



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 114-2014

By-law to Amend Fireworks By-law 147-2006, as amended

RECITALS:

Section 121 of the *Municipal Act, 2001*, S.O. 2001 (the “Municipal Act, 2001”) permits a municipality to prohibit and regulate the sale of fireworks and the setting off of fireworks;

Council for the Corporation of the City of Brampton adopted Fireworks By-Law 147-2006, as amended (“By-law) pursuant to Section 121 of the Municipal Act, 2001 which provides that fireworks may be displayed or set off without a permit on Victoria Day, Canada Day, Diwali and New Year’s Eve, on private property with a minimum 18 m of frontage;

Section 121 (b) of the Municipal Act, 2001 provides that Council may prohibit the sale of fireworks and the setting off of fireworks unless a permit is obtained;

Section 23.2 (4) of the Municipal Act, 2001 provides that a delegation of a legislative or quasi-judicial power may be made to an individual appointed by Council where, in the opinion of the Council of the municipality, the power being delegated is of a minor nature;

Council considers the delegation to issue a permit to set off fireworks to be of a minor nature;

Council considers it desirable and appropriate to further amend the By-law to provide for an online permitting system;

NOW THEREFORE the Council of the Corporation of the City of Brampton ENACTS AS FOLLOWS:

1. That the By-law be further amended by adding the following definitions in alphabetical order:

“Chief of Public Services” (“Chief of P.S.”) includes the Chief of P.S.’s designate;

“Online Permit” means a permit to discharge consumer fireworks issued by the Chief of Public Services;

2. That the By-law be further amended by adding the following section:
 - 4.1. No person shall hold a display of or set off consumer fireworks, on Victoria Day, Canada Day, Diwali, or New Year's Eve, unless a valid Online Permit has first been obtained.

3. That the By-law be further amended by adding the following subsection in Section 5 of the By-law:
 - (7) except between the hours of dusk and 11:00 p.m.;


4. That the By-law be further amended by adding the following subsection in section 20.1 of the By-law:
 - (2.1) permit, allow, or cause the display of or set off of consumer fireworks, on Victoria Day, Canada Day, Diwali, or New Year's Eve, unless a valid Online Permit has been obtained;


5. That the By-law be further amended by adding the following subsection in section 20.1 of the By-law:
 - (5.1) permit, allow, or cause the display of or setting off of any consumer fireworks except between the hours of dusk and 11:00 p.m.;

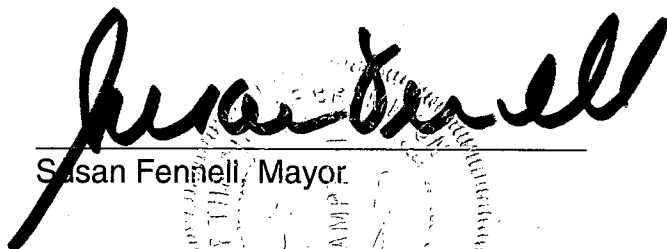
6. That the By-law be further amended by adding the following sections:
 24. An Online Permit shall be issued to an owner of the property who meets the requirements of this By-law and duly completes an application for an Online Permit.

 25. (1) The Chief of P.S. shall establish any practices, policies and procedures and prescribe all forms and notices required to implement the Online Permit process and may amend such forms and notices from time to time as the Chief of P.S. deems necessary.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL
THIS 23rd day of April 2014.

Approved as to
form.
05/14/2014


Approved as to
content.
05/14/14



Susan Fennell, Mayor.


Peter Fay, City Clerk