

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW NUMBER 35-74

A By-law respecting the sale and setting off of fireworks and/or firecrackers within the limits of the Corporation of the City of Brampton.

WHEREAS Paragraph 31 of Subsection (1) of Section 354 of The Municipal Act, R.S.O. 1970, Chapter 284, provides that municipal councils may pass by-laws to regulate and prohibit the sale of fireworks, and;

WHEREAS Paragraph 32 of Subsection (1) of Section 354 of the said Municipal Act provides that municipal councils may pass by-laws to regulate or prohibit the setting off of fireworks;

NOW THEREFORE the Council of the Corporation of the City of Brampton ENACTS as follows:

1. In this By-law;

- (a) "Act" means the Explosive Act, revised Statutes of Canada, 1970, Chapter 102, and the Regulations enacted thereunder as amended.
- (b) "firecracker" means a pyrotechnic device that explodes instantaneously when ignited and does not make any subsequent display or visible effect after the explosion, and
 - (i) includes those devices commonly known as Chinese firecrackers, but
 - (ii) does not include paper caps containing not in excess of an average of twenty-five one-hundredths of a grain of explosive used per cap, or device for use with such caps.
- (c) "firework" means a pyrotechnic device producing quantities or effects of light, sound or smoke by the combustion of explosive or flammable composition and includes firework showers, fountains, golden rain, lawn lights, pin wheels, roman candles,

sparklers, volcanoes and mines, but does not include

(i) firecrackers

(ii) articles or devices not classed under the Act as shop goods.

2. That the sale or use of firecrackers within the limits of the Corporation of the City of Brampton is prohibited.
3. That no person, within the Corporation of the City of Brampton shall sell at retail within the Corporation of the City of Brampton any fireworks of any kind or description whatsoever at any time during the calendar year with the exception of (10) days immediately preceding the day set by statute for the observance of Dominion Day and/or Victoria Day.
4. That no person shall sell at retail within the limits of the Corporation of the City of Brampton any fireworks of any kind or description whatsoever to anyone under eighteen (18) years of age.
5. That no person shall exhibit any display of any fireworks in any display window. This prohibition shall not apply to prevent imitations of such fireworks being displayed provided there is no explosive or chemical contained in such imitations.
6. That no person shall fire or set off any fireworks within the limits of the Corporation of the City of Brampton except on the days set by statute for the observance of Victoria Day and/or Dominion Day, and then only if on private property. Provided if authorized by a permit issued by the Fire Chief of the said Corporation of the City of Brampton and approved by the Council, any person may fire or set off fireworks in other places or on other days. Such permits shall define the place and location

where the fireworks are to be stored and set off and shall require that all fireworks that may be set off under such permit shall be under the supervision of a responsible person of at least eighteen (18) years of age and who is in possession of a valid certificate as a fireworks supervisor or has obtained the required approval from the Chief Inspector of Explosives Resources Canada.

7. No person being the parent or guardian of any child under the age of sixteen (16) shall allow the child to set off any firework or fireworks, except when such parent or guardian or some other responsible person of eighteen (18) years or over is in direct supervision or control.
8. All unused fireworks and all debris shall be removed by the group holding the display immediately following its conclusion and safely disposed of.
9. That storage of such "Fireworks" as herein defined shall be in accordance with the National Fire Code of Canada as revised.
10. That no person shall set off fireworks on any public street or roadway within the Corporation of the City of Brampton at any time.
11. That any person convicted of a breach of any provision of this By-law shall forfeit and pay at the discretion of the convicting Judge, a penalty not exceeding (exclusive of costs) the sum of One Hundred Dollars (\$100.00) for each offence.
12. The following By-law of the former Corporation of the Township of Chinguacousy insofar as it applies to any area now within the City of Brampton is repealed:


The following By-law of the former Corporation of the Town of Mississauga insofar as it applies to any area now within the City of Brampton is repealed:

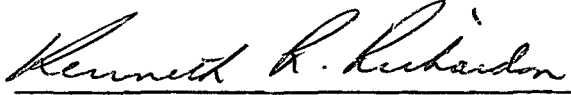
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The following by-law of the former Corporation of the Town of Brampton is hereby repealed:

2492

READ A FIRST, SECOND and THIRD TIME and PASSED in Open Council this 22nd day of April, 1974.


JAMES E. ARCHDEKIN, Mayor


KENNETH R. RICHARDSON, Clerk