

**BYLAW NO. 371
FIREWORKS BYLAW**

**A BYLAW OF THE TOWN OF BREDENBURY
A BYLAW TO REGULATE AND CONTROL THE USE OF FIREWORKS**

The Council of the Town of Bredenbury, in the Province of Saskatchewan, enacts as follows:

1. DEFINITIONS

Unless otherwise specified, fireworks shall include all Class 7 explosives as defined by The Explosives Act, R.S.C E-15 and Explosive Regulations C.R.C. c599 or any amendments thereto.

- a) Fire Chief - Fire Chief appointed by the Town of Bredenbury and his designate.
- b) Fireworks - includes Division 1 fireworks composition and Division 2 manufactured fireworks including 5 subdivisions as defined by The Explosive Act, R.S.C. E-15 and Explosive Regulations C.R.C. c599
- c) Fireworks Composition - means any chemical compound or mechanically mixed preparation of an explosive or inflammable nature that is used for the purpose of making any manufactured fireworks and is not included in any other class of explosives, and includes any star or colored fire composition that is not manufactured fireworks.
- d) Manufactured Fireworks - means explosives of any class and any fireworks composition that is enclosed in any case or contrivance, or is otherwise manufactured or adapted for the production of pyrotechnic effects, pyrotechnic signals or son signals.
- e) High Hazard Fireworks - means those Division 2 fireworks that, in the opinion of the Fire Chief, present a special hazard to persons.
- f) Low Hazard Fireworks - means those Division 2 fireworks that, in the opinion of the Fire Chief, are relatively innocuous in them and are not liable to explode violently or all at once.
- g) Pyrotechnic Special Effects - means those items that are used in the entertainment industry designed specifically for indoor and/or outdoor use. I.e. black powder bombs, bullet effects, flash powder, smoke composition, gerbs, lances and wheels
- h) Subdivision 1 and Division 2 Fireworks - comprises low hazard fireworks generally used for recreation, such as fireworks, showers, fountains, golden rain, lawn lights, pin wheels, roman candles, volcanoes, sparklers, Christmas crackers and caps for guns.
- i) Subdivision 2 and Division 2 Fireworks - comprises high hazard fireworks generally used for recreation, such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombards, waterfalls, fountains, batteries, illuminations, set pieces, pigeon and fire cracks.
- j) Subdivision 3 of Division 2 Fireworks - comprises model rocket engines (toy propellant devices) containing the total impulse of which does not exceed 80 Newton seconds (17.92 pounds - second) and does not exceed a net propellant weight of 125 grams (approximately 4 ounces)
- k) Subdivision 4 of Division 2 Fireworks - comprises low hazard fireworks generally having a practical use, such as highway flares, fuses and other small distress signals.
- l) Subdivision 5 or Division 2 Fireworks - comprises high hazard fireworks generally having a practical use, such as distress signals, sound, pyrotechnic and smoke signals, railway track signals, distress and low throwing rockets, salutes, theatrical effects and wildlife control.

2. STORAGE AND HANDLING OF AMMUNITION AND FIREWORKS

2.1 No person shall keep any explosive, other than one belonging to Division 1 or Class 6 (ammunition), on the same premises where explosives of Class 7 (fireworks) are kept.

2.2 Subject to Section 2.3, the quantity of explosives of Division 2 of Class 7

(manufactured fireworks) and of Division I of Class (ammunition) that a person may have in his/her possession if kept in a store or warehouse shall not exceed:

- a. In a store or warehouse:
 - i. 125 kilograms gross weight of Subdivision 2 and 5 of Division 2 or Class 7;
 - ii. 1,000 kilograms gross weight of Subdivision 1, 3, and 4 of Division 2 or Class 7;
 - iii. 225 kilograms of explosives contained in ammunition of Division 1 or Class 6, or;
- b. In a container:
 - i. 25 kilograms gross weight of Subdivision 2 and 5 of Division 2 or Class 7;
 - ii. 1000 kilograms gross weight of Subdivision 1, 3 and 4 of Division 2 of Class 7, or;
 - iii. 225 kilograms or explosives contained in ammunition of Division 1 of Class 6.

2.3 When Subdivision 1, 3, and 4 of Division 2 of Class 7 are being displayed for sale they shall be displayed:

- a. In lots that do not exceed 25 kilograms each gross weight;
- b. In a package, glass case or other suitable receptacle away from flammable goods, and
- c. In a place where they are not exposed to the rays of the sun or excess heat.

2.4 Division 2 fireworks in excess of the quantities specified in Section 2.2 shall be kept in a licensed fireworks factor or magazine or in such other place as approved the Fire Chief.

2.5 The National Building/Fire Code of Canada 1995 and all amendments or any successor to that Code, dictates construction and storage for explosives and facilities must meet the specific requirements contained therein.

2.6 All packages containing fireworks must be clearly and conspicuously identified as such, ie. FIREWORKS

2.7 Subject to any Provisional Law or Regulation or any other Municipal Bylaw as defined in Section 2.5, a person may, if reasonable precaution against accidents are observed, keep on his or her premises or in his or her possession for private use and not for sale:

- a. a quantity of Division 2 of Class 7 fireworks, not exceeding 10 kilograms gross weight, that were sold to him in accordance with these regulations;
- b. any quantity of Christmas crackers and caps for toy guns.

