



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 293-97

A By-law to regulate the storage and setting off of fireworks and to Repeal By-law 58-94

The Council of the Corporation of the City of Brampton hereby enacts as follows:

DEFINITIONS

In this by-law:

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" includes 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 for toy guns.

"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.

2. No person shall:
 - (1) hold a display of or set off recreational low hazard fireworks except on Victoria Day and Canada Day unless a permit has first been obtained from the Fire Chief;
 - (2) set off any recreational low hazard fireworks in or into any building, structure, or automobile;

- (3) set off any recreational low hazard fireworks in, on or into any highway, street, lane, square or other public place;
- (4) Set off any recreational low hazard fireworks in such a place or in such a manner as might create a danger or nuisance to any person or property; and
- (5) hold a display of recreational low hazard fireworks except on his own land or other privately owned land where the consent of the owner has been obtained and except in accordance with all other provisions of this by-law.

DISCHARGE OF FIREWORKS

3. No person shall discharge any fireworks within the limits of the City of Brampton at any time during the whole of the year except on the days observed as Victoria Day and Canada Day or by Permit and in any case, only as permitted by the provisions of this by-law.
4. No person, other than a person who has successfully completed a fireworks supervisor's course and who holds a valid Fireworks Supervisor Card, shall set off or cause to be set off recreational high hazard fireworks for a display approved under this section.
5. No person shall use in any fireworks display fireworks other than those authorized pursuant to Explosives Regulations of the Department of Energy, Mines and Resources.
6. No person shall store fireworks to be used in an approved display other than in a cool, dry place, remote from flammable materials and inaccessible to the public.
7. Every person shall ensure that all fireworks that remain unfired and any fireworks that failed to fire, shall immediately be disposed of in a safe manner having regard to the particular type of fireworks remaining.

PERMIT ISSUANCE

8. A person or organization may hold a recreational high hazard fireworks display by permit as issued by the Fire Chief.
9. The Fire Chief may issue a permit for the display of recreational low hazard fireworks for days other than Canada Day and Victoria Day.
10. The Fire Chief may impose such conditions upon the issuance of a permit as he considers are required to ensure the safety of the public.

RECREATIONAL HIGH HAZARD

11. The Fire Chief may issue a permit for a display of recreational high hazard fireworks if he is satisfied that the regulations set out in this by-law are complied with, provided application for such permit is made at least seven (7) days prior to the proposed event.
12. The Fire Chief may impose such conditions upon the issue of a permit for a display of recreational high hazard fireworks as he considers are required to ensure the safety of the public.

13. Nothing in this by-law prohibits the issue of a permit for a display of recreational high hazard fireworks at any time of the year but no such permit shall be issued unless application has been made in writing to the Fire Chief at least seven (7) days prior to the day upon which it is proposed to hold the display.
14. No person shall set off any recreational high hazard fireworks except as part of a display of recreational high hazard fireworks authorized by a permit issued pursuant to this by-law.
15. No person shall hold a display of recreational high hazard fireworks except under and in accordance with a permit to do so pursuant to this by-law.

STORAGE AND DISPLAY WITHIN BUILDINGS

16. No person shall:
 - (1) display or sell within any building, fireworks in a "lot" or "bin" which exceeds twenty-five (25) kilograms (55 lbs.);
 - (2) display or sell fireworks exposed to direct sunlight;
 - (3) display or sell fireworks which exceeds 1,000 kilograms (2,200 lbs.), unless the wholesaler is licensed by the Explosives Division, Department of Energy, Mines and Resources;
 - (4) have in his or her possession within six (6) metres (20 feet) of any fireworks kept or displayed for sale, any:
 - (a) lighted match;
 - (b) lighted lighter;
 - (c) lighted pipe;
 - (d) lighted cigar; or
 - (e) lighted cigarette.
 - (5) have in his or her possession within a building or within six (6) metres (20 feet) of a building 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; or
 - (g) any electrical wiring not approved and labelled by Ontario Hydro.

- (6) permit access to fireworks stored within any building, unless the building has two separate operative doors and signs stating that the items listed in subsection (4) are prohibited within six (6) metres (20 feet) of the building are posted at every point of entrance to the building.

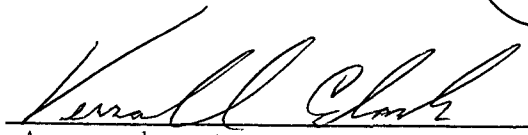
REPEAL OF BY-LAWS

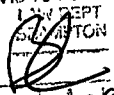
- 17. By-law 58-94 is hereby repealed.
- 18. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

Read a first, second and third time and passed in open Council this **15th** day of **December** , 1997.


Peter Robertson Mayor


Leonard J. Mikulich Clerk


Approved as to content
Verrall Clark, Fire Chief

APPROVED
AS TO FORM
LAW DEPT
MUNICIPALITY

DATE 11/16/97