

# THE CORPORATION OF THE TOWNSHIP OF BROCK

## BY-LAW NUMBER 3119-2022

### BEING A BY-LAW TO REGULATE THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CORPORATION OF THE TOWNSHIP OF BROCK

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**WHEREAS** section 121(1) of the *Municipal Act*, S.O. 2001, c.25 ("the Act" as amended) authorizes Council to enact by-laws for prohibiting and regulating the discharging of fireworks and to impose the requirement for a permit for the holding of fireworks displays; and

**WHEREAS** the Council of the Corporation of the Township of Brock wishes to enact the measures herein to provide a mechanism for the regulating, permitting, safe sale and discharge of fireworks within the municipality; and

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BROCK HEREBY ENACTS A BY-LAW AS FOLLOWS:**

#### **1. DEFINITIONS**

- 1.1 **"Building"** means any structure used or intended for supporting or sheltering any use or occupancy.
- 1.2 **"Chief Fire Official"** means the Fire Chief of the Township of Brock or his/her designate.
- 1.3 **"Clerk"** means the Clerk or his/her designate of the Corporation of the Township of Brock.
- 1.4 **"Council"** means the Council of the Corporation of the Township of Brock.
- 1.5 **"Display Supervisor in Charge"** means a person who holds a valid certification under the *Explosives Act* to conduct displays of fireworks.
- 1.6 **"Display Supervisor with Endorsements"** means a person who holds a valid certification under the *Explosives Act* to conduct displays of fireworks.
- 1.7 **"Explosives Act"** means the *Explosives Act*, R.S.C. 1985, c. E-17, and the regulations thereto.
- 1.8 **"Firecracker"** means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flare or marine rockets.
- 1.9 **"Fireworks"** means display fireworks, consumer fireworks and special effect pyrotechnics.
- 1.10 **"Fireworks, Display"** means high-hazard fireworks for recreation, including firecrackers, that are classified as Type F.2 under the *Explosives Act* and Regulations, and includes, but is not limited to, rockets, serpents, shells, bombshells, tourbillion, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons.
- 1.11 **"Fireworks, Consumer"** means low-hazard fireworks for recreation that are classified as Type F.1 under the *Explosives Act and Regulations*, and includes but is not limited to fireworks showers, fountains, golden rain, lawn lights, pinwheels, roman candles, volcanoes, sparklers, and other similar devices, but does not include Christmas crackers and paper containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use

with such caps, safety flares or marine rockets.

- 1.12 "**Fireworks, Prohibited**" includes but is not limited to cigarette buds or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink, or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers; throw down and step on torpedoes, and crackling balls; exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake firecrackers and other trick devices or practical jokes.
- 1.13 "**Fireworks, Special Effect Pyrotechnics**" means an authorized explosive that has been classified as Type F.3 under the *Explosives Act*, and is made, manufactured or used to produce a pyrotechnic theatrical effect in connection with a motion picture, theatre or television production, or as a performance, before a live audience.
- 1.14 "**Local Authority**" means, in relation to special effect pyrotechnics or display fireworks, the municipal, provincial or territorial organization or office that has authority to authorize their use in a locality.
- 1.15 "**Mobile Sales Premise**" means a mobile or portable premise from which fireworks are sold.
- 1.16 "**Permit Issuer**" is the person responsible for issuing permits pursuant to this by-law, and shall be the Clerk or his/her designate.
- 1.17 "**Permanent Fireworks Premise**" means a premise located within a building or part thereof in which the principal year-round business is the sale of fireworks.
- 1.18 "**Permit**" means an authorization under this by-law to sell or to discharge fireworks.
- 1.19 "**Person**" includes a natural individual, and their heirs, executors, administrators or other legal representatives, a corporation, partnership or other form of business association or a receiver or mortgagee in possession.
- 1.20 "**Pyrotechnician in Charge**" means a person who holds a valid certification under the *Explosives Act* to conduct displays of special effects pyrotechnics.
- 1.21 "**Senior Pyrotechnician in Charge**" means a person who holds a valid certification under the *Explosives Act* to conduct displays of special effects pyrotechnics.
- 1.22 "**Temporary Fireworks Premise**" means a premise within a building or part thereof where a retailer sells consumer fireworks but whose principal business is not the sale of fireworks.
- 1.23 "**To discharge,**" when used in relation to fireworks, prohibited fireworks and firecrackers, includes firing, igniting, exploding and setting-off, or causing or permitting the igniting, exploding and setting-off of fireworks.
- 1.24 "**To sell**" includes offering for sale, causing or permitting to be sold and possessing for the purpose of sale.
- 1.25 "**Township**" means the Corporation of the Township of Brock in the Regional Municipality of Durham.

