



CITY OF ST. ALBERT ADMINISTRATIVE BACKGROUNDER

TITLE: FIREARMS RETAIL LICENSE BYLAW

On April 11, 2018 Councillor Joly provided notice in accordance with Section 23 of Procedure Bylaw 22/2016 that she intended to bring forward the proposed motion below.

In order for Council to debate the motion, the motion must be formally moved.

That Administration, by <DATE>, bring back a Firearm Retail Licence bylaw and/or amendments to the Land Use Bylaw for consideration, including feedback from the Policing Committee, with the intent of requiring all or some of the following:

- Monitored video security on premises where firearms or ammunition are sold,
- Concrete bollards to prevent drive through the front when applicable,
- Guns cable locked to the rack and/or trigger-locked,
- Restricted section locked with security curtains,
- Heavy duty outside doors into locked vestibules,
- A Business Licence fee that reflects Administration time required for reviewing applications and inspecting for compliance,
- Any other recommendations that reflect a commitment to balancing community safety, reduction in crime, and supporting responsible firearms retailers.
- Provisions similar to Section 7-36 of the TOBACCO RETAIL LICENSING BYLAW 15/2017 and/or Sections 3.3.1-3.3.4 of the AGLC cannabis retail security requirements.

BACKGROUND:

Administration has reviewed the above proposed motion and can offer the following information and recommendations:

1. In the last 10 years there has been one known retail firearm/ammunition theft in St. Albert.
2. There are currently 3 businesses in St Albert that offer firearms and/or ammunition for retail sale.
3. The Federal Government currently regulates the Firearm industry through the [Firearms Act](#); businesses selling firearms must obtain a “firearms business licence” by applying to their local Chief Firearms Officer. Further information about the current regulations in place for the Firearms Industry in Canada can be found at <http://www.rcmp-grc.gc.ca/cfp-pcaf/fs-fd/fab-eaf-eng.htm>
4. Firearms retailers must also comply with the [Storage, Display, and Transportation of Firearms and Other Weapons by Businesses Regulation](#).

This regulation contains basic security requirements for firearm retailers, some of which are similar to the proposed requirements in the notice of motion:

- Businesses must store firearms in a securely locked cabinet, vault, safe, or a securely locked location that is readily accessible only to owners/employees of the business
 - Firearms can only be stored at a location where there is an electronic burglar alarm system, and where every window/door that can be opened can also be securely locked
 - Businesses can display a non-restricted firearm only if it is unloaded and is:
 - Secured by a chain or metal cable that is passed through the trigger guard, with one end of the chain or cable attached to a wall or permanent fixture and the other end attached by a lock to the wall/permanent fixture [...] in such a manner as to prevent removal of the firearm
 - Secured by a metal bar, with one end of the bar attached to a wall or permanent fixture and the other end attached by a lock to the wall/permanent fixture [...] in such a manner as to prevent removal of the firearm
 - Rendered inoperable by means of a secure locking device and displayed in a locked display case or cabinet
 - Businesses can display a restricted firearm only if it is unloaded, rendered inoperable by means of a secure locking device, is not displayed in a store window, and is displayed in a locked display case or cabinet
5. Businesses that sell firearms and/or firearm ammunition are currently required to obtain a St. Albert Business Licence, and pay the same licensing fee as other retail businesses in St. Albert.
 6. The Land Use Bylaw does not include any kind of definition for firearms retailers; any firearms retailer applying for a development permit would be classified as “general retail.”
 7. Administration is not aware of any Municipalities in Alberta at this time that regulate the Firearm retail/ammunition business industry by increasing the minimum security requirements set out in the *Firearms Act* and its regulations.
 8. On March 20, 2018 the Federal Government tabled [Bill C-71 An Act to amend certain Acts and Regulations in relation to Firearms](#). Although the proposed changes are not directly related to security measures as proposed in the Notice of Motion, they do further regulate the industry when it comes to background checks and record keeping systems for vendors/retailers.

Should Council pass this proposed motion or a similar one in nature in order to increase service levels to the community by regulating the Firearms Industry, the following implications should be noted:

1. Some of the proposed regulations are duplications of existing federal legislation; including these regulations in a municipal bylaw could bring forward significant concerns from firearms retailers.
2. Stand-alone firearms retailers are not the only type of location in this retail category; there are also several existing large national box-stores that sell firearms and ammunition as part of their overall mixed retail offering. Operational consideration for these types of stores would also have to be reviewed to ensure that any proposed regulations are equitable. A review of this additional environment would also require a great deal of analysis.
3. Administration is unaware of any municipality in Alberta that has imposed similar restrictions/regulations on firearm retailers through a bylaw; therefore, creating these regulations would require significant policy work by Administration as there is no precedent.
4. Whether a new bylaw is created for firearm retail licensing, or whether an existing bylaw is amended to include regulations for firearm retailers is dependent on the scope of regulations Council would direct Administration to impose.
5. Should Council desire to impose some or all of the regulations found in the notice of motion, Administration may require additional resources to both research and develop policy, as well as implement the regulations through enforcement of a bylaw. For example, Administration may need to contract security consultants, materials engineers, and/or other professionals to ensure that specific regulations are practical and align with the intent of the bylaw, and that such regulations are enforced by officers with the necessary training and expertise.
6. Given the recently passed Council strategic plan and subsequent Corporate Business Plan, Administration would suggest that we would need until Q2 of 2020 to come back to Council with:
 - the local firearm/ammunition stakeholder and Policing Committee feedback;
 - recommended Bylaw amendments, and
 - subsequent implications including financial and organizational.

Report Date: June 11, 2018

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Committee/Department: Business Licensing

General Manager: N/A

City Manager: Kevin Scoble