

CORPORATION OF THE TOWN OF RENFREW
BY-LAW NO. 22-2005

Being a by-law to prohibit and regulate the sale of fireworks and the setting off of fireworks.

WHEREAS Section 121(1) of the *Municipal Act, 2001*, S.O. 2001, provides that the Council may prohibit and regulate the sale of fireworks and the setting off of Fireworks; and

WHEREAS the Council of the Corporation of the Town of Renfrew deems it necessary for the safety and well being of the community to prohibit and regulate the setting off of fireworks.

NOW THEREFORE the Council of the Corporation of the Town of Renfrew enacts as follows:

1. DEFINITIONS

- 1.1 **"Fire Chief"** means the Chief of the Town of Renfrew Fire Department;
- 1.2 **"Firecracker"** means any class of Fireworks that explodes when ignited and does not make any significant display or visible effect after the explosion but does not include caps for toy guns or Christmas crackers;
- 1.3 **"Fireworks"** means a pyrotechnic device or a substance that is made, manufactured or use to produce an explosion or detonation and includes Fireworks composition and manufactured Fireworks as defined in the Explosive Regulations made pursuant to the *Explosives Act, R.S. c. E-15, s.1*, as amended;
- 1.4 **"Public Fireworks Display"** means an exhibition of Fireworks in an open air assembly, occupancy to which the public is invited, attends or admitted, with or without a fee being charged.

2. ADMINISTRATION

This by-law shall be administered by the Fire Chief or designate or by the By-law Enforcement Officer of the Town of Renfrew.

3. GENERAL PROVISIONS

- 3.1 No person shall sell, give or distribute fireworks to any person under the age of 18 or any person who appears to be under 18 years of age and does not produce evidence that he/she is 18 years of age or older.
- 3.2 No person shall set off any Fireworks except on the designated days of Victoria Day and Canada Day, between the hours of dusk and 11:00 P-!1.
- 3.3 In the event that weather conditions, such as rain, on Victoria Day or Canada Day make it impractical to set off fireworks, the next day following Victoria Day or Canada Day shall be the designated day.
- 3.4 No person shall display, offer for sale, or sell Fireworks within the Town of Renfrew except on the designated days of Victoria Day or Canada Day or for a period of 6 business days immediately preceding Victoria Day or Canada Day.
- 3.5 Fireworks displayed in store windows shall be mock samples only

and not contain explosive composition.

- 3.6 No person shall set off any Fireworks in, or onto any building, highway, sidewalk, municipal park or municipal property.
- 3.7 No person shall use, set off or allow to be used or set off any Fireworks in such a place or in such a manner as might create danger or constitute a nuisance to any person or property or to do or cause or allow any unsafe act or commission or omission at the time and place for the setting off of any Fireworks.

4. DISCHARGE OF FIRECRACKERS

No person shall discharge, fire or set off, or cause to be discharged, fired or set off, any firecrackers.

5. PERMITS FOR PUBLIC FIREWORKS DISPLAY

- 5.1 A permit may be issued by the Fire Chief for a Public Fireworks Display on any land if the requirements listed in this section are met.
- 5.2 The application for a permit shall be made at least thirty (30) days prior to the date on which it is desired to hold the display of exhibition fireworks.
- 5.3 Filed with the application form shall be a current and up to date site plan with dimensions showing:
- (a) the location of the proposed Public Fireworks Display.
 - (b) the access to be provided for fire and emergency vehicles.
 - (c) the free zone area of clear distance between the point of launch and an occupied area.
- 5.4 Filed with the application shall be a statement of the safety measures being implemented.
- 5.5 Filed with the application form shall be a Certificate of Liability Insurance certifying the permit being applied for is insured against general liability and property damage claims, in the minimum amount of Five Million Dollars (\$5,000,000.00) inclusive for any one occurrence. Said policy shall name The Corporation of the Town of Renfrew as an additional insured. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without ten (10) days' prior written notice to the Corporation.
- 5.6 The permit may be suspended or revoked by the Fire Chief if the conditions of the permit are not being met or it would be unsafe to allow the Public Fireworks Display.
- 5.7 All unused fireworks and all debris shall be removed by the group holding the display immediately following its conclusion.

6. EXEMPTION

It is hereby declared for greater clarity that on Victoria Day or Canada Day on land belonging to a private residence, occupied by the owner, tenant or an authorized person of the residence, that the setting off of Fireworks for their own personal display shall not be deemed to be a Public Fireworks Display.

7. VALIDITY

Should any section, subsection, clause, paragraph or provision of this By-Law be declared by a Court of competent jurisdiction to be invalid or illegal for any other reason, such offending section or part shall be deemed to have been severed from this By-Law and the remaining sections or parts shall continue in full force and effect and shall remain valid and binding.

8. RESCIND BY-LAW

By-Law 34-69, passed by the Council on the 14th day of October 1969, is hereby rescinded.

9. OFFENCE AND PENALTY

Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$5,000.00 as provided for in the *Provincial Offences Act*, R.S.O. 1990, *Chapter P33*, as amended.

10. EFFECTIVE DATE OF BY-LAW

This By-Law shall come into force and take effect from the date of its final passing.

Read a first and second time this 13th day of June, 2005.

Read a third and final time this 13th day of June, 2005.

Sandi Heins, Mayor

Kim R. Bulmer, Clerk