

THE CORPORATION OF THE MUNICIPALITY OF CONMEE

BY-LAW NO. 914

A By-law to regulate the sale or setting off of fireworks within the Township of Conmee and for requiring a permit for the holding of fireworks displays and for prescribing the conditions under which fireworks displays may be held.

WHEREAS pursuant to Section 210, Subsection 37 and 38 of the Municipal Act, by-laws may be passed to regulate the sale of fireworks, and to regulate the setting off of fireworks in the Township of Conmee, and to require a permit for holding of fireworks displays.

NOW THEREFORE the Council of the Corporation of the Township of Conmee hereby enacts as follows:

DEFINITIONS:

1. In this by-law:

“ACT” means the Explosives Act, Statutes of Canada, Chapter E-15, and Regulations thereunder, as amended and revised from time to time.

“FIRECRACKER” means a pyrotechnic device that explodes instantaneously when ignited and does not make any subsequent display or visible effect after the explosion. Firecrackers are classified as high hazard fireworks, and,

l) includes those devices known as Chinese Fireworks, but, does not include paper caps containing not in excess of an average of twenty-five one hundredths of a gram of explosive used per cap, or device for use with such caps.

“HIGH-HAZARD FIREWORKS” means a manufactured pyrotechnic device producing spectacular effects of lights or sound of such a nature that it is classed under the act as shop goods.

“LOW-HAZARD FIREWORKS” means a pyrotechnic device producing quantities of effects of light, sound or smoke by the combustion of explosives or flammable composition and included, but is not limited to, fireworks, showers, fountains, golden rain, lawn lights, pinwheels, roman candles, sparklers, volcanoes and mines, but does not include:

- i) firecrackers
- ii) articles or devices not classed under this Act as shop goods

2. SALE OF FIREWORKS

1) No person shall sell or offer for sale any high-hazard fireworks within the Township of Conmee.

3. FIREWORKS DISPLAYS

1) A person may hold a display of low-hazard fireworks on any land belonging to such person or on any privately owned land where the owner thereof has given permission for such display.

2) No person shall use or set off any low-hazard fireworks in a place or manner as might create a danger or constitute a nuisance to any person or property or cause or allow any unsafe condition to exist at or during the setting off of any fireworks, and without limiting the generality of the foregoing:

- i) No person shall set off any low-hazard fireworks in, on, from or into any building, doorway, automobile or other place where such setting off might create a danger or nuisance to any person or property, and,
- ii) No person shall set off any low-hazard fireworks in, on or into any highway, street, lane, square or other public place provided that this shall not be deemed to prohibit a display of low-hazard fireworks in conjunction with a display of high-hazard fireworks conducted in a public place pursuant to a permit issued hereunder and otherwise in accordance with the provisions of this by-law.

3. DISCHARGE OF HIGH-HAZARD FIREWORKS AND LOW-HAZARD FIREWORKS UNDER A PERMIT

1) No person shall set off or hold a display of

- a) high-hazard fireworks; or
- b) low-hazard fireworks

without having obtained a permit to do so signed by the Fire Chief or the Fire Chief's designate of the Township of Conmee.

c) Permits may be issued for the entire season, subject to the fire hazard controls currently in place for open burning.

4) The person holding a display of fireworks pursuant to a permit granted hereunder shall produce such permits at the request of the Fire Chief or his designate

5) Any power, right, or duty conferred upon the Fire Chief under this by-law may be exercised or performed by his designates respectively.

6) PENALTY

Every person who contravenes any of 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 Offenses Act.

7. Any previous by-laws are hereby repealed.

8. This By-law shall come into force and effect on the date of passing thereof.

Read a first and second time this 9th day of October, 2007.

Read a third time and finally passed this 9th day of October, 2007.