## **2. GENERAL REGULATIONS**

- 2.1 No person shall discharge fireworks except on the day preceding Victoria Day, on Victoria Day, on the day preceding Canada Day and on Canada Day or pursuant to a permit.
- 2.2 The discharging of fireworks, where permitted, can only be discharged between dusk and 12:00 am on the day preceding Victoria Day, on Victoria Day, on the day preceding Canada Day and on Canada Day or pursuant to a permit.
- 2.3 No person shall possess or discharge fireworks except in accordance with the provisions of this by-law.
- 2.4 No person shall possess or discharge any firecrackers or other prohibited fireworks.
- 2.5 No person shall sell any firecrackers or prohibited fireworks.
- 2.6 No person shall sell or permit to be sold any fireworks except in accordance with the provisions of this by-law.
- 2.7 No person shall discharge or possess for the purpose of discharge any display fireworks or special effect pyrotechnics except pursuant to a permit.
- 2.8 In circumstances where a permit is obtained for the discharge of fireworks, no permit applicant shall discharge fireworks at a date, time, location or site other than that specified in the permit and all conditions of such permit shall be observed.
- 2.9 No person shall discharge fireworks in a manner that creates or may create a nuisance or that creates or may create an unsafe condition, danger from fire or from risk of accident, injury or damage at or in respect of any place, location or site, or to or in respect of any person, property or thing.
- 2.10 No person shall discharge fireworks into, in or on any highway, street, lane, square, Public Park or other public place, without previously obtaining a permit for such purpose.
- 2.11 No person shall discharge display fireworks or special effects pyrotechnics within three hundred (300) metres of a hospital, nursing home, home for the aged, church or school unless the consent of the owner or authorized representative thereof is obtained.
- 2.12 No person shall discharge fireworks within three hundred (300) metres of any premises or place where explosives, gasoline or other highly flammable substances are manufactured or stored in bulk.
- 2.13 No person shall sell any fireworks from a mobile sales premise without making application for, obtaining and maintaining, pursuant to the terms of this by-law, a permit therefor authorizing him/her in respect of the location authorized on such permit.
- 2.14 No person shall sell fireworks from a location or site other than that specified on the permit.
- 2.15 A permit holder shall comply with every condition of the permit.
- 2.16 No person shall store or sell fireworks unless in compliance with the *Explosives Act, and the regulations* thereto.

## **3. REGULATIONS AFFECTING THE DISCHARGE OF CONSUMER FIREWORKS**

- 3.1 No parent or guardian of any person under the age of eighteen years shall allow or permit that person to discharge consumer fireworks, except under the direct

supervision and control of a natural person eighteen years of age or older, who shall, at all times, remain physically present in the immediate area where the consumer fireworks are being set off.

3.2 No person shall discharge or hold a display of consumer fireworks on any land that is not owned by him or her, unless written permission for the discharging or the holding of a display of consumer fireworks on a date to be clearly specified in the written permission, has been obtained from the owner.

3.3 Every person who discharges consumer fireworks shall:

- (a) provide and maintain fully operational fire extinguishing equipment ready for immediate use, always present and for a reasonable period thereafter, at the location or site of the setting off consumer fireworks. This includes having knowledge of the operational procedures associated with said fire extinguishing equipment;
- (b) follow the manufacturer's requirements for the discharge of fireworks; and
- (c) permit the inspection of any site where the consumer fireworks may be stored, discharged or displayed, and the consumer fireworks themselves, together with all associated equipment, by anyone authorized to enforce this by-law, forthwith upon demand

3.4 No person shall discharge consumer fireworks into, inside of, or on a building, accessory building, structure, or motor vehicle.

