

# **VILLAGE OF HARRISON HOT SPRINGS**

## **BYLAW NO. 871**

### **FIREWORKS REGULATION BYLAW**

---

**A bylaw of the Village of Harrison Hot Springs to regulate, prohibit and impose requirements in relation to firecrackers, fireworks and explosives**

---

WHEREAS pursuant to Section 8 of the Community Charter, Council may by bylaw regulate, prohibit and impose requirements in relation to firecrackers, fireworks and explosives;

NOW THEREFORE the Council of the Village of Harrison Hot Springs enacts as follows:

#### **PART ONE: PROHIBITIONS**

##### **1.1 Purchase and sale of Fireworks**

- 1.1.1 No person may purchase, sell, display for the purpose of sale, or offer for sale, fireworks to any person.

##### **1.2 Possession and Ignition of Fireworks**

- 1.2.1 No person may possess fireworks except as permitted under a display permit.
- 1.2.2 No person may ignite, explode, set off or detonate fireworks in such a manner as may endanger or create a nuisance to any person or property except in accordance with the terms of a display permit.

##### **1.3 Requirement for Rented Property Owner's Consent**

- 1.3.1 Any person who is permitted pursuant to this bylaw to ignite, explode, set off or detonate fireworks may, on rented property, only do so with the written consent of the owner of the property.

#### **PART TWO: PERMITS**

##### **2.1 Display Permits**

- 2.1.1 Any person may apply to the Fire Chief for a display permit which authorizes the holder to ignite, explode, set off or detonate fireworks in accordance with the terms of the display permit.

2.1.2 To obtain a display permit, the applicant must be at least 18 years of age and shall submit at least ten business days prior to the fireworks event:

- a) a completed display permit application;
- b) an indemnity agreement;
- c) an application fee of \$10;
- d) an authorization signed by the property owner or owner's agent, where the fireworks event is to occur on property rented by the applicant;
- e) when the fireworks event is to be held on municipal property, the approval of Council.

## **2.2 Authority of Fire Chief**

2.2.1 The Fire Chief is authorized to:

- a) issue display permits to eligible applicants;
- b) refuse to issue a display permit where the applicant fails to meet the requirements of section 2.1;
- c) refuse a display permit where the applicant provides false information on the application for the permit;
- d) impose terms and conditions on a display permit regarding:
  - i) the location at which the fireworks display may take place;
  - ii) fire safety precautions which must be taken with respect to the fireworks display;
  - iii) safe storage of fireworks; and
- e) revoke, cancel, or suspend a display permit where:
  - i) the holder has violated the terms and conditions of the permit or the provisions of this bylaw or any applicable provincial or federal legislation;
  - ii) the holder has acted in such a manner as to endanger property or public safety; or
  - iii) environmental or weather conditions are such that the use of fireworks would endanger property or public safety.

## **2.3 Display Permit Conditions**

- 2.3.1 The holder of a display permit must comply with the terms and conditions specified in the display permit and the requirements of this bylaw, all other bylaws of the Village, and all applicable provincial and federal legislation.
- 2.3.2 In the event that a display permit is denied, revoked, cancelled or suspended, the application fee is non-refundable.
- 2.3.3 A display permit is:
- a) valid only for the location and during the times specified in the display permit; and
  - b) not transferable.

## **PART THREE: INTERPRETATION**

- 3.1 In this bylaw, unless the context otherwise requires:

<b>BUSINESS DAY</b>	means Monday through Friday, inclusive, except where such day falls on a statutory holiday.
<b>BYLAW ENFORCEMENT OFFICER</b>	means an employee of the Village appointed or contracted by the Village for enforcement of Village bylaws.
<b>VILLAGE</b>	means the Village of Harrison Hot Springs.
<b>DISPLAY PERMIT</b>	means a permit issued pursuant to section 2.1.
<b>FIRE CHIEF</b>	means the Chief of the Village of Harrison Hot Springs Fire Department and includes any person designated as an alternate to carry out the provisions of this bylaw.
<b>FIRE INSPECTOR</b>	means any member of the Village of Harrison Hot Springs Fire Department authorized by the Fire Chief to carry out inspections under this bylaw.
<b>FIREWORK</b>	means any article containing a combustible or explosive composition or any substance or combination of substances prepared for, capable of, or discharged for the purpose of producing a pyrotechnical display which may or may not be preceded by, accompanied with, or followed by an explosion, or an explosion without any pyrotechnical

display, and includes (but is not limited to) roman candles, skyrockets, pinwheels, batteries, barrages, bottle rockets, cannon crackers, mines, squibs, torpedoes, and firecrackers.

**POLICE OFFICER**

means a member of the Royal Canadian Mounted Police.

**PART FOUR: OFFENCE AND PENALTIES**

4.1 Any person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated;
- (b) fails to comply with any of the provisions of this or any other bylaw or applicable statute; or
- (c) neglects or refrains from doing anything required under the provisions of this bylaw,

is deemed to have committed an infraction of, or an offence against this bylaw and is liable on summary conviction to a fine of not more than \$10,000.00 and each day that such violation is caused or allowed to continue constitutes a separate offence, and may results in the suspension, cancellation, or revocation of the permit issued pursuant to this bylaw.

## **PART FIVE: SEVERABILITY & CITATION**


- 5.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 5.2 This bylaw may be cited as “**Fireworks Regulation Bylaw No. 871**”.

**READ A FIRST TIME THIS 1<sup>ST</sup> DAY OF OCTOBER, 2007.**

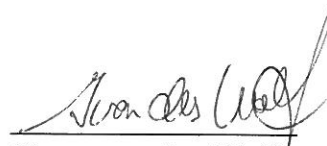
**READ A SECOND TIME THIS 1<sup>ST</sup> DAY OF OCTOBER, 2007.**

**READ A THIRD TIME THIS 1<sup>ST</sup> DAY OF OCTOBER, 2007.**

**RECONSIDERED AND ADOPTED THIS 15<sup>TH</sup> DAY OF OCTOBER, 2007.**



**Leo Facio**  
**Mayor**



**Gerry van der Wolf**  
**Corporate Officer**