

**BY-LAW NO. S-7**

**A BY-LAW RESPECTING FIREWORKS, SPRING GUNS AND AIR RIFLES  
IN THE TOWN OF NACKAWIC**

BE IT ENACTED by the Council of the Town of Nackawic as follows:

**1. Definitions**

In this by-law,

- (a) "Air rifle" means air rifle, air pistol or air gun and any instrument or device for projecting missiles by air pressure obtained by mechanical means.
- (b) "Fireworks" includes firecrackers, cannon-crackers, fireballs, mines, skyrockets, squibs, torpedos, and any other explosives designated by the Lieutenant-Governor-in-Council.
- (c) "Spring gun" means any spring gun and includes any instrument or device for projecting missiles by spring pressure obtained by mechanical means.
- (d) "By-Law Enforcement Officer" means any person or persons appointed by the Council of the Town of Nackawic to enforce the by-laws of the Town of Nackawic.

**2. Fireworks**

Subject to the provisions of the *Fire Prevention Act*, Chapter F-13, RSNB, 1973, and amendments thereto,

- (a) no person shall within the Town have or keep in his or her possession any fireworks, or
- (b) set fire to, discharge or cause to explode any fireworks within the Town without the written consent of the Town Council and/or the Chief Administrative Officer.

**3. Air Rifles and Spring Guns**

3.01 No person shall within the Town discharge any spring gun or air rifle except while engaged in target practice carried on exclusively within a building, or in an area specifically designated as a practice range.

#### **4. Enforcement**

4.01 Pursuant to section 14 of the *Police Act* any member of the RCMP, or a By-Law Enforcement Officer who is duly appointed by resolution of Town Council, will enforce the provisions of this by-law, and amendments thereto.

4.02 Any member of the RCMP Detachment or the By-Law Enforcement Officer may seize any fireworks, spring guns or air rifles had or kept in contravention of this by-law.

4.03 The RCMP or the By-Law Enforcement Officer may, at any time after the expiry of ten days following a seizure made under the authority of subsection 4.02, destroy any firecracker(s), spring gun(s) or air rifle(s) so seized.

#### **5. Penalty Provision**

Every person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00).

#### **6. Repeal Provision**

6.01 By-Law No. 10(83), A By-Law Respecting Fire Crackers, Spring Guns, and Air Rifles, passed by Town Council on March 22, 1983, is hereby repealed.

6.02 The repeal of By-Law No. 10(83), A By-Law Respecting Fire Crackers, Spring Guns, and Air Rifles, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

DULY PASSED AND ENACTED BY THE COUNCIL OF THE  
TOWN OF NACKAWIC ON NOVEMBER 15, 2004.

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Robert G. Connors, Mayor

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Nancy Cronkhite, Chief Administrative Officer

First Reading: November 1, 2004  
Second Reading: November 15, 2004  
Third Reading: November 15, 2004