#### 4. **PERMITS FOR THE DISCHARGE OF DISPLAY AND SPECIAL EFFECT PYROTECHNICS**

4.1 In addition to the requirements set out in section 4.3 of this by-law, every application for a permit for display fireworks and special effect pyrotechnics shall include:

- (a) proof of commercial general liability insurance in an amount no less than Five Million Dollars (\$5,000,000), naming the Corporation of the Township of Brock as an additional insured and containing a cross liability clause;
- (b) proof that the applicant has been approved by the Chief Inspector of Explosives pursuant to the *Explosives Act* as a supervisor in charge or pyrotechnician in charge by providing a copy of supervisor's certificate;
- (c) an indemnification and hold harmless undertaking in favour of the Township and signed by the applicant or by an individual having the authority to bind the applicant;
- (d) a complete site plan indicating possible wind direction, location of spectators, fallout zone, direction of firing, location of display setup, buildings, structures, area of access and location of any storage units in which the fireworks to be displayed will be stored before and after the display;
- (e) such further and other information as the Chief Fire Official and/or Authority Having Jurisdiction may require.

4.2 Every person to whom a permit for the discharge of display and special effect pyrotechnics is issued shall:

- (a) provide and maintain fully operational fire extinguishing equipment ready for immediate use, always, and for a reasonable period thereafter, at the location or site of the discharge of fireworks;
- (b) conform to the provisions of the current issue of the fireworks manual

as published from time to time by the Explosives Safety and Security Branch of Natural Resources Canada, or any successor publication, applicable to the handling and discharge of fireworks authorized in the permit;

- (c) produce the permit on demand by any person authorized to enforce this by-law;
- (d) permit the inspection by the Township of the fireworks and any site where the fireworks may be stored or discharged together with all associated equipment and documentation pertaining to the discharge of fireworks; and
- (e) only discharge the fireworks at the date, time, location and discharge site shown on the permit.

4.3 Every permit for the discharge of display and special effects pyrotechnics shall include the following conditions:

- (a) no person, except a display supervisor, and/or display supervisor with endorsements shall discharge any fireworks display and no person, except a pyrotechnician or senior pyrotechnician shall discharge any special effect pyrotechnics;
- (b) the supervisor in charge who is named on the permit application, shall always be present in person at the display during which the display is being discharged and cleaned up;
- (c) any additional conditions that are required by the Chief Fire Official and/or Authority Having Jurisdiction.

## **5. REGULATIONS AFFECTING THE SALE OF CONSUMER FIREWORKS**

5.1 All vendors of consumer fireworks in the Township of Brock are required to conduct the sales of consumer fireworks within a permanent fireworks premise or temporary fireworks premise in accordance with this by-law and all applicable law.

5.2 Notwithstanding section 6.1, a mobile sales premises may be approved within the Township of Brock, provided the vendor conforms with section 6 of this by-law.

5.3 No person shall sell consumer fireworks or possess consumer fireworks for the purpose of sale, except on Victoria Day, on Canada Day and on each of the fourteen (14) days immediately preceding Victoria Day and Canada Day.

5.4 No person shall sell consumer fireworks unless:

- (a) the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Safety and Security Branch of Natural Resources Canada, or their successors;
- (b) the fireworks are sold in accordance with the *Explosives Act and Regulations* made thereunder of Natural Resources Canada;
- (c) non-aerial fireworks in consumer packs that meet the requirements of section 345 (see Appendix B) or in packaging or containers that comply with the safety standards for means of containment under the *Transportation of Dangerous Goods Act, 1992* must be separated into lots of 100 kg or less;
- (d) aerial fireworks in packaging or containers that comply with the safety standards for means of containment under the *Transportation of Dangerous Goods Act, 1992* must be separated into lots of 100 kg or less;

- (e) all other fireworks, whether aerial or non-aerial, must be separated into lots of 25 kg or less;
- (f) each lot must be separated from the other lots by a fire break;
- (g) the fireworks must be kept away from flammable substances and sources of ignition;
- (h) the fireworks must not be exposed to heat or dampness that might cause them to deteriorate;
- (i) the fireworks must be separated from the ceiling and from any fire prevention system by at least 0.6 m;
- (j) only people authorized by the retailer may have access to the area behind a sales counter;
- (k) smoking must be prohibited within 8 m of the fireworks;
- (l) the fireworks must be attended when the sales establishment is unlocked, and
- (m) a seller who sells consumer fireworks to a user must offer the user either a copy of the table (see Appendix A) or a document that includes the same information

5.5 A seller must keep a record of every sale of 150 kg or more of consumer fireworks for two years after the date of the sale. The record must include the following information:

- (a) the buyer's name and address;
- (b) in the case of a licensed buyer, the license number and expiry date;
- (c) the trade name of each firework sold and the name of the person who obtained its authorization;
- (d) the quantity of fireworks sold under each trade name;
- (e) in the case of a sale by a distributor, an indication of whether the fireworks were purchased for re-sale or for use; and
- (f) the date of the sale.

