



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 57-94

A by-law to amend Licensing
By-law 15-91

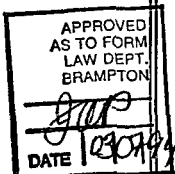
The Council of the Corporation of the City of Brampton
ENACTS AS FOLLOWS:

1. By-law 15-91 is hereby amended by adding the attached schedule relating to the persons selling and setting off of fireworks as Schedule 27b.

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL
this 28th day of March, 1994.


PETER ROBERTSON - MAYOR


LEONARD J. MIKULICH - CLERK



SCHEDULE NO. 27b TO BY-LAW 15-91

Relating to persons selling and
setting off of fireworks

THE COUNCIL of the Corporation of the City of Brampton
ENACTS as follows:

DEFINITIONS

In this schedule:

1. "Act" means the Explosives Act, R.S.C., 1985, c. E-17 and the regulations as amended to and as in effect on the date of the passing of this by-law.

"Fire Chief" shall include the Fire Chief's designate.

"Recreational low hazard fireworks" are low hazard fireworks generally used for recreation such as fireworks showers, golden rain, lawn lights, pin wheels, roman candles, volcanoes, sparklers, Christmas crackers and caps.

"Recreational high hazard fireworks" are high hazard fireworks generally used for recreation such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination, set pieces, pigeons and firecrackers (also known as display fireworks).

"Licensed factory" means a licensed factory as defined in the Explosives Act.

"Licensed Fireworks Magazine" means a magazine licensed for fireworks as defined in the Explosives Act.

"vehicle" shall include a temporary structure.

SALE, STORAGE & DISPLAY IN MOBILE TRAILERS & TEMPORARY STRUCTURES

2. No person shall:

- (1) sell or offer for sale any recreational low hazard fireworks from any vehicle which contains a gas, propane or diesel fuel tank;
- (2) sell or offer for sale any recreational low hazard fireworks except on Victoria Day, Canada Day and the fourteen (14) days immediately preceding each of them unless that person is the operator of a licensed factory or licensed fireworks magazine;
- (3) display in any manner visible to the public any recreational low hazard firework except a mock sample not containing any explosive material;
- (4) display or sell within a vehicle, a "lot" or "bin" of fireworks exceeding twenty-five (25) kilograms (55 lbs.);
- (5) cause fireworks to be exposed to direct sunlight;

- (6) have in his possession within a vehicle or within six (6) metres (20 feet) of a vehicle in which any fireworks are kept or displayed for sale, any:
 - (a) lighted match;
 - (b) lighted lighter;
 - (c) lighted pipe;
 - (d) lighted cigar;
 - (e) lighted cigarette;
 - (f) any unapproved heat source;
 - (g) any source of spark or flame; and
 - (h) any electrical wiring not approved and labelled by Ontario Hydro.
 - (7) permit access to fireworks stored within a vehicle, unless the vehicle has two separate operative doors and signs stating that lighted smoking material is prohibited within six (6) metres (20 feet) of the vehicle are posted at every point of entrance to the vehicle visible from a distance of 6 metres (20 feet);
 - (8) leave a vehicle unlocked or unattended;
 - (9) have a vehicle, which is not equipped with at least two (2) fire extinguishers with a minimum 3A, 10BC rating;
 - (10) offer for sale fireworks unless kept within an enclosed display unit of non-combustible material or of 3/4" plywood construction;
 - (11) sell fireworks to persons under eighteen (18) years of age;
 - (12) display, sell or offer for sale recreational high hazard fireworks;
 - (13) sell or offer for sale fireworks from a vehicle or temporary premise without approval of the Licence Issuer;
 - (14) display fireworks within 50 metres (164 feet) of a premise where gasoline or highly inflammable materials are kept or sold;
 - (15) store fireworks other than in a cool dry place; and
 - (16) position a vehicle from which fireworks are sold or offered for sale in a location which is inaccessible to the Fire Department or which is not within 150 metres (500 feet) of a fire hydrant.
3. Where a licence has been issued the licensee shall comply with the following conditions:
- (1) Only fireworks authorized pursuant to Explosives Regulations of the Department of Energy, Mines and Resources shall be used in any fireworks display;

- (2) All fireworks to be used in an approved display shall be stored in a cool, dry place, remote from flammable materials and inaccessible to the public;
- (3) All fireworks that remain unfired and any fireworks that failed to fire, and for which permission has been granted, shall immediately be disposed of in a safe manner having regard to the particular type of fireworks remaining; and
- (4) Post signage stating the age restriction for sales.

LICENCE REQUIREMENT

4. Every applicant for a licence shall:

- (1) supply to the Licence Issuer a letter from the owner of the property granting them permission to sell fireworks;
- (2) supply, when requested by the Licence Issuer, a compliance letter from the Zoning Department of the City of Brampton; and
- (3) submit to an inspection by the Licence Issuer of each premises to be licensed and all inventory to be sold.