



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO. : GEN-2024-54

**BY-LAW CONCERNING THE USE OF WEAPONS ON
THE TOWN OF KIRKLAND TERRITORY**

ADOPTION PROCEDURE

Notice of motion:	August 5, 2024
Filing of By-law:	August 5, 2024
Adoption of By-law:	September 3, 2024
Publication:	September 6, 2024
Coming into force:	September 6, 2024

WHEREAS pursuant to section 356 of the *Cities and Towns Act* (CQLR, chapter C-19), notice of motion of this by-law was given and a draft of this by-law was filed at the regular sitting of the Municipal Council held on August 5, 2024;

WHEREAS copy of this by-law was made available to the public;

WHEREAS the Preamble forms an integral part of this by-law;

THE MUNICIPAL COUNCIL ORDERS AND DECREES AS FOLLOWS :

CHAPTER I DEFINITIONS

1. Pour l'interprétation du présent règlement, à moins que le contexte n'indique un sens différent, les mots ou expressions suivants ont la signification qui leur est attribuée dans le présent article :

“ **Competent authority** ” : any municipal officer employed by the Town of Kirkland whose duty is to issue permits and/or enforce by-laws as well as any person mandated by the Town for such purposes;

“ **Firearm** ” : any firearm device, or imitation of a firearm device, air gun, slingshot, bow, crossbow, sling, or other object that allows the shooting of lead, projectiles, arrows, darts, bolts or any other projectile capable of inflicting bodily harm on a human being, an animal or damaging property;

“ **Public place** ” : any immovable or part of an immovable owned or leased by the Town, a public body, the *Agglomération de Montréal*, the *Communauté métropolitaine de Montréal*, the provincial or federal government;

any place accessible or open to the public, whether public or private, including, but not limited to, any land, park, public square, swimming pool, daycare, community center, school, church, commercial building (cinema, store, restaurant, etc.);

any public way including, but not limited to, any boulevard, road, street, alley, bridge, sidewalk, public right-of-way, bicycle path or public trail;

“ **Town** ” : the Town of Kirkland.

“ **Weapon** ” : any knife, sword, machete, axe, or other object capable of inflicting bodily harm to a human being, an animal, or damaging property;

CHAPTER II PROHIBITIONS

2. It is forbidden to use a firearm in the Town.

3. It is forbidden to be in possession of, or to carry, a weapon or a firearm in a public place without a reasonable excuse.

For the purposes of this article, self-defence does not constitute a reasonable excuse.

CHAPTER III EXCEPTIONS

4. Notwithstanding articles 2 and 3, it is permitted:
 - a) to be in possession of or use a firearm in the case of a peace officer on duty or any other person whose carrying of a firearm is necessary in the performance of their duties;
 - b) to be in possession of a firearm in a vehicle while traveling to an authorized practice area;
 - c) to use a firearm in an authorized practice area.

CHAPTER IV APPLICATION AND OFFENCES

5. The competent authority and the *Ville de Montréal* police department are responsible for enforcing this by-law and may issue statements of offence for any violation of its provisions.
6. Anyone contravening a provision of this by-law commits an infraction and is liable to a fine, in addition to costs:
 - for a first infraction : a minimum fine of FIVE HUNDRED DOLLARS (\$500) and a maximum of ONE THOUSAND DOLLARS (\$1,000) if the offender is a physical person or a maximum of TWO THOUSAND DOLLARS (2,000\$) if the offender is a moral person;
 - for a repeated infraction : a minimum of ONE THOUSAND DOLLARS (\$1,000) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a physical person or a maximum of FOUR THOUSAND DOLLARS (\$4,000) if the offender is a moral person.

CHAPTER V REPEAL AND COMING INTO FORCE

7. By-law No. 74 entitled : *By-law concerning the use of fire arms or other type of arms* and By-law No. 89-56 entitled : *By-law concerning the prevention of agressions with knives or other similar objects* and their amendments are repealed.
8. This by-law shall come into force in accordance with the law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk