



To: Richmond City Council
From: Don Pearson
Manager, Community Bylaws
Date: September 16th, 2004
File:

Re: **Fireworks Regulation Changes for Halloween 2004**

At the September 14th meeting of the Community Safety Committee the Committee requested additional information and specific changes to the Bylaw proposal be provided to Council prior to the regular Council meeting of September 27th, 2004. Specifically, the Committee asked for the following changes to be incorporated into the Bylaw:

1. The fine levels in Bylaw 7802 be increased substantially.
2. Provisions be added to the Bylaw to require the seller of fireworks to display information relating to the discharge of fireworks with the City.

The attached revised Fireworks Regulation Bylaw 7801 now contains a provision (page #3) in Section 2.3.d. stating the Fire Chief is authorized to impose terms and conditions on a sale permit or display permit regarding the following: **(iii) information that must be provided to purchasers of fireworks** (italicized wording indicates the amendment requested by Committee).

This amendment will promote public awareness of the provisions of the Bylaw. Using the provisions of this amendment persons purchasing fireworks will be required to sign a form indicating they are aware of the limitations on who may possess fireworks and the date and hours that the discharge of fireworks is permitted. Additionally, signs will be provided to sellers indicating the date and time when fireworks may be discharged and these signs must be prominently displayed in their business. Compliance with these provisions will be incorporated into the routine inspections of businesses selling fireworks by Richmond Fire Rescue and City staff.

The Committee felt strongly the fine levels included in the original proposal needed to be significantly increased particularly as they related to the sale of fireworks. The attached changes to the Municipal Ticket Information Authorization Bylaw reflect the comments of Committee. The fine levels for selling of fireworks without a permit, selling to a person under 18 and selling outside the permitted times and dates have been increased to \$1,000. This will act as a significant deterrent to sellers and should work towards keeping fireworks away from young people and minimize the setting off of fireworks over the longer Halloween period.

Committee also requested, while recognizing the time restraints for 2004, that a comprehensive communication strategy be developed beginning in 2005. Richmond Fire Rescue personnel will prepare and have available this year some information relating to the storage and sale of fireworks as well as providing some education to persons at the time they apply for the permit. It would be our expectation that for 2005 a more professionally prepared brochure and complete information kit will be available.

There was considerable discussion about whether a business violating the Fireworks Bylaw could have its business licence suspended for a defined period of time. This matter was referred to the Law Department who advised that it cannot be an automatic suspension upon conviction under the Fireworks Bylaw as the City is required to give the licence holder notice of any proposed suspension and an opportunity to be heard. As an option it is possible when there is a conviction a business licence hearing could be held to determine if the licence should be suspended. The City has the authority to suspend for "reasonable cause" and a conviction under another bylaw would satisfy this test. Any person who has their licence suspended has the right to appeal to Council for reconsideration.

Committee were also concerned about the sale of the permits at the No. 1 Fire Hall as opposed to the Front of House at City Hall. The process will be evaluated following the experience this year and a further report will be provided to Committee.



Don Pearson
Manager, Community Bylaws

Attachments: (1) Revised Fireworks Regulation Bylaw No. 7801
(2) Revised Municipal Ticket Information Authorization Bylaw 7802



**Municipal Ticket Information Authorization Bylaw No. 7321,
Amendment Bylaw No. 7802**

The Council of the City of Richmond enacts as follows:

1. Section 7 of Schedule A of Bylaw No. 7321 is amended by:
 - (a) adding “Fire Inspector” to the list of designated bylaw enforcement officers in Column 2; and
 - (b) deleting the words “Bylaw No. 2116” and substituting “Bylaw No. 7802”
2. Bylaw No. 7321 is amended by deleting Schedule B7 and substituting the following:

SCHEDULE B 7

FIRECRACKER AND FIREWORKS REGULATION BYLAW NO. 7802

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine
Selling fireworks without a sale permit	1.1.1(a)(i)	\$1000
Selling fireworks to a person under 18	1.1.1(a)(ii)	\$1000
Selling roman candles other than as part of a family pack	1.1.1(a)(iii)	\$500
Selling a family pack not marked with weight of each firework	1.1.2	\$500
Possession of firecrackers without permit	1.2.1	\$100
Ignition of firecrackers without permit	1.2.1	\$100
Possession of fireworks while under 18	1.3.1	\$100
Igniting fireworks in manner that endangers or causes nuisance to person or property	1.3.2(b)	\$100
Igniting low hazard fireworks outside permitted times without a display permit	1.3.3(a)	\$100
Igniting high hazard fireworks without a display permit	1.3.3(b)	\$100
Igniting fireworks without property owner’s permission	1.4.1	\$100

Selling fireworks outside permitted dates	2.1.4	\$1000
Selling fireworks contrary to terms of sale permit	2.4.1	\$500
Igniting fireworks contrary to terms of display permit	2.4.1	\$100

3. This Bylaw is cited as **“Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 7802”**.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK