



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 265 - 2016

To amend Schedule 13 of Business Licensing By-law 332-2013 regarding
licensing of Vendors of Consumer Fireworks

Recitals

Business Licensing By-law 332-2013 was passed pursuant to the ***Municipal Act, 2001***, respecting the issuance of Business Licences in the City of Brampton.

Schedule 13 of Business Licensing By-law 332-2013 regulates Vendors of Consumer Fireworks.

Resolution C355-2016 approved by Council on December 14, 2016, establishes a definition for "Fireworks Retailer Course" and the requirement that all Vendors of Consumer Fireworks engaged in the sale of Fireworks take the Fireworks Retailer Course annually as a condition of being licensed.

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

1. Section 1 of Schedule 13 to Business Licensing By-law 332-2013 is amended by adding the following definition:

"Fireworks Retailer Course" is a one-day course provided by Fire and Emergency Services, which provides training regarding safe practices for fireworks retailers. The Fireworks Retailer Course is current to the year of issue.

2. Section 4 of Schedule 13 to Business Licensing By-law 332-2013 is amended by adding subsection (e) as follows:

(e) confirmation of completion by the Applicant, in the current calendar year, of the Retailers Fireworks Course from Fire and Emergency Services.

3. Section 5 of Schedule 13 to Business Licensing By-law 332-2013 is replaced in its entirety with the following:

5. No Person shall:

- (a) Sell or offer for sale, cause or permit to be sold, sell or otherwise distribute Permitted Fireworks unless the vendor

has obtained a Consumer Fireworks Vendor's Licence under this By-law, and:

- (i) The fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of National Resources (Canada) or its successor;
 - (ii) The fireworks are displayed in individual lots that do not exceed 25 kilograms in gross weight;
 - (iii) The fireworks are displayed in a package, glass case or other suitable receptacle away from flammable and combustible substances, any source of heat or any substance that could cause ignition, such as open flames or lit cigarettes; and
 - (iv) The fireworks must not be exposed to heat or dampness that could cause them to deteriorate;
- (b) Sell or offer for sale, cause or permit to be sold, sell or otherwise distribute Prohibited Fireworks to the public;
 - (c) Sell or offer for sale, buy or offer to buy any Permitted Fireworks at any time during the year, except the 7 days prior to Victoria Day, Canada Day, Diwali and New Year's Eve;
 - (d) Sell or offer to sell Permitted Fireworks unless at least one person at the business has completed, in the current calendar year, the Fireworks Retailers Course;
 - (e) Knowingly sell or supply fireworks to a person less than 18 years of age or who appears to be under 25 years of age without proof of age;
 - (f) Accept money from a person less than 18 years of age or appears to be less than 25 years of age without proof of age; or
 - (g) Store Permitted Fireworks for sale except as permitted under the Act.


ENACTED and PASSED this 14th day of December, 2016.

Approved as to form. 2016/12/05 N. Kotecha
--

Approved as to content. 2016/Dec/05 Wendi Hunter
--



Linda Jeffrey, Mayor



Peter Fay, City Clerk