATION TICKETS

- 13. If the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, as amended.
- 14. Notwithstanding Section 10 of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, as amended, to any person who a Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

CONTINUING OFFENCES

- 15. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw.

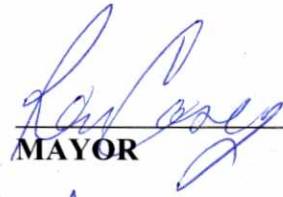
ENACTMENT/TRANSITION

16. Should any provision of this Bylaw be deemed to be invalid then such invalid provision will be severed from this Bylaw and such severance will not affect the validity of the remaining portions of this Bylaw, except to the extent necessary to give effect to such severance.
17. Bylaw 33-91 is hereby repealed.
18. This Bylaw shall come into force and take effect of the day of third and final reading thereof.

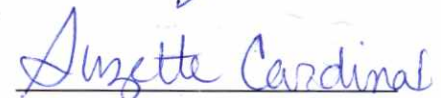
FIRST READING: November 1, 2011

SECOND READING: November 1, 2011

THIRD READING: November 1, 2011



MAYOR



MUNICIPAL CLERK