

The Corporation of the Town of Saugeen Shores

By-law 105-2023

Being a By-law to Regulate the Sale of and Use of Fireworks within the Town of Saugeen Shores and to Repeal By-law 53-2006

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

Whereas Section 7.1(3) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended, provides that a by-law under this section may deal with different areas of the municipality differently; and

Whereas Article 5.2.1.2. of the *Ontario Fire Code O. Reg. 213/07*, as amended, provides that the manufacture, storage, handling, transportation, sale and use of explosives shall meet the requirements of the *Explosives Act (Canada)* and the *Explosives Regulations* made under the *Explosives Act (Canada)*; and

Whereas Article 5.2.1.4. of the *Ontario Fire Code O. Reg. 213/07*, as amended, provides that the handling and discharge of fireworks and pyrotechnics shall comply with NRCan, "Display Fireworks Manual" and NRCan, "Pyrotechnics Special Effects Manual"; and

Whereas Section 7.1(4) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended, provides that a municipality may appoint an officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted in accordance with Section 7.1 are being complied with; and

Whereas Section 12.(4) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended, provides that if there is a conflict between a provision of the fire code and a provision of a municipal by-law respecting the keeping and manufacturing of explosives, the provision that is most restrictive prevails; and

Whereas Section 19.(2) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, provides an inspector may, without a warrant, enter and inspect land and premises for the purposes of assessing fire safety; and

Whereas, Section 121 of the *Municipal Act 2001*, S.O. 2001, c. 25 provides that by-laws may be passed to prohibit and regulate the sale of fireworks and the setting of fireworks, and for requiring a permit for the sale and/or the setting off of fireworks and prescribing the conditions for obtaining, continuing to hold and renewing the permit; and

Whereas Section 120 of the *Municipal Act 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws to prohibit and regulate the storage, keeping and transportation of, explosives and other dangerous materials, including requirements that a permit be obtained from the municipality for the storage of explosives and imposing conditions on such permits; and

Whereas Section 128 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may pass by-laws to prohibit and regulate public nuisances including matters that, in the opinion of Council, are or could become or cause public nuisance; and

Whereas Section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality and a local board may pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it, or for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and

Whereas Section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides by-laws may be passed by all municipalities for providing that any person who contravenes any by-law of the municipality, passed under this act, is guilty of an offence, and

Whereas Section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that where the municipality has the authority by any act or under a by-law to direct or require a person to do a matter or thing, the municipality may also provide that, in default or it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing the matter or thing from the person required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes; and

Whereas the Council of the Town of Saugeen Shores deems it expedient and necessary for the safety and well-being of the community to prohibit and regulate the sale and use of fireworks and Pyrotechnic Special Effects within the Town of Saugeen Shores; Now therefore be it

Resolved that the Council of the Corporation of the Town of Saugeen Shores enacts as follows:

1. Definitions

For the purposes of this By-law, definitions in the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4., shall be used with respect to matters pertaining to fire prevention and fire safety and which are undefined in this By-law, otherwise the following definitions will apply:

- 1.1 "**Act**" means *The Explosives Act*, R.S.C. 1985, C. E-17, as amended and the Explosives Regulations made thereunder as amended from time to time and any act or any Regulation enacted in substitution.
- 1.2 "**Authority Having Jurisdiction**" (**AHJ**) means the individual authorized by Natural Resources Canada to authorize fireworks displays. The **AHJ** in Saugeen Shores is defined in 1.11 **Fire Chief**.
- 1.3 "**Clerk**" means the Clerk of The Corporation of the Town of Saugeen Shores or their designate.
- 1.4 "**Consumer Fireworks**" means outdoor, low hazard, recreational fireworks that are classed as F.1 Consumer Fireworks under the **Act** and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, and sparklers but does not include Christmas crackers and caps for toy guns containing in excess of twenty-five one-hundredths of a grain of explosive used per cap.
- 1.5 "**Deputy Fire Chief**" means a Town of Saugeen Shores Deputy Fire Chief.
- 1.6 "**Discharge**" means to fire, ignite, explode or set off or cause to be fired, ignited, exploded or set off and the words "Discharged" and "Discharging" have a similar meaning.
- 1.7 "**Display Fireworks**" means outdoor, high hazard, recreational fireworks classed as F.2 Display Fireworks under the **Act**, and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, mines, batteries, illumination, set pieces and pigeons but does not include **Firecrackers**.
- 1.8 "**Display Assistant**" means a certified person who is qualified under the setup Display Fireworks by assisting the Display Supervisor.
- 1.9 "**Display Supervisor**" means a certified person who is qualified under the Act to supervise the Discharge of Display Fireworks
- 1.10 "**Fire Ban**" means a prohibition on all burning, including the **Discharge of Fireworks**, issued by the Fire Department of The Town.
- 1.11 "**Fire Chief**" means the appointed Fire Chief in the Town and, whether stated or not, also means their designates which may include a **Deputy Fire Chief**, a **Fire Prevention Officer** or a **Bylaw Officer**; unless it is stated as Fire Chief only, in which case there is no designate.

