



THE CORPORATION OF THE CITY OF VERNON

MEMORANDUM

TO: Patti Bridal, Chief Administrative Officer **FILE:** 4000-02

PC: Kevin Poole, Director, Community Safety **DATE:** May 23, 2023
Lands and Admin/ Deputy CAO

FROM: Darren Lees, Manager, Protective Services

SUBJECT: **REVIEW OF BYLAW #5399, SECTION 9, EXEMPTIONS FOR THE DISCHARGE OF A LONGBOW OR A CROSSBOW WITHIN THE CITY OF VERNON**

At its Regular meeting of May 8, 2023, Council directed Administration to conduct a high-level review of Section 9 (exemptions for the discharge of a longbow or crossbow within the City) of the Firearms and Weapons Bylaw #5399 (Attachment 1) to ensure regulations are accurate and consistent with other BC municipalities and continue to meet the needs of the community.

As per the *Community Charter*, section 8(3)(e), a council may, by bylaw, regulate, prohibit and impose requirements in relation to bows and arrows knives and other weapons. Current bylaw provisions regarding the discharge of a longbow or crossbow within the City of Vernon are set out in section 8 – ‘No person shall discharge a longbow or crossbow within the corporate boundaries of the City’. Section 9 of the bylaw lists those that are exempt from section 8. A high-level review regarding each subsection is detailed below.

a. Bylaw Enforcement Officers

Bylaw Compliance Officers do not use a longbow or crossbow while conducting operational duties throughout the City. Administration would recommend that this subsection be removed should a revision of Section 9 occur.

b. Hunters and predator control contractors in compliance with the *Wildlife Act* while on properties larger than 2 hectares in size

Currently, this subsection allows for licenced hunters in compliance with the *Provincial Wildlife Act* and related hunting regulations to hunt with a longbow or crossbow on property larger than 2 hectares or 4.94 acres within City limits. A broad interpretation of “hunter” could include property owners and/or individuals authorized by the property owner to hunt on their private land. As per section 11, all arrows used by individuals exempted under sections 9. a, b, and c must be marked in a permanent manner in order to allow the identification of the hunter. The City of Vernon does not actively track longbow or crossbow use for hunting purpose on private properties larger than 2 hectares and related files are only recorded upon complaint. Bylaw Compliance noted two recorded complaints in the past seven years regarding bow hunting on property larger than 2 hectares. In one case, patrols were made and the bow hunter was not located. The other file involved a bow hunter hunting on property larger than 2 hectares who was checked by an RCMP Member and a Bylaw Officer and was found to be in compliance with all *Wildlife Act* and related bylaw provisions.

Predator control contractors are also authorized to use a longbow or crossbow while on property larger than 2 hectares. Should Council seek changes to section 9 of the bylaw, further research would need to occur to determine how predator control contractors are regulated by the Province in relation to the BC Predator management strategy and their role in the community.

- c. Bona fide farmers or their designate while engaged in the destruction of predators or the protection of crops acting in accordance with the *Farm Practices Protection (Right to Farm) Act*, on a parcel owned or occupied by the farmer.**

The *Farm Practices Protection (Right to Farm) Act* defines both “Farmer” and “Farm Operation” and allows for farmers to utilize bows, arrows and various other control methods to reduce the impact nuisance wildlife in order to protect agricultural land, crops, livestock and related farm infrastructure and equipment. Local government bylaws are unable to restrict this activity on property where normal farm operations are occurring. There is no data regarding how many local farms currently use longbow or crossbow as a control method for nuisance wildlife.

- d. Students of School District 22 during school hours, while being trained in the use of a bow and arrow, and while under the supervision of a teacher or person of responsibility.**

This subsection is accurate as some schools within School District 22 offer students archery lessons under the supervision of a teacher or person of responsibility such as a certified Archery Coach or Official.

- e. Individuals involved in an archery competition/practice hosted by a recognized and organized group or archery club meeting the standards set by the Federation of Canadian Archers for safety.**

Archery Canada is the recognized governing body for archery in Canada and is committed to connecting Provincial and Territorial associations clubs across Canada to promote and develop the sport. Archery Canada Safety Regulations set standards for participation as well as for construction of both indoor and outdoor ranges for practice and competition including range layout, design and safety zones.

Other Municipalities

Regulations regarding the use of a longbow or crossbow for hunting vary throughout many communities in BC and may largely depend on community layout, population density and community social and ethical acceptance.

Adjacent communities including Kelowna, Salmon Arm and Armstrong, have no local government legislation that refer to use of longbows or crossbows for hunting within municipal boundaries and rely on *Provincial Wildlife Act* and Regulations for compliance and enforcement. Penticton prohibits the use of crossbows but does allow longbows specifically for the purpose of practicing the sport of archery where facilities (permanent or temporary) are designed to meet archery range and safety standards set out by Archery Canada. Other communities, like Pitt Meadows, have bylaw provisions in place that have designated areas where use of a bow is prohibited as well as areas where this use is permitted in compliance with provincial hunting regulations.

Should Council wish to make amendments to section 9 of the “The City of Vernon Firearms and Weapons Bylaw Number 5399, 2012”, Administration would recommend that consideration be given to allow for public consultation for those that may be effected by any proposed changes to the Bylaw.

ATTACHMENTS:

1. "Bylaw #5399, Section 9" (Attachment 1)
2. "[The Farm Practices Protection \(Right to Farm\) Act](#)"
3. "[Archery Canada Safety Regulations](#)"

RECOMMENDATION:

THAT Council receive the memorandum titled "Review of Bylaw #5399, Section 9, Exemptions for Discharge of Longbow or Crossbow Within the City of Vernon" dated May 23, 2023 respectfully submitted by the Manager, Protective Services for information.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Darren Lees', with a stylized flourish at the end.

Darren Lees
Manager, Protective Services