

The Safe Public Spaces (Street Weapons) Act Backgrounder

Backgrounder – July 31, 2025

The Safe Public Spaces (Street Weapons) Act promotes safety in public urban spaces by regulating the possession, transportation and storage of items that may be used as street weapons, such as knives, machetes or bear spray. The Act prohibits persons from possessing street weapons in public urban spaces and allows police to seize and impound those weapons.

Individual municipalities and First Nations can choose whether they want to opt into the Act. By opting into the Act, municipalities and First Nations give police officers the ability to address street weapons through uniform provincial rules and offences. The Act also expressly provides that its rules do not override or interfere with any existing powers for municipalities or First Nations to address street weapons through their own bylaws and laws. If a municipality or First Nation does not opt into the Act, the rules do not apply on that municipality or First Nation.

Under the Act, a street weapon could be any of the following:

- Knife (30 cm or larger)
- sword
- machete
- hatchet
- axe
- hammer
- sledgehammer
- body armour
- explosive devices
- hypodermic needles not used for legitimate medical purposes
- fentanyl not used for legitimate medical purposes
- methamphetamine
- wildlife control products such as bear spray
- any other prescribed item

Public urban spaces may include public buildings, parks, playgrounds, any land or building entered without consent of the owner, common areas of condominiums or apartments, unoccupied land or buildings, vehicles travelling through public spaces, or any other prescribed place under the Act.

Persons using these items for legitimate legal purposes, such as hypodermic needles for medical use, or possessing bear spray for the legitimate use of hunting and hiking are exempt from the application of the Act.

The Act contains two main sets of rules:

- Part 2 prohibits persons from possessing street weapons in public urban spaces, defacing or altering street weapons, or possessing a street weapon that has been defaced or altered. Persons in breach of these rules can be charged with a provincial offence and subject to a fine of not more than \$5,000, imprisonment for a term not exceeding one year, or both a fine and imprisonment; and
- Part 3 allows police officers to seize and impound a street weapon from persons in a public urban space if the weapon constitutes a threat to public safety. This power of seizure exists whether the person is charged with an offence under the Act. Persons who are not charged or convicted of an offence respecting the weapon may apply for its return in accordance with the Act. Otherwise, the weapon is forfeited to the Crown.

If there is a conflict between a provision of this Act and provision of a municipal bylaw or law of a First Nation, the provision of the municipal bylaw or law of a First Nation prevails.

How does the opt in process work?

The opt in process for municipalities and First Nations is contained in *The Safe Public Spaces (Street Weapons) Regulations*:

- A municipality can opt in by passing a bylaw providing that the Act applies to the municipality; and
- A First Nation can opt in by passing a First Nation law providing that the Act applies on the First Nation.

In both instances, the standard law-making procedure applies and the regulations do not create any unique notification or process requirements for municipalities or First Nations.

In accordance with the Act, a municipality or First Nation who opts in can also adjust the default 30-centimetre blade length that brings knives within the scope of the Act. For example, if a municipality wanted the Act to apply to smaller knives, the bylaw could adjust the threshold length to 10 centimetres.

A municipality or First Nation that wishes to withdraw from the Act can do so by repealing the original opt in bylaw or First Nation law.