- 1.12 "**Fire Prevention Officer**" means a Town Fire Prevention Officer or Fire Prevention Inspector.
- 1.13 "**Firecracker**" means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese **Firecrackers**, but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, or devices for use with such caps, safety flares, marine rockets, and other distress signals.
- 1.14 "**Fireworks**" means **Display Fireworks, Pyrotechnic Special Effects Fireworks, and Consumer Fireworks**.
- 1.15 "**Fireworks Display**" means an exhibition of **Fireworks** in an outdoor assembly or open-air occupancy to which the public is invited, attends, may attend, or is admitted with or without a fee being charged and includes private functions such as weddings, or other celebrations.
- 1.16 "**Flying Lantern**" means a small hot air balloon or similar device made of treated paper or any other material, with an opening at the bottom, which is propelled by an open flame generated by a small candle or fuel cell, allowing the balloon or similar device to rise and float in the air.
- 1.17 "**FPPA**" means the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended, and the regulations enacted thereunder, as amended from time to time, or any **Act** and Regulations enacted in substitution therefor.
- 1.18 "**Owner**" means the person registered on title as the owner of a property.
- 1.19 "**Permit**" means a **Consumer Fireworks Sales Permit** and/or a **Public Fireworks Display Permit** issued by the **Fire Chief** of the Saugeen Shores Fire Department.
- 1.20 "**Prohibited Fireworks**" includes but is not limited to cigarette loads 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 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 bottle rockets, fake **Firecrackers**, champagne party poppers, snap caps, sprite bombs, and other trick devices or practical jokes as included on the most recent list of **Prohibited Fireworks** as published from time to time under the **Act**.
- 1.21 "**Pyrotechnician**" means a person who is certified under the **Act** as a Theatrical User, an Assistant, a Pyrotechnician, or a Special Effects Pyrotechnician and is qualified to purchase and supervise the display of **Pyrotechnic Special Effect Fireworks** under the **Act**.
- 1.22 "**Pyrotechnic Special Effect Fireworks**" means high-hazard fireworks that are classed as F.3 Special Effect Pyrotechnics under the **Act** and are used to produce a special pyrotechnic effect for indoor or outdoor performances and include but are not limited to; black powder bombs, bullet effect, flash powder, air bursts, smoke compositions, gerbs, lances and wheels.
- 1.23 "**Sell**" includes an offer for sale, cause, or **Permit** to be sold and to possess for the purpose of sale, and the words "**Selling**" and "**Sold**" have similar meaning.
- 1.24 "**Shop**" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale.
- 1.25 "**Tent**" means a portable shelter/structure made of cloth or other pliable material, supported by one or more poles that can be stretched tight by cords or loops, attached to pegs, driven into the ground, or other measures sufficient to secure them.
- 1.26 "**Town**" means The Corporation of the Town of Saugeen Shores.

2. Delegation of Authority

- 2.1 The Council of the Town of Saugeen Shores hereby delegates to the **Fire Chief** the authority to issue and revoke **Permits** for the sale and setting off **Fireworks** as set out herein.

