



## ***FIREWORKS REGULATION***

### **BYLAW NO. 7917**

**EFFECTIVE DATE – APRIL 11, 2005**

**CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u> (If different from Date of Adoption)
Bylaw 8305	December 10, 2007	
Bylaw 8637	January 10, 2011	February 9, 2011



**CITY OF RICHMOND**  
***FIREWORKS REGULATION***  
**BYLAW NO. 7917**  
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## Fireworks Regulation Bylaw No. 7917

The Council of the City of Richmond enacts as follows:

### PART ONE: PROHIBITIONS

#### 1.1 Purchase and sale of Fireworks

- 1.1.1 A person must not purchase, sell, display for the purpose of sale, offer for sale, give, dispose of or distribute **fireworks** to any person.

#### 1.2 Possession and Ignition of Fireworks

- 1.2.1 A person must not possess **fireworks** except as permitted under a **display permit**.
- 1.2.2 Subject to subsection 1.3.1, a person must not ignite, explode, set off or detonate **fireworks**:
- (a) except in accordance with the terms of a **display permit**;
  - (b) in such a manner as may endanger or create a nuisance to any person or property.

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

- 1.3.1 A person who is permitted by this bylaw to ignite, explode, set off or detonate **fireworks** must only do so on property, whether privately or publicly held, with the written consent of the owner or the agent for the owner of such property.

### PART TWO: PERMITS

#### 2.1 Display Permits

- 2.1.1 A 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 submit:
- (a) a completed **display permit** application;
  - (b) an indemnity agreement;
  - (c) an application fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636;
  - (d) an authorization signed by the property owner or owner's agent, where the **fireworks** event is to occur on property not owned by the applicant;
  - (e) a certificate of insurance showing evidence that the applicant has comprehensive general liability insurance which:
    - (i) has a coverage limit of not less than \$5,000,000 per occurrence;
    - (ii) includes the **City** as an additional named insured; and
    - (iii) has a deductible of not more than \$5,000, unless the **City** advises in writing that it consents to a higher deductible; and
  - (f) proof of Fireworks Supervisor or Pyrotechnician certification issued to the applicant by the Explosives Regulatory Division of Natural Resources Canada at least ten **business days** prior to the **fireworks** event.

## 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 has failed to meet the requirements of section 2.1;
- (c) refuse to issue a **display permit** where the applicant has provided false information on the application for the permit;
- (d) impose terms and conditions on a **display permit** regarding the following:
  - (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**;

- (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; and
- (f) conduct an examination or analysis of an article that appears to be a **firework**, and to prepare a report confirming that the **Fire Chief** has examined or analyzed the item, describing the results of the examination or analysis, and stating whether or not, in the opinion of the Fire Chief, the item is a **firework**.

### 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 **City**, 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.

### 2.4 Right of Entry

- 2.4.1 **Fire inspectors, bylaw enforcement officers, and police officers** are authorized to enter on property at any time to determine whether the requirements of a **display permit** and of this and other applicable bylaws of the **City** and any applicable provincial or federal statutes are being met.

## PART THREE: INTERPRETATION

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

**BUSINESS DAY** means Monday through Friday, inclusive, except where such day falls on a statutory holiday.

<b>BYLAW ENFORCEMENT OFFICER</b>	means an employee of the <b>City</b> appointed by Council for enforcement of <b>City</b> bylaws.
<b>CITY</b>	means the City of Richmond.
<b>DISPLAY PERMIT</b>	means a permit issued pursuant to section 2.1.
<b>FIRE CHIEF</b>	means the Chief of the Richmond Fire Rescue 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 Richmond Fire Rescue Department authorized by the <b>Fire Chief</b> 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, without limitation, barrages, batteries, bottle rockets, cannon crackers, fireballs, firecrackers, mines, pinwheels, roman candles, skyrockets, squibs, torpedoes, and other items of a similar nature that are intended for use in pyrotechnical displays or as explosives or that are labelled, advertised, offered, portrayed, presented or otherwise identified for any such purpose.
<b>POLICE OFFICER</b>	means a member of the Royal Canadian Mounted Police.

## **PART FOUR: OFFENCES 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 the penalties provided for in the *Offence Act*, and each day that such violation is caused or allowed to continue constitutes a separate offence, and may result in the suspension, cancellation or revocation of the permit issued pursuant to this bylaw.

## **PART FIVE: PREVIOUS BYLAW REPEAL**

**5.1** Fireworks Bylaw 7801 (adopted October 4, 2004) is repealed.

## **PART SIX: SEVERABILITY & CITATION**

**6.1** 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.

**6.2** This bylaw is cited as “**Fireworks Regulation Bylaw No. 7917**”.

## **PART SEVEN: FEES BYLAW**

**7.1** The Consolidated Fees Bylaw No. 8636, as may be amended from time to time, applies to this bylaw.