3. SALE OF FIREWORKS

3.1 No person shall knowingly sell any fireworks to a person who is under the age of 18 years according to The Federal Explosives Act.

3.2 For the purpose of this bylaw, fireworks does not include:

- a. Caps for toy guns included in Subdivision 1 of Division 2 fireworks, and;
- b. Model rocket engines included in Subdivision 3 or Division 2 fireworks.

3.3 No person shall sell Subdivision 2 of Division 2 fireworks to another person unless that person is:

- a. An operator of a factory licensed to manufacture or to sell Subdivision 2 or Division 2 fireworks;
- b. A legally appointed inspector
- c. An operator of a magazine licensed to store or to sell Subdivision 2 of Division 2 fireworks;
- d. A person who has completed a fireworks training course approved by the Fire Inspector, or;
- e. A person who has submitted evidence to the Fire Chief that he has reasonable knowledge of and practical experience in the handling and use of Subdivision 2 and Division 2 fireworks.

3.4 No person shall sell Subdivision 5 or Division 2 fireworks to another person unless that person is engaged in the occupation for which the

fireworks have been designed and authorized.

- 3.5 A record of sale of Subdivision 2 and 5 of Division 2 fireworks shall be kept by the seller in the manner indicated by the Fire Chief and shall be open for inspection by an inspector or a peace officer as defined in the Criminal Code.

4. DISPLAYS

4.1 General

- a. A fireworks display may only be held by a regularly constituted group, association, or organization under the supervision of a fit and competent group.
- b.
 - i. Except as provided for in Section 4.1 (b)(ii), a fireworks display shall be held only in public area the Golf Course; any other public places shall receive approval by the Fire Chief and shall be located at a safe distance form all highways, railroads, overhead wires, buildings or other structures and combustible material.
 - ii) a pyrotechnic special effects display shall be held only in the locations approved by the Fire Chief and subject to obtaining a Pyrotechnic Special Effects events approval in accordance with Section 4.2
- c. No such group shall hold a fireworks display without having given five (5) working days prior written notice and upon having receipt of written approval signed by the Fire Chief, and shall show:
 - i) The name and address of the group and its officer in charge of the display;
 - ii) The date and place of the proposed display;
 - iii) The name and qualifications of the person supervising the display.
- d. Such display shall be held at the time and place set out in the notice and under the direct supervision of the person named therein.
- e. A fireworks display shall be conducted in a manner consistent with all safety procedures and be held and continue only while all proper precautions are being observed to keep spectators at a safe distance, including the have a suitable fire extinguishers or other suitable means of extinguishing fires at hand.
- f. All unused fireworks and all debris shall be removed by the group holding the display immediately after the display and safely disposed of

5. CONTROL AND SETTING OF FOF FIREWORKS

- 5.1 No person shall set off or allow to be set off any fireworks in such a place or in such a manner that might create danger or cause harm to any person or property, or to do or cause or allow any unsafe act or omission at the time and place for the setting off of any fireworks.

6. PENALTY

- 6.1 Everyone who commits an offence under Sections 2 or 3 of this bylaw is guilty of a summary offence and liable to a fine of One Hundred (\$100.00) Dollars.
- 6.2 The following procedure shall apply for offences committed under Sections 2 or 3 of this bylaw:
- a. The Fire Chief or any member of the Fire Department may issue a Notice of Bylaw Violation to every person committing an offence under this Section of the bylaw. This notice shall require the person to pay to the Administrator of Town of Bredenbury the amount named in Section 6.1 to 201 - 3rd Street, or mailed to Box 87, Bredenbury, Sask. SOA 0H0;
- 6.3 Every person who contravenes Section 4 of this bylaw is guilty of an offence and liable on summary conviction to a fine of:
- a. Two Thousand (\$2,000.00) Dollars I the case of an individual;
 - b. Fire thousand (\$5,000.00) Dollars in the case of a corporation; or, in default of payment by an individual, by imprisonment for a term of not more than (90) days.

7. SEVERABILITY

- 7.1 If any section, subsection, sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by any Court of

competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the bylaw.

The rates, charges, tolls or rents contained in this bylaw shall come into force and take effect on the day of approval being issued by the Local Government Committee.

INTRODUCED AND READ A FIRST TIME THIS 14th Day of September, 2016
READ A SECOND TIME THIS 14th day of September, 2016
READ A THIRD TIME BY UNANIMOUS CONSENT 14th day of September, 2016

Certified a true and
Accurate copy of
Bylaw #371, which
Was passed by Council
On the 14th day of
September, 2016.

Mayor

CAO

CAO

SCHEDULE A
SPECIAL EFFECTS EVENT APPROVAL

Name of Applicant:_____

Mailing Address;_____

Telephone Number:_____

Signature:_____

Sponsoring Organization:_____

Location of Event:_____

Date:_____

PERMISSION FROM LOCAL AUTHORITY
(Fire Chief/Deputy):

Printed Name:_____

Title:_____

Telephone Number: _____

Signature:_____

Date:_____