5.6 All vendors of consumer fireworks in the Township of Brock must have written consent from the owner of the property to sell fireworks from said property, unless the applicant is the owner of the said property.

5.7 All vendors of fireworks shall designate and post an area of 8 metres at every location from which fireworks are sold or stored for the purposes of sale as a "non- smoking" area and no person may smoke, vape or ignite any flammable material, or have in his possession any lighted match, lighter, pipe, cigar, cigarette, open flame or spark emitting device in such area.

5.8 All vendors of fireworks shall provide and maintain fully operational fire extinguishers, ready for immediate use, on site always.

5.9 No person shall sell fireworks to any person under the age of eighteen years.

5.10 No vendor of fireworks may permit any employee to sell fireworks without first instructing such employee in the regulations of this by-law and ensuring that such employee complies with these regulations.

5.11 Every vendor of fireworks shall keep their permit certificate issued in respect of this by-law posted in a conspicuous place within the place of sale, always

during the currency of the permit.

- 5.12 All vendors of fireworks within the Township of Brock must hold a valid and appropriate license from the Explosives Branch of Natural Resources Canada, or its successors, if required
- 5.13 All locations and buildings used for the sale of fireworks must comply with the Township of Brock Zoning By-law requirements.
- 5.14 No person shall sell consumer fireworks unless:
- (a) the fireworks are displayed for sale in lots that do not exceed 25 kilograms each in gross weight;
  - (b) the fireworks are displayed for sale in consumer packaging that meet the requirements of section 345 (see Appendix B) of the regulation or in packaging or containers that comply with the safety standards for means of containment under the *Transportation of Dangerous Goods Act, 1992*
  - (c) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat or adjacent to any exit door;
  - (d) consumer fireworks displayed in any shop window shall be mock samples only and shall not contain explosive composition;
  - (e) any unsold fireworks must be returned to the manufacturer or distributor within seven days immediately following Victoria Day and Canada Day;
  - (f) remaining unsold fireworks not exceeding 25 kilograms in gross weight shall be deemed in compliance with subsection 5.13 (d) provided they are immediately stored in a cool, dry place removed from flammable materials and fuel fired appliances, and are inaccessible to the public;
  - (g) the weight of consumer fireworks stored on site cannot exceed 1,000 kilograms in gross weight unless the vendor holds a valid and appropriate license to do so from the Explosives Branch of Natural Resources Canada, or its successors;
  - (h) the weight of consumer fireworks stored on site cannot exceed 100 kilograms in gross weight in an occupancy where residential occupancies are attached.

## **6. PERMITS FOR MOBILE SALES PREMISES**

- 6.1 Every application for a permit pursuant to this section shall be made to the Clerk upon such application form as may be issued by the Clerk from time to time.
- 6.2 The fee(s) payable for a permit shall be payable at the time of issuance of the license and shall be in accordance with the "Fees By-Law" as amended from time to time.
- 6.3 No permit shall be issued to any person under eighteen years of age.
- 6.4 Every permit application for mobile sales premises shall include:
- (a) the name and mailing address of the applicant and the name of the sponsoring organization, if applicable;
  - (b) the operating date(s) of the proposed mobile sales premises;
  - (c) a description and site plan drawing sufficient to identify and locate the site upon the property where the mobile sales premises are proposed;
  - (d) proof of authorization of the owner of the land that the mobile sales

premises may be located on the property;

- (e) proof of commercial general liability insurance in an amount no less than Five Million Dollars (\$5,000,000), naming the Corporation of the Township of Brock as an additional insured and containing a cross liability clause;
- (f) the appropriate permit fee; and
- (g) such further and other information as the Clerk, Chief Fire Official and/or Authority Having Jurisdiction may require.

