

BY-LAW NUMBER 56-2016

OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A By-law to regulate the sale and setting off of fireworks or any class or classes thereof.

FINALLY PASSED the 18th day of April, 2016

WHEREAS Section 120 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a local council may prohibit and regulate the manufacture, storage, keeping and transportation of explosives and dangerous substances;

AND WHEREAS Section 121 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorizes councils of all local municipalities to prohibit and regulate the sale and setting off of fireworks, may prohibit these activities unless a permit is obtained, and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

AND WHEREAS Section 7.1 (1) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended, provides that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires;

THEREFORE the Municipal Council of The Corporation of the Municipality of Chatham-Kent enacts as follows:

1. DEFINITIONS

In this By-law:

"Authorized Person - Display Fireworks" means those certified persons working under the direct supervision of a Display Fireworks Supervisor.

"Authorized Person - Pyrotechnics" means those certified persons working under the direct supervision of a Pyrotechnician.

"Chief Fire Official" means the Fire Chief of the Fire and Emergency Services for the Municipality of Chatham-Kent, or a member or members of the Fire and Emergency Services so designated by the Fire Chief or as determined under the provisions of the *Fire Protection and Prevention Act, 1997*.

"Consumer Fireworks" means low-hazard Fireworks for recreation that are described under the *Explosives Act, Explosive Regulations 2013, SOR 2013/211 Part 16*, as amended, 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 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 flares, or marine rockets.

"Display Fireworks" means high-hazard Fireworks for recreation, including Firecrackers, that are described under the *Explosives Act, Explosive Regulations 2013, SOR 2013/211 Part 18*, as amended and includes, but is not limited to; rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons.

"Display Fireworks Supervisor" means a person certified by Natural Resources Canada – Explosives Regulatory Division who is an approved purchaser of Display Fireworks and who is qualified at the appropriate level under the *Explosives Act* to supervise the discharge of Display Fireworks.

“Enforcement Officer,” shall mean a Municipal By-law Enforcement Officer or a Police Officer.

“Explosives Act” means the *Explosives Act R.S.C, 1985, c. E-17, (Canada)* and the regulations enacted there under, as amended.

“Event Safety Plan” means a full description of the planned pyrotechnics event and a list of all materials to be fired, detonated, burnt or energized during the event, a sequence of pyrotechnics firing, a list of fire safety precautions, a site plan including a diagram of the event, exits from the event and spectator areas, a description of staffing and staff training, fire extinguishing capability, communications provisions to notify emergency services, and fire watches.

“Fire Ban” means a restriction or prohibition on open-air fires issued by the Chief Fire Official resulting from a high or extreme fire weather index or other hazardous conditions that serves as a temporary revocation of all issued burning Permits.

“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 flares, or marine rockets.

“Fireworks” means fireworks as described in the *Explosives Act* and regulations under the *Explosives Act* and includes Display Fireworks, Pyrotechnic Special Effects Fireworks and Consumer Fireworks.

“Fireworks Display Plan” means a full description of the planned event and a list of all materials to be fired, detonated, burnt or energized during the event, a sequence of Fireworks firing, a list of the fire safety precautions, a site plan including a diagram of the event, the firing zone, fallout zone, spectator area and parking area, and a description of staffing and staff training, extinguishing capability, communications provisions, and fire watches.

“Ignition Source” means a heat source having sufficient energy to initiate combustion of a material.

“Issuer of Licenses” means a person designated as the Issuer of Licenses by the Municipality of Chatham-Kent and includes his/her designate(s).

“Licence” means a business licence issued by the Municipality of Chatham-Kent pursuant to the *Municipal Act, 2001*.

“Municipality” means the Corporation of the Municipality of Chatham-Kent.

“Owner” means the person who is the legal owner of a property.

“Permit” means permission to ignite or set off Fireworks for display or Pyrotechnics granted by the Municipality on a completed form, signed and issued by the Chief Fire Official.

“Person” means an individual, firm, corporation, partnership or combination thereof.

“Prohibited Fireworks” includes, but is not limited to, Sky Lanterns, cigarette loads or plugs, exploding 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 smoke bombs, tear gas pens and launchers, party poppers and table bombs, table rockets and bottle skyrockets, Firecrackers, fake firecrackers and other trick devices or practical jokes, as included on the most recent list of prohibited fireworks, as published from time to time by the Explosives Branch, Natural Resources Canada, or their successors.

"Public Place" means lands or property owned by the Municipality or other levels of government.

"Pyrotechnic Special Effect" means compositions, articles and devices created for the purpose of entertainment through the use of pyrotechnic, propellant, and explosive materials.

"Pyrotechnician" means the person certified by Natural Resources Canada – Explosives Regulatory Division at the appropriate level to conduct a public or private Pyrotechnic Special Effects under the terms of the *Explosives Act*.

"Pyrotechnics" means the sciences of materials capable of undergoing self-contained and self-sustained exothermic chemical reactions for the production of heat, light, gas, smoke and/or sound.

"Sky Lantern" means those devices also known as Flying, Chinese, Kongming or Wish lanterns, or other similar device constructed of paper and a frame containing a fuel pack, which fuel pack is usually a petroleum or wax based fuel that when lit causes the lantern rise.

"Trailer" means an attachment that may at any time be drawn upon a highway by a Vehicle, generally designed to transport persons or property.

"Vehicle" means a motor vehicle, recreational vehicle, all-terrain vehicle, mobile home, boat or other similar item propelled or driven by any kind of power, but does not include Trailers.

2. SALE OF CONSUMER AND DISPLAY FIREWORKS

2.1 No Person shall:

- (a) Sell any Fireworks without a Licence issued by the Municipality to do so, pursuant to this By-law. The holder of a Licence issued under the provisions of this By-law shall prominently display the License in the place of business where the Fireworks are being offered for sale and such Licence shall be produced to any Enforcement Officer upon request.
- (b) Sell any Consumer Fireworks to any Person under the age of eighteen (18) years.
- (c) Sell any Consumer Fireworks during a Fire Ban.
- (d) Sell any Consumer Fireworks to any Person except on:
 - i) the ten (10) days immediately preceding the day fixed by proclamation of the Governor-General for the observance of Victoria Day (hereinafter called "Victoria Day");
 - ii) Victoria Day;
 - iii) the period between Victoria Day and Canada Day;
 - iv) Canada Day;
 - v) the ten (10) days immediately preceding New Year's Day;
 - vi) New Year's Day; and
 - vii) such other day as is proclaimed by the Council for the Municipality as suitable for celebration with Fireworks.
- (e) Sell any Prohibited Fireworks.

- (f) Sell any Consumer Fireworks in a building unless the provisions of the *Ontario Fire Code*, the *Explosives Act* of Canada, this By-law and all other Acts and Regulations have been complied with.
- (g) Offer for sale, cause to be sold, or sell Firecrackers.

2.2 All Persons thereof carrying on business in the Municipality who propose to sell Consumer Fireworks of any kind or description shall observe the following:

- (a) No display of any such Consumer Fireworks shall be exhibited in any display window. This prohibition shall not apply to prevent imitations of such Consumer Fireworks being displayed, provided there are no explosives or chemicals contained in such imitations.
- (b) Customers are not permitted to handle any Fireworks that are not in approved packaging until the Fireworks have been purchased.
- (c) The Person must display those Fireworks that are for sale in accordance with the provisions of the *Explosives Act*.

2.3 No Person shall sell any Display Fireworks to any Person unless the purchaser provides evidence of certification at the appropriate level by Natural Resources Canada – Explosives Regulatory Division as a Display Fireworks Supervisor.

3. LICENSING REQUIREMENTS

3.1 Every Person carrying on the business of selling or offering for sale Fireworks, shall apply for and obtain a Licence from the Municipality and obtain those fire inspections required as part of the Licence approval process at the time of renewal of the Licence.

3.2 An application for a Licence, or a renewal thereof, shall be duly completed on the form(s) provided by the Municipality and the applicant for such a Licence shall provide such documentation or things as the Issuer of Licences may require, and shall pay such fees as Council for the Municipality may establish under the Municipality of Chatham-Kent User Fees By-law.

