

THE CORPORATION OF THE TOWN OF GORE BAY

BY-LAW NO. 2013-04

BEING A BY-LAW TO PROHIBIT AND REGULATE THE SALE OF FIREWORKS AND THE SETTING OFF OF FIREWORKS

WHEREAS Section 121(a) of the Ontario Municipal Act, 2001. S.O. 2001 c.25 as amended provides that a Council may prohibit and regulate the sale of fireworks and the setting off of fireworks;

AND WHEREAS Council for the Corporation of the Town of Gore Bay deems it necessary for the safety and well being of the community to prohibit and regulate the setting off of fireworks;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GORE BAY ENACTS AS FOLLOWS:

1. DEFINITION:

1.1 **Fireworks/Pyrotechnics**- means any and all classes of fireworks, including but not limited to the following:

1.2 **Class F.1**- Class F.1 comprises low-hazard fireworks (consumer fireworks) generally used for recreation, such as fountains, wheels, Roman candles, sparklers, Christmas crackers, volcanoes, mines, snakes and toy pistol caps.

1.3 **Class F.2**- Class F.2 comprises high-hazard display fireworks used for recreation, such as display shells, barrages, batteries, fountains, exhibition candles, flares, set-pieces, maroons, wheels, bouquets and firecrackers. These may only be purchased by persons with a valid fireworks certificate.

2. SALE OF FIREWORKS:

2.1 No person shall, within the Town of Gore Bay, sell or give any type of fireworks to any persons under the age of eighteen (18) years.

2.2 No person shall sell any prohibited fireworks.

3. CLASS F.2- HIGH HAZARD DISPLAY FIREWORKS PERMIT:

3.1 High Hazard Display Fireworks shall only be set off with the prior approval from the Chief of the Gore Bay Gordon/Barrie Island Joint Fire Department.

3.2 Requests for approval must be submitted to the Town of Gore Bay 14 days prior to the event.

3.3 The application must specify:

- a) The date and time of the fireworks
- b) The location in which the fireworks will be discharged and the direction they will be discharged
- c) The volume of fireworks to be discharged
- d) The fire safety precautions which have been put in place
- e) The name and qualifications of the individual responsible for the fireworks

3.4 The person responsible must sign a declaration indicating they understand and accept responsibility for conducting the fireworks.

3.5 Notwithstanding the provisions of this By-Law, the Corporation of the Town of Gore Bay may hold special displays of fireworks to celebrate national or civic holidays or national celebrations or special Town events.

5. DISCHARGING FIREWORKS:

5.1 No person shall discharge any fireworks between the hours of 11pm and 7am.

5.2 No person under the age of eighteen (18) years shall discharge any fireworks within the Town of Gore Bay, except under the direct supervision of and control of a person eighteen (18) years of age or over.

5.3 No person shall discharge any fireworks except on land belonging to the person setting off the fireworks or on other privately owned land where the consent of the owner has been obtained.

5.4 No person shall discharge any fireworks in such a manner as might create danger or constitute a nuisance to any person or property.

5.5 No person shall cause or allow any unsafe act at the time and place of the discharging of any fireworks.

5.6 No person shall discharge any fireworks in or into any building, structure, doorway, or automobile.

5.7 No person shall discharge any fireworks in or on or into any highway, street, lane, boulevard, roundabout, private roadway, land used for school purposes or other public places.

OFFENCES AND PENALTIES:

1. Every person who contravenes any of the provisions of this by-law is guilty of an offence.
2. Every person who is convicted of an offence under this by-law is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

EFFECTIVE DATE:

This by-law comes into force and effect on the date it is passed.

SHORT TITLE:

This by-law may be referred to as the "Fireworks By-Law".

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS DAY
OF , 2013.

.....
MAYOR

.....
CLERK