## **7. REGULATIONS AFFECTING MOBILE SALES OF FIREWORKS**

7.1 In addition to the regulations affecting the sale of fireworks pursuant to this by-law, no person shall sell fireworks from a mobile sales premise except in accordance with the following conditions:

- (a) not less than two (2) signs must be posted in prominent locations on the outside of the mobile sales premise indicating that persons may not smoke, vape or ignite any flammable material, or have in their possession any lighted match, lighter, pipe, cigar, cigarette, open flame or spark emitting device within 8 metres of the mobile sales premise;
- (b) a mobile sales premise shall not be located within twenty (20) metres of any road or occupied parking space and shall not be located within forty (40) metres of any occupied building, or any dwelling or gas station;
- (c) the public shall not be permitted to enter any mobile sales premise for the purpose of purchasing fireworks unless there are at least two operational doors providing means of access to and egress from the mobile sales premise;
- (d) no more than eight (8) customers are permitted in a mobile sales premise at the same time;
- (e) any portable power supply to the mobile sales trailer must be located not less than twelve (12) metres from the mobile sales premise; and
- (f) with the exception of its entrance and exit, every mobile sales premise shall have a "no encroachment zone" of at least six (6) metres established around its perimeter by means of a barrier, such as snow fencing, pylons or other materials satisfactory to the Clerk, Chief Fire Official and/or Authority Having Jurisdiction.

## **8. NATURE OF PERMIT**

8.1 No person shall enjoy a vested right in the continuance of a permit and the value of a permit shall be the property of the Township and shall remain so irrespective of the issue, or revocation thereof.

8.2 No person licensed to carry on any trade, calling business or occupation pursuant to this by-law shall advertise or promote or carry on such trade, calling, business or occupation under any name other than the name endorsed upon his permit.

8.3 The permits required by this by-law shall be valid only for the dates endorsed thereon.

8.4 No permit shall be transferred or assigned and if a person permitted pursuant to this by-law sells, leases or otherwise disposes of his interest in the discharge or sales of fireworks, his permit shall, notwithstanding any other provision of this by-law, be revoked.



- 8.5 Every permit shall have endorsed thereon the location of the mobile sales premises or discharge of fireworks and such endorsement shall be for one location only and such permit shall be valid only for the location endorsed thereon.
- 8.6 Receipt of the application and/or the permit fee by the Township shall not represent approval of the application for the issuance of a permit nor shall it obligate the Township to issue such permit.
- 8.7 The permit issuer shall:
- (a) receive and process all applications for permits to be issued under this by-law;
  - (b) co-ordinate the enforcement of this by-law;
  - (c) generally, perform all the administrative functions conferred upon him by this by-law;
  - (d) make or cause to be made all investigations and inspections which he deems necessary to determine whether an applicant meets the requirements of this by-law and all applicable laws; and
  - (e) issue permits to persons who meet the requirements of this by-law and refuse, suspend or revoke permits pursuant to the provisions of this by-law.
- 8.8 Notwithstanding the foregoing section, upon review of a permit application, the permit issuer may refuse to issue the permit where:
- (a) the past or current conduct of the applicant or permit holder affords reasonable grounds for belief that he is not carrying on or will not carry on the activity for which the permit is required and is made in accordance with law and with integrity and honesty; or
  - (b) there are reasonable grounds for belief that the carrying on of the activity for which a permit is required, by the applicant or permit holder, has or will result in a breach of this by-law or any other applicable law; or
  - (c) the applicant or permit holder is a corporation or a partnership and its conduct or the conduct of its officers, directors, employees, agents or partners affords reasonable grounds for belief that activity for which a permit is required will not be carried on in accordance with the law and with integrity and honesty; or
  - (d) there are reasonable grounds for belief that the premises, accommodations, equipment or facilities in respect of which the permit is required do not comply with the provisions of this by-law or any other applicable law; or
  - (e) the conduct of the applicant or permit holder or other related circumstances afford reasonable grounds for the belief that the carrying on by the applicant of the activity for which a permit is required would infringe the rights, or endanger the health or safety of members of the public; or
  - (f) the applicant or permit holder has provided fraudulent information in the permit application.
- 8.9 The applicant shall be notified, in writing by the permit issuer for the refusal of a permit, and such notification shall include the particulars of the refusal.
- 8.10 Where an application for permit is made in accordance with the provisions of this by-law and the applicant meets all the requirements of this by-law or where

the permit issuer has been so authorized by Council in response to a report in this regard, the permit issuer shall issue a permit which shall set out the date of the permit in accordance with this by-law.