3.3 The Issuer of Licenses may refuse to issue a Licence to any applicant, or refuse to renew a Licence where:

- (a) the past conduct of the applicant affords reasonable grounds for the belief that the applicant will not carry on the activity for which he/she is to be licensed in accordance with the By-law, and with integrity and honesty;
- (b) the applicant fails to provide any information required by the Issuer of Licenses;
- (c) the issuance of the Licence or renewal of the Licence would not be in the public interest; or
- (d) the applicant is carrying on activities that are, or will be, if the applicant is licensed, in contravention of this By-law or any other applicable law.

3.4 The Issuer of Licenses may issue or renew a Licence subject to such provisions as set out in this By-law.

3.5 Where a Person licenced under this By-law contravenes this By-law, the Issuer of Licenses may revoke or suspend the Licence. Any suspension of a Licence may be subject to such terms and conditions as the Issuer of Licenses may impose.

3.6 Where the Issuer of Licenses refuses to issue or renew a Licence, or intends to

suspend or revoke a Licence, he or she shall notify the applicant or holder of the Licence in writing of such decision. Any applicant or holder of a Licence, who receives a suspension or revocation notice, may apply for an appeal to the By-law Appeal Committee pursuant to By-law No. 22-2015 or any successor By-law.

4. STORAGE AND DISPLAY WITHIN BUILDINGS, TRAILERS OR VEHICLES

4.1.1 STORAGE WITHIN BUILDINGS

No person shall store Fireworks within a building except as follows:

- (a) The storage of Fireworks within buildings shall meet the requirements of the *Explosives Act*. Where there is any conflict between this By-law and the *Explosives Act*, the more restrictive provision shall apply.
- (b) A building may house up to 1000 kg gross weight of Consumer Fireworks provided that it is detached from a dwelling and that the building, or a dedicated portion of it is closed to public access, well-constructed, and used exclusively for Fireworks storage.
- (c) If the building does not meet the requirements of Section 4.1.1(b) of this By-law, the Fireworks may be kept in a lockable secure bin within the building, but in this case the storage limit is reduced to 100 kg gross weight. At any time when not in use, the bin shall be locked.
- (d) The storage facility must display warning signs marked "FIREWORKS" and "NO SMOKING."
- (e) At least one fire extinguisher of suitable size shall be mounted on a wall in the proper location for use in the case of a fire.

4.1.2 STORAGE WITHIN VEHICLES

- (a) Storage of Fireworks in a Vehicle is prohibited.

4.1.3 STORAGE WITHIN TRAILERS

- (a) No Person shall:
 - i. Exhibit actual Fireworks that are for sale in a store display. Pictures or other representations of the Fireworks is permitted.
 - ii. Store Fireworks in any Trailer in amounts exceeding 1000 kilograms unless the wholesaler or retailer is licensed by the Explosives Division, Natural Resources Canada.
 - iii. Allow or permit an Ignition Source within six (6) metres of a Trailer in which any Consumer Fireworks are kept or displayed for sale.
 - iv. Permit access by customers to Fireworks stored within any Trailer, unless the Trailer has two separate operative doors and signs posted at every point of access to the Trailer stating that all Ignition Sources are prohibited within six (6) metres of the Trailer.
 - v. Locate any Trailer containing Fireworks less than twenty (20) metres from any road or parking space or less than forty (40) metres from buildings, dwellings and gas stations.
 - vi. Permit more than ten (10) persons within the Trailer at any one time.
 - vii. Locate any portable electrical power supply and/or fuel supply less

than twelve (12) metres from the Trailer.

- 4.2 Any person selling Fireworks from a Trailer shall place pylons or erect a fence to form and maintain a no encroachment zone of three (3) metres surrounding the Trailer.
- 4.3 Any Person selling Fireworks from a Trailer, who is not the Owner of the lands on which the Trailer is located, shall have obtained, and filed with the Municipality, a letter of permission from the Owner of lands on which the Trailer will be parked.
- 4.4 Any Person selling Fireworks from a Trailer must provide to the Municipality, at the time of application for a Licence or renewal of a Licence, a site plan showing the location of the Trailer and depicting setbacks from public roadways and buildings on the property or adjacent properties and parking areas.
- 4.5 Any Person selling Fireworks from a Trailer must ensure that at least one fire extinguisher of suitable size shall be available within every trailer for use in the case of a fire.
- 4.6 Any Person selling Fireworks from a Trailer must ensure that "No Smoking" signs are placed at each operative door to the Trailer.