3. Sale of Fireworks and Firecrackers

- 3.1 No person shall **Sell** any **Firecrackers**.
- 3.2 No person shall **Sell** any **Prohibited Fireworks**.
- 3.3 No person shall **Sell** any **Flying Lanterns**.
- 3.4 No person shall **Sell** or retail in the Town any **fireworks** on any day or days during the year except on Victoria Day, Canada Day, Civic Holiday, Labour Day and Independence Day (USA) and except on the seven (7) days immediately preceding Victoria Day, Canada Day, Civic Holiday, Labour Day and Independence Day (USA) and provided that the foregoing shall not prevent the sale on any day for the purposes of a fireworks display to a person who is the holder of a permit for such display pursuant to the provisions of this by-law.
- 3.5 No person shall **Sell Consumer Fireworks** unless they have a current and valid business license for the sale of **Fireworks** issued by the **Town Clerk**.
- 3.6 Persons wishing to **Sell Consumer Fireworks**, at a location or on property that is not owned by the seller, shall obtain written consent from the **Owner** prior to the issuance of a **Consumer Fireworks Sales Permit**. Written consent shall be submitted to the **Fire Chief** with the **Consumer Fireworks Sales Permit** application.
- 3.7 No person shall **Sell** individual **Consumer Fireworks** unless prior to sale, the **Fireworks** are kept and maintained under a locked glass or plexiglass case or other approved means, which is not accessible to the public. No person, other than the seller, shall handle **Fireworks** that are not in consumer packs, until after the time of purchase. Sealed packages of **Consumer Fireworks** may be displayed prior to sale in a location accessible to the public that is approved by the **Fire Chief**.
- 3.8 No person shall exhibit or display **Consumer Fireworks** for sale unless:
- a) The **Fireworks** are separated into individual lots that do not exceed 25 kilograms in gross weight; and
 - b) Such separation between lots is sufficient to prevent fire from spreading rapidly from one lot to the next by a fire break which may consist of:
 - i. maintaining a minimum aisle width of 1.2 metres between lots;
 - ii. 6 mm plywood partition that extends 15 cm above the height of the lot or display shelf above; or
 - iii. any other method approved by the **Fire Chief**.
- 3.9 No person shall exhibit or display **Consumer Fireworks** that are exposed to direct sunlight, open flame, excess heat, or within proximity of accelerants or other sources of ignition.
- 3.10 No person shall exhibit or display **Consumer Fireworks** in **Shop** windows that contain explosive composition. Only mock samples that do not contain explosive composition may be displayed in **Shop** windows.
- 3.11 No person shall smoke or vape within eight (8) metres of any **Consumer Fireworks**.
- 3.12 No person shall **Sell** or display **Consumer Fireworks** inside a building, **Tent**, trailer, or other enclosed location, unless there are a minimum of two (2) unobstructed, clearly identified public exits to ensure that occupants can quickly evacuate in the event of a fire or emergency.

- 3.13 No person shall **Sell** or store **Consumer Fireworks** in a location that is not designated and approved for such use.
- 3.14 No person shall store or transport **Consumer Fireworks** for sale except in conformance with the **Act**.
- 3.15 No person shall **Sell Consumer Fireworks** to any person(s) under the age of 18.
- 3.16 **Tents** used to **Sell** or display **Consumer Fireworks** shall conform to CAN/ULC S-109, "Standard Method for Flame Tests of Flame Resistant Fabrics and Film".
- 3.17 Each location, where **Consumer Fireworks** are offered for sale, shall have at least two (2) portable fire extinguishers having a minimum rating of 3A:10BC.
- 3.18 No person shall offer for sale, display for sale, or **Sell Consumer Fireworks** in a manner that contravenes the sale of **Consumer Fireworks** regulations.

4. Discharge of Firecrackers and Prohibited Fireworks

- 4.1 No person shall **Discharge** any **Firecrackers**.
- 4.2 No person shall **Discharge** any **Prohibited Fireworks**.
- 4.3 No person shall **Discharge** a **Flying Lantern**.

5. Discharge of Consumer Fireworks

- 5.1 No person shall **Discharge Consumer Fireworks** except on the following days:
 - a) Victoria Day and Canada Day.
 - b) The day immediately preceding and the day immediately following Victoria Day and Canada Day.
 - c) American Independence Day.
 - d) The day immediately preceding and day immediately following the American Independence Day.
 - e) The first day of Eid al-Fitr.
 - f) Chinese New Year's Day.
 - g) Labour Day.
 - h) Any celebratory holidays with prior written approval from the **Fire Chief**.
 - i) The date(s) authorized in a current and valid **Permit** issued by the **Fire Chief**.
- 5.2 No person shall **Discharge Consumer Fireworks** on the days specified in Section 5.1, except between dusk and 11:00 PM.
- 5.3 A person 18 years of age or over may hold a display of **Consumer Fireworks** in accordance with the provisions of this By-Law, on any land belonging to him or her or on any other privately owned land, where the **Owner** thereof has given permission in writing for such a display or **Discharge of Fireworks**.
- 5.4 No person shall **discharge** any **Consumer Fireworks** in such a place or in such a manner as to endanger, injure, harass, frighten, or constitute a nuisance to any person, animal, or property.
- 5.5 No person shall commit, or cause, or allow to be done any unsafe act or omission at the time and place for the discharging of any **Consumer Fireworks**.
- 5.6 For the purposes of Section 5.4, the **Discharge** of any **Consumer Fireworks** in or onto any building, doorway, or automobile shall be deemed to create a danger and to be an unsafe act.

- 5.7 No person shall **Discharge** any **Consumer Fireworks** in or onto any highway, street, land, square, public park, or other public place, except in accordance with a current and valid **Permit** issued by the **Fire Chief** authorizing such a display.
- 5.8 No person under the age of eighteen (18) years shall **Discharge** any **Consumer Fireworks** except under the direct supervision of and control of a person(s) eighteen (18) years of age or over.
- 5.9 No person being the parent or guardian of any person under the age of eighteen (18) years shall allow the person to **Discharge** any **Consumer Fireworks**, except when such parent or guardian or some other responsible person of eighteen (18) years of age or over is in direct supervision and control.
- 5.10 No person shall **Discharge Consumer Fireworks** during a **Fire Ban** authorized by the **Fire Chief**.
- 5.11 No person or group of persons shall hold a **Fireworks Display** of **Consumer Fireworks** in the **Town**, without first having obtained a **Display Fireworks Permit** issued by the Fire Chief.

6. Display Fireworks

- 6.1 No person or group of persons shall **Discharge** or hold a **Fireworks Display** without having first obtained a **Permit** to do so issued by the **Fire Chief**.
- 6.2 No Permit holder shall **Discharge Display Fireworks** except in accordance with the conditions of the Permit.
- 6.3 No Permit holder shall **Discharge** or hold **Display Fireworks** at a date, time location, or site other than as specified in the Permit.
- 6.4 Every application for a Permit shall be made to the Fire Chief a minimum of 28 days prior to the event when the proposed **Discharge** of **Fireworks** is to occur.
- 6.5 Every application for a **Permit** shall include:
- a) a description of the event including,
 - b) the date and time of the proposed **Discharge of Display Fireworks**,
 - c) the type, kind and quantity of **Display Fireworks** that may be **Discharged**,
 - d) the **Discharge** techniques to be used,
 - e) the manner and means of transporting and storing the **Fireworks** prior to and after the event;
 - f) the manner in which unused **Display Fireworks** are to be disposed of, and
 - i. a site plan providing a description of the **Discharge** site to be used for the discharging of the **Display Fireworks**;
 - ii. a description of the fire emergency procedures;
 - iii. the manner and means of prohibiting unauthorized persons access to the **Discharge** site;
 - iv. the name and address of the applicant and the sponsoring organization, if applicable;
 - v. proof of certification of the applicant as a **Display Supervisor** and any **Display Assistants**;
 - vi. proof of the consent of the **Owner** to the **Discharge** of **Display Fireworks** in writing;
 - vii. the prescribed fee;
 - viii. proof of insurance and indemnification in accordance with this by-law; and
 - ix. such other information as required by the **Fire Chief**.

- 6.6 An applicant for a **Permit** is, subject to the provisions of this by-law, entitled to be issued the **Permit**, except where:
- a) the application is incomplete,
 - b) the applicant is not a Display Supervisor, or
 - c) there are reasonable grounds for belief that the holding of the **Display Fireworks** will result in a breach of this by-law, the **FPPA** and the Regulations enacted thereunder or the **Act**.
- 6.7 The **Permit** holder holding the display of **Display Fireworks** shall ensure that all unused or partly used **Fireworks** and all debris are removed.
- 6.8 A site inspection may be required at the discretion of the **Fire Chief**, and the applicant for a private **Display Fireworks Permit** shall pay the prescribed fee for this inspection.
- 6.9 The applicant shall provide and maintain Commercial General Liability insurance subject to limits of not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the applicant and shall name the **Town** as an additional insured thereunder. Such insurance shall include permission to conduct displays of **Pyrotechnic Special Effects Fireworks** or **Display Fireworks**. The **Fire Chief** at their sole discretion may request an increase in the amount of insurance required.
- 6.10 A copy of the Public **Fireworks Display Permit** shall be kept at the site of the display from the time of initial event set up to the time of event conclusion and shall be produced upon being so directed by the **Fire Chief**.
- 6.11 The applicant shall indemnify and save harmless the **Town** from any and all claims, demands, causes of action, loss costs or damages that the **Town** may suffer, incur or be liable for resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

7. Conditions Applying to Display Fireworks Permits

- 7.1 Each **Permit** shall state the name of the sponsoring club, association, or group, the purpose of the display, the place and date at which the same may be held, and the name of the person under whose supervision the display shall be held.
- 7.2 The following conditions shall apply to holding **Display Fireworks** under a **Permit** issued under this by-law:
- a) The **Permit** is valid only for the display at the place and on the date or dates set forth in the **Permit**,
 - b) the **Permit** holder shall provide direct, immediate and physical supervision of the display of **Display Fireworks**,
 - c) the **Permit** holder shall **Discharge** the **Display Fireworks**,
 - d) every **Permit** holder shall provide and maintain fully operational, fire extinguishing equipment, including a pail of water and either a 2A10BC rated fire extinguisher (5 lb. Dry Chemical) or charged garden hose, ready for immediate use, and be present at all times and for a reasonable period thereafter, at the location or site specified in the **Permit**, and
 - e) the **Permit** holder shall comply at all times with the provisions of the **Act**, the **FPPA** and the Regulations enacted thereunder and the **Display Fireworks** Manual published by Natural Resources Canada or any successor publication.
- 7.3 The **Permit** holder holding the display of **Display Fireworks** shall ensure that all unused or partly used **Fireworks** and all debris are removed.

7.4 Where the **Act** requires that there be a Fire Department apparatus and crew on location, the **Permit** holder shall pay the prescribed fee for this standby duty and supervision.

8. **Pyrotechnic Special Effects Fireworks**

8.1 No person or group of persons shall hold a display of **Pyrotechnic Special Effects Fireworks** in the **Town** without having first obtained a **Permit** to do so issued by the **Fire Chief**.

8.2 No **Permit** holder shall **Discharge Pyrotechnic Special Effects Fireworks** except in accordance with the conditions of the **Permit**.

8.3 Every holder of a **Display Fireworks** or **Pyrotechnic Special Effect Fireworks Permit** shall produce his or her **Permit** upon being so directed by the **Fire Chief**.

8.4 Every application for a **Permit** shall be made to the **Fire Chief** a minimum of 28 days prior to the event when the proposed **Discharge of Pyrotechnic Special Effects Fireworks** is to occur.

8.5 Every application for a **Permit** shall include:

- a) a description of the event including,
 - i. a site plan of the facility and room capacity, the stage, and the **Pyrotechnic Special Effect Fireworks** storage area,
 - ii. a list of all **Pyrotechnic Special Effect Fireworks** to be used,
 - iii. location of all **Pyrotechnic Special Effect Fireworks**,
 - iv. height, range of effect fallout and duration of the display of **Pyrotechnic Special Effects Fireworks**,
 - v. sequence of firing,
 - vi. location of audience and all exits, and
 - vii. date and time of the proposed event using **Pyrotechnic Special Effects Fireworks**;
- b) description of fire emergency procedures;
- c) name and address of the applicant and the sponsoring business or organization, if applicable;
- d) proof of certification of the applicant as a **Pyrotechnician**;
- e) proof of insurance and indemnification in accordance with this by-law;
- f) proof of consent of the **Owner** to the **Discharge of Pyrotechnic Special Effect Fireworks** in writing if the applicant is not the **Owner**;
- g) the prescribed fee; and
- h) such other information as required by the **Fire Chief**.