- 8.11 A permit may be suspended or revoked by the permit issuer for a breach of any of the provisions set out in section 8.8 of this by-law, by written notice, and it shall not be reinstated until the permit issuer is able to confirm that the conditions leading to the suspension or revocation have been remedied.
- 8.12 The applicant may appeal the refusal, suspension or revocation of a permit by doing so in writing addressed to the Clerk within 10 days of receipt of the refusal, suspension or revocation notice provided by the permit issuer.
- 8.13 At any meeting of Council called in relation to a report to consider the issuance, suspension or revocation of a permit:
- (a) The applicant and/or permit holder shall be accorded his/her rights pursuant to the *Statutory Powers Procedures Act*, R.S.O. 1990, c. S.22, as amended, including the right to appear and speak to the matter;
  - (b) Where the applicant and/or permit holder has been provided with notice of the meeting and does not attend, Council may proceed with the meeting in the absence of the applicant and/or permit holder; and
  - (c) Where Council concludes that grounds exist upon which a permit may be refused, suspended or revoked, Council may in lieu thereof issue a permit for any period up to a full permit period, on probation, or without a term of probation, subject to such conditions as Council may impose and are in accordance with law.

## **9. OFFENCE, PENALTY AND ENFORCEMENT**

- 9.1 Any person who contravenes or fails to comply with any of the provisions of this by-law is guilty of an offence and, pursuant to section 429 of the Municipal Act, 2001, is liable to a maximum penalty of \$10,000.00 (ten thousand dollars) and a minimum penalty of not less than \$350.00 (three hundred and fifty dollars).
- 9.2 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33 as amended.
- 9.3 The making of a false or intentionally misleading recital of fact, statement or representation in any agreement, statutory declaration or application form required by this by-law shall be deemed to be a violation of the provisions of this by-law and may result in the revocation of a permit issued hereunder.
- 9.4 Every person shall comply with the provisions of this by-law whether or not that person is licensed under this by-law.
- 9.5 Every permit applicant, permit holder and person requiring a permit pursuant to this by-law shall, during the regular operating hours of the premises where fireworks are sold, make available for inspection by the Clerk, the Chief Fire Official, a Peace Officer, a Provincial Offences Officer, a By-law Enforcement Officer and/or Authority Having Jurisdiction, the original of any document or record referred to in this by-law.
- 9.6 Every permit applicant, permit holder and every person discharging fireworks shall, at all times during the set-up, discharge and dismantling of the fireworks, permit the entry by and the inspection of the site where the fireworks will be discharged by the Clerk, the Chief Fire Official, a Peace Officer, a Provincial Offences Officer, a By-law Enforcement Officer and/or Authority Having Jurisdiction.
- 9.7 No person shall obstruct or hinder the entry or the inspection of a mobile sales

premises, temporary fireworks premise or any premise conducting the sale of fireworks or discharge of fireworks, or other premises or items authorized for inspection pursuant to this by-law, by the Clerk, the Chief Fire Official, a Peace Officer, a Provincial Offences Officer, a By-law Enforcement Officer and/or Authority Having Jurisdiction for the purposes of inspecting or for the enforcement of this by-law.

**10. ADMINISTRATION**

10.1 The Chief Fire Official and/or Authority Having Jurisdiction shall be responsible for inspecting and/or approving permit applications, and the Clerk shall be responsible for the issuance and administration of all permits.

**11. MISCELLANEOUS**

11.1 The provisions of this by-law shall apply to all lands and premises within the Township of Brock.

11.2 Should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed herefrom and the remainder of the by-law shall continue in full force and effect.

11.3 Wherever notice or materials are required to be served upon or provided to any person pursuant to this by-law, such provision shall be deemed effective upon mailing of such materials by registered mail to the last address of that person as indicated upon permit or other material filed with the Township or to the last assessed business address for the person indicated upon the taxation roll records.

11.4 The short title of this by-law shall be the "Fireworks By-law".

**12. FORCE AND EFFECT**

12.1 This by-law shall come into force and effect on the date of it is enacted by the Council of the Corporation of the Township of Brock.

12.2 That By-law Number 2535-2014-PP and all amendments thereto are hereby repealed in its entirety.

**ENACTED AND PASSED THIS 25th DAY OF APRIL 2022.**

original signed

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Mayor  
John Grant

original signed

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Clerk/Deputy CAO  
Fernando Lamanna

## Appendix A to By-Law Number 3119-2022

### TABLE

(subsection 352(2) of SOR/2013-211)

#### USING CONSUMER FIREWORKS

Part 16 of the Explosives Regulations provides additional safety rules for consumer fireworks.