5. DISCHARGING OF CONSUMER FIREWORKS

- 5.1 The igniting and setting off of Consumer Fireworks as set out in the provisions of this By-law, is hereby prohibited except on
 - (a) Victoria Day and the three days immediately preceding and following Victoria Day;
 - (b) Canada Day and the three days immediately preceding and following Canada Day;
 - (c) New Year's Eve and New Year's Day, and
 - (d) Such day as is proclaimed by Council for the Municipality as suitable for celebration with Fireworks.
- 5.2 No Person shall ignite or set off any Consumer Fireworks on any property unless such Person is the Owner of that property or has written permission to do so by the Owner of such property.
- 5.3 No Person shall set off or allow to be set off any Consumer Fireworks in such a place or in such a manner as might create danger to any Person or damage to any property, or do or cause or allow any unsafe act or omission at the time and place of the setting off of any Consumer Fireworks, and without restricting the foregoing:
 - (a) No Person under the age of eighteen (18) years shall set off or hold in their hand any Consumer Fireworks except under the direct supervision and control of a parent or other responsible adult.
 - (b) No Person shall possess, set off, or cause to be set off any Firecrackers, or Prohibited Fireworks.
 - (c) No Person shall set off Consumer Fireworks without having the means readily available to summon the emergency services.
 - (d) No Person being the parent or guardian of any person under the age of eighteen (18) years shall allow him or her to set off any Consumer Fireworks except when such parent or guardian or some other responsible person is in direct supervision and control.

- (e) No Person shall ignite or set off any Consumer Fireworks on or onto any highway, street, lane, square or other Public Place. This provision shall not prohibit a Consumer Fireworks display in a public park or other Public Place, provided permission is obtained from the Municipality and there is compliance with all of Parts 5, 6 and 7 of this By-law.
- (f) No Person shall set off any Consumer Fireworks in or into any building, doorway, automobile or other place (such as the roof of a building) where such setting off might create danger to any Person or damage to property or that may create a nuisance.
- (g) No Person shall set off Consumer Fireworks after the hour of 11:00 pm, (local time) without written approval from the Chief Fire Official.

6. PERMIT FOR THE DISPLAY OF FIREWORKS

6.1 Every Person who wishes to set off any Display Fireworks shall first obtain permission from the Owner of the property and then a Permit signed by the Chief Fire Official.

6.2 Every person who wishes to display Consumer Fireworks for the public on municipal property, shall first obtain written permission from the Municipality and obtain written approval from the Chief Fire Official, who may set any reasonable conditions for such approval.

6.3 All Fireworks displays provided for in Sections 6.1 and 6.2 of this By-law shall be conducted in accordance with a Fireworks Display Plan approved by the Chief Fire Official.

6.4 Every application for a Permit shall be made in writing to the Chief Fire Official and received not less than thirty (30) calendar days prior to the setting off of the Fireworks display. A Fireworks Display Plan shall accompany the application.

6.5 Every application for a Permit shall include the following:

- (a) the Permit fee as outlined in the Municipality of Chatham-Kent User Fees By-law,
- (b) the Name and contact information for which the Permit is to be issued,
- (c) the date, time, and location or site of the setting of the Fireworks display,
- (d) for the setting off of Display Fireworks; the name, phone number, address and certification numbers of the Display Fireworks Supervisor, and any Authorized Persons – Display Fireworks participating in the event,
- (e) the name of the sponsor or purchaser of the event, and
- (f) a Fireworks Display Plan.

6.6 No Person, other than the Display Fireworks Supervisor or an Authorized Person – Display Fireworks shall set off or cause to be set off Display Fireworks for an audience.

6.7 It shall be a condition of the Permit that all unused Fireworks and all Fireworks debris be safely removed from the display site and fall out area and safely disposed of by the Permit holder immediately upon the conclusion of the display. No Permit holder shall fail to remove unused Fireworks and Fireworks debris from the display site.

6.8 The Permit for Fireworks displays shall be valid only for the date or dates set forth

in the Permit.

6.9 The Permit holder shall supervise the setting off of all Fireworks.

7. DISCHARGING OF DISPLAY FIREWORKS

7.1 No Person shall set off or have a display of Display Fireworks without first obtaining a Permit to do so. The Permit shall be available for viewing by an Enforcement Officer at all times, upon request.

7.2 No Person shall ignite, set off, or have a display of Display Fireworks on any property unless such person is the Owner of that property or has written permission to do so by the Owner of that property.

7.3 No Person shall ignite, set off, or have a display of Display Fireworks unless such Person is either qualified as a Display Fireworks Supervisor or is an Authorized Person - Display Fireworks working under the direct supervision of a Display Fireworks Supervisor.

7.4 A Display Fireworks Supervisor shall produce a current certificate of qualification as issued by the Explosives Regulatory Division, Natural Resources Canada upon the request of the Chief Fire Official or an Enforcement Officer.

7.5 No Person shall ignite, set off, or have a display of Display Fireworks unless there is provided; fully operational fire extinguishers of an approved size and quantity that are ready for immediate use and a means to immediately summon the emergency services to the display site.

7.6 No Person shall transport, setup, ignite/set off, or operate Display Fireworks except in accordance with the requirements outlined in the most recent Display Fireworks Manual, published by Natural Resources Canada.

7.7 No Person shall ignite, set off, or have a display of Display Fireworks during those times when winds are greater than 30 kilometres per hour or when a Fire Ban has been issued.

7.8 No Person shall set off Display Fireworks in a manner which violates the terms of a Permit or any plans, directions or conditions of the Permit.

8. PYROTECHNICS

8.1 No Person shall ignite, set off, or have a display of Pyrotechnics without first obtaining a Permit to do so. The Permit shall be available for viewing by an Enforcement Officer at all times, upon request.

8.2 Every Person conducting an event including Pyrotechnic Special Effects shall have an unexpired Pyrotechnician's card issued pursuant to the *Explosives Act* or be an Authorized Person - Pyrotechnics.

8.3 No Person shall transport, setup, ignite, set off or operate Pyrotechnic Special Effects except in accordance with the requirements outlined in the Pyrotechnic Special Effects Fireworks Manual issued by Natural Resources Canada.

8.4 An application for approval of a Pyrotechnics Permit shall be made in writing and received not less than thirty (30) calendar days prior to the setting off of the Pyrotechnics. An Event Safety Plan shall accompany the application.

8.5 No Person shall ignite or set off any Pyrotechnics unless such person is the Owner of that property or has written permission to do so by the Owner of that property.

8.6 An application for approval of a Pyrotechnics Permit shall include the following:

- (a) The Permit fee as outlined in the Municipality's User Fee By-law.
- (b) Date, time and location of the proposed event.
- (c) Names, addresses and certification numbers of all display Pyrotechnicians and Authorized Persons – Pyrotechnics participating in the display.
- (d) The name of the sponsor or purchaser of the event.
- (e) A full description of the planned event and a list of all materials to be fired, detonated, burnt or energized during the event, the sequence of firing, and
- (f) An Event Safety Plan.

8.7 No person shall set off Pyrotechnics in a manner which violates the terms of a Permit or any plans, directions or conditions of the Permit.

9. INSURANCE

9.1 Every application for a Permit to discharge Display Fireworks or Pyrotechnics must include proof of Commercial General Liability Insurance coverage inclusive per occurrence for bodily injury, death and damage to property, including loss of use, in the name of the applicant for the setting off or holding of a Display Fireworks or Pyrotechnics in the minimum amount of \$5,000,000, and shall name the Municipality of Chatham Kent as an additional insured party. Such insurance shall include coverage for Display Fireworks and/or Pyrotechnic Special Effects. The insurance policy shall include an endorsement to provide the Municipality within 30 calendar days' prior written notice of cancellation or of a material change that would diminish coverage. Evidence of such insurance coverage must be provided prior to the issuing of a Permit.