8.6 An applicant for a **Permit** is, subject to the provisions of this by-law, entitled to be issued the **Permit**, except where:

- a) the application is incomplete,
- b) the applicant is not a **Pyrotechnician** under the **Act**, or
- c) there are reasonable grounds for belief that the holding of the **Pyrotechnic Special Effects Fireworks** will result in a breach of this by-law, the **FPPA** and the Regulations enacted thereunder or the **Act**.

8.7 The applicant shall provide and maintain Commercial General Liability insurance subject to limits of not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death, and damage to property including loss of use thereof. Such insurance shall be in the name of the applicant and shall name the **Town** as an additional insured thereunder. Such insurance shall include permission to conduct displays of **Pyrotechnic Special Effects Fireworks** or **Display Fireworks**. The **Fire Chief** at their sole discretion may request an increase in the amount of insurance required.

8.8 The applicant shall indemnify and save harmless the **Town** from all claims, demands, causes of action, loss costs or damages that the **Town** may suffer, incur, or be liable for resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

9. Conditions Applying to Pyrotechnic Special Effects Fireworks Permits

9.1 Each **Permit** shall state the name of the sponsoring business, club, association, or group, the purpose of the display, the place and date at which the display may be held, and the name of the **Pyrotechnician** under whose supervision the same shall be held.

9.2 The following conditions shall apply to the holding of a display of **Pyrotechnic Special Effect Fireworks** under a **Permit** issued under this by-law:

- a) the **Permit** is valid only for the display at the place and on the date or dates set forth in the **Permit**,
- b) the **Permit** holder shall supervise the display of **Pyrotechnic Special Effect Fireworks**,
- c) the **Permit** holder shall **Discharge** the **Pyrotechnic Special Effects Fireworks**,
- d) the **Permit** holder shall provide and maintain fully operational fire extinguishing equipment ready for immediate use, and

9.3 The **Permit** holder shall always comply with the requirements of the Act, the **FPPA** and the **Regulations** and the Pyrotechnics Special Effects Manual published by Natural Resources Canada or any successor publication.

9.4 The **Permit** holder holding the **Pyrotechnic Special Effects Fireworks** shall ensure that all unused **Fireworks** and all debris are removed.

10. General

10.1 No provisions of this By-law shall oblige the **Town** to authorize the issuance of a **Permit**.

11. Short Title

11.1 This by-law may be referred to as the "Fireworks By-law".

12. Offences and Penalties

12.1 Every person who contravenes the provisions of this by-law is guilty of an offense and, upon conviction, is liable to a fine or penalty as provided for in the Provincial Offences Act.

12.2 The **Owner** who contravenes this by-law may have the costs associated with the Fire Department's response to the contravention, as established by the Town's Fees and Charges By-law, in effect at the time of the attendance by the Fire Department.

12.3 The Fire Chief or designate of the Saugeen Shores Fire Department may enter onto property in the course of their duty at any time, without prior notice, for the purpose of carrying out an inspection to determine whether the provisions of this by-law have been complied with.

12.4 No person shall hinder or obstruct, or attempt to hinder or obstruct, a member of the Fire Department who is performing a duty which is authorized under this by-law.

12.5 No person shall knowingly furnish false or misleading information to the **Town** or the Fire Department with respect to this by-law.

13. Enactment

13.1 Severability

If any section or sections of this by-law or parts thereof shall be found by any court to be illegal or beyond the power of Municipal Council of the **Town** to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent therefrom and shall continue in full force and effect unless and until similarly found and this by-law shall be enacted as such.

13.2 Clerk's Correcting Clause

The Clerk of the **Town** is authorized to effect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature, to this by-law or its schedules of the passage of this by-law.

13.3 Effective Date

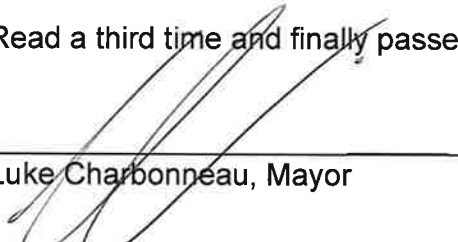
This By-law shall come into force and effect on its final passage thereof.

14. Repeal Former By-law

14.1 By-law 53-2006 is repealed.

Read a first and second time this 27th day of November, 2023.

Read a third time and finally passed and sealed this 27th day of November, 2023.



Luke Charbonneau, Mayor



Dawn Mittelholz, Clerk