



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 73-93

A by-law to regulate the sale and setting off of fireworks and to Repeal By-law 35-74

THE COUNCIL of the Corporation of the City of Brampton 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.
 

"Commissioner" means the Commissioner of Public Works and Building or his 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.

"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) 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;
  - (2) display in any shop window, any recreational low hazard firework except a mock sample not containing any explosive material;

- (3) set off any recreational low hazard fireworks except on one of the days on which that firework might be sold;
- (4) set off any recreational low hazard fireworks in or into any building, structure, or automobile;
- (5) set off any recreational low hazard fireworks in, on or into any highway, street, lane, square or other public place;
- (6) 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;
- (7) 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;

#### RECREATIONAL HIGH HAZARD

3. 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.
4. 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.
5. 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 thirty (30) days prior to the day upon which it is proposed to hold the display.
6. 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.
7. 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

8. 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; or
  - (e) lighted cigarette.
- (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 and are posted at every point of entrance to the building.
- (7) offer for sale fireworks unless kept within an enclosed non-combustible display unit.
- (8) sell fireworks to persons under eighteen (18) years of age.

#### DISCHARGE OF FIREWORKS

8. 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.
9. Notwithstanding the provisions of this by-law, a person or organization may, with the approval of the Commissioner, hold a fireworks display on any day in the year, and for such purposes, may purchase and an approved person may set off fireworks for such display.
10.
  - (1) No person, other than a person who has successfully completed a fireworks supervisor's course and who holds a Fireworks Supervisor Card, shall set off or cause to be set off the fireworks for a display approved under this section.
  - (2) Only fireworks authorized pursuant to Explosives Regulations of the Department of Energy, Mines and Resources shall be used in any fireworks display approved under this section.

- (3) 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.
- (4) 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.
- (5) No person shall discharge any fireworks or any class or classes thereof during a fireworks display without first having obtained approval from the Commissioner.

11. 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.

REPEAL OF BY-LAWS

11. By-law 35-74 is hereby repealed.

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL,  
 this 26th day of April, , 1993.

*Peter Robertson*  
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 PETER ROBERTSON - MAYOR

*L. Mikulich*  
 \_\_\_\_\_  
 LEONARD J. MIKULICH - CLERK

APPROVED  
 AS TO FORM  
 LAW DEPT  
 BRAMPTON  
 \_\_\_\_\_  
 DATE 4/16/93