10. INDEMNIFICATION

10.1 The applicant for a Permit for Display Fireworks or Pyrotechnics under this By-law shall indemnify and save harmless the Municipality of Chatham-Kent from any claims, demands, causes of action, loss, costs or damages that the Municipality may suffer, incur or be liable for any damage or harm resulting from or in any way related to the performance of the applicant as set out in the By-law for the use, display, setting off or ignition of Fireworks or Pyrotechnics, whether with or without negligence on the part of the applicant, the applicant's employees, assistants, directors, contractors and agents.

11. ENFORCEMENT, OFFENCES AND PENALTIES

11.1 Every 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 *Ontario Provincial Offences Act*, R.S.O. 1990, as amended.

11.2 Any Enforcement Officer may revoke a Permit issued pursuant to this By-law or stop the discharge of Fireworks or Pyrotechnics at any time. Non-compliance with the following shall cause the Permit to be revoked:

- (a) Non-compliance with the *Fire Protection and Prevention Act/Ontario Fire Code*,
- (b) Non-compliance with the *Explosives Act*,

- (c) Non-compliance with this By-law,
- (d) Non-compliance with the conditions of the Permit,
- (e) Changes in environmental conditions.

11.3 In the case of a health, fire, or safety hazard, any Enforcement Officer may compel that any hazard be removed forthwith, or the Fireworks display shut down without notice.

11.4 Schedule "A" attached hereto forms part of this By-law.

12. SEVERABILITY

12.1 If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force.

This By-law repeals Chatham-Kent By-law 144-2014 and shall come into full force and effect upon the final passing thereof.

READ A FIRST, AND SECOND AND THIRD TIME this 18th day of April, 2016.

ORIGINAL SIGNED BY:

ACTING MAYOR – Michael Bondy

ORIGINAL SIGNED BY:

CLERK – Judy Smith

Schedule A

Part I: Provincial Offences Act

MUNICIPALITY OF CHATHAM-KENT BY-LAW #-2016

TITLE: FIREWORKS BY-LAW

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1.	Sell Fireworks without a License	2.1 (a)	\$250.00
2.	Fail to prominently display the License in the place of business where the Fireworks are being offered for sale	2.1 (a)	\$250.00
3.	Sell Fireworks to a Person under the age of 18	2.1 (b)	\$250.00
4.	Sell Consumer Fireworks during a Fire Ban	2.1 (c)	\$250.00
5.	Sell Fireworks on days not permitted by By-law	2.1 (d)	\$250.00
6.	Sell Prohibited Fireworks	2.1 (e)	\$250.00
7.	Sell Consumer Fireworks in a building that is not in compliance with Fire Code / Explosives Act / Regulations/ By-law	2.1 (f)	\$250.00
8.	Offer for sale or sell Firecrackers	2.1 (g)	\$250.00
9.	Display Consumer Fireworks in a store window	2.2 (a)	\$250.00
10.	Store Fireworks in a Building that does not meet the requirements of the Bylaw	4.1.1 (b)	\$250.00
11.	Store Fireworks in a Building in excess of 1000 kg gross weight	4.1.1 (b)	\$250.00
12.	Store Fireworks in a bin in excess of 100 kg gross weight	4.1.1 (c)	\$250.00
13.	Store Fireworks in a facility without warning signs marked "Fireworks" and "No Smoking"	4.1.1 (d)	\$250.00
14.	Fail to have a suitable fire extinguisher mounted in a building used to store Fireworks	4.1.1 (e)	\$250.00
15.	Store Fireworks in a Vehicle	4.1.2 (a)	\$250.00
16.	Exhibit Fireworks that are for sale in a store display	4.1.3 (a)(i)	\$250.00
17.	Store quantities of Fireworks in a Trailer in excess of 1000 kg gross weight without a magazine licence	4.1.3 (a) (ii)	\$250.00
18.	Allow an ignition source within 6 metres of Fireworks kept or displayed in a Trailer	4.1.3 (a)(iii)	\$250.00
19.	Permit access by customers to a Trailer containing Fireworks with less than two operative doors	4.1.3 (a)(iv)	\$250.00
20.	Permit access by customers to a Trailer containing Fireworks without signs posted at point of access prohibiting ignition sources within six metres	4.1.3 (a)(iv)	\$250.00
21.	Locate a Trailer containing Fireworks within 20 metres of a road or parking space	4.1.3 (a)(v)	\$250.00
22.	Locate a Trailer containing Fireworks within 40 metres of any building, dwelling or gas station	4.1.3 (a)(v)	\$250.00
23.	Permit more than 10 persons within a Trailer containing Fireworks at any one time	4.1.3 (a)(vi)	\$250.00
24.	Locate a portable electrical power supply and/or fuel supply within 12 metres of a Trailer containing Fireworks	4.1.3 (a)(vii)	\$250.00
25.	Fail to place pylons or erect a fence to maintain a no encroachment zone of 3 metres surrounding a Trailer containing Fireworks	4.2	\$250.00
26.	Fail to obtain a Letter of Permission from the Owner of Lands to park a Trailer and store or sell Fireworks	4.3	\$250.00
27.	Fail to have a properly sized fire extinguisher available for use in case of fire	4.5	\$250.00
28.	Fail to post "No Smoking" signs at each door of a trailer used to sell or store Fireworks	4.6	\$250.00
29.	Set off Consumer Fireworks on days not permitted by By-law	5.1	\$250.00
30.	Set off Consumer Fireworks without permission from the property Owner	5.2	\$250.00
31.	Set off Consumer Fireworks in place or manner than may create a danger	5.3	\$250.00
32.	Being under 18 years of age, set off or hold Consumer Fireworks in hand without direct supervision of a parent or other responsible adult	5.3 (a)	\$250.00
33.	Set off Firecrackers or Prohibited Fireworks	5.3 (b)	\$250.00
34.	Set off Fireworks without a means to summon emergency services	5.3 (c)	\$250.00
35.	Being parent or guardian, allow a Person under 18 years of age to set off Fireworks without direct supervision	5.3 (d)	\$250.00
36.	Set off Fireworks onto a highway, street, lane, square, or other Public Place	5.3 (e)	\$250.00
37.	Set off Fireworks in or into a building, doorway, or other place that may create a danger or nuisance	5.3 (f)	\$250.00
38.	Set off Fireworks after 11:00 pm	5.3 (g)	\$250.00

