

## **DISTRICT OF PORT EDWARD**

### **BYLAW NO. 384**

#### **A BYLAW FOR THE PROHIBITION OF THE SALE OR DISPOSAL OF FIREWORKS AND THE DISCHARGE OF FIREWORKS EXCEPT BY PERMIT TO AN AUTHORIZED PERSON**

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WHEREAS pursuant to the provisions of the Municipal Act, Chapter 290, R.S.B.C. 1979 and the amendments thereto, Council may, by bylaw, prohibit the sale and disposal of fireworks, regulate and prohibit the discharge of fireworks, and issue permits for the use of fireworks under certain terms and conditions;

AND WHEREAS Council deems it expedient and desirable to provide such a bylaw;

NOW THEREFORE the Council of the District of Port Edward, in open meeting assembled, enacts as follows;

#### **SECTION I - DEFINITIONS**

1.01 In this bylaw;

“Authorized Person” means a person who has been issued with a current Fireworks Supervisor Certificate by Energy Mines and Resources Canada.

“Council” means the District of Port Edward

“Fireworks” means all firecrackers, cannon crackers, fireballs, mines roman candles, sky rockets, squibs, torpedoes and all fireworks designated as low hazard fireworks and high-hazard fireworks under the Explosives Regulations (Canada) excluding sparklers, Christmas crackers and caps for toy guns.

#### **SECTION II - PROHIBITION OF SALE OR DISPOSAL**

2.01 No person shall sell or offer to sell, either by way of retail or wholesale, fireworks in the District of Port Edward.

2.02 No person shall give or otherwise dispose of fireworks to another person in the District of Port Edward.

### **SECTION III - EXPLOSION OF FIREWORKS**

- 3.01 Except as provided in this bylaw, no person shall explode or discharge fireworks in the District of Port Edward, whether on public or private property.

### **SECTION IV - MANUFACTURING OF FIREWORKS**

- 4.01 No person shall manufacture any fireworks by altering or combining any combustibles, chemicals, explosives, flammables or other dangerous things.

### **SECTION V- PERMITS**

- 5.01 Notwithstanding Section III herein, the Council may authorize issuance of a permit to an authorized person for the discharge of fireworks for the purpose of the observance or celebration of a special event or festival where all conditions to obtain a permit under this bylaw have been met.
- 5.02 Application for a Permit required by this Bylaw shall be made in the form prescribed by the Fire Chief or his designate.
- 5.03 Such Permit after payment of Permit Fee shall be submitted by the Fire Chief and the Applicant to the District Council for their approval.
- 5.04 The fee for every permit issued under this section shall be Zero Dollars (\$0.00), payable to the District of Port Edward prior to issuance of the permit.
- 5.05 Such Permit once issued is not transferable, and any change in operations to be conducted requires a new permit.
- 5.06 No permit shall be issued unless the fireworks are under the care and control of an authorized person for purposes of storage and explosion or discharged.
- 5.07 The handling and discharge of Fireworks shall conform to the "Fireworks Manual", published in 1991 by Energy, Mines and Resources Canada.
- 5.08 Notwithstanding the issuance of a permit herein, such permit does not authorize the sale by any person, to permit holder, of fireworks in the District of Port Edward.

### **SECTION VI - PENALTIES**

- 6.01 Every person who violates any provision in this bylaw commits an offence punishable upon summary conviction and shall be liable to a maximum fine of not more than Two Thousand Dollars (\$2,000.00), to imprisonment for not more than six (6)months, or to both fine and imprisonment.

**SECTION VII - SEVERABILITY**

7.01 If any section, subsection or clause of this bylaw is declared or held to be invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been enacted and adopted without the invalid and severed section, subsection or clause.

**SECTION IX - CITING**

9.01 This Bylaw may be cited as “Fireworks Regulation Bylaw No. 384, 1996 “.

READ a first time this 29th day of May, 1996.

READ a second time this 29th day of May, 1996.

READ a third time this 29th day of May, 1996.

RECONSIDERED and adopted this 12th day of June, 1996.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Certified a true copy of Bylaw No. 384 cited as  
“Fireworks Regulation Bylaw No. 384 , 1996” .

\_\_\_\_\_  
Clerk

**DISTRICT OF PORT EDWARD  
VOLUNTEER FIRE DEPARTMENT**

APPLICATION TO CONDUCT A FIREWORKS DISPLAY

**REQUIREMENTS:**

1. The applicant must be the person supervising the fireworks.
2. The applicant must be at least 18 years of age.
3. The applicant must have read, understood and agreed to follow the safety rules and recommendations defined in the FIREWORKS MANUAL issued by Energy, Mines and Resources Canada.

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Location of Display: \_\_\_\_\_

Date of Display: \_\_\_\_\_ Time of Display: \_\_\_\_\_

Type of Event: \_\_\_\_\_

Sponsoring Organization: \_\_\_\_\_

Additional Information / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Applicants Signature

\_\_\_\_\_  
Date

Permit Name :

Permit # :

Issue Date :

Effective Date :

Expiry Date :

=====Property Owner =====

Name:  
Address:  
City: Telephone:

=====Permit Issued To =====

Name:  
Address:  
City: Telephone:

=====Permit Information =====

Proposed Time of Display: \_\_\_\_\_

Reason for Display: \_\_\_\_\_

Sponsoring Organization: \_\_\_\_\_

**RE: APPROVAL TO CONDUCT A FIREWORKS DISPLAY WITHIN THE DISTRICT OF PORT EDWARD**

This permits the holder to conduct a Fireworks Display within the boundaries of the District of Port Edward. This approval is conditional on the permit holder meeting and adhering to the requirements outlined below.

1. The permit holder must a minimum of 18 years of age.
2. The permit holder must read, understand and agree to follow all rules, regulations and recommendations pertaining to the safe handling, storage and discharge of fireworks as defined in the "FIREWORKS MANUAL" issued from time to time by Energy, Mines and Resources Canada.
4. This permit may be revoked or rescinded at any time if in the opinion of the Fire Chief or his designate it is advisable to do so.

=====Permit Issued by =====

Name: \_\_\_\_\_

Title: \_\_\_\_\_