

THE CORPORATION OF THE TOWNSHIP OF CENTRE WELLINGTON

BY-LAW NO. 2002 - 47

Being a By-law to regulate the sale and discharge of fireworks in the Township of Centre Wellington

WHEREAS pursuant to the provisions of paragraphs 37 and 38 of Section 210 of the Municipal Act, R. S. O. 1990, Councils of local municipalities may pass by-laws for regulating the sale of fireworks and for prohibiting the sale of fireworks on any day or days during the year and for prohibiting or regulating the setting off of fireworks in the municipality or in any defined area or areas thereof and for requiring a permit for the holding of fireworks displays and prescribing the conditions under which fireworks displays may be held under such permit.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CENTRE WELLINGTON ENACTS AS FOLLOWS:

1. No person shall display, offer for sale, or sell fireworks, squibs, fireballs or firecrackers within the limits of the Township of Centre Wellington excepting on the days being observed as Victoria Day and Canada Day and for seven days prior to each of such days.
2. No person shall display, offer for sale or sell fireworks, squibs, fireballs or firecrackers on any property located within the Township of Centre Wellington that is not zoned for commercial uses or on property which discharges gasoline, naphtha gas and other fuels.
3. An application for a permit to sell fireworks within the Township of Centre Wellington must be approved by the Fire Chief.
4. The applicant must comply with Section 5.2 of the Ontario Fire Code, provided for information purposes only as Schedule "A" to this by-law.
5. No person shall sell any fireworks, squibs, fireballs or firecrackers to any person under the age of eighteen (18) years.
6. No person shall discharge any fireworks, squibs, fireballs or firecrackers within the limits of the Township of Centre Wellington at any time during the whole of the year, except in conjunction with the Victoria Day and Canada Day celebrations.
7.
 - a) Notwithstanding the provisions of this by-law, a group, organization or individual may, with the approval of the Fire Department, hold a fireworks display on any day in the year, and for such purposes may purchase and persons may sell fireworks for such display.
 - b) Any fireworks that remain unfired after such display has been concluded, 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.
8. Any person convicted of a breach of any of the provisions of this by-law pursuant to the provisions of the Provincial Offences Act shall forfeit and pay at the discretion of the convicting Magistrate a fine not exceeding Two Thousand (\$2,000.00) dollars for each offence.

9. Upon the coming into force of this by-law, all by-laws of the former municipalities of the Corporation of the Village of Elora, the Corporation of the Township of Eramosa, the Corporation of the Town of Fergus, the Corporation of the Township of Nichol, the Corporation of the Township of Pilkington and the Corporation of the Township of West Garafraxa which regulated the sale and discharge of fireworks are hereby repealed.
10. This By-law to take effect upon its final passing.

READ A FIRST AND SECOND TIME this 15th day of July 2002

Schedule "A" to By-law No. 2002-47

Section 5.2 - Explosives and Fireworks & Pyrotechnics

Subsection 5.2.1 - Explosives

5.2.1.1 The storage, handling and use of explosives, blasting agents, detonators, propellant explosives, pyrotechnics and ammunition shall be in conformance with the *Explosives Act (Canada)* and the *Explosive Regulations*, made thereunder

5.2.1.2(1) Any person using, storing or handling explosives shall establish fire emergency procedures in conformance with Section 2.8 and that shall specify:

- a) the location and identification of storage and use areas
- b) methods to control a fire emergency safely and efficiently,
- and
- c) the names, addresses and telephone numbers of persons to be contacted in case of fire during nonoperating hours.

Subsection 5.2.2 - Fireworks & Pyrotechnics

5.2.2.1 The manufacture, storage, transportation and sale of fireworks & pyrotechnics shall be in conformance with the *Explosives Act (Canada)* and the *Explosives Regulations* made thereunder.

5.2.2.2 The handling and discharge of fireworks & pyrotechnics shall conform with the Fireworks Manual & Pyrotechnics Special Effects Manual, as published by the Explosives Regulatory Division, Natural Resources, Canada.