PEOPLE UNDER 18 YEARS OLD who use fireworks must be supervised by an adult.



CHOOSE a wide, clear site away from all obstacles. Refer to the safety instructions on the fireworks label for minimum distances from spectators.



DO NOT FIRE IN WINDY CONDITIONS.



READ all instructions on the fireworks. PLAN the order of firing before you begin.



USE A GOOD FIRING BASE such as a pail filled with earth or sand.



BURY fireworks that do not have a base HALFWAY in a container of earth or sand (such as a pail, box or wheelbarrow) unless the label on the firework indicates otherwise. Set them at a 10-degree angle, pointing away from people.



NEVER try to light a firework or hold a lit firework in your hand unless the manufacturer's instructions indicate that they are designed to be hand-held.



LIGHT CAREFULLY: Always light the fuse at its tip.

#### UTILISATION DE PIÈCES PYROTECHNIQUES À L'USAGE DES CONSOMMATEURS

La partie 16 du Règlement sur les explosifs prévoit des règles additionnelles sur la sécurité

LES PERSONNES DE MOINS DE 18 ANS qui utilisent des pièces pyrotechniques doivent le faire sous la supervision d'un adulte.

CHOISIR un emplacement spacieux, bien dégagé et loin de tout obstacle. Consulter les consignes de sécurité sur l'étiquette des pièces pyrotechniques pour connaître les distances minimales entre les pièces et les spectateurs.

NE PAS METTRE À FEU LES PIÈCES PYROTECHNIQUES PAR TEMPS VENTEUX.

LIRE toutes les instructions sur les pièces pyrotechniques. DÉTERMINER l'ordre de mise à feu avant de débiter.

UTILISER UNE BONNE BASE DE MISE À FEU, tel un seau, remplie de terre ou de sable.

ENFOUIR À MOITIÉ les pièces pyrotechniques qui ne possèdent pas de base dans un contenant (par exemple, un seau, une boîte ou une brouette) renfermant du sable ou de la terre, sauf indication contraire sur l'étiquette. Les installer à un angle de 10 degrés et les pointer en direction opposée des spectateurs.

NE JAMAIS tenir dans la main des pièces pyrotechniques qui sont allumées ou que vous tentez d'allumer, sauf si les instructions du fabricant indiquent qu'elles sont conçues pour être tenues dans la main.

ALLUMER PRUDEMMENT : toujours allumer la mèche à l'extrémité.



**KEEP WATER NEARBY:** Dispose of used fireworks (including debris) in a pail of water.

**GARDER DE L'EAU À PORTÉE DE LA MAIN :** mettre les pièces pyrotechniques utilisées et les débris dans un seau d'eau.



**WAIT** at least 30 minutes before approaching a firework that did not go off. **NEVER** try to **RELIGHT** a firework that did not go off. **NEVER** try to fix a firework that is defective.

**ATTENDRE** au moins 30 minutes avant de s'approcher d'une pièce pyrotechnique dont la mise à feu n'a pas fonctionné. **NE JAMAIS** tenter de **RALLUMER** une pièce pyrotechnique dont la mise à feu n'a pas fonctionné. **NE JAMAIS** tenter de réparer une pièce pyrotechnique qui est défectueuse.



**KEEP** fireworks in a cool, dry, ventilated place, out of the reach of children.

**CONSERVER** les pièces pyrotechniques dans un endroit frais, sec, aéré et hors de la portée des enfants.



**IT IS RECOMMENDED** that safety glasses be worn.

**IL EST RECOMMANDÉ** de porter des lunettes de sécurité.

## **Appendix B to By-Law Number 3119-2022**

### **PART 16 of SOR/2013-211**

#### **Adequate consumer pack**

**345.** For the purposes of this Part, a consumer pack must meet the following requirements:

- (a) it must be of sufficient strength to withstand normal handling;
- (b) it must be designed so that it prevents a person who is handling it from being able to ignite the consumer fireworks it contains; and
- (c) it must be designed so that it prevents any shifting of the consumer fireworks during handling or transportation; and
- (d) the trade name of all consumer fireworks in the pack must be printed on it, along with the words “Non-aerial Fireworks/Pièces pyrotechniques non aériennes”, in a location that is clearly visible.