39.	Set off Consumer Fireworks on municipal property without municipal and Chief Fire Official written permission	6.2	\$250.00
40.	Set off Fireworks, not in accordance with the Fireworks Display Plan	6.3	\$250.00
41.	Permit holder fail to remove unused Fireworks and Fireworks debris from display site	6.7	\$250.00
42.	Hold a display of Display Fireworks without a Permit	7.1	\$250.00
43.	Fail to produce a Display Fireworks Permit upon request	7.1	\$250.00
44.	Ignite or set off Display Fireworks without Owner permission	7.2	\$250.00
45.	Ignite or set off Display Fireworks without the required qualifications	7.3	\$250.00
46.	Fail to produce a certificate of qualification	7.4	\$250.00
47.	Ignite, set off or display of Display Fireworks without a fully operational fire extinguisher	7.5	\$250.00
48.	Ignite, set off or display of Display Fireworks without a means of immediately summoning the emergency services	7.5	\$250.00
49.	Transport, setup, ignite/set off, or operate Display Fireworks not in accordance with Display Fireworks Manual	7.6	\$250.00
50.	Ignite, set off or display Fireworks when wind conditions exceed 30 kilometres per hour	7.7	\$250.00
51.	Set off Display Fireworks not in accordance with the Permit, plans, directions or conditions of the Permit	7.8	\$250.00
52.	Ignite, set off or display Pyrotechnics without a Permit	8.1	\$250.00
53.	Fail to produce a Pyrotechnic Special Effect Permit upon request	8.1	\$250.00
54.	Conducting Pyrotechnic Special Effects with an expired Pyrotechnician's card	8.2	\$250.00
55.	Transport, setup, ignite, set off or operate Pyrotechnic Special Effects not in accordance with the Pyrotechnic Special Effects Fireworks Manual	8.3	\$250.00
56.	Failure to obtain a signed letter of permission from venue Owner	8.5	\$250.00
57.	Set off Pyrotechnics not in accordance with the Permit, plans, directions or conditions of the Permit	8.7	\$250.00

NOTE: the general penalty provision for the offences listed above is Section 11.1 of the By-law, a certified copy of which has been filed