THE CORPORATION OF TOWNSHIP
CONMEE

Reeve

Clerk

SCHEDULE "A" TO BY-LAW NO. 914

**FIRE/FIREWORKS PERMIT
TOWNSHIP OF CONMEE**

Under the Forest Fires Prevention Act of Ontario, and the regulations and subject to the limitations thereof, and subject also to the terms and conditions herein, and subject to by-law #690, and/or By-law No. 914, this permit is issued to

Name:

Address:

Phone #:

to start a fire/use fireworks upon the following lands:

TOWNSHIP: Conmee

Lot #:	Conc. #:	
for the purpose of :		
	Incinerator	_____
	Brush	_____
	Land clearing	_____
	FireWorks	_____

Other: _____

From and including the ____ day of _____ 2007
To and including the _____ day of _____ 2007
Entire Season (Incinerator/Fireworks permit only) _____
Subject to the following terms and conditions

1. The permittee shall keep the permit at the site of the burning operation/fireworks display conducted under the permit
2. The person in charge of the burning operation/fireworks display conducted under the permit shall produce and show the permit to any officer whenever requested by that officer
3. The fire must be ignited two hours before sunset, or later, and be extinguished two hours after sunrise, or earlier.
4. The amount to be burned at any one time shall not exceed one hectare or 2 piles
5. All slash and land clearing debris shall be in piles or windrows separated by a distance of at least 2 metres , piles shall be limited to 2 metres in diameter and 2 metres in height
6. The permittee shall have at the location of the fire at least one person and firefighting equipment in serviceable condition as follows: 20 litres of water in a container, or a garden hose connected to a water source capable of reaching the fire site and one shovel

Place of issue: Township of Conmee
Date: _____, 2007

Note: Escaped, unattended, or fires/fireworks not meeting permit requirements are subject to payment of suppression costs to the Township of Conmee

FOREST FIRE LAW

Fire season is from April 1 to October 31 subject to extensions
A fire permit is required before stating a fire outdoors during the fire season
 Fires for cooking or warmth are excepted. An officer may cancel a fire/fireworks permit at any time. A permittee who does not comply with the conditions of this permit is liable to prosecution under The Provincial Offenses Act
 No person shall operate an outdoor incinerator,

- (a) that is an unenclosed device
- (b) constructed, in whole or in part of combustible material;
- (c) unless the outlet is covered with a heavy duty screen having mesh size not greater than one-quarter inch
- (d) that is situated less than 5 metres from a forest or woodlands
- (e) that is situated less than 2 metres from combustible materials

Every person who starts or causes a fire to be started out of doors shall:

- (a) take all reasonable steps to keep the fire under control;
- (b) ensure that a responsible person tends the fire

- (c) where the fire is started under a fire permit, extinguish the fire on or before the expiration of the permit; and
- (d) extinguish the fire before quitting the site of the fire

SAFE BURNING TIPS

Burn at a safe time, evening is best, never on dry or windy days
Keep your burning job small enough that you keep it under control at all times
Never leave a fire until it is dead out

ENVIRONMENTAL PROTECTION ACT

This permit does not cover any requirements under the Environmental Protection Act
Nothing in this permit eliminates the need to comply with any applicable municipal, provincial or federal legislation

The municipality will not be held responsible for conditions which may cause the blowing of smoke and/or sparks or the irresponsible actions of the permit holder.

FIREWORKS DISPLAYS

A person may hold a display of low-hazard fireworks on any land belonging to such person or on any privately owned land where the owner thereof has given permission for such display.
No person shall use or set off any low-hazard fireworks in a place or manner as might create or constitute a nuisance to any person or cause or allow any unsafe condition to exist at or during the setting off of any fireworks.

No person shall set off any low-hazard fireworks in, on, from or into any building, doorway, automobile or other place where such setting off might create a danger or nuisance to any person or property.

No person shall set off any low-hazard fireworks in, on or into any highway, street, lane, square or other public place provided that this shall not be deemed to prohibit a display of low-hazard fireworks in conjunction with a display of high-hazard fireworks conducted in a public place pursuant to a permit issued hereunder and otherwise in accordance with the provisions of By-law 914.

Any fireworks permit issued is subject to cancellation during high hazard fire conditions and issued permits will be cancelled on the same basis as any other fire permit issued.

Other conditions: TAKE ALL NECESSARY PRECAUTIONS

Signature of permittee

